

# Collaboration and Market Surveillance

Success Factors for Collaboration





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# Foreword

The Association of Swedish Engineering Industry (Teknikföretagen) and the Swedish Trade Federation (Svensk Handel) believe that market surveillance<sup>1</sup> is crucial for a functioning internal market and for safety, health and the environment. We believe that enforcing and monitoring legislation in a timely and efficient manner is fundamental to the free movement of goods. This must be strengthened both within the Community and in the Member States.

The purpose of market surveillance is to ensure that all economic actors who place products on the market comply with current regulations. This should therefore be strengthened and streamlined. The general public has a right to viable and sound protection, regardless of the product or its source. In addition, such monitoring is important for businesses because it helps to ensure fair competition. Effective control is also crucial for market confidence in a non-bureaucratic system of product marketing.

Experience has shown that the flexibility New Approach entails is advantageous for European companies, while lack of market surveillance is a real problem. The only action that can further improve the extent of protection is strengthening implementation of legislation that is, monitoring compliance with legislation.

It is up to the Member States within the EU to take responsibility for market surveillance; its form, ambition levels, resources and efficiency. At present, these factors differ between countries. A regulation on market surveillance has recently been adopted by the Parliament and the Council of the European Union. This regulation provides a good foundation for streamlining and coordination, provided that the Member States provide the resources.

Through increased cooperation both within Member States, between Member States and between authorities and business, market surveillance can be made more efficient. Therefore, the purpose of this report is to highlight the success factors that can lead to enhanced cooperation at all levels mentioned above. The report also provides a broad description of how collaborations mainly work today.

*Stockholm, September 2009*

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1) Market surveillance involves supervision that the products that are sold on the internal market, comply with relevant directives and regulations.

# Executive Summary

## Current Status

The focus of the study is market surveillance and how different stakeholders in the area collaborate. Market surveillance entails supervision that the products sold on the internal market comply with relevant directives and regulations.

A starting point has been that cooperation within market surveillance, both between authorities and between authorities and businesses, is important for achieving efficient market surveillance. It is also important for the internal market's functionality. Another starting point has been that increased cooperation in market surveillance may lead to uniformity between Member States in the area without responsibility for market surveillance being moved to a supranational level.

The study has largely confirmed that cooperation gives rise to effects which contribute to harmonization. It has also shown that cooperation can be a way to improve efficient utilization of limited resources. Despite this, it is noted that there is room for improvement in a number of areas:

- Generally, there is a strong need for increased resources at several levels within market surveillance. The study has shown that in the context of existing resources and through marginal adjustments, there are improvement opportunities that would lead to better cooperation, both between authorities and between companies and authorities, and thus lead to a more efficient market surveillance.
- There is a lack of understanding, mainly among the interviewed companies, as to why products that comply with various EU directives can be sold throughout the EU while market surveillance of the same goods occurs on a national basis.
- The authorities still perceive market surveillance largely as a purely national concern, although collaborations are emphasized more and more. Cooperation with other countries is often seen not as part of normal operations, but rather something that is done "provided there is sufficient time and resources."
- The cooperation that exists between the different authorities refers mainly to different types of information exchange and preparation for market surveillance and is far less concrete and practically oriented, i.e. part of the implementation of market surveillance. Cooperation on information and preparation is important for streamlining of market surveillance between the Member States. However, this means that the authorities' cooperation is often not visible to companies, and does not lead to direct efficiency gains. Cooperation within the realms of information exchange, etc. also needs to be pursued by means of increased and intensified co-operation in the implementation of market surveillance.

- Success factors for collaboration between authorities range from cultural factors to organizational aspects where there are relatively large differences in the ability to influence the different aspects. It is therefore important that measures to improve cooperation between the authorities and therefore market surveillance operations are directed at the right factors.
- The study shows that market surveillance in many cases is insufficient from a company's perspective. Market surveillance often focuses on security issues and less on aspects such as energy or environment. This gives rise to imbalances where private enterprises find themselves forced to take on market surveillance tasks through, for example, voluntary collaborations. The development is unfortunate from several perspectives - it is really not a company's role, and at the same time, the authorities' supervisory role is being eroded. Furthermore, this has an impact on the competitive environment where companies that are outside private collaborations can exploit the lack of market surveillance.

## Improvement Areas

Based on the study, suggestions for improvement have been identified in order to make collaboration and market surveillance more efficient.

The proposals in the study for how collaborations *between public authorities* and thus market surveillance as a whole can be improved are:

- **Consider a faster development towards harmonized market surveillance**  
As things are currently, directives according to a New Approach in practice to a large extent mean harmonization of safety and property requirements at an EU level, while market surveillance remains a national matter. This is perceived as inconsistent, most of all by companies. The prospect for more efficient market surveillance is limited, both for public authorities, and for companies. In other regulatory areas that have been regulated nationally, historically, there is a current investigation to establish whether they can be wholly or partially lifted up to the EU level. Such an investigation should be initiated also for the type of market surveillance relating to product features and safety.

One way to achieve these efficiencies would e.g. be to allow different countries to specialize in the framework of EU-wide market surveillance. This means that one or two countries would focus on market surveillance linked to certain directives or types of products. This would create an opportunity to build competence in one or a few areas where the best conditions exist, instead of as now, where each member state, in principle, must have expertise in all areas.

- **Ensure greater consistency in information systems**  
The systems that currently exist are sufficient to bring out the information that is a prerequisite to ensure that cooperation and market surveillance functions. However, Member States need to do uniform interpretation of the information to be fed into the system in order to streamline it. Work has already started through a revision of the guidelines on the RAPEX system. As ICSMS will play an important role in the future, it is important to establish

a uniform terminology for the information to be entered into the system, already at an early stage.

- **Streamline the distribution of resources**

Funding is critical to collaborations and market surveillance. It is therefore important that resources for the market are already included in the decision on a new directive.

Currently only a small part of a country's budget is allocated to market surveillance and collaborative projects. The Commission should inform the individual countries through discourse that placing a greater focus on co-operation on their own behalf also must mean that a larger proportion of the funds are allocated to collaborations. This allows collaboration to become a normal part of operations, rather than something that occurs outside of this.

It is also important to find a system to allocate resources and thus ensure the long term efficacy of market surveillance. This includes, for example, financially weak countries that currently have difficulty in financing international market surveillance collaborations. It also includes countries that are currently taking a disproportionately large part of the cost of market surveillance e.g. because of their geographical location.

Market surveillance of product properties is perceived by many companies as weak in the present situation. As a way of strengthening it, there should be sufficient resources earmarked for market surveillance in this area.

Procedures for applying for collaborative projects within the EU are too cumbersome, and it takes too long and too many resources for the national authorities. The processes need to be reviewed and streamlined.

- **Collaboration between authorities needs to be more concrete**

Be sure to increase collaboration between the authorities during the "implementation phase" (i.e. collaboration during the actual implementation) of market surveillance projects. This increases the direct and visible effect of collaboration between agencies through making activities such as sampling, testing, and contacts with companies, etc. more efficient and carrying them out only once even in cross-border collaborations.

The study's proposals for how collaborations *between public authorities and companies* and thus market surveillance as a whole can be improved are:

- **Increase public authorities' expertise relating to the areas they are set up to monitor**

Ensure that the authorities take part in the standardization process to an even greater extent than today. This increases understanding of companies' daily lives and hence an increase in quality of market surveillance is accomplished.

- **Review the penalties associated with non compliance**

The penalties for non compliance need to be reviewed to obtain a more effective weapon against companies that do not follow the directives and regulations relating to the features of a product which thus distorts competition in the internal market.



Penalties for non compliance with safety requirements may differ between countries for the same product. Cooperation between countries should be expanded to ensure that these penalties are implemented equally.

