



INTERNATIONAL CONFEDERATION OF INSPECTION AND CERTIFICATION ORGANISATIONS

## **CEOC POSITION PAPER**

**To: European Parliament Internal Market Committee & National Authorities**

### **The Internal Market for Goods**

**CEOC International, the International Confederation of Inspection and Certification Organisations, represents 29 members from 21 countries and through them represents some 60.000 employees.**

**CEOC International welcomes the initiative taken by the European Commission to review the rules relating to the market for goods with a view to facilitate cross-border trade. However, inspection and certification organisations are deeply worried about the “package” adopted by the Commission on 14<sup>th</sup> February and strongly calls on the European Parliament and the Council to request a thorough review of the texts adopted.**

**We would like to highlight in substance some of the main reasons for our position while we will prepare more detailed comments in due time.**

#### **Regulation on the Mutual Recognition of Non-Harmonised Goods**

We fear that two major problems will jeopardise the implementation of the Regulation, namely on the one hand, mutual recognition which implies equivalence between the objectives of legislation. And on the other hand, market surveillance, which is the prerequisite to a safe and quality oriented market of goods. However, it would be almost impossible for the Member States to control that products have really been lawfully marketed in another Member State and to establish useful and efficient “Contact Points” as foreseen. We are also worried about the fact that the directive covers products that are potentially dangerous as mobile scaffolds and consider that safety should be handled on a more responsible way than what is proposed in this Regulation.

#### **Proposal for a Regulation on Accreditation and Market Surveillance**

Conformity assessment bodies are concerned about two main aspects: on the one hand, the Member State would still be able to designate a national accreditation body that is

unable to meet successfully the EA peer review requirements and on the other hand, the cross-frontier accreditation rules are extremely rigid for the conformity assessment bodies located in the EU. These two aspects are very detrimental to one category of stakeholders concerned by the proposal, namely inspection and certification organisations.

CEOC International welcomes the objective to ensure that accreditation is based on harmonised and high-quality rules and hence welcomes the strive towards improving the functioning of EA. CEOC International is willing to contribute to the development of EA guidance papers and accreditation schemes needed to reach the target and strongly advocates the involvement of all stakeholders in the preparation of these documents.

### **Proposal for a Decision on a Common Framework for the Marketing of Products**

CEOC International highlighted at several occasions that the replacement of the concept “putting into service” by “making available on the market” is likely to create problems for the commissioning of industrial installations (who will be responsible in case of a complex installation covered by several directives?).

In order to meet the requirements set in the council resolution of 10.11.2003 to “...clarify the meaning of the CE-Marking and its relation to voluntary marks” CEOC strongly recommend to add a definition of the CE-Marking into Article 6.

CEOC International is concerned about the rule applicable to notified bodies which states that “activities may be subcontracted or carried out by a subsidiary only with agreement of the client (article 23, point 3). For complex products it is not always possible to define beforehand the list of subcontractors/subsidiaries which will be involved. Meeting the requirements on subcontracting should be sufficient.

We are also concerned about article 25 related to "accredited in-house bodies" which will greatly contribute to create confusion if applied as such. The possibility for manufacturers laboratories and/or inspectors to be accredited without any precision relating to the need for their activities and their scope of accreditation to be closely related, is very worrying and leads to different levels of quality and safety in the modules.

Finally, modules A1, A2, C1, C2 of the Annex are also problematic as they are confusing for the user in view of the possible use of an in house accredited body and are certainly too vague to give any guarantee on the credibility of the system.

23 March 2007.