



EMARS
Enhancing Market Surveillance
Through Best Practice
Annual Report 2008

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Executive Summary

Introduction

The following report details the achievements and accomplishments of the project EMARS - “Enhancing market surveillance through best practice” from 23rd December 2007 to 31st of December 2008, the final year of the operation of the current project.

The EMARS project aimed to produce a number of deliverables to help enhance market surveillance in Europe. These deliverables included

- Knowledge base
- Rapid Advice System
- Best Practice handbook
- Risk Assessment handbook
- Strategy document on further enhancement of market surveillance
- Website, Who’s who and other publications
- Coordination and secretariat

Members of PROSAFE, the Product Safety Enforcement Forum of Europe, have carried out EMARS with generous support from the European Commission. EFTA and other Member States have also contributed financially to the project. Fifteen members of PROSAFE had their participation in the project supported financially, fourteen from the European Union and one from EFTA. The VWA, the Dutch Food and Consumer Safety Authority, took the lead in managing the project and was the contracting party with the European Commission on behalf of PROSAFE. The project ran through to the end of 2008.

General remarks

The project has now been completed. All the substantive work has been finalised or is in the last stages of finalisation. A formal Final Implementation Report is to be drafted and submitted to the European Commission before the 31st of March 2009. The impact of the project has been felt in many ways and its visibility remains very high. The step change that has occurred in the climate of cooperation in Europe is amply demonstrated in the award of four joint actions in 2008 that involve twenty-six different countries. These joint actions of course include EMARS II that will carry on the good work undertaken in EMARS and provide a framework for the implementation of the future strategy for the further enhancement of market surveillance in Europe.

Progress with the main deliverables

Knowledge Base

Almost 400 documents have been uploaded to the Knowledge Base. Half of them have been reviewed. A revised process for the peer review has been put in place to improve the ongoing operation of the system. Information is flowing in from other work packages and improvements have been made to the database structure to help simplify searching for documents.

Rapid Advice System

The results of queries are now being fed into the Knowledge Base. An extensive survey of the operation of the RAF has been undertaken and produced much interesting material that has been reflected in the development of proposals for the future operation, maintenance and further development of the system. The PROSAFE meetings continue to provide a valuable forum for discussing dangerous products. Over 20 countries were represented at the PROSAFE meetings this year in Tallinn and Brussels.

Best Practice Techniques in Market Surveillance

The best practice book has undergone an extensive consultation process including outreach to interested stakeholders. The spring workshop provided an excellent opportunity to review the way the ongoing joint actions were used to evaluate the contents of the book. The work with the book during the summer resulted in a 90 % complete book by the end of July.

Comprehensive work has been carried out and final draft was presented in the EMARS final conference in Brussels in November 2008. The spring workshop also provided an excellent opportunity to develop further ideas on training. A further draft of the training strategy was discussed and an effort made to identify priorities for future activities. The strategy for the training of market surveillance personnel; “Better training for safe consumer products” was presented during the EMARS Strategy workshop in Paris in July and during the PROSAFE meeting in October. The work on market surveillance plans also continues to capture the imagination with a small workshop being held in February to coordinate activities with the ADCOs. These activities fed into the development of four proposals for joint actions in response to the Commission’s call for tender.

Risk Assessment

The risk assessment module of the best practice handbook has been completed. One challenge in 2008 was the continuing work on the revised risk assessment guidelines within WG IRAG. WP4 however made valuable input into the work of IRAG for example in the development of injury levels. The new IRAG Guidelines have not yet been published so the module has taken account as best it can of the latest draft. Another couple of issues to emerge relate to the impact of the existence of a harmonised standard on the risk assessor and risk levels associated with chemical risks.

Strategy Document on further enhancement of market surveillance

The draft strategy on the further enhancement of market surveillance was extensively discussed during the EMARS Workshop in Paris on July the 11th. The final strategy document was presented to the EMARS Final Conference on the 19th of November in Brussels. The strategy formed the basis of the proposal for the new project EMARS II.

EMARS II

A proposal was made in response to the Commission’s 2008 call for tender for a new project EMARS II. The Commission accepted the proposal and the EMARS II started formally at November 1 2008. The overall objective of the project is to further enhance the market surveillance of non-food consumer products in Europe. This is to be achieved through the practical application of the best practice developed under the first EMARS project (EMARS I) and the development of additional best practices. Twenty-four countries have committed to participate in the project a substantial increase on the fifteen in the current project. A number of themes have been identified that will be addressed in the project in addition to the core coordination tasks. These are

The following themes have been identified

- A. Best Practice
- B. Management and Planning of Future Joint Actions and Coordinated Market Surveillance Activities
- C. Risk Assessment
- D. Market surveillance guidance material for external stakeholders
- E. Training
- F. Continuous improvement of national market surveillance programmes
- G. Standards related activities
- H. Liaison with Notified Bodies

Management and Coordination of the project

The general management of the project has continued to work well with regular management teleconferences and meetings of the Core group taking place. Close attention has been given to the financial management as well as the implementation of the work programme. Considerable progress has been made in the collaboration with the Baltic Sea Cooperation who will now participate in the EMARS II project. WP4 continued to be very active within the Commission's own IRAG group revising the RAPEX risk assessment guidelines. EMARS continues to reach out to other partners such as ICSMS, ICPSC and ICPHSO. First contact has also been made with the OECD who launched their own initiative on market surveillance in the autumn and participated in the July EMARS Workshop.

Dissemination of the results of the project

The communications strategy continued to be implemented. The visibility of the project is very high indeed and representatives of the Project and PROSAFE are increasingly in demand as representatives of the European market surveillance community due in no small part of the credibility that the success of the EMARS project has brought with it. During the International Product Safety Week in Brussels from the 17th to the 21st of November the final conference of the EMARS project was very well attended. Also many stakeholders were present.

Impact on other market surveillance activities

The project continues to have a considerable impact on the climate for cooperation amongst the national authorities. Following the award of a further four joint actions to PROSAFE within the framework of the latest call for proposals for joint actions PROSAFE is now managing six joint actions involving some twenty-six countries participate. New proposals are envisaged for 2009 and a discussion is going on concerning support to Hungary in its project on Lighting Chains. PROSAFE will again try to coordinate the exchange of market surveillance officials during 2009.

