MARKET SURVEILLANCE IN SWEDEN

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Overview

- About Swedac
- Regulation (EC) no 765/2008
- The Swedish Market Surveillance System
Swedac

A public authority responsible to

- Ministry for Foreign Affairs
- Ministry of Enterprise, Energy and Communications

Ewa Björling,
Minister for Trade
Swedac’s roles

- National Accreditation Body
- Central governmental authority for
  - Technical conformity assessment
  - Assessment, designation and surveillance of notified bodies
  - Co-ordination of market surveillance
  - Legal metrology
  - Precious metals
1. Accreditation

2. Conformity assessment schemes, coordination of market surveillance and international cooperation

3. International development
Government Instruction for Swedac cont.

International development

- Support associations, candidates and other countries who align their legislation to the EU or with the WTO by assisting in their building up of conformity assessment infrastructures
Market surveillance provisions in Regulation (EC) no 765/2008
Regulation (EC) no 765/2008 on Market Surveillance

Obligations on member states:

- Ensure that market surveillance and customs authorities have necessary powers and resources
- Establish communication and coordination mechanisms between national authorities
- Establish procedures for follow-up of complaints
- Monitor accidents
- Follow up scientific and technical knowledge on product safety issues
- Establish, implement and update market surveillance plans
- Periodically review the functioning of the surveillance.
Obligations on market surveillance authorities:

- Perform checks on products (physically, documentary)
- Take into account risk assessment, complaints...
- Cooperate with economic operators
- Order withdrawal, recall or other measures to prevent dangerous products from being available on the market
- Notify the Commission and other member states of restrictive measures taken
- Provide information to the Commission and other member states on products presenting a risk (RAPEX)
- Provide assistance to market surveillance authorities in other member states.
Obligations on the Customs:

- Customs shall suspend the release of a product for free circulation on the Community market when any of the following findings are made:

  1. The product displays characteristics which give cause to believe that the product presents a serious risk to health, safety, the environment [...]
  2. The product is not accompanied by the written or electronic required documentation/not marked
  3. The CE marking has been affixed to the products in a false or misleading manner.
Market Surveillance in Sweden
Task for the year of 2010 – market surveillance

“Swedac shall support the market surveillance authorities in their implementation and adoption of Regulation 765/2008”
National Regulation on market surveillance

- In force since January 2006
- General definition of market surveillance
- Guidelines for market surveillance activities
- Clarification of responsibilities
- Requirement on cooperation and coordination of sector authorities
- Market Surveillance Council
Regulation on market surveillance

Definition

“Measures by public authorities to ensure that a product made available on the market comply with existing requirements”
Regulation on Market Surveillance

Guidelines

The need for market surveillance shall be assessed for each product category, taking into account
• characteristics of a product
• risks associated with the product
• results from previous market surveillance
• foreseeable use
• other authorities’ market surveillance activities

Authorities shall coordinate their market surveillance activities when appropriate.
The Market Surveillance Council

- Forum for cooperation and exchange of experiences
- Horizontal role of coordination
- Action plan
- Annual report to Government
- Information to the public and industry
The Market Surveillance Council

- Representatives from sector authorities, Customs and the National Board of Trade
- Industry and consumer organisations regularly invited
- Chairmanship and secretariat at Swedac
- 4-5 meetings/year
# Market surveillance authorities

<table>
<thead>
<tr>
<th>Authority</th>
<th>Product categories</th>
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<tbody>
<tr>
<td>The Swedish Work Environment Authority</td>
<td>machinery, PPE (professional use), pressure equipment</td>
</tr>
<tr>
<td>The National Board of Housing, Building and Planning</td>
<td>construction products, lifts, hot water boilers</td>
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<tr>
<td>The National Electrical Safety Board</td>
<td>electrical products, EMC</td>
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<td>The National Chemicals Inspectorate</td>
<td>chemicals, RoHS</td>
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<tr>
<td>The Swedish Energy Agency</td>
<td>energy efficiency</td>
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<tr>
<td>The National Consumer Agency</td>
<td>GPSD, toys, PPE (private use)</td>
</tr>
<tr>
<td>The National Medical Products Agency</td>
<td>medical devices, pharmaceuticals, cosmetics</td>
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<tr>
<td>The Swedish Transport Agency</td>
<td>rail systems, marine equipment, motor vehicles</td>
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<tr>
<td>The National Post and Telecom Agency</td>
<td>radio and telecommunications terminal equipment</td>
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<tr>
<td>The Swedish Radio and TV Authority</td>
<td>electronic communications networks and services</td>
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<tr>
<td>The Swedish Rescue Services Agency</td>
<td>explosives, gas appliances, transportable pressure equipment</td>
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<tr>
<td>The Swedish Environmental Protection Agency</td>
<td>waste electrical and electronic equipment (WEEE)</td>
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<tr>
<td>SWEDAC</td>
<td>measuring instruments, precious metals</td>
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</tbody>
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Action Plan on Market Surveillance for 2010

- Clarify responsibilities for different product categories
- Develop methods for more efficient surveillance, e.g. risk assessment, systematic use of statistics
- Explore more efficient means for information exchange
- Develop routines for cooperation between market surveillance and customs authorities
- Enhance consultations with industry
- Increase information to industry and public, e.g. education, common website
Coordination tool - an exchange of informationsystem for the Market Surveillance Council

![Coordination tool interface](image)
A website for Market Surveillance in Sweden

marknadskontroll.se

Alla produkter ska vara säkra för liv, hälsa och miljö.
Myndigheter samarbetar för att kontrollera att produkter i handeln uppfyller alla gällande krav - marknadskontroll.

Kontrollen skyddar dig som konsument och hindrar snedvriden konkurrens mellan företag.

Denne webbplats är ett samarbete mellan de myndigheter som deltar i Marknadskontrollrådet. Under Svenskaans
samordning samarbetar vi för att det svenska systemet för marknadskontroll ska vara säkert och effektivt. Vi
samarbetar även med andra myndigheter och organisationer på europeisk och global nivå.

Du som vill vara mer informerad information här eller på respektive myndighets webbplats.

(klicka här för att se en äldre version med nyheter)
Cooperation between 15 MSA:s and Swedish Customs
Which MSA is responsible?
Flow chart of the co-operation between MSAs and Swedish Customs
Future happenings

- CE marking campaign 2010/2011
- The opening of www.marknadskontroll.se
- National level – a new Regulation on Market Surveillance (new Government Bill to be expected in March 2011)
Thank you for your attention!

More information?

www.swedac.se

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