- **Improving information from authorities to businesses**

Dissemination of information to the various stakeholders is a key part of effective market surveillance. Ensure that the existing system contains the information on results of market surveillance that is relevant for businesses.

Establish multi fora for the exchange of information between authorities and companies. This provides a basis for rapid exchange of information between authorities and businesses, and prevents unsafe products being placed on the market.

Consider disseminating more information on future market surveillance activities as a preventive measure. This provides an automatic self monitoring and potentially faster results than market surveillance actually carried out.

- **Tests must be viable in all countries**

Ensure that the implemented activities, that is, primarily the tests carried out, can be used throughout the EU and are no longer limited to being used in a single country.

# Contents

<b>1. Introduction.....</b>	<b>9</b>
Purpose.....	9
Background to the study.....	10
Structure of the report .....	11
<b>2. Cooperation between authorities - current status.....</b>	<b>12</b>
What are the success factors for co-operation between authorities?.....	12
Culture .....	13
Structure .....	13
Systems .....	14
Financing.....	15
Timing .....	15
Organization .....	16
Cooperation in the different parts of the market surveillance process .....	17
The information phase and the implementation phase .....	17
Direct and indirect effects of cooperation .....	18
<b>3. Collaboration with companies - how market surveillance currently works .....</b>	<b>19</b>
The role of market surveillance .....	19
Cooperation between authorities and companies.....	19
How does market surveillance work within the different areas?.....	20
Consequences of lack of market surveillance .....	22
Factors affecting the cooperation between public authorities and businesses .....	22
System availability and information dissemination .....	23
Organization and terminology .....	23
Knowledge and industry knowledge .....	24
Exchange of implemented activities and information.....	24
<b>4. How can market surveillance and collaboration be improved</b>	
<b>- development proposals.....</b>	<b>25</b>
General - a faster development towards harmonized	
market surveillance should be considered .....	25
Development proposals for cooperation between authorities .....	26
Development proposals for collaboration between authorities and companies .....	28
<b>Appendix 1: Study Method.....</b>	<b>31</b>

# 1. Introduction

Market surveillance relates to the activities and the measures taken by the public authorities to ensure that products comply with the requirements set out in the relevant harmonized legislation and do not threaten the health, safety or other aspects of protection of public interest.

Market surveillance is therefore important to ensure that products placed on the market not only meet the required standards of safety but also other aspects besides security, such as health, environment, electromagnetic compatibility and energy efficiency<sup>2</sup>. Market surveillance is also important to ensure that all actors that put products on the market do so under the same conditions.

In the light of the importance of market surveillance, and the increased focus on cooperation which the so-called New Legislative Framework (NLF)<sup>3</sup> implies, the problem of cooperation in the framework of market surveillance is of utmost importance. Therefore, Teknikföretagen and The Swedish Trade Federation initiated a study on how cooperation between various actors involved in market surveillance functions. The study has also identified proposals for action that could lead to increased cooperation.

## Purpose

The purpose of this study is to identify success factors and improvement areas for collaboration between relevant stakeholders in the market. More specifically, this means:

- Between EU Member States
- Between the authorities involved in market surveillance
- Between industry and authorities

The work also aims to suggest measures to improve cooperation based upon the identified success factors, and thereby improve market surveillance.

What is included in the term "cooperation" is not entirely clear. There are several types of cooperation such as information exchange, exchange of officials between different countries, provision of the system for cooperation, informing the Commission, joint projects, etc. In this study, all of these types of partnerships are included in the concept.

2) "Security" in this report means requirements for safety; all other requirements are referred to as "properties".

3) In 2008, a new common framework, termed New Legislative Framework (NLF), was introduced, to facilitate trading of goods within the EU and to strengthen the enforcement of legislation. The instruments included in the package should strengthen the basic rule that exists for trading of goods within the EU which says that a product approved in one EU country may also be sold in other member countries.

## Background to the study

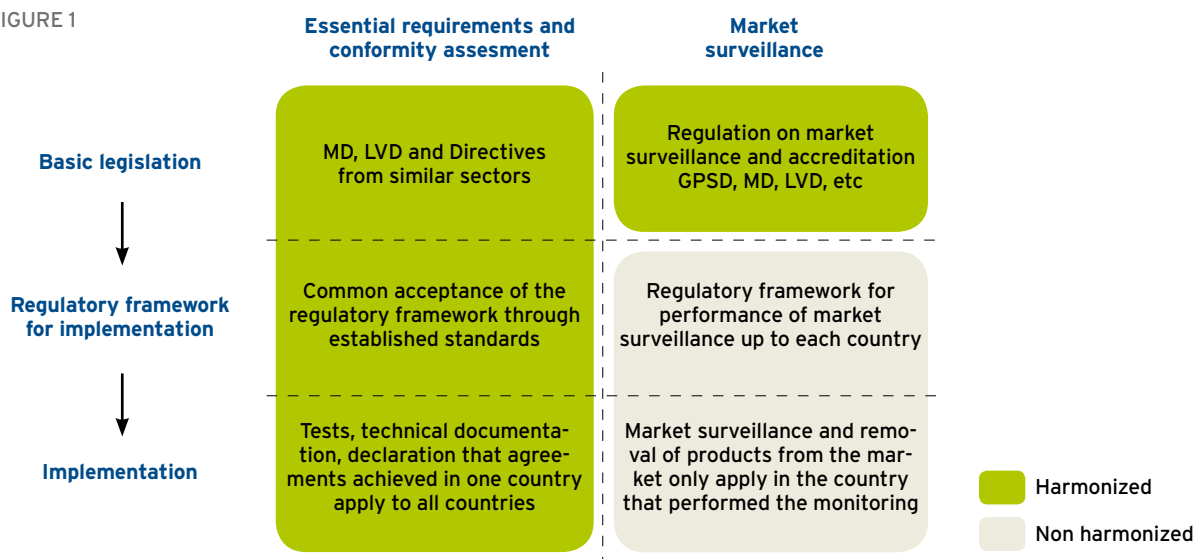
The starting point of the New Approach Directives is that products complying with the essential requirements of the Directives may be placed or made available on the internal market. If they do not show conformity with the requirements, measures must be taken by those placing the products on the market. Market surveillance is a key requirement to ensure that products comply with the essential requirements of the applicable directives and regulations, and to ensure that the internal market functions appropriately. New Approach Directives are implemented by each member state through national legislation and in the legal sense it is in relation to the national law that market surveillance is conducted.

In the sectoral Directives relating to sectors such as the Low Voltage Directive (LVD), Machinery Directive (MD) and Eco-Design Directive (EUP), it is stated briefly what happens if the products do not comply with the essential requirements through safeguard clauses. Furthermore, the measures that Member States will take when this occur are indicated. The sectoral directives do not contain any advanced statements on how market surveillance should work.

The General Product Safety Directive (2001/95/EC), known as GPSD, entered into force in December 2001 and was subsequently incorporated into national legislation. The General Product Safety Directive covers both used and new consumer products not covered by other specific EU directives, and contains certain guidelines on market surveillance. The Directive contains provisions that producers are responsible for ensuring that the products they put on the market are safe, provided they are used by the manufacturer in the specified way.

In 2008, the European Council and European Parliament adopted a regulation on accreditation and market surveillance (EC No 765/2008). This regulation, together with two other acts, forms part of the so-called New Legislative Framework and seeks to establish a framework for market surveillance of products to ensure that these meet the requirements that provide a high level of protection. In this connection, the importance of cooperation between different actors involved in market surveillance is highlighted as an important factor. The product package includes market surveillance of both harmonized and non-harmonized arenas.