Introduction

The following report details the achievements and accomplishments of the project EMARS – “Enhancing market surveillance through best practice” from 23rd December 2007 to 31st December 2008.

Scope of the project

The EMARS project aims to produce a number of deliverables to help enhance market surveillance in Europe. These deliverables include

- Knowledge Base
- Rapid Advice system
- Best Practice handbook
- Risk Assessment handbook
- Strategy document on further enhancement of market surveillance
- Web-site, Who’s who and other publications

Members of PROSAFE, the product safety enforcement forum of Europe, are carrying out EMARS with generous support from the European Commission. EFTA and other Member States have also kindly contributed to the funding of the project. Fifteen members of PROSAFE have their participation in the project supported financially; fourteen of these are from the EU (Austria, Belgium, Denmark, Estonia, Finland, Germany, Greece, Hungary, Latvia, Lithuania, Malta, the Netherlands, Slovenia and Romania) and one from EFTA (Norway). The Dutch Food and Consumer Safety Authority took the lead in managing the project and was the contracting party with the European Commission on behalf of PROSAFE. The project ran through to the end of 2008.

The work was undertaken in six work packages. These are

Work Package	Coordinator
1 - Cross-Sharing of Information and Expertise	Jan Roed (DK)
2 - Advice on Market Surveillance Issues	Jan Deconinck (B)
3 - Inspection Programmes and Techniques	Gunnar Wold (N)
4 - Risk Assessment	Dirk van Aken (NL)
5 - Coordination and Secretariat	Dirk Meijer and Jan van Leent (NL)
6 - Dissemination	Jan van Leent (NL)

The core group that oversees the execution of the project is composed of the coordinators and Helmuth Perz (Austria), Irena Tesnova (Latvia), Noel Hunter (UK) and Hans-Georg Niedermeyer (Germany) (replacing Jörg Schmidt). Experts from the Member States are providing approximately one third of the manpower for the project. The other two thirds of the manpower are provided by a professional secretariat. The secretariat is composed of four part-time consultants and one part-time administrative assistant. One of the consultants acts as the project coordinator and the other three consultants are directly engaged in support of the work packages. The secretariat has an office in the building occupied by the EFTA secretariat in Brussels.

Contractual Reporting Requirement

The contract stipulates that “each interim technical implementation report will describe the work carried out and the results obtained during the period indicated in article 1.5 of this grant agreement and state in particular:

- the results quantitative and qualitative obtained to date and an indication of any deviation from the initial work programme set out in annex I to the grant agreement that has occurred or is likely to occur¹;
- the comparison between the expenditure incurred during the first period and the foreseen budget stated in annex II of this grant agreement;
- the work programme planned for the following period;
- all awareness-raising activities (e.g. press) planned for the project, with relevant dates.”

Financial reporting

The comparison of the expenditure incurred and the foreseen budget is the subject of a separate report from PROSAFE to the Commission.

General remarks

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Impact on other market surveillance activities

The project continues to have a considerable impact on the climate for cooperation amongst the national authorities. Following the award of a further four joint actions to PROSAFE within the framework of the latest call for proposals for joint actions PROSAFE is now managing six joint actions involving some twenty-six countries participate. New proposals are envisaged for 2009 and a discussion is going on concerning support to Hungary in its project on Lighting Chains. PROSAFE will again try to coordinate the exchange of market surveillance officials during 2009.

¹ Without prejudice to article 11.13

1. Knowledge Base

Progress in 2008

Peer Review

The main activity in work package 1 in the first half of 2008 has been the peer review of documents. As a result the 100-word summary has been filled in for more than 150 of the documents in the database. Furthermore an initial overview over 53 documents submitted by Latvia (of which the majority is provided in the Latvian language) has indicated that a lot of the documents are outdated meaning that they will not be reviewed. (The documents describe work procedures and are part of the Latvian product safety authorities' quality manual. This manual is being updated and the new documents will be collected once they are available.) There are some eighteen peer reviewers contributing to the project.

The operation of the knowledge base moved to a more or less "steady state" in the second half of 2008. The main activity has been the uploading of some 60 documents (partly from outside sources and partly summary reports from work package 4). This brings the total number of documents in the knowledge base up to almost 400.

Review of peer review procedure

A major focus of WP1 in the last 6 months of the EMARS project has been the revision of the peer review procedures. The original procedure foresaw that each reviewer should receive a list of ten documents that he or she should find and download from the knowledge base. This process has not worked out very well. Therefore a new procedure has been laid down whereby each reviewer receives a mail with one document attached and a link to a Zoomerang survey that will prompt the reviewer for the information to the knowledge base, e.g. each of the keywords, the 100-word summary, etc. This result will go back to the secretariat that will upload it to the knowledge base. This procedure has been described in the memo on future operation of the knowledge base, one of the final deliverables of the work package.

Translation of documents not in English

This activity is ongoing. Translation is undertaken directly within the secretariat. For the time being documents are translated upon request. (This option has been used in a few cases for documents to be used by e.g. the joint actions.)

Making documents accessible to other participants in the project


The decision has been taken to base the public part of the Knowledge Base on WebEx. This means that "public" should be understood as "available to all WebEx users", which limits the audience to employees in market surveillance authorities in Member State and ICPSC countries. Documents will not be disclosed to a wider audience. This decision was taken in conjunction with the European Commission.

Thus, the documents that have been uploaded are considered to be made generally available in "the public part of the database". A list of the documents in the Knowledge Base has been circulated to all WP coordinators and EMARS consultants on 6th June 2007. All information such as keywords etc. on all documents is searchable via the search facilities in WebEx. A new keyword describing in further detail the topic of the document has been added to the database to increase the possibility to find documents on a certain topic. Furthermore a couple of "views" have been created on the database that will facilitate participants' search

for relevant documents. Access to the Knowledge Base has been given to the rest of the project participants.

Test Probes and Screening Tools

During 2008 preliminary activities were started to identify best practice in use of test probes. The VWA have provided an overview of the equipment their inspectors use. Malta has also provided a consultants report on equipment for market surveillance inspectors. This will form the basis of a survey to be launched within the framework of EMARS II seeking to identify what equipment Member States equip their inspectors with. The information gleaned from this survey will provide Best Practice in the use of test probes and screening tools and be fed into the Knowledge Base. A pro forma for a database in the Knowledge Base has been developed.

