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Working Party on Regulatory Cooperation and
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Item 8 (a) of the provisional agenda

MARKET SURVEILLANCE

Updates from regional groupings and the advisory groupings on market surveillance

**Market surveillance: general concept and how it relates to the activities
of the Working Party**

Note by the secretariat (*)

Summary

At its eighteenth session, the Working Party on Regulatory Cooperation and Standardization Policies (WP.6) requested regional groups to provide updates on current activities in the area of market surveillance (ECE/TRADE/C/WP.6/2008/18, para.72). This document presents the “Rules of Interstate Standardization”, which were originally adopted by the EuroAsian Interstate Council for Standardization, Certification and Metrology of the CIS in 2006 and amended in 2009.

The WP.6 Coordinator for Liaison with the Working Group on Market Surveillance of the Interstate Council for Standardization, Certification and Metrology of the CIS transmitted the document to the UNECE secretariat in Russian. It was translated informally and summarized by the UNECE secretariat. This document is submitted to the Working Party for information.

(*) The present document has been submitted after the official documentation deadline by the Trade and Timber Division due to resource constraints.

I. ACTIVITIES OF THE WORKING GROUP ON MARKET SURVEILLANCE OF THE INTERSTATE COUNCIL FOR STANDARDIZATION, CERTIFICATION AND METROLOGY OF THE CIS

1. The Working group on Market Surveillance of the Interstate Council for Standardization, Certification and Metrology of the CIS holds regular meetings of representatives of the national authorities in field of market surveillance of Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Republic of Moldova, Russian Federation, Tajikistan, Ukraine and Uzbekistan.

2. The main topics discussed are as follows:

(a) Exchange of information about the legislation approach and methodology of market surveillance;

(b) Interaction among market surveillance authorities for the purpose of:

(i) Protecting consumer rights and interests of the state, ensure safety of products, processes of products development, production, use, storage, transportation, sale and utilization or service rendering, technical and information compatibility, products compatibility, unity of measuring, controlling and marking;

(ii) Increasing the competitiveness and quality of products;

(iii) Contribute to the elimination of technical barriers for trade;

(iv) Reacting promptly to the cases of dangerous product revealed on the market.

(c) Exchange of information regarding the national legal acts on the issue of market surveillance and the methodologies applicable in the market surveillance activity;

(b) Application of the automatic intergovernmental system for gathering, communicating and exchanging information on dangerous goods and substandard products;

(e) Discussing of the amendment to rules currently in force.

II. COLLABORATION AMONG MARKET SURVEILLANCE AUTHORITIES OF THE COMMONWEALTH OF INDEPENDENT STATES (CIS) VIA THE EUROASIAN INTERSTATE COUNCIL FOR STANDARDIZATION, METROLOGY AND CERTIFICATION

3. The legal basis for collaboration between the authorities in charge of market surveillance is the, "Rules of Interstate Standardization" (document IIMF 32-2006)

4. The countries that agree on the document are as follows: Azerbaijan, Armenia, Belarus, Kazakhstan, Kyrgyzstan, Republic of Moldova, Russia, Tajikistan, Uzbekistan and Ukraine.

5. The goal of the document is to establish the rules according to which are built the relations between market surveillance authorities on issue of compliance of products placed on the market.

6. The document was approved in 2006 and amended in 2009 in order to include the rules regarding the exchange system “Dangerous products”.

7. The document provides:

(a) If products are not compliant with mandatory requirements, including regarding marking and accompanying documentation, surveillance authorities in the importing country should send appropriate information to the relevant surveillance authority of the exporting country. The description of the case involving violations of mandatory requirements should include:

- (i) The type and quantity of the product delivered;
- (ii) The contact information of the producer and importer;
- (iii) Any evidence attesting mandatory requirements have been violated.

(b) If products are accompanied by documentation that wrongly certifies their compliance with mandatory requirements, surveillance authority should send this information to the relevant surveillance authority in the exporting country;

(c) If products are not compliant with mandatory requirements related to life, health and safety of citizens, and to the protection of the environment, the authority should inform the relevant surveillance authority in the exporting country;

(d) With the agreement of other parties, representatives of the surveillance authority in the country to which non-compliant products were delivered can take part in the process of control.

8. To promote efficient interaction and effectively implement these rules, at a meeting held in Minsk on 10-11 June 2009, the Council recommended the following amendment:

(a) When surveillance authority find products representing a threat to life, health and safety of citizens, or the environment, or if they discover that such products were delivered to other CIS member States, information about these products should be registered in the “Dangerous Goods” database. The database should be used to coordinate the response by CIS Member States to these threats.

(b) A procedure should be established for the registration of information about dangerous goods in the database and coordinators should be designated by each the CIS Member States.

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