



Cooperation in Market Surveillance in SEE; Summary of Progress Since 2011

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IPA 2011 Quality Infrastructure in the Western Balkans and Turkey



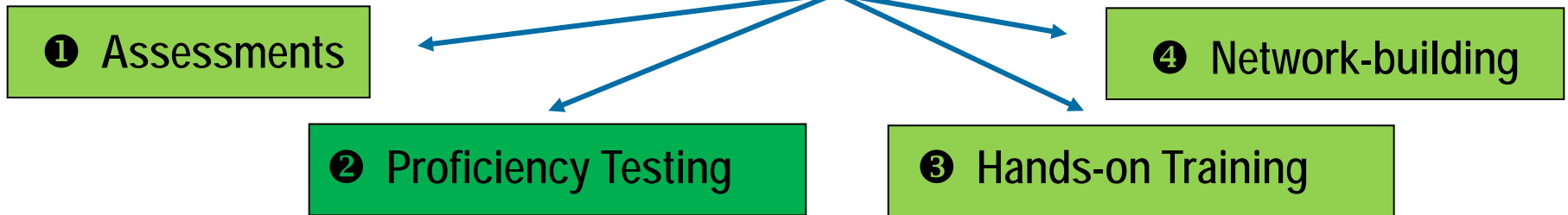
IPA 2011 Multi-beneficiary

Quality Infrastructure in the Western Balkans and Turkey

Overall Objective

Facilitate harmonisation of legislative framework and implementing mechanisms in FMG

Four Specific Tasks



- 1 Evaluation of state of quality infrastructure to check progress made (including Market Surveillance)
- 2 Regional proficiency testing schemes in priority sectors, each with targeted training
- 3 Regional and sector based hands-on training (including HOTs with Market Surveillance topics)
- 4 Deepening of a regional network of quality infrastructure professionals

Albania



→ Project Partners:

- Ministry of Economic, Trade and Entrepreneurship Development
- General Directorate of Standardization (DPS)
- General Directorate of Metrology (DPM)
- Accreditation Directorate (DA)
- *CC member: Anila Jani, Director of Internal Market*



Bosnia & Herzegovina



→ Project Partners:

- Ministry of Foreign Trade and Economic Relations (MOFTER)
- Institute for Standardization (BAS)
- Institute of Metrology (IMBiH)
- Institute for Accreditation (BATA)
- Market Surveillance Agency
- Institute for Standardization and Metrology (RZSM), RS
- Institute for Metrology, Federation of BiH
- General Inspectorates of Federation of BiH and RS

- *CC member: Zoran Bilbija, MOFTER*



Croatia



→ Project Partners:

- Ministry of the Economy (MINGO)
- Croatian Standards Institute (HZN)
- State Office for Metrology (DZM)
- Croatian Metrology Institute (HMI)
- Croatian Accreditation Agency (HAA)
- State Inspectorate

- *CC member: Mirela Zečević, MINGO*



Kosovo*



→ Project Partners:

- Ministry of Trade and Industry (MTI)
- Kosovo Standardization Agency (AKS)
- Kosovo Accreditation Directorate (DAK)
- Metrology Department, MTI
- *CC member: Hafiz Gara, AKS*



* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence

The former Yugoslav Republic of **Macedonia**

→ Project Partners:

- Ministry of Economy
- Standardization Institute of the Republic of Macedonia (ISRM)
- Bureau of Metrology (BOM)
- Accreditation Institute of the Republic of Macedonia (IARM)

- *CC member: Darinka Panovska, Ministry of Economy*



Montenegro



→ Project Partners:

- Ministry of Economy
- Institute for Standardization of Montenegro (ISME)
- Bureau of Metrology
- Accreditation Body of Montenegro (ATCG)

- *CC member: Dragan Vukčević, Ministry of Economy*



Serbia



→ Project Partners:

- Ministry of Economy
- Institute for Standardization of Serbia (ISS)
- Directorate of Measures and Precious Metals (DMDM)
- Accreditation Board of Serbia (ATS)
- Ministry of Foreign & Internal Trade and Telecommunications
- *CC member: Miodrag Dugandžija, Ministry of Economy*



Turkey



→ Project Partners:

- Ministry of Economy
- Turkish Standards Institution (TSE)
- TÜBİTAK National Metrology Institute (UME)
- Turkish Accreditation Agency (TÜRKAK)
- *CC member: M. Halil Madazlı, Ministry of Economy*