Name Test probe: Jointed Test Finger
Picture: 
Description: This test finger is intended to verify the basic protection against access to hazardous parts. This probe is also used to verify the protection against access to live parts according to specified product standards.
Applicable standards: For example: <ul style="list-style-type: none">• EN 60335 serie; safety requirements for household and similar electrical appliances• EN 60950 serie; safety requirements for information technology equipment• EN 60598 serie; safety requirements for luminaires
Calibration period: Every two years.

Save Save & Add Another Save Link Cancel

New Item (Test Probes and Screening Tools)

Add a new item to the Test Probes and Screening Tools database.

Name: *

Purpose: What characteristic is being tested?

Product: What product is typically being assessed?

Directive: Pick One What directive does the probe relate to?

Standard: What standard, if any, does the probe relate to?

Source: Where can the piece of equipment be obtained?

Operating Procedures: Choose File no file selected
Please attach any specific operating procedures

It should be noted that the activity does not formally form part of the EMARS project and the overview of test probes is not a deliverable of the project. The activity is expected to be taken further in EMARS II.

Study Visit to CPSC

A study visit to the CPSC took place in conjunction with the ICPHSO meeting in Washington in February 2008. EMARS Project representatives were able to discuss with our American colleagues the use of screening tools with enormous potential – child resistance for cigarette lighters and XRF machines for lead content of consumer products. As a result of this visit the cigarette lighter screening tool is to be deployed in the ongoing cigarette lighter joint action and a joint action on lead in toys was launched in autumn 2009 centred on the use of the XRF machines. This visit has demonstrated again the value of a broader approach to international collaboration and identification of best practice going even beyond Europe.



Cigarette Lighter Screening Tool



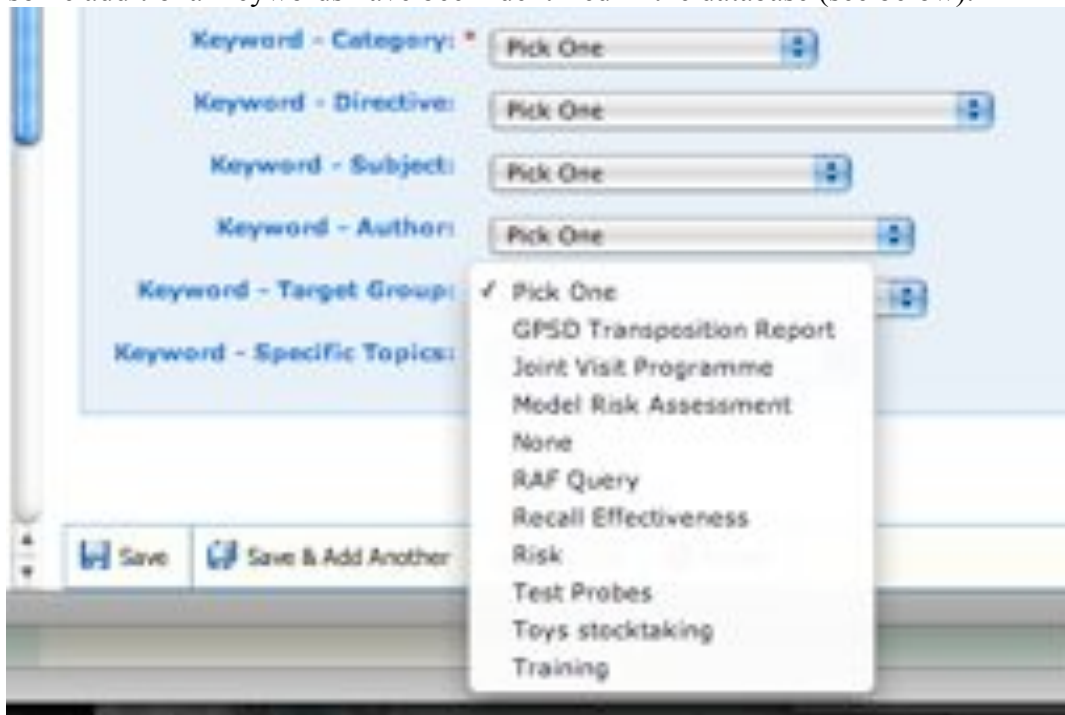
XRF Machine

Capturing information from other work packages

Summary risk assessment cases from work package 4 have been uploaded to the Knowledge Base. Procedures have been put in place for the uploading of the results of RAF-enquiries. This activity will be executed in the beginning of 2009 and continue under EMARS II.

Improved Searching of Thematic Collections

To facilitate searching the many thematic collections that are contained in the Knowledge Base some additional keywords have been identified in the database (see below).



Publicising the Knowledge Base to market surveillance officials not participating in EMARS

Work has also begun to present the Knowledge Base to the ADCOs.

Summary of deliverables produced in 2008

Minutes from Teleconference April 9th
Draft procedure for future peer review
Test Probe Datasheets
Improved use of keywords
Report of study visit to CPSC
Procedures for future operations of Knowledge Base
First annual call for documents from Member States
Peer review finalised for more than 200 documents

Activities to be continued in EMARS II

The following activities are foreseen to become core coordination activities in EMARS II:

- Future annual calls for documents more focused on reports from market surveillance activities will be made.
- Results from cases from the Rapid Advice Forum will be summarised in documents that will go into the Knowledge Base.
- Summary reports from risk assessment cases will go into the Knowledge Base.
- Efforts will be made to involve more people including key experts from the ADCO groups in the peer review.
- The revised peer review process will be launched for the rest of the collected documents as well as new documents.
- Further work will be carried out on the portal concept integrating the Knowledge Base with a means to provide access to other dynamic sources of information.

2. Rapid Advice System

The Rapid Advice Forum (RAF) has continued its good work during 2008. The formal RAF procedure continues to operate in parallel with the more informal procedure that is being favoured within the Lighters project. In June a couple of enquiries came on form outside Europe and have been channelled through the RAF demonstrating its potential for improved international collaboration and coordination. Progress has also been made on posting compilations of previous RAF queries to the Knowledge Base. The main thrust of the activities has been the evaluation of the workings of the RAF with a view to better understanding the burden of participation in the RAF and the effectiveness of the procedure. This information resulted in a revised procedure that includes both "normal" and "fast track" possibilities.