FIGURE 1



As market surveillance can be seen in the context of the development of a product to its provision or release onto the market, it can be seen that there is an imbalance in the distribution of responsibilities between the sectoral directives, such as LVD and MD, and market surveillance. Products which conform to the requirements can be sold in all member countries. Market surveillance occurs, however, for the most part on a national basis. This means that a decision that a product does not comply to regulatory requirements in one country need not apply in another country. This is illustrated in Figure 1 above, where the green boxes represent areas of harmonization.

The increased focus on cooperation should, among other aspects, be seen as a form of compensation for the lack of a harmonized approach to how market surveillance should be carried out. Cooperation is a way to move towards a uniform market without the details of the implementation being regulated at an EU level. Therefore, this study focuses on the various cooperative roles within market surveillance.

## **Structure of the report**

The report is based on the conclusions and observations that can be drawn from the material and interviews that have been carried out during the study. The study was carried out in two phases, a mapping phase and an interview phase. A brief explanation of the study method, number of interviews, etc are contained in Appendix 1, Method used in the study.

The report is structured as follows: In Chapter 2, how the cooperation between agencies works at present is described, as well as the factors affecting cooperation. Chapter 3 describes the current cooperation between authorities and businesses and describes the areas which companies identified as providing the greatest opportunity for improvement. Chapter 4 presents the proposals which can make market surveillance even better. The proposals concern both collaborations between authorities and between companies and authorities.

## 2. Cooperation between authorities – current status

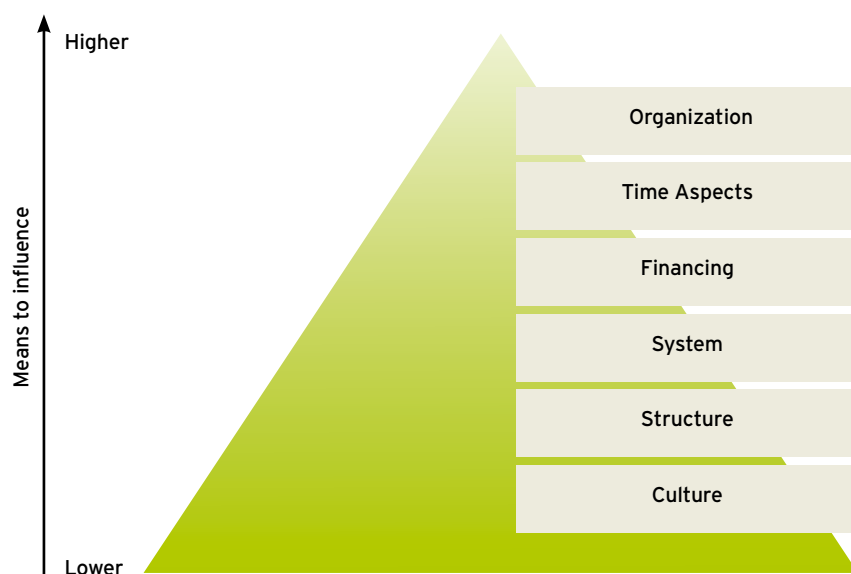
Cooperation between authorities currently occurs on several levels within Member States and between member countries. What affects partnerships and opportunities for good partnerships are described below based on the success factors which emerged from interviews with authorities.

The term "authority" is used here in the broad sense. The term includes the authorities and ministries at a national and an EU level. The General Directorates within the EU are considered in the context of the authorities.

### What are the success factors for co-operation between authorities?

In order to explain what affects partnerships and opportunities for good collaboration at all levels, the success factors have been divided into six broad categories. These are illustrated in Figure 2 below.

FIGURE 2



The six categories contain, in turn, underlying success factors which are of varied nature; and which in some cases, relate to individual projects and in other cases are more general. The order of the factors reflects how easy they are to affect; culture and structure are considered to be more difficult to influence, whereas timing and organization are considered to be easier. The various factors are described in more detail below.

## Culture

The concept of culture includes aspects such as language, similarities between countries, traditions, and "personal chemistry". These are factors that influence opportunities for cooperation, but which are difficult to influence.

Countries with similar or identical languages find it easier to cooperate with each other. These countries can focus on content directly, instead of spending time and resources on translations.

Traditions within both national and international collaborations are other cultural factors which may facilitate collaboration. Smaller countries, for example, have had to cooperate with other countries in a variety of areas. In this way, a tradition of cooperation is created, which can also be applied to market surveillance.

Much collaboration is currently of a more informal nature. This means that individuals may play a very important role. Many of the collaborations are built up by officials within the authorities or ministries involved in market surveillance. Such collaborations are strongly dependent on the person, in this and in other respects, as they are often linked to individuals rather than a country, a certain authority or a service.

### Cultural Example:

*The Nordic countries are actively engaged in co-operation within market surveillance, an important reason for this being a similarity between cultures. These collaborations can be both formal and more informal. One example is the "Nordic Failure Code System", which is a system developed in the framework of "Nordic Safety Co-operation" to classify the failure of products covered by the LVD. The collaboration includes Denmark, Finland, Sweden and Norway. The system is used in laboratory tests, and consists of a list of codes for classifying errors and how serious they are. Responsible authorities thus receive help to assess the level of risk the error entails, and what action should be taken.*

## Structure

In some cases, partnerships between authorities or authority representatives occur on a voluntary basis, i.e. without there being any regulatory requirements for participation. Such a structure of voluntary participation can be said to be a success, because those who participate do so because of their interest and commitment and not because they must. A large part of the successful and established partnerships that exist in the field started as voluntary partnerships. The volunteer structure has meant that organizations and individuals, having seen the benefits of cooperation, have become committed.

A country's geographical location can also be said to be a success factor in that cooperation of a certain kind may be necessary. An example is the Netherlands where a close cooperation exists between customs and other surveillance authorities. Since a very large part of imported goods into the EU enters the Netherlands, it is of great importance for the whole of the internal market that market surveillance in cooperation with customs can be conducted in an effective way.

The constitution of market surveillance in a particular country is another factor affecting collaboration. In those countries which have a more decentralized structure of market surveillance, that is, where they are also responsible at the regional level, cooperation between the different regions is often a prerequisite, and they tend therefore to find it easier to participate in international collaborations.

#### Structural Example:

*ICSMS, an Internet-based information and communication tool for market surveillance of technical products, is an example of how control on a voluntary basis or governmental market surveillance in a country gives rise to solutions for collaboration. ICSMS began as a way to cooperate in Germany between Federal States but soon came to be used between several EU countries on a voluntary basis as they saw the need for it and the benefits.*

## Systems

Systems, and more specifically IT systems, are an important precondition for collaboration. Certain requirements must be met so that the systems can be used in an efficient way in collaborations.

A factor to ensure that system support could be used in partnerships is that the infrastructure is in place and functioning. The interviews have shown that the systems that currently exist can generally be considered to be adequate, both for current and future needs. However, there is a need to develop some aspects.

A system is not better than the information entered in it. It is therefore of great importance that this information is consistent and that all parties using the systems are in agreement about what information the system should contain. There is a need to develop common criteria and quality requirements for what will be added so that the information is consistent between different Member States.

Information passed on to other users is only of real benefit if it can be received and processed by the recipient. Therefore, there must be an opportunity to take care of the information exchanged, and a process to channel the incoming information to all interested parties (e.g. companies, other authorities and consumers) at the receiving end.

#### System Example:

*RAPEX system, the EU's rapid alert system for dangerous consumer products, is largely deemed sufficient by those authorities and companies interviewed in the study, both for current and future needs. However, there are some difficulties linked to RAPEX, in that it is sometimes felt that there are differences in interpretation and difficulties in receiving and processing other countries' information in a structured way.*



## Financing

Financial resources are required for collaborative projects to develop from informal meetings between officials to a structured and sustained cooperation. The financial resources of member countries or centrally from the EU should be made available when the projects reach a "critical" level. That is to say when they find it difficult to achieve more in the context of the initial structure and there is potential to develop into something larger and more inclusive. There is also a link here to that described above for a voluntary basis in the structure. Some of the more successful collaborations in the field have started on a voluntary basis, but have since received funding to enable them to move into a more formalized and permanent phase.