Background

- In the framework of the previous Project (IPA 2008) significant efforts have been put on Market Surveillance issues through Components 1, 3 and 4 (Network – building)
- First Networking event with topic `Network of MS authorities of Region` with aim to facilitate cooperation and exchange of information between Countries held in Tivat, Montenegro in September 2010



Specific Task 1: Assessment

- Methodology: In the framework of the Project – Progress Report Summary table template has been developed
- Objective: to establish `platform` that will allow stakeholders of the Project to monitor the overall improvement in Market Surveillance area on regular basis

Specific Task 1: Assessment

- `Starting point` has been assessment of progress made in period 2009 – 2011, done by TL and PD, based on `on-site` visits to MS Authorities in the Western Balkans as well as questionnaire produced with intention to map out:
- to which extent applicable harmonized EU legislation on market surveillance is transposed/implemented to the national legislation in the countries (New Approach Directives, Regulation 765/2008/EC, General Product Safety Directive).



Specific Task 1: Assessment

- for which products or product groups market surveillance currently exist in the countries (as the responsible authority/ authorities for each product group) and/or other methods used for product surveillance the moment (inspection)
- methods used by national authorities for market surveillance (and/ or inspection)
- powers of authorities and handling of non-compliances
- resources for market surveillance

Specific Task 1: Assessment

- co-ordination and co-operation between market surveillance authorities
- information exchange (nationally / internationally)
- future plans with respect to market surveillance

Specific regional Market Surveillance findings

- These regional Market Surveillance findings cover:
- Legal framework and strategic documents
 - Organization and resources of the Market Surveillance authorities
 - Information exchange and databases
 - Enforcement indicators

Specific regional Market Surveillance findings

- Market Surveillance is probably the most complex area in QI sector and generally the least developed. Some aspects of “technical” legislation even on EU level are still under revision. Therefore, it can be noticed that Western Balkans region, regarding QI for period 2011-2014, has been substantially improved

Specific regional Market Surveillance findings

- Main findings representing a “*positive*” trend can be summarised as follows:
- Legislative framework in most countries of the region has been transposed (in Montenegro, GPS law and Law on Market Surveillance are under revision; In BiH, Law on Market Surveillance and Law on Technical Requirements for Products and Conformity Assessment prepared but not adopted), but not fully implemented.

Specific regional Market Surveillance findings

- Majority of the requirements of NLF (Regulation 765) related to MS have been transposed (with exception of BiH and Montenegro to some extent) in adequate manner
- MS Organisation structures substantially improved in most countries of WB region
- MS strategies and MS national programmes exist in most of the countries (in Albania consumer protection and Market Surveillance strategy is in final stage, but lack MS programmes)

Specific regional Market Surveillance findings

- Working methods are defined and determined in proper manner, legal powers of most MS authorities could be assessed as sufficient
- National coordination of MS structures defined but in some aspects can be further improved
- Substantial improvement in understanding of general principles for MS could be reported

Specific regional Market Surveillance findings

- Main findings representing a “*negative*” trend can be summarised as follows: lack of human and other resources, overlapping of responsibilities among enforcement `agencies`, information exchange is not fully effective in some countries, cross-border information exchange is still limited, cooperation with customs authority needs to be strengthened, partial involvement of economic operators, consumer and academic `society` in policy making

Recommendations

- Strengthening of consumer culture and `society` is necessary for successful implementation of product safety regulations
- High priority in all countries of the region should be strengthening resources, in first place sufficient numbers of qualified inspectors working within legal framework that incorporates as many aspects of best practice as possible
- To strengthen potentials of accredited testing facilities and enable easier access for MS authorities to perform necessary checks

Recommendations

- Improvement of cooperation between all national involved players (economic operators, consumers, etc.) regarding raising awareness on importance of product safety issues
- Enhancement of regional cooperation of all QI stakeholders (Accreditation, Metrology, Standardisation, MS Authorities)

Recommendations

- To create partnership of all MS stakeholders in order to define sustainable long term policy regarding product safety using best practice in policymaking, enforcement and implementation
- Continuation of efforts to improve Regional Market Surveillance network and dialog

The Future

- IPA 2014? project will provide support through focused training, awareness-raising and setting up coordinating mechanisms to:
- Ensure consistent implementation of Internal Market legislation to eliminate existing barriers to trade and avoid the creation of future trade barriers;
 - Enable NMIs, designated institutes and potential future Notified Bodies to participate in proficiency testing in priority fields for economic development and trade; design and set up regional conformity assessment forum as basis for regional product safety system;
 - Develop the communication and coordination mechanism and tools for market surveillance amongst implementing partners and with market surveillance authorities in neighbouring Member States.



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