A number of work items have been identified for further maintenance and development of the Forum.

Zoomerang Survey on the RAF

A survey was sent out in May to RAF participants and to users of the RAF. The following issues were addressed in the survey.

- Use of the informal versus formal procedure
- Ease of use of the two procedures from the perspective of submitting a query and from the perspective of responding to a query
- Usefulness of the answers received
- Length of time spent answering a query
- Involvement of colleagues in formulating a response

Respondents were also asked whether they had any suggestions to ease the burden of responding to questions and whether they had any ideas to improve the procedures in general.

The results of the survey were generally positive in terms of the ease of use of the formal and informal systems and the usefulness of the concept. Some other trends are noted below

- Most responses to queries under the formal RAF took less than one hour
- All responses under the Lighter RAF took less than half an hour
- All respondents to RAF queries consulted with colleagues prior to sending their response
- Most respondents to lighter RAF queries did not consult with colleagues

Some interesting ideas emerged from the survey that need to be given further consideration. These include

- More focussed direction of the RAF queries to relevant experts and related comment
- More specialised RAFs providing more focussed responses to specific Directive or product groups
- Posting the responses online as they become available so further responses can restrict themselves to additional remarks and not have to repeat the information contained in the first response(s)

Evaluation of the working of the RAF

The general impression is that the Rapid Advice Forum is a success. The RAF has taken over the role of the old PROSAFE questions; previously PROSAFE members from time to time submitted a question to the entire PROSAFE address list requesting advice. Those questions

have disappeared after the RAF was set up. There has also been indicated that advice from the forum is helpful when discussing with companies or with colleagues.

PROSAFE Meetings in Tallinn and Brussels

The PROSAFE meetings in Tallinn and Brussels, deliverables under WP2, were both very well attended with representatives of over 20 countries in attendance.

Summary of deliverables produced in 2008

PROSAFE meetings (Tallinn and Brussels)
Documentation for PROSAFE meeting (WebEx)
Zoomerang survey of RAF participants and users
Survey Report
Meetings with external committees
Evaluation of the working of the Rapid Advice Forum
and the burden for the participating experts
Combined RAF procedure to introduce a request
Updated Case form

3. Best Practice Techniques in Market Surveillance

The work with The Book has been intensified during the first half of 2008 in order to keep up with the time limits. Also in the second half of 2008 comprehensive efforts have been made to complete the Book.

The main issues in this period have been several:

1. To develop the Book as close to the final version as possible
2. To disseminate this version to stakeholders, PROSAFE members and EMARS participants in order to obtain comments for the completion of the Book.
3. To discuss the book with DG Sanco and to include comments.
4. To carry out a technical assessment with external consulting company including proof reading and proposals for layout and printing.
5. To finalise the book for presentation in the Product safety week in Brussels Nov. 2008.

The book may serve as a guide and reference book for senior management to further enhance and develop their own surveillance strategies whilst at the same time it may also be used by market surveillance practitioners and inspectors as a handbook in order to improve their best practice techniques in a specific area.

The book will also be made available for all interested parties that will be influenced by market surveillance actions. By doing so transparency will be ensured amongst all stakeholders and possibly establish a fundament for cooperation with respect to safety for the consumers. This includes amongst others, economic operators, consumers associations and customs.

The book will take into account the respective deliverables as indicated within part 4 of the section related to Work Package 3 (Inspection Programmes and Techniques) of Annex 4 of the grant agreement No17.020100.

Further details are given below.

The Book

Considerable progress has been made with the Book in 2008.

PROSAFE members, EMARS participants and stakeholders all have had the possibility to comment on the book. In addition the Book also has been presented with different ADCOs.

Comments have been received from some stakeholders. These comments have been examined and included when relevant.

EMARS was presented for DG Enterprise/ SOGS in April 2008. It seems clear that EMARS created a certain kind of interest in DG Enterprise related to the New Legislative Framework.

During a WP3 meeting in Munich May 7th 2007, and concluded in a WP3 meeting in Brussels May 30 2008 it was proposed that the Book will be finally proposed in three different “formats”:

1. The paper version with the contents as described above;

2. A DVD version including the book in its paper version and several other useful information issues: reference Directives and Standards, forms, contact points, etc. It will be designed to be a “all in one” supportive tool for the day-by-day activity
3. A web version including the two versions above and that will be regularly updated with news on Market Surveillance activities and techniques, legislation, standardisation, etc, to constitute a living reference to be regularly consulted by all persons involved in Market Surveillance activities

The book was further developed and by end August a better and more logical structure was introduced. The work related to the preparation of the book has continued during the fall and WP3 has arranged three working sessions dealing both with the book and the training system (see separate paragraph).

The main contents of the book and the decisions of WP3 on its structure were presented and discussed in the PROSAFE meeting in Tallinn mid May 2008. Positive feedback was given and WP3 was encouraged to continue the work.

WP3 has also decided to develop an executive summary. A draft proposal was presented end August 2008. The intention with this summary is to give the reader the possibility to get a quick overview of the contents. It is presented in the very beginning of the Book.

WP3 elaborated a detailed timetable concerning the preparation and final delivery of the Book. It was the fundament of WP3's work in 2008. This timetable is enclosed in this document as appendix 1, ch 5.

In the final EMARS conference the current version of The Book was presented. After the conference the work with finalisation of the book started. This includes final proofreading and layout. The paper version of the book will be finalised as part of the EMARS project. Work on an electronic version will be carried out under EMARS II. An enhanced version of the Book is envisaged with copies of supporting material that would allow it to be used offline when inspectors do not have access to the Internet. This electronic version could be delivered on a CD-ROM or in a mini-site on the EMARS web site.

Training strategy

As a result of the TSI presentation on training of MS officers in UK WP3 decided to do a follow up related to the development of a training system in Europe. Representatives from WP3 visited TSI mid July 2007 order to discuss possibilities to establish a strategy for a training system. TSI provided WP3 with a proposal in September 2007. This proposal was disseminated to members of EMARS core group for comments. Afterwards WP3 took the initiative to elaborate the strategy. A revised document was prepared by the end of 2007 and elaborated in 2008. It is of vital importance that a training programme will appeal to Member States. The training programme developed by the food and feed sector will be of some importance to this programme, and further work will include a study of the food-training programme.