Another important factor linked to funding is the availability of funds. Several of the interviewed authorities have pointed out that it takes time and administrative resources to obtain financing from, for example, the EU Commission. In some cases, these challenges are so great that those involved in collaborations solve financing by other means. This may mean that some of the participating countries or authorities take responsibility for the bulk of the funding.

### Financing Example:

*PROSAFE is an association of the authorities responsible for market surveillance of consumer products. The organization met formally for the first time in 1990 and currently operates the so-called EMARS projects (Enhancing Market Surveillance through Best Practice). After having worked with a more informal structure for several years, PROSAFE has now reached a critical level and EMARS projects receive funding from the Commission. By external financing, the projects can afford to stick with a particular administration which helps to push the projects forward.*

## Timing

The interviews have shown that timing is an important success factor, especially in the individual collaborative projects.

Those expected to participate in collaborations normally have an "everyday" agenda to be followed. For collaborative projects to work in practice, it is important that all parties involved are able to add this to their planning so that all parties can carry out regular activities and contribute to the cooperation.

Timing is also important for the issue of financing of individual projects. This applies, for example, to projects financed by the parties involved and where the projects are planned to last for a period of years. In many countries, financing of the authorities is allocated on an annual basis, which may make it difficult to tie up funds and resources in external projects for several years.

In some cases, collaborative projects need to be carried out quickly in order not to lose their relevance. Even in these cases, the timing of funding can be important where resources need to be allocated quickly such that the "window of opportunity" for cooperation is not lost. An example could be when accidents

with a particular product increase over time; a project should be initiated as soon as possible to quickly get to the bottom of what causes the damage.

#### Timing Example:

*LVD AdCo (Administrative Co-operation Working Group) is a working group for products under LVD. Within the framework of the LVD AdCo, a collaborative initiative, "Cross Border Market Surveillance – luminaries", was conducted in 2006 for light fittings. The project included 15 countries. The starting point for the project was a strict schedule in three phases. The timetable soon proved to be a challenge for many countries because it collided with existing schedules and commitments.*

#### Organization

In the individual collaborative projects there are a number of success factors connected to the organization that influence the chances for success. These factors can be said to be universal in that they apply to most types of collaborations, including market surveillance. The factors linked to the organization are scope, management, administration, terminology and methods.

Those interviewed suggest that in terms of experience, there is a link between the extent of implemented collaborative projects within market surveillance and how well they succeed. For projects that are more limited in scope e.g. in terms of number of participating countries or the number of product types covered, there is clearly a greater chance for success.

Another important factor in the individual project relates to management. Collaborations in practice often take place outside of normal government activities. Therefore they may not be driven forward unless a Member State takes responsibility to lead them. It is for this reason important to appoint a management organization for any given collaboration.

Another important factor is that it is perceived as very useful to have an administrative function for the projects. This is linked to the fact that projects in practice often take place outside of normal business activities. This function need not be particularly extensive, but a resource that will send out invitations, arrange meeting times etc. Such resources make a big difference to the implementation of these projects.

Finally, a common terminology and common practices substantially facilitate collaborations. It facilitates communication between all parties and prevents misunderstandings and different interpretations.

#### Organization Example:

*Several of the collaborative projects that have taken place at an EU level, such as for lamps, lighters or solariums have been limited in scope insofar as they relate to specific types of products. Both EMARS projects and LVD AdCos projects on the light fittings as mentioned in the previous examples have had someone who has taken leadership for the projects to ensure that they make progress.*

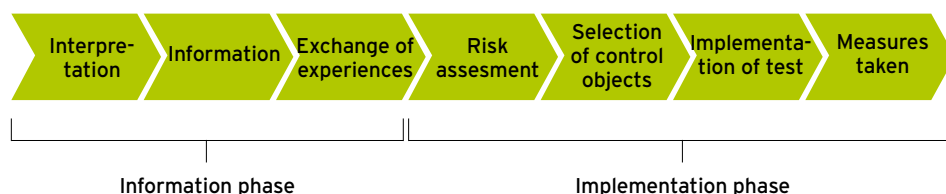
## Cooperation in the different parts of the market surveillance process

### The information phase and the implementation phase

Cooperation regarding market surveillance can be carried out on a variety of levels, from authorities meeting to interpret a regulatory framework to the implementation of market surveillance in joint projects.

One way to describe the different types of partnerships is to start with the different parts of the market surveillance process, as illustrated in Figure 3.

FIGURE 3



Overall one can say that market surveillance processes consist of two phases:

- An information phase
- An implementation phase

Collaboration in the information phase refers to common interpretations of rules, exchange of information between authorities and exchange of experiences. Collaboration in the implementation phase refers to risk assessment, selection of control objects, implementation of test/document control and possible remedies.

Success factors for cooperation differ depending on whether the collaboration is in an information phase or implementation phase. In general, the identified success factors are more attributable to the implementation phase than to the information phase. The reason is mainly that when a partnership for a specific market intervention is initiated, things are brought to a head. All of the success factors listed in Section 2.2 are deemed to be important during the implementation phase. For the information phase, it is above all, factors that are related to time and financing that are considered to be less critical.

A review of the partnerships that currently exist at EU level shows that the vast majority are indeed collaborations in the information phase. The interviews also show that although there is a wide range of collaborations, they can usefully be intensified to their advantage.

There are relatively few partnerships at EU level for the implementation phase and those that exist involve relatively narrow product sectors. The projects that have been carried out, although they have been successful, have been more like pilot projects. This means that for the implementation phase, cooperation not only needs to be intensified but also needs to cover a wider range of products and involve more partners.

## **Direct and indirect effects of cooperation**

Cooperation is not an end in itself but a tool to achieve effective market surveillance. This means that the parties involved in a partnership can expect different types of improvement of efficiency gains due to collaboration. These effects can either be direct or indirect.

For authorities, collaborations often give direct effects, whether the cooperation relates to the information phase or the implementation phase. All steps in the information phase, such as a common interpretation of regulations, development of guidelines, information sharing and exchange of experiences, give rise to direct effects in terms of opportunities for the streamlining of public authorities. Cooperation ultimately leads to each authority having to use fewer resources for interpretation or for gaining experience in certain aspects of market surveillance.

Even in the implementation phase, efficiency benefits for the authorities can be said to be direct. Joint risk assessments which are carried out permit the same risk assessment to be used by several authorities in different countries, giving a direct effect in terms of resources freed-up. Collaboration in the selection of objects for surveillance means that only one contact would have to be taken with companies, and that the risks of duplicates are minimized. By negotiating and carrying out joint tests, the total cost of tests can be reduced. For the authorities, there are direct effects of cooperation in the implementation phase as well as the information phase.

For companies, however, this involves indirect effects of cooperation between authorities in the information phase of interpretation, information sharing and exchange of experiences, as it makes it easier for them if the authorities are more coordinated. Although the effects are indirect and therefore more difficult to demonstrate, they are important and have major positive consequences.

Cooperation between authorities in the implementation phase, in turn, gives rise to direct effects on businesses too. Common risk assessment means that companies get the same treatment regardless of the country where the surveillance takes place. If public authorities cooperate in the selection of control objects and tests, companies need only provide items to be checked on one occasion, regardless of whether surveillance occurs in one or more countries. The effect of this in the implementation phase means that companies minimize duplication.

