Market Surveillance in Sweden
UNECE-MARS 11-12 September 2017

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Legal Affairs and Internal Market
The Swedish Board for Accreditation and Conformity Assessment
About Swedac

Responsible public authority for

- conformity assessment
- accreditation
- notified bodies
- legal metrology
- coordination of market surveillance
Legislation

- EU Regulation 764/2008 on mutual recognition
- EU Regulation 765/2008 on accreditation and market surveillance
- Swedish Regulation (2014:1039) on market surveillance
- Sectoral legislation
Organisation

- Decentralised model
- Expert authorities
- Authorities often both regulatory, inspecting and deciding
- Several authorities are responsible for different aspects of the same product
• Overarching responsibility for legislation and enforcement within each sector

• High level of expertise

• Fragmentation

• Market surveillance seldom core activity

• Great variations in governance
In comparison

**Germany**: Federal structure with 400 authorities.

**UK**: Decentralised model with 320 authorities

**Others**: 4 – 24 authorities

Many MS differentiate clearly between regulatory, inspecting and deciding authorities

Many MS have particular inspectorates covering the entire consumer product area.
Swedish organisation

- 17 MSA appointed by Government
- Swedac responsible for national coordination and national contact point for horizontal market surveillance issues
- Swedish Consumer Agency responsible for coordination under the Product Safety Act (GPSD)
- The National Board of Trade responsible for coordination under EU Regulation 764/2008
National coordination – the role of Swedac

- Holds the chairmanship and the secretariat of the Market Surveillance Council
- Gives advice to the Government
- Administrates ICSMS
- Represents Sweden in expert groups
The Market Surveillance Council

- National coordination forum
- Promote efficient surveillance
- Facilitate contacts between the public, industry and authorities
- Promote cooperation between EU authorities
The Market Surveillance Council

- National market surveillance plan
- 5 ordinary meetings/year
- Ad hoc working groups
- Customs platform
- Seminars/training
- Website
Safe products and fair competition

On this website you will find information on the rules that economic operators and authorities have to comply with.

Activities
- Market surveillance
- Border control
- Responsible authorities
- Market surveillance plans
- Product legislation
- Conformity assessment bodies
- International cooperation
- FAQ

22 June 2017, kl. 19:00
All-time high participation at "Your Product, Your Responsibility 2017"

Some 180 representatives from market surveillance authorities and the business community participated in the Market Surveillance Council’s seminar on 29 April in Stockholm to exchange experiences on the responsibilities of manufacturers, importers and distributors, which different legal frameworks are applicable, how companies comply with them and how authorities survey the market.

21 June 2017, kl. 07:46
Follow-up of national market surveillance plan
National market surveillance plan 2017

- Best practices for market surveillance of products sold online
- Working group on circular economy
- Improving reporting and evaluation
- Review of customs-MSA cooperation model
- Cooperation with regional actors
- “Your Product, Your Responsibility 2017”
Sector plans
Cooperation with customs

• Customs and Swedac in DG TAXUD WG/PARCS
• Customs represented in MSC
• Permanent MSC WG for customs issues
• Customs participate in several temporary MSC WG
• National cooperation model
Cooperation model

Planerad kontrolloperation - förfrågan till Tullverket

Denna blankett ska användas vid förfrågan från marknadskontrollmyndigheten till Tullverket avseende en av marknadskontrollmyndighet planerad kontrolloperation. Den skickas med e-post till tullverket@tullverket.se med ämnesrubrik: Produktikontroll - planerad kontrolloperation

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<tr>
<th>Ansökande myndighet</th>
<th>Datum</th>
<th>Kortland</th>
<th>Telefon</th>
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<tr>
<th>Produkt/varekod</th>
<th>Produkt (CON TARIQ)</th>
<th>Produktkvalitet (t.ex. TARIQ)</th>
<th>Övrigt</th>
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Risiko/Hotbild

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<th>[beskrivning av risiko]</th>
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Regelverk

| [Europeiska direktiv och rikets förordningar (EG) nr 755/2008 om krav för godkännande och marknadskontroll i samband med satsning av produkter och upphandling av verordning (EG) nr 299/93] |

Bakgrundsbeskrivning och målsättning med projektet

| [beskrivning av bakgrund till projektet, om projektet ingår i ett större sammanhang, t.ex. i ett europeiskt samarbetsprojekt, samt målsättning] |

Tidsperiod

| [uppstartet tidsperiod för projektet] |

Selektions/vaxutövervakning/dokumentkontroll

| [Kriterier för val] |

Deltagare och (om så är fallet) deltagande MS

| [antal deltagare från marknadskontrollmyndigheten (namn, telnr och e-postadress) och om MS endast vilket är] |

Uppföljning

| [beskrivning av uppföljning, t.ex. beräkning till Tullverket, rapportering till andre huvudman, planning för uppföljande projekt] |

Product safety - distribution of responsibilities between MSA och Customs

Regarding both physical examination and documentary check

Flowchart:

- **Yellow**: Documentation
  - **Red**: “Red channel”
  - **Green**: OK
  - **White**: Physical person
  - **Gray area**: Timespans 3-5 working days
Current activities

- EU guidance on market surveillance of products sold on-line (1 August)

- Government Inquiry Commission on market surveillance (12 September)

- Assessment of national market surveillance in accordance with art. 18.6 in 765/2008 (15 October)

- Preparation of market surveillance plans for 2018
Thank you for your attention!

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