The training strategy was presented and discussed in EMARS workshop in Tallinn. Some comments were given which will contribute to the quality of the strategy. It is recommended to produce a questionnaire for the training programme. This questionnaire will deal with details on content of programme and possibly levels of training adjusted to the needs of the EMARS participants. The strategy was also presented in the PROSAFE workshop in Paris in

July 2008 and in the PROSAFE meeting in October. The strategy document will be included in EMARS II, task E for further development.

It has been discussed if the training strategy should include requirements for recruiting market surveillance officers. Due to the fact that recruiting strategy is a national concern in the Member States, WP3 has concluded that it is not recommendable to establish detailed procedures for recruiting officers. We have concluded to develop recommendations based on best practices from the questionnaire.

WP3 arranged a meeting with representatives from the office in DG Sanco responsible for the food & feed training programme. Valuable information was given and WP3 found that there is a lot to learn with respect to organisation, contents and practical approach. We were invited to keep the good contact on this issue.

Final proposal for training strategy was completed by mid October and presented in the PROSAFE meeting in Brussels. Final version will be presented to the Commission at the end of the year.

Market surveillance plans-activities in 2008

A questionnaire dealing with market surveillance plans for 2008 was launched in November 2007. This enquiry resulted in more than 263 market surveillance projects collected from the Member States. This enquiry involved all PROSAFE members. Replies were received from 16 participants. The aim of this questionnaire was to develop an overview on the present state of market surveillance, to establish possible collaboration between Member States and finally to contribute to establishing joint projects.

The outcome of the discussion on the presented plans was a recommendation to organise a workshop between representatives from the ADCOs and PROSAFE on annual plans in the beginning of 2008. The aim of this workshop should be to come to an integral list of possible joint actions for 2008. This workshop was carried out in February 2008.

The result of the questionnaire was presented via e-mails and in a session at the PROSAFE meeting in Tallinn mid May with a recommendation to look into the plans and possibly establish some kind of mutual approach. In addition to this a small session regarding possibly future plans on market surveillance for the next years was arranged in Tallinn.

At the PROSAFE meeting in Brussels, end of October 2008, the forum was asked to inventorize possible future joint actions and discuss the possibility to carry them out. Those ideas are combined to a long list that was forwarded to the PROSAFE members end of December and they were asked to prioritize this long list. In January 2009 the results will be converted to a short list for 2009.

Deliverables 2008

Summary of deliverables produced in 2008

Revised contents of handbook
Revised version of The Book.
Revised training strategy document
Report of workshop in Tallinn
Presentations from workshop
Reports on several meetings in WP3.
Work plan for drafting best practice handbook
Report on Market Surveillance Best Practice
Report on market surveillance plans for 2008
Report of different WP3 meetings
Application lighters project May 2007
Coordination with Polish project on safe playgrounds through 2008
Coordination with lighters project through 2007 and 2008
Call for tenders and agreements made related to quality assurance and printing.
Questionnaire on market surveillance plans 2008.
Overview of annual plans 2008.
Dissemination of the Book in January to participants; asking for comments on structure and principles.
Dissemination of the Book to stakeholders asking for comments.
Meeting with stakeholders April 28th in Brussels.
Meeting with DG Sanco Food & Feed on May 30th in Brussels
PROSAFE workshop in Paris July 11th.
Meeting with Electro Swiss July 17th.
Meetings with DG Sanco during fall 2008.
Questionnaire on market surveillance plans 2009
Questionnaire on possible future joint actions 2009-2011
List of possible Joint Actions 2009-2011

Lighters project

Spring 2007 Stichting PROSAFE prepared an application for a joint action on lighters taking the opportunity to use the joint action as a platform for developing a best practice in organising joint market surveillance actions. The application was filed at the Commission on May 31st and the final contract was signed in August. The joint action on lighters started September 1st. The two first meetings in the project group were organised in 2007 and another four meetings have been organised in 2008. EMARS is continuing to offer best practice solutions to the joint action, one example being the inputs to the discussions in the project group on intervention schemes. Furthermore the joint action continues to benefit from the Rapid Advice Forum provided by EMARS WP2.

In second half of 2008 the emphasis has been on extracting best practices from the joint action on lighters with the purpose to utilise it in the new joint actions, e.g. on toys and cords & drawstrings. Some examples are the procedure for issuing calls for tender, the use of rapid advice forums, the procedure for coordination of tests and the use of webex to store the information generated by the joint actions.

The strong liaison between the EMARS project and the joint action on lighters is ensured by participation of Gunnar Wold, Torben Rahbek, Jan van Leent and Dirk Meijer in both projects.

Baltic Sea Project on Electrical products

Some interest has been shown from the Baltic Sea project on electrical products. WP3 has not yet been in contact with the project administration in order to establish procedures for cooperation.

4. Risk Assessment handbook

Progress in 2008

WP4 has held three meetings in the reporting period. These were dedicated to developing the handbook and to analysing six cases:

- Softguns
- Cord extension sets (RAPEX notification 0241/08).
- Toaster (RAPEX notification 244/08).
- Food imitation (RAPEX notification 574/07).
- Toys (duck with small parts, RAPEX notification 0265/08).
- Chemical product (bathing mattresses as presented at the IRAG workshop in December).

The results are reported in summary reports that have been uploaded to the knowledge base.

During the work WP4 derived two general observations from the risk assessments:

- Results from risk assessment of products covered by a harmonised standard may confuse the risk assessor.
WP4's experience is that the risk presented by several such non-compliances can be assessed to be lower than "serious" despite of the adopted practice in the sector. This may tempt the risk assessor to draw the (wrong) conclusion that no action is necessary and that existing practice must be adapted.
WP4 has noted that the result of a risk assessment is one important input in the risk management procedure – but only one. Examples of other inputs include the number of products on the market, the benefit of the product, the effort necessary to lower the risk, and the traditions and practices in that particular sector.
Risk management varies in different sectors and "low risk" does not automatically mean that no action is necessary. Technical progress may have lead to a high safety level in certain sectors; a safety level that has been defined and agreed upon in harmonised standards. Therefore it is not possible to establish a direct link between risk and necessary measures across different sectors.
Furthermore, the level of risks that society accepts is determined by culture, risk perception, technical development etc.
This observation is emphasised in the risk assessment contribution to the book.
- It is not immediately obvious how chemical risks are linked into the four risk levels (serious, high, significant and low).
The chemical sector uses NOAEL (No Observed Adverse Effect Level) and MoS (Margin of Safety) to characterise the non-compliances. The NOAEL is the highest level of exposure where no adverse effect is observed in tests and the MoS is the recommended safety margin that should be observed.
WP4 notes that risk assessment of chemical cases implies that the actual exposure is calculated. This value is divided into the NOAEL and the result is compared to the margin of safety. Normally toxicologists require a margin of safety of at least 100, i.e. the permissible exposure should be 100 times lower than the highest exposure that is known not to cause adverse effects. If the result is e.g. 30 then the margin is not

sufficient and action must be taken, but it is not obvious which risk level a value of e.g. “30” would translate to.