From a business perspective, it is, in summary, the implementation phase that is perceived to give the most direct effect and thus the area where it becomes most clear that cooperation is implemented. It can also be noted that it is the implementation phase, which currently has the least focus of the authorities. It is therefore important for business confidence in the market surveillance process that they also feel that cooperation between authorities occurs in this phase. An increased focus on the implementation phase on behalf of the authorities will strengthen the authorities' credibility with the companies and by extension, facilitate communication with businesses.

### 3. Collaboration with companies - how market surveillance currently works

#### The role of market surveillance

Market surveillance means that authorities should check that the products placed on the internal market meet the current requirements. This basic requirement means that the concept of “cooperation” between authorities and companies naturally involves some limitations, such as when the surveilling entity cannot fully cooperate with the surveilled entity in all situations.

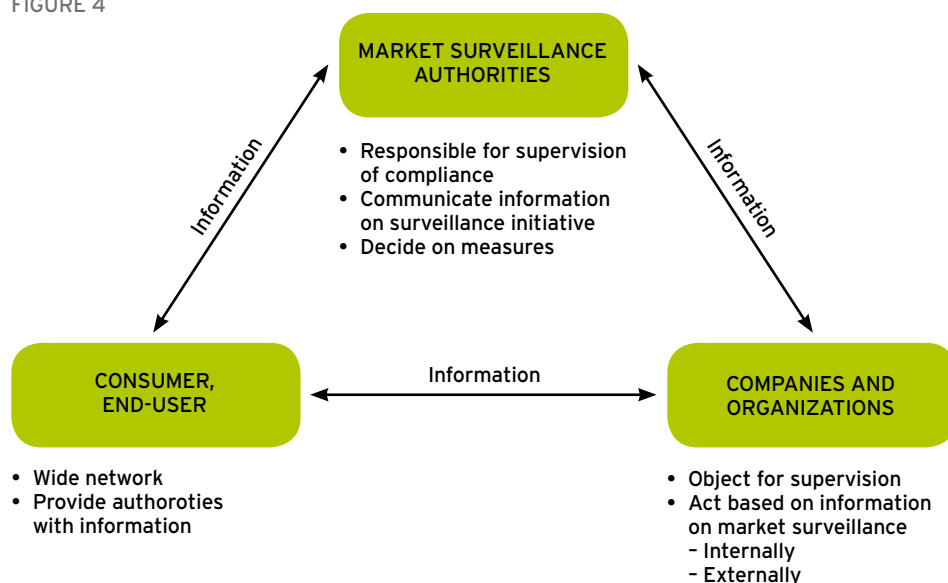
During this work, a picture or model has emerged of how the collaboration between the players should be so that market surveillance could be more effective. At the same time, it has also been noted that cooperation between authorities and companies and thus the role of market surveillance does not work in the same way in all areas. It depends upon a number of different factors.

This section will therefore first give an overview of how collaborative efforts between authorities and companies should look, and also give a picture from the study of how the collaboration works today. This is followed by a review of the improvement areas identified in the context of the interviews made with the companies.

#### Cooperation between authorities and companies

Figure 4 shows a schematic picture of how cooperation between authorities and companies should look to achieve a more efficient market surveillance. The diagram is based on the interviews made with authorities and companies.

FIGURE 4



The authorities' main task is to be responsible for and implement actual market surveillance, i.e. ensure that the products on the market meet the requirements of the directives. From this, actions in the event that products do not conform are determined. The authorities should also provide other stakeholders with information on the results of the market surveillance, and ensure that this is communicated in the best way. This can be done, for example, through the RAPEX system, databases, information meetings, websites, information mailings, and other means.

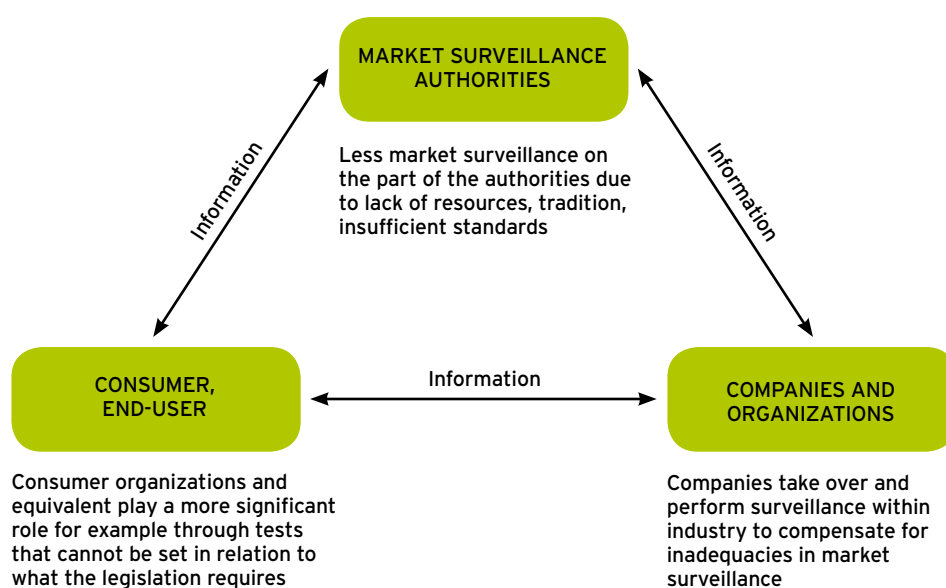
The purpose of public authority information to businesses is that companies should be able to compare the results of market surveillance to their own products and to a lesser extent to competitors' products. In this way, companies are given the opportunity to exercise a kind of "self examination", and at an early stage, find their own products that potentially do not comply. The purpose of market surveillance which is to remove products from the market that do not meet essential requirements is thus achieved earlier and more efficiently.

Consumers and end users are also key players in market surveillance. Here too, information from public authorities to a large extent fulfills the same purpose, i.e. it gives consumers knowledge of non-compliant products, and thus the opportunity to identify products that should be checked. Through the wide network that consumers and end users have, and the ability to report back to authorities, information on products that do not comply with the regulatory framework is captured in an effective manner. This also gives public authorities the opportunity to "keep an ear to the ground" which presumably would not be possible using the resources of the public authorities alone.

### How does market surveillance work within the different areas?

Interviews with both authorities and companies indicate that the cooperation between authorities and business is dependent upon the area referred to, for example, security or other aspects. Figure 5 below summarizes how roles within market surveillance can shift compared to the roles described in Figure 4.

FIGURE 5



Market surveillance is not always carried out to the extent that companies feel is required for it to work properly. This can be because of several reasons, such as scarcity of resources, lack of standards or in some cases also tradition. This gives rise to consequences for other stakeholders in the system, which will have to adjust or expand their roles and collaborative procedures to ensure that compliance with product requirements occurs at a reasonable level.

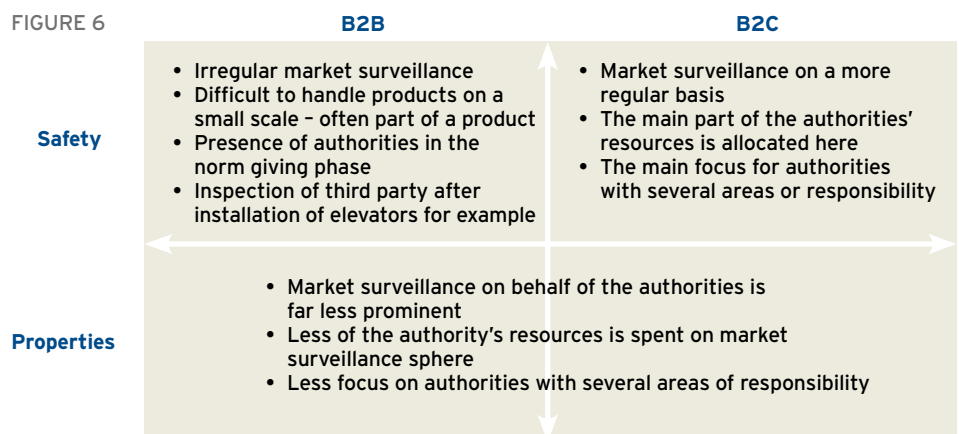
An example of such an adjustment is that the companies take over and carry out their own checks to compensate for the low activity of public authorities. It is normally not a role that companies want to take on, but they often find themselves forced into it to ensure that businesses as far as possible can compete on equal terms.

