European Commission
Taxation and Customs Union

Guidelines for import controls in the area of product safety and compliance

An initiative to provide practical tools to EU enforcement authorities for controls of products entering the EU market (These controls are required under Chapter 3 section 3 of Regulation 765/2008)

Guidelines – general overview

- Focus on enhancing cooperation between Customs and Market surveillance Authorities

- Main emphasis focus on the content and elements to be included in the agreements between customs and MSA

- For those MS currently without agreements: recommendations are intended to serve as basic practical information and instruction for their creation and further adoption.

- For those MS with existing agreements: opportunity to check their content and, if necessary, add additional or missing important elements.

Structure of the Guidelines

1. Generic Part

2. Specific part

3. Annexes including:

   – Legal framework description
   – Indicative lists of EU legal acts to which Reg. (EC) No 765/2008 applies or not (positive and negative lists).
   – Table with list of the different authorities in each MS involved in import controls in the area of product safety and their responsibilities.

Elements of generic part of the Guidelines

- Purpose

- Objectives

- Target audience

- Overview of EU legislation including clarifications of legal requirements and scope of the border controls Operational procedures

- Principles of cooperation between Customs and MSAs

- Recommended elements to be included in national agreements

Specific part of the Guidelines

- Covers concrete product groups

- Simple and with harmonised structure including:

  1. Information sheets for the individual product groups
  2. Checklists for the individual product groups

Initially 26 product groups- with possibility of further extension in the future

Note that Customs has the power to carry out all controls they deem necessary also on products not yet included in the specific part of the Guidelines

Information sheet

- Detailed information about specific product group

- Allows Customs as final user to quickly find and understand the particular product safety requirements of the product group.

- Based on a common structure and agreed elements for all product groups

Check list/screening list

- Simple and concise (no more than 1 page)

- Linked to information of information sheet

- Includes necessary elements relevant for the screening of the product group

- Describes concrete control steps

- Indicates clearly when the release for free circulation of goods should be suspended for product safety or non conformity reasons

- Includes final recommendation for further steps (release for free circulation, contact MSA authorities for final decision, sample taking, etc.)

- Ensures that the MSA responsible for final decision on compliance receives all relevant information

Next steps

- Translation into the 23 official EU languages

- Ensuring circulation of updated information to MSs

- Extension of the number of product groups in the specific part

- Focus on implementation at national level

- Possible use of existing IT tools for exchange of information and cooperation (RAPEX, RIF…)

- Follow-up Strategic Workshop in Austria, 21 – 23 November 2011 "Implementation of import controls in the area of product safety" to evaluate the tools made available and to decide on further actions

Envisaged further actions

- Establishment of permanent structure to enhance cooperation between Customs and MSAs

- Providing of support to MSs on implementation through visits of experts

- Actions to ensure the necessary revisions and amendments of Guidelines

- Communication

- Collection of data on dangerous goods and reporting

Thank you for your attention

For more information, please consult:

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