Work package 4 has prepared a memo that summarises the experiences with the revised risk assessment method.

The final risk assessment module has been prepared, discussed with stakeholders, market surveillance authorities and the Commission and has been included in the handbook from the project. The work package presented its findings at the final EMARS conference in Brussels during the “International Product Safety Week” 17 – 21 November 2008.

Link with RAPEX Guidelines

The EMARS team of experts has worked in close cooperation with the European working group WG IRAG. This group was set up in 2006 to revise the risk assessment method used in the context of RAPEX notifications. The European Commission presented the draft revised procedure in a workshop on December 11th.

The EMARS team of experts has worked with the intention to promote the new RAPEX Guidelines as the current best practice for risk assessment of consumer products. The chapter on risk assessment in the Book will provide additional information about the risk assessment practice, practical solutions for problems, examples, and the like.

Injury Levels

WP4 has been able to assist the WG IRAG in preparing drafts on specific questions for discussion in upcoming IRAG-meetings. One example being the titles of the injury levels. The problem was that the previous titles (“slight”, “serious”, etc.) tempted users and others to include their personal connotations in the injury level. (As an example, a risk assessor that had lost one finger might be tempted to consider that losing a finger was a more severe injury that shown in the table.) Instead WP4 suggested to rename the four levels to level 1, 2, 3 and 4 and to include a description of each level (e.g. “Injury or consequence that after a basic treatment (first aid, normally not by a doctor) does not substantially hamper the functioning or cause excessive pain; usually the consequences are completely reversible.” for level 1).

Consultation on the draft risk assessment chapter

Several consultations have been carried out regarding the risk assessment contribution to the book:

- In October 2007, WP4 presented its work at the joint EMARS workshop in Brussels.
- In December 2007, WP4 used a half-day workshop to launch the public consultation on the risk assessment module.
- In spring 2008, the risk assessment chapter has been part of the book that was sent around for consultation by WP3.

These consultations have included external stakeholders and the European Commission.

Summary of deliverables produced in 2008

Agenda meeting 11 March
Minutes meeting 11 March
Agenda meeting 12 June
Progress reports WP4 2008 Q1 and Q2
WP4 Handbook rev 2.0
WP4 Handbook rev 2.1
WP4 Handbook rev 3.0
WP4 Handbook rev 3.1
Revised IRAG Excel form
Invitation meeting 2 September
Agenda meeting 2 September
Minutes meeting 2 September
Risk assessment chapter version X+3
Risk assessment annex B + C version X+3
Risk assessment summary report - duck with beak
Risk assessment summary report - cord sets
Risk assessment summary report – toaster
Risk assessment summary report - food imitation product
Risk assessment summary report – softgun
Progress report WP4 2008 Q3
Memo on experiences with the revised risk assessment method

5. EMARS Strategy

The draft Strategy was presented at a Workshop in Paris on the 11th of July. The general orientation of the strategy was well received by the stakeholders present.

The following main topics are included in the strategy document:

- European and global background and developments in market surveillance
- Opportunities for European and/or global actions and activities
- Vision on market surveillance for the future
- General principles and goal for coordinating body including practical examples e.g.:
 - Rapid advice and support to RAPEX activities
 - Information exchange and maintain Knowledge Base
 - Input to standardisation mandates and similar initiatives
 - Develop and maintain best practices
 - Develop and maintain training programmes
 - Contribution to policy development
 - Coordinate annual programmes
 - Preparation and coordination of joint actions
 - Coordinate cooperation with the Customs
 - Dissemination of results of joint actions

The analysis of the financial consequences of implementing the strategy in the short to medium term has been discussed extensively in the framework of submitting and having agreed a proposal for EMARS II. The European Commission has expressed their interest in further discussing the financial model that could be applied in the medium to long term.

EMARS II – a framework to help implement any future strategy

Within the framework of the European Commission's 2008 call for tender for proposals joint actions a project entitled - Further Enhancement of Market Surveillance through Best Practice - "EMARS II" was granted to PROSAFE as a continuation of EMARS I.

The overall objective of the project is to further enhance the market surveillance of non-food consumer products in Europe. This is to be achieved through the practical application of the best practice developed under the current EMARS project and the development of additional best practices. The project also seeks to further capitalise on the improved climate for collaboration amongst national market surveillance authorities that the current EMARS project has contributed to. EMARS II will provide a framework for closer collaboration within which future joint actions and coordinated activities on specific products and other market surveillance related issues can be identified.

The specific goals of this new project would include

- Developing a more rigorous and systematic approach to the identification and execution of joint actions
- Promoting a more consistent approach to market surveillance through the development of best practice and a training programme for market surveillance officials in the field of consumer product safety
- Ensuring adequate liaison between market surveillance authorities and standards development

- Improving collaboration with Customs officials through networking opportunities and the identification of best practice
- Improving operational level collaboration with relevant enforcement authorities outside the EEA

The project seeks to continue and further develop the activities begun under the project Enhancing Market Surveillance through Best Practice, EMARS. The current EMARS project is scheduled to run until the end of 2008. In particular the project seeks to further strengthen the practical cooperation and coordination that has resulted at the operational level from EMARS.

A modular approach has been adopted whereby all Member States participating in the project have committed to a core set of tasks aimed at further promoting coordination and cooperation in relation to market surveillance activities. This will primarily be through the exchange of information at regular coordination meetings, participation in the information systems established under EMARS such as the Knowledge Base and the Rapid Advice Forum. Participating Member States have also committed to supply information on their market surveillance activities on at least a yearly basis.