As the market surveillance of public authorities diminishes, consumers and end users take on a greater responsibility for tests, often through consumer or end user organizations. Tests carried out by these organizations, are frequently not carried out purely with the ambition to test compliance with the requirements stipulated by the law. That such testing is carried out by consumer or end user organizations can lead to the mitigation of the role for market surveillance. If the public authorities reduce the extent to which they check for compliance with legislation, and this is replaced with tests carried out by consumer organizations, the risk of de facto standards that go beyond established legislation increases. This will create ambiguity about the legal requirements for the products. Focus will then be on aspects other than those which legislation sets out to control, and it will be difficult for companies to distinguish between what is legally required and what is more of a consumer or market requirement.

As noted above, market surveillance and cooperation operates differently between players in different areas. Generally, the role of market surveillance can be divided by:

- Consumer products (B2C) or products for professional use (B2B) – Are the products targeted primarily towards the consumer market or the business market?
- Security or other properties – related to safety aspects of market surveillance or other aspects such as for example, energy consumption?

The picture provided from the interviews regarding market surveillance of consumer products/products for professional use and safety and other properties are summarized in Figure 6 below:



Market surveillance of consumer products and safety (upper right corner of the picture above) is that which currently most closely resembles the model described in Figure 5. This is because most resources are allocated here, where consequences of products that do not comply with the regulatory framework involve a risk of acute injury to an individual or the risk of many people coming to harm. Security is therefore the main focus of authorities which currently have a shared responsibility for surveillance of safety aspects and other aspects.

In the case of products for professional use and safety (upper left corner) the interviewed companies feel that market surveillance is not as frequent as in the consumer area. This is partly explained by the fact that products are often more difficult to handle, and a product may also be part of another product. Nonetheless, there are examples of trade organizations that compensate for the lower activity of public authorities by establishing partnerships with selected authorities. Trade organizations assist public authorities with expertise in the context of market surveillance, and their information forms the basis for control of products.

In the case of market surveillance of product properties, such as energy usage (right and bottom left corner) the interviewed companies felt that market surveillance is carried out with considerably less ambition than the verification of safety aspects, whether for consumer products or products for professional use. It is largely due to fewer resources and a lack of focus on behalf of the public authorities. To compensate for the lack of surveillance there are several examples of businesses and trade organizations that have built up voluntary partnerships in which tests are made within that framework.

### **Consequences of lack of market surveillance**

In a context where resources for market surveillance is limited, it is in itself not particularly surprising that prioritization of safety occurs at the expense of other aspects (e.g. energy efficiency or environmental impact). The effect in terms of harm, etc. to individuals is obvious, more serious and immediate for the safety impact of a product than the effects where other aspects of product properties do not meet the requirements.

Nonetheless, it is important that politicians and authorities ensure that the properties of products are controlled by well-functioning market surveillance. If the risk of being caught is low, the incentive for rogue traders not to follow the rules increases. Rogue traders can offer a product with other properties than those offered by the serious players, and the conditions of fair competition are mitigated and it becomes harder to reach the targeted goals. The partnerships built up by companies cannot replace market surveillance conducted by the public authorities. Business partnerships are voluntary and it is in the nature of things that the companies that do not intend to comply with legislation do not become involved in these collaborative initiatives.

### **Factors affecting the cooperation between public authorities and businesses**

The factors that have been identified as affecting the cooperation between businesses and public authorities have been divided into four sub-groups:

1. System availability and information dissemination
2. Organization and terminology



3. Knowhow and sector knowledge
4. Exchange of implemented activities

Below is a review of each group.

### **System availability and information dissemination**

There are currently no general requirements from the point of view of businesses in so far as new systems are concerned. The system that most companies are aware of and have been in contact with is RAPEX. The system as such is perceived by those who have come into contact with it as relevant and works for its purpose. What has emerged, however, is that the information can sometimes be difficult to interpret. For example it is sometimes difficult to deduce whether a reported case is due to a defective product or a case of erroneous product handling. Some countries tend to report more than others, and some of the reporting is not always seen as relevant.

Several of the interviewed companies indicated that there is added value of additional information beyond that which currently comes from the public authorities. Examples of this type of information are the results of tests carried out. Businesses currently primarily get information on the negative results from the authorities, but positive results would also be useful. Companies are not asking for public dissemination of test results, only that they can be informed of the results relating to their products.

As a complement to this, information on accident statistics is also requested. With this additional information, companies would quickly be able to see what types of products cause accidents, and thus be able to assimilate the information in relation to their own product range.

### **Organization and terminology**

As described earlier in the report, responsibility for market surveillance is often shared between several authorities in the context of the national organization of public authorities. Companies operating on the internal market often find that the distribution of responsibilities between authorities differ between countries. In one country, for example, responsibility for cosmetics may be together with supervision of medicines, while in another country it may lie with food. The shared responsibility is not seen in itself as a major problem, however, but may be perceived as illogical, and contact with the authorities thus becomes difficult.

Supervision in some areas, such as chemicals, often has as its starting point its constituents rather than the product. Traders, in particular, find it difficult to know which products are included if you do not have very specific knowledge of all the substances that can exist in different products. The companies stated that some guidance from the responsible authorities would facilitate and speed up the process of, for example, withdrawing a product from the market.

Local authorities may be instructed to carry out certain elements of market surveillance. Businesses often take the view that local supervision is uncoordinated, and that those who carry out the task often lack the necessary competence. An example that can be mentioned is that on one occasion, the same market surveillance information was released by several municipal authorities. The coordination between these, however, was poor, which resulted in the same product being collected several times within a limited geographical area, which resulted in additional work and additional costs for the company.

For a number of areas besides market surveillance, there are also demands for regular inspection. One such area is elevators. Several of the interviewed companies have found that it is not always clear which tasks are to be carried out by which inspection bodies or authorities carrying out market surveillance. It appears this is not always clear even to the responsible authorities. The companies also feel that inspections to some extent, may replace market surveillance, where authorities channel limited resources to other areas that do not require inspection. This is perceived as problematic by businesses when inspection companies formally have a different role than that of the regulatory authorities. The relationship they have to the inspection companies may be jeopardized if they were reporting conditions to the authorities that really related to market surveillance. This could lead to unhealthy competition in those areas, too. Furthermore, it is problematic because inspections do not necessarily have the same focus as market surveillance.

### **Knowhow and sector knowledge**

In some countries there is already a fairly extensive participation in the standardization work mainly relating to products for professional use. That is to say the public authorities form part of the standardization committees. This is seen by companies as very positive because it increases the authorities' knowledge in the field which is advantageous for market surveillance. Several of the interviewed companies feel however, that the presence of authorities could increase even more, not only in different countries but also in areas other than products for professional applications, where most of the energy is spent today.

Linked to this, requests have also been made for more frequent contacts between authorities and companies in connection with the initiation of various market surveillance activities, for example through regular meetings. The purpose of this would be a mutual exchange of information for example, on market surveillance activities by the authorities and relevant events in the industrial branches, in order to facilitate and streamline the market surveillance activities.

### **Exchange of implemented activities and information**

Several of the market surveillance authorities interviewed have indicated that they cannot use the tests conducted by authorities in other countries, even if these have been performed by an accredited laboratory. The reasons for this are that it is not legally possible to do so or that the focus of the tests carried out in their own country is different from other countries. Other authorities indicate that there is no legal impediment to the use of tests performed in another country.

