

## **CEOC International, IFIA and EUROLAB**

### ***Position Paper***

## **European Parliament seeks to enhance product safety in Europe**

With parliament's vote on 17th October 2013 on new legislation on consumer product safety and market surveillance, two reports have been adopted comprising further improvements to the Commission's proposals from 13th February 2013. This signifies an ambitious step to increase product safety compliance in Europe.

CEOC International, IFIA and EUROLAB welcome in particular the enhancement of duties of economic operators, and suggest that, to ensure that product legislation in Europe is uniformly applied by all parties involved, both proposals are aligned as much as possible to the provisions of the goods package.

CEOC International, IFIA and EUROLAB welcome the awareness of MEPs about the shortcomings of the actual CE-Marking especially with respect to consumers. This becomes apparent by the adoption of the recital 14 a (new) and the broad support of compromise amendment 4. By introducing a 'EU Safety Tested' Marking MEPs seek to improve product compliance. We emphasise the value of these measures applying to consumer products in both the harmonised and non-harmonised sectors.

### 'EU Safety Tested' Marking

The adoption of the amendment on 'EU Safety Tested'–Marking signifies a substantial improvement to the rapporteur's introduction of 'CE+'–Marking. CEOC International, IFIA and EUROLAB welcome in particular the principal idea to enhance product safety compliance by the means of product testing by accredited independent third party bodies before products are placed on the market.

However we strongly believe that further substantial amendments would be necessary to establish a robust Safety Tested Marking. What should be amended?

- The principles of accredited product certification must be fulfilled in accordance with the harmonized Standard ISO/IEC 17065:2012 "Requirements for bodies certifying products, processes and services".
- The Mark must be based on a type examination of the product, a conformity evaluation and decision on conformity of the product with specified requirements relating to product safety, followed by ongoing production monitoring.
- To facilitate traceability and enhance transparency in the market, the mark of the "accredited independent third party body" should be linked to the new Mark. The accredited independent third party body, as owner of its mark, is in the position to undertake the necessary protection measures when a product bears the Safety Mark in combination with this mark without proper authorisation.
- In accordance with directive 1999/34/EC and 85/374/EEC for defective products<sup>1</sup> and decision 768/2008 on a common framework for the marketing of products, manufacturers are liable for the products placed on the market and their compliance with community requirements. Accredited independent third parties are liable for conformity assessment activities such as testing, inspection or certification.

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<sup>1</sup>1999/34/EC and 85/374/EEC (Article 1: The producer shall be liable for damage caused by a defect in his product.)