Further tasks are grouped around other specific themes that have the potential to improve coordination and cooperation on market surveillance activities. Member States have been free to choose themselves how many of these initiatives they will play an active role in. At the same time all Member States in the project will have access to the results of the work carried out under these themes through the information systems operated as part of the core coordination tasks. The following themes have been identified

- A. Best Practice
- B. Management and Planning of Future Joint Actions and Coordinated Market Surveillance Activities
- C. Risk Assessment
- D. Market surveillance guidance material for external stakeholders
- E. Training
- F. Continuous improvement of national market surveillance programmes
- G. Standards related activities
- H. Liaison with Notified Bodies

Much more detailed information is now being made available online at www.emars.eu.

6. Coordination and secretariat

Information infrastructure

The document management system on WebEx continues to be developed and serve as the basis for content delivery to members of the project. The knowledge database has been amended to allow for the easy identification of documents that have been reviewed and those documents that continue best practices to be considered during the drafting of the best practice handbook. The number of member accounts has reached almost 250 by the end of the year requiring the account plan to be upgraded once again this time to 500 users. This demonstrates that the pool of officials being drawn upon in the project and other joint actions is growing considerably.

The EMARS WebEx document management system is used (with dedicated folders) as archive and document depository system by:

- the joint action on lighters
- the joint action on playground safety
- new joint actions on sun beds, cords and strings and toys
- ICPCSC
- All new projects have their own folders, so documents can be stored and retrieved easily.



Databases		
• Cigarette Lighters Project	Total: 488	New: 0 Updated: 0
• Knowledge Base	Total: 398	New: 0 Updated: 0
• Master Document List	Total: 679	New: 0 Updated: 0
• RAF Forum mailing list	Total: 50	New: 0 Updated: 0
See All Databases		

The WebEx system will continue to for the backbone of document management under EMARS II.

Participation of countries not included in the financial scheme

A number of countries outside the financial scheme continue to make positive contributions to the project. In particular contributions have been made in respect of the following activities

- responding to questionnaires concerning market surveillance practices and market surveillance plans,
- contributing to the Who's who,
- participating in EMARS events
- identifying experts for the RAF,
- hosting EMARS events, and
- cooperating in joint actions coordinated by PROSAFE

It is worth noting that some twenty-seven countries are committing to participate in the joint actions being granted under the 2008 Commission call for tender. Amongst this number is one from outside Europe, Canada.

Coordination between the different work packages

The degree of coordination between the work packages is evidenced time and time again throughout the report. For example all the work packages are feeding into the Knowledge Base and many of the work packages have also been drawing on information contained within the Knowledge Base. WP3 and W4 have been very closely collaborating with their deliverables now being combined.

The secretariat provided support to the preparation, management and follow up of:

- the workshops,
- PROSAFE meetings and
- Core group meetings.

Also many practicalities for these meetings were handled by the secretariat.

General management of the EMARS project

The general management of the project has continued to work well with regular management teleconferences and meetings of the Core group taking place. Close attention has been given to the financial management as well as the performance of the work programme.

Future housing of the EMARS Secretariat

A new contract has been negotiated with EFTA that sees the lease for office space extending automatically each year for a new twelve-month period. The facilities in EFTA have proven invaluable to the project. PROSAFE has moved to a larger room to accommodate for the growing staff. From November 1 Anne Beutling from Germany joined on an internship. Further it is foreseen that Dirk Meijer of the VWA will be able to work full time for PROSAFE in 2009.

Coordination with other relevant initiatives

Considerable progress has been made in the collaboration with the Baltic Sea Cooperation who will now participate in the EMARS II project. WP4 continues to be very active within the Commission's own IRAG group revising the RAPEX risk assessment guidelines. EMARS continues to reach out to other partners such as ICSMS, ICPSC and ICPHSO. First contact has also been made with the OECD who is willing to cooperate with ICPSC and PROSAFE in international activities.

Summary of deliverables produced during 2008

Presentation and further outline of strategy document
Programme for Strategy Workshop in July
Detailed application for EMARS II
Memo on structure and content of workshops and final conference
Memo on final implementation report
Update of Strategic Review of the work programme
Presentations to and starting working with relevant ADCOs, ICPSC
General management of the EMARS project
New lease contract with EFTA

7. Dissemination of the results of the project

A number of deliverables relate to the dissemination of the results of the project and the promotion of the project. These include a website, a database on 'Who is who', enforcement structures and procedures, body of knowledge and product fact sheets and guidelines and manuals. Work Package 6 Dissemination undertakes these tasks.

Progress in 2008

Communications Strategy

The communications strategy continued to be implemented. The visibility of the project is very high indeed and representatives of the Project and PROSAFE are increasingly in demand as representatives of the European market surveillance community due in no small part of the credibility that the success of the EMARS project has brought with it.

The International Product Safety Week Brussels November 17th – 21st

PROSAFE played a crucial role in the International Product Safety Week. The agenda is depicted below. The final conference of the EMARS I can be considered as successful, showing the role PROSAFE is playing in the European harmonisation of market surveillance in the field of product safety. Even our Chinese colleagues refer to the EMARS-project as a good example of international cooperation in market surveillance.

Other outreach activities

Representatives of the project have attended a number of meetings to present the project to external stakeholders. The approach in respect of regulatory committees such as the ADCOs and the GPSD committee has been to follow up on first general presentations of the project returning with more specific presentations on other occasions. For example WP1 is seeking to present the Knowledge Base and WP2 the Rapid Advice Forum. Many of the external stakeholders identified in the Communications strategy have participated in workshop during 2007 and have been consulted on the Best Practice Handbook.

Newsletter

There have now been seven editions of the newsletter all of which are available on the website. A further three editions are planned for the rest of the year. The mailing list for the newsletter contains over one thousand e-mail addresses. The newsletter has generated some interest in the project with contact being made to the secretariat

Who's who

The Who's who is available on the WebEx site and on the public EMARS website. There are now some thirty-one individual country profiles. In addition there are links to the PROSAFE membership and the list of RAPEX contact points maintained by the European Commission. The secretariat is actively pursuing the few number of missing country profiles and will add them as they are made available.