Overall, this is perceived as a problem as it potentially involves costs for companies, not only in terms of the products having to be handled several times, but also because the tests sometimes/often give different results. That a product is tested and approved in one country, does not guarantee that it will be accepted as it is in another country. That in itself increases the uncertainty.

Several of the companies also state that different countries are looking at different things when it comes to market surveillance. For the same product, one country can focus on user issues, while another country may be more focused on for example electrical safety issues. This in turn gives rise to additional uncertainty if tests must be carried out in several countries.

## 4. How can market surveillance and collaboration be improved – development proposals

In the interviews carried out within the framework of this study, suggestions have been made as to how cooperation not only between different public authorities but also between authorities and companies can be improved. Based on these observations and analysis of other facts that have emerged during this work, a number of suggestions on how cooperation, and thus the market surveillance process as a whole can be improved have been identified. The above proposals relate both to the relationship between authorities and between companies and authorities.

Some of the development proposals are on an overall level, which means that no direct account has been taken of how easy they are to implement or at which time these proposals can be implemented. Other proposals are of a more detailed character, which means that they judged to be possible to implement in the short term and in most cases under the existing legal structure.

### **General – a faster development towards harmonized market surveillance should be considered**

As previously noted, there is often a lack of understanding as to why directives according to the New Approach to a large extent entail harmonization of security and other properties on an EU level, while market surveillance is seen as a national question. Harmonization of market surveillance would facilitate collaboration between authorities, and between authorities and companies, and also open the door for a much more effective market surveillance process than that which exists today.

Such a process is not impossible. There are already ongoing considerations within the EU to move all or part of the market surveillance function in other areas to the EU level. These can be divided into two different types:

1. As a consequence of a larger single event
2. As a consequence of several minor changes

In the first scenario, supervision at an EU level is highlighted as a consequence of a major crisis. An example is the discussions that are going on in the financial sector regarding market supervision. The crisis in the financial sector has acted as a catalyst for pushing the issue in such a direction. It is worth noting that within the financial sector, the discussion is not to move supervision as a whole to an EU level, but only certain parts. What these parts are varies between the different proposals.

In the second scenario, there is a slower trend towards comprehensive supervision, driven by several smaller events leading towards the same goal. An example is the supervision of food, where, among others, BSE, feed with dioxin and

imitation olive oil gave rise to an increased focus on supervision in general and common supervisory roles in particular.

EU-wide market surveillance could also open up alternative solutions for the market surveillance organizations, which in itself would mean a further streamlining of the process. One such example is to let different countries specialize in the framework of EU-wide market surveillance. This means that one or two countries would focus on the market linked to certain directives or types of products. Currently, when market surveillance is conducted on a national level, each country member is forced to have expertise in all areas. If instead, there was focus on specialization an opportunity to build competence in one or a few areas where the best conditions are available would be created. This could be set up in a similar way to the EU Presidency in which one country is responsible for a specific question for a period. This period, however, would need to be longer than the presidency, about five years. A specialization would also provide an opportunity for authorities to participate in the standardization work in a more focused manner.

## **Development proposals for cooperation between authorities**

This section outlines the development proposals for cooperation between authorities. Development proposals have been grouped in a corresponding manner as success factors in Section 2.

### **System**

#### **Clarify the definitions in the system solutions**

As mentioned previously, RAPEX has been deemed to work well as a system, but there have been requests that all member countries should make a consistent assessment of when it becomes necessary to file a report in the system. Public authorities and businesses have criticized this. The problem may be temporary as new guidelines for RAPEX are currently being developed. However, it is important that these guidelines are finalized as soon as possible.

Even for ICSMS, which is proposed to be a mandatory information exchange system between authorities, for e.g. sample testing, it is important that this matter is raised, and that clear guidelines for the information entered into the system are stipulated at an early stage.

### **Resources and funding**

#### **Ensure that funding is included as a parameter when deciding upon new Directives**

Funding of collaborative projects are so central for collaborations to work, that this aspect should be included as early in the legislative process as possible. It should therefore be ensured that this is included as an element of market surveillance already at the time when decisions are being made relating to new directives.

#### **Clarify that the increased focus on cooperation means increased resources for collaboration**

Currently, usually only a small part of the national budget goes to cooperation over national borders. Work should be carried out where the Commission primarily informs member countries in a clearer way that greater focus on coopera-

tion also must mean that a greater share of resources for market surveillance will be set aside for collaborations. Through such work the national authorities and ministries can be directed to refocus and understand that collaboration within the EU should not be regarded as something that is beyond everyday business activities, but that this is part of the market surveillance operations.

#### **Consider a voluntary consolidation of funds**

Smaller countries that are currently weak on resources are often outside the realms of joint cooperation, which does not favor anyone in the internal market. In some cases, resource deficient countries have been able to use resources from more resourceful countries. As a way to create a structure and systematic approach in this procedure and to avoid the risk of arbitrariness, the possibility to voluntarily consolidate funds from more resourceful countries for joint projects with smaller, resource deficient countries should be considered. Such a solution also means reduced risk that non-legitimate businesses choose to bring products to the EU via countries that do not carry out market surveillance to a sufficient degree.

#### **Find financing solutions for “vulnerable” countries**

Countries with large ports or which, for any other reason, act as gateways for goods from a third country into the internal market, currently account for a very large part of market surveillance through the work that customs authorities together with market supervisory authorities carry out in the country. This means that these countries have high costs for work that benefit all countries in the internal market. For this reason, there may be reasons to consider the introduction of a financial solution where other member states pay for market surveillance that occurs with the entry of products from third countries.

#### **Allocating funds for market surveillance of product properties**

How market surveillance of a Directive is to be funded and implemented should reasonably be included as a parameter for deciding on a directive, that is, as part of the impact analysis for of the Directive.

The interviews have shown that it often does not work this way. When resources are limited, there is a kind of “built-in” contradiction between market surveillance of safety aspects and property aspects. This is why market surveillance of safety aspects in the short term tends to be perceived as more important.

In order to remedy this in-built problem, resources should be allocated specifically to market surveillance of product properties to reduce the clash of objectives. Australia is a country which has very successfully pursued market surveillance linked to energy use and where special funds have been set aside for this type of market surveillance.

#### **Simplifying the procedures for seeking EU funds**

The interviews have shown that procedures for the national authorities to apply for funding for collaborative projects in the EU need to be improved. It is currently too difficult and takes too long.

Linked to such a simplified procedure, it should also be considered under what circumstances it should be possible to apply for resources in “block form” (“a bag of money”), instead of applying for funds for each collaborative project. Such a procedure would create an opportunity for an individual country to quickly decide on participation in collaborative projects.

## **Organization within collaborative projects**

Based on interviews with ministries and authorities, the market surveillance process and in which part of the process the collaboration takes place at the moment was described. Overall, the market surveillance process is divided into two parts, the information phase and the implementation phase. These two phases have partially different needs of development.

### **Information phase**

The interviews have shown that there is a range of partnerships at national and at EU level in the different parts of the information phase. What, however, can be developed, is the frequency and intensity of cooperative efforts. An example that can illustrate the need to increase the intensity relates to the Commission sponsored exchange of officers from different market surveillance authorities between different member countries.

### **Implementation phase**

Unlike the information phase, in which several different types of partnerships exist, the collaborative projects that are in the implementation phase at an EU level can almost be seen as a pilot projects. This cooperation needs to be more comprehensive and to be valid throughout the implementation phase and not just parts of it.

In the implementation phase, there are even process steps to carry out risk assessment. Development here should be directed towards a more uniform risk assessment- both for projects in common, and for own projects - which would increase the ability to compare the results.

When selecting a product, those involved in collaborations should always coordinate the selection of countries. The interviews have shown that this does not always happen. If coordination is carried out during selection, this provides cost savings for both authorities and companies.

In tests in collaborative projects, it has been revealed during the interviews that each involved nation often performs its own tests. Authorities cite the requirements for public procurement as a reason for this. In order not to commit breach of contract tests must be carried out by the accredited bodies with which the authorities have contracts. If it is possible to find a way to procure tests, whereby a test would apply in all countries, it would lead to a more efficient utilization of resources and would also ensure that all products are tested in the same way. This would increase legal certainty for the companies subject to market surveillance.

## **Development proposals for collaboration between authorities and companies**

This section outlines the development proposals for collaboration between authorities and companies.

### **Market surveillance of product properties**

#### **System for properties**

As mentioned earlier, information transfer from authorities to companies increases the opportunity for companies to use the information both in relation

to their own products, but also in relation to competitors' products. In this way, a "self regulation" occurs already before the actual market surveillance activities are carried out.

The existing systems do not cover all the directives relating to the properties of products, such as energy labels. As part of the efforts to strengthen market surveillance of product properties, an information system should be established to ensure the functionality and roles of players in terms of market surveillance of the properties of products. This should primarily be done in the context of existing systems, and secondarily through the establishment of new systems and structures.

#### **Review of the penalties for market surveillance**

A consistent line regarding sanctions for non compliance needs to be developed, both in terms of safety requirements and product properties requirements.

If requirements are not followed, this means that ultimately competition is eliminated. It is not necessarily the case that the most effective sanction is a fine. Instead, one may be liable for compensating the consumers affected. For example, in Australia, a company was sentenced to pay the difference in energy consumption between the declared and actual consumption. A similar system could be considered in the EU.

Interviewed companies indicated that they received different penalties in countries where they operate, although their non-compliance related to the same product. It is therefore important, not least for the credibility of the system, to point out to member countries that they should expand cooperation on these issues. In the long term this should lead to equal penalties between countries.

#### **Availability of system and information dissemination**

##### **Develop the system's contents**

The interviews have shown that both companies and authorities feel that, for example, RAPEX is a well-functioning system. However, it has emerged in different contexts that there is a wish to develop the content of the systems so that information on tests, information on accidents, information on inspections, and so on is also included. In order to develop content of RAPEX an analysis of the system needs to be performed in order to supplement the information that is relevant from a business perspective. Among other things, clearer information is called for, as to whether an individual report is due to a handling error or a defective design of the product.

##### **Create expanded fora for meetings**

The interviews have shown that companies, above all, are asking for fora to discuss and share issues related to market surveillance. Through these, information can be exchanged quickly and effectively between authorities and companies, and thus effectively prevent unsafe products being placed on the market. The interviews have also shown that there are currently different forms of meeting fora between companies and authorities, both at international and national levels.

As companies feel that various forms of meeting places for companies and public authorities are valuable, increasing the intensity of this type of meeting should be considered both at an EU and national level. This may relate in gene-

ral to meetings on market surveillance but is also linked to some specific requirements, regulations or types of products.

#### **Providing information on upcoming activities**

Whether information on future market activities from the authorities is one way to achieve more efficient market surveillance should be considered. Such a process would give rise to an automatic self regulation and potentially faster results than actually carrying out market surveillance. However, the usefulness of such information must be weighed against the "police" power that the usual market surveillance has.

#### **Spreading of information in new ways and indirect stakeholders**

Something that has emerged in the study is the important role that information and information dissemination play in market surveillance. For this reason, the authorities should consider starting information campaigns for "indirect" actors. For example, authorities can talk to different types of users or groups of users about what can happen with insurance compensation in the event that products which do not comply with the essential requirements are used and cause an accident. In parallel with this, information can go out to insurance companies so that they inform customers about their insurance in a clearer manner.

#### **Knowledge and industry knowledge**

One way for the authorities to be more proactive in relation to market surveillance is by intensifying their presence in the standardization process. This would help the authorities ensure that standards are more understandable and concrete. It would also ensure a greater understanding on behalf of the public authorities and companies for each other's views on various issues. Overall, standards have an important role to play in market surveillance processes, because clear and transparent standards are easier to follow for companies and also help the authorities by offering a basis for market surveillance.

#### **Exchange of performed activities**

##### **A completed test should be valid throughout the EU**

It has been shown that both companies and authorities have encountered cases where the test conducted in a member state is considered not relevant in another member state. The starting point must be that a test done in an accredited laboratory must be possible to use by all authorities within the EU, irrespective of the authority who performed the test and where it was performed. In some cases, supplementary data for example relating to specific climate challenges may be required, but fundamentally these tests should be applied throughout the internal market.



# Appendix 1:

## Study Method

The study has been carried out in two phases. The first phase has focused on mapping and identifying relevant parameters that may influence the form of market surveillance in different nations and different sectors. This has been done through a study of existing written material in the area and interviews.

In the first phase a review of the product safety directive, and legalities relating to the goods package was carried out to identify what formulations the documents contain relating to collaborations linked to market surveillance and which requirements they place on companies and authorities. Legislative requirements were checked and discussed with the responsible authorities and the responsible ministries in Sweden.

Based on the results of the first phase, a number of in-depth interviews with persons working with market surveillance in a number of EU countries were carried out in a second phase. Those interviewed represented companies, public authorities and other organizations.

The companies interviewed can be divided into two categories; those who mainly place or offer consumer products on the marketplace, and those who mainly places or offer products for professional use.

The selection of companies in each category is broad in the sense that companies are of different sizes in terms of turnover, number of employees and the kinds of products they put on the market. Most of the companies operate in most parts of Europe, but some are only active in the Nordic countries. Among the companies, there are both manufacturers of large machinery and component manufacturers. The products they put on the market fall together within the framework of the LVD, EMC, RTTE, MD, directives on energy labeling of electric products and the directive on elevators. Among B2C companies are businesses that put clothes and toys on the market as well as bicycles and electric products. The companies were interviewed with a promise of anonymity.

In addition to interviews with companies, interviews have also been carried out with various professional organizations and associations working with or which have an interest in market surveillance. Representatives of the following organizations/associations were interviewed:

1. EuroCommerce
2. Orgalime
3. Prosafe
4. EMARS
5. LVD Adco
6. Assocomplast, Italy
7. Finnish Industry
8. Swetoy
9. Suppliers of Electrical Household Appliances

The interviews with the authorities and ministries have been made mainly in Sweden, Finland and Brussels. The interviews have generally been made on the spot, but in some cases, the interviews have been conducted by telephone. The following authorities and ministries were interviewed:

1. DG Sanco
2. DG Enterprise
3. Finnish Safety Technology Authority
4. Consumer Agency, Finland
5. Ministry of Employment and the Economy, Finland
6. Department of the Environment, Water, Heritage and the Arts, Australia
7. Ministry for Foreign Affairs, Sweden
8. Swedish Work Environment Authority (2 interviews)
9. Swedish Energy Agency
10. National Electrical Safety Board, Sweden
11. Swedish Chemicals Agency
12. The Swedish National Board of Trade
13. The Swedish Consumer Agency (3 interviews)
14. The Swedish Post and Telecom Agency
15. SWEDAC
16. Swedish Customs

Interviews with companies, organizations and authorities/ministries have been so-called semi structured interviews. A total of 23 interviews with companies and trade organizations and 20 interviews with authorities and ministries were carried out.

The results of the study have been regularly checked by two reference groups. In one of the reference groups, the participants have been Teknikföretagen, Svensk Handel and representatives of a number of large internationally active commercial and industrial enterprises. In the second group, in addition to Teknikföretagen and Svensk Handel, SWEDAC, the National Board of Trade and the Ministry of Foreign Affairs were included.





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