Summary of deliverables produced throughout 2008

Spring Workshop, July Strategy Workshop and November Final Conference
Sixth and seventh editions of the newsletter
Additional Who's who entries
Additional website content
Presentations to external stakeholders

Website

The website continues to be developed with more content being added to reflect progress in the project. There are now pages on the website devoted to the workshops held in the spring and autumn, the Rapid Advice Forum, the Knowledge Base, the market surveillance of cigarette lighters and the Who's who. On Google.com we appear as the first domain.



Welcome to EMARS

Presentations from the Final Conference are available!

Enhancing Market Surveillance through Best Practice

The project aims to ensure a basic level of expertise and practical experience in most of the market surveillance organizations of Member States within the EEA.

This project seeks to establish:

- a more coordinated and well-established best practice technique in the area of market surveillance between various States.
- a more balanced and fair market surveillance strategy throughout the single market
- a basic "Knowledge base", "Handbook to Best Practice in Market Surveillance" and "Handbook Risk assessment" which is hopefully accepted not only by the Network and GPPSD Committee but also by other related AOCO groups, as well as consumer and business representatives.
- more confidence in market surveillance throughout the Single Market by consumer and business representatives.

This project involves a substantial number of players including:

- European Product Safety Network
- Prosafe
- Adco-Lvd
- Adco-Machines
- Adco-Toys
- Adco-Ppe
- Consumer & Business Sectors
- Other Related Organizations such as Eurosafe

- Final Conference
- News
- Cigarette Lighters
- Risk Assessment
- Strategy Workshop
- Workshop October 2007
- Training
- Knowledge Base
- WP3 Workshop March 2007
- Rapid Advice Forum
- European Commission
- EFTA
- EMARS Webex
- Prosafe
- Who's Who
- E-mail us!
- Search

Workshop Tallinn May 2008

A two-day workshop was held in conjunction with the PROSAFE meeting to discuss in particular market surveillance plans and training. Over 20 countries were represented at the workshop.

22nd May PM EMARS Session

13:30 Brief updates from all EMARS Work Packages

15:00 Training Strategy

- a) Brief introduction on the present training strategy. 6 modules proposal. Gunnar
- b) TSI – operation of web-based learning (Phil Owen)
- c) Presentation of results of meeting with DG Sanco, Food and Feed (Torben Rahbek)
- d) Presentation of training system from the Netherlands (Marijn Colijn)

2. Breakout sessions – Questions for discussion

a) Content and structure of national training – is it possible to develop a model for national implementations of the training programme?

b) Contents of the EU training programme

- 6 modules proposal
- Competences required?
- Content and structure of training-important issues like directives, standards, use of test probes, information techniques, testing on spot (the idea is to develop a programme based on the participants needs)
- How to develop a level 2 training programme related to each directive. Reference to The Book chs 4,5,6 and 7
- Form and contents of such programmes.

23rd May AM EMARS Workshop

09:00 Review of training strategy breakout groups

09:30 The Book - practical experiences.

- a) Brief presentation of the inventory. Gunnar
- b) How to use the book in practical projects-introduction and recommendations. Gunnar
- c) Joint testing lighters project. RAF in practical use. Torben
- d) Relations to handbook in inspection of Playground equipment. Dariusz
- e) Experiences gained in the LVD (CES) project related to the Book. Jan Willem.
- f) Future work; progress plan.

12:00 Proposals for maintenance and further development of the Knowledge Base and RAF (based on first analysis of the burden of the RAF)

Torben, Rahbek, Bruce J. Farquhar, Jan Deconinck

23rd May PM EMARS Workshop (cont'd)

14:00 Presentation of Strategy and EMARS II proposal, Evaluation of the Project, Final Implementation Report and National dissemination of results

16:00 Finish

Strategy Workshop

Our French colleagues very generously hosted a workshop in July to discuss the draft strategy document. The meeting was a great success and was very well attended. DG TAXUD participated following on from their involvement in the Saalfelden conference on dangerous products. The stakeholders in particular played a very active part during panel devoted to allowing them to express their views on market surveillance.



Strategy Workshop Programme 11th July 2008 Paris

9:00 Opening of Workshop

M. Bruno Parent , Directeur général de la concurrence, de la consommation et de la répression des fraudes ou M. Francis Amand, Chef du service de la régulation et de la sécurité, Direction générale de la concurrence, de la consommation et de la répression des fraudes, France (to be confirmed)

Opening speech by EMARS project leader - Overview of progress with project and setting strategy work in context

9:20 Setting the scene - developments at the European level

European Commission DG SANCO Toys Stock-taking Robert Nuij,

DG ENTR New Approach Revision Rita L'Abbate,

DG TAXUD Customs cooperation with market surveillance, Karl-Heinz Kadner

10:30 – 11:00 Coffee Break

11:00 Panel with International and National Dimension national experience with strategic planning (Dutch and French)

Mme Marie-Thérèse Marchand, Sous directrice de la sous-direction E Santé, Industrie et Commerce, Direction générale de la concurrence, de la consommation et de la répression des fraudes, France

OECD Peter Avery

ICPSC Jan van Leent

11:45 Stakeholder Panel what are their expectations of the market surveillance framework

Chiara Giovanni, ANEC

Guido Dejongh, CEN

Rod Freeman, Lovells

Haimo Huhle, Chairman of Orgalime technical co-ordination committee (TCC) for the electro-technical branch

1-2:00 Buffet Lunch

2:00 Key elements of a future strategy

Reflections so far in EMARS, Bruce J. Farquhar

Training, Gunnar Wold

Joint Actions, Torben Rahbek

2:45 EMARS II - a framework to facilitate the implementation of a future strategy

Bruce J. Farquhar

3:00 Discussion with stakeholder panel and Commission representatives,

Jan Deconinck PROSAFE,

M. Jean-Jacques Berger, Sous-directeur de la sous-direction C Politique de la consommation et de la sécurité, Direction générale de la concurrence, de la consommation et de la répression des fraudes, France

Robert Nuij, European Commission

Chiara Giovanni, ANEC

Guido Dejongh, CEN

Rod Freeman, Lovells

Haimo Huhle, Chairman of Orgalime technical co-ordination committee (TCC) for the electro-technical branch

4:30 Closing speech by PROSAFE Chairman summing up the days discussions followed by a reception