



Brussels, 21st November 2011

Subject: EMARS II Strategy Document

Dear colleague,

I am writing to you in my capacity as project leader of the EMARS II project.

I am pleased to inform you that the Strategy document being developed as a deliverable from the EMARS II project has been finalised. A copy of the final document is enclosed for your information.

The comments we received during the consultation process have raised many interesting points. Whilst the majority of these have been addressed directly in the final document, I would also like to share with you our reflection on some of the comments made.

We appreciate very much the fact that a number of ongoing discussions over the future direction of market surveillance are taking place at a very high level in Europe. We are indeed heartened by the political priority that is being placed on the role of market surveillance in delivering the benefits of the internal market. Of course, we understand that these discussions are far from their conclusion and we eagerly await the proposals that are being discussed. Meanwhile, we consider that the vision we express in the document is reflected at least to some degree in the public statements made by the European Commission and the European Parliament.

Moreover, we have clearly identified that the views expressed in the document reflect only the project participants' perspectives and not the ones of any other parties.

With respect to the treatment of standards, the reference to "participation" in standards early in the document comes from the re-statement of the principles contained in the first Strategy. However, this statement is presented simply as a point of departure for the discussion of standards later in the document. The agreed focus of standards-related activities in the immediate future is to ensure that we take into account the existing European standards and provide appropriate feedback to the standards development community. Recommendations from EMARS II - Task G (Standards Related Activities) will underline important issues in more detail.

Another issue that attracted comments was the suggestion of obligating the Member States to participate in a European level multi-annual programme. There was not a clear consensus amongst the EMARS II participants in support of this idea. We have amended accordingly the wording in the document to focus on the desired objective that all Member States should participate in the programme. It has to be left to the implementation of the programme itself and to those responsible for that as to how this objective is to be achieved. PROSAFE has had good success in obtaining broad participation in its activities on a voluntary basis. However, it will be up to the Member States and the European Public Authorities, when they implement the new programme, as to what rules they will put in place to ensure the greatest possible participation in the programme.

We also received many comments relating more to the implementation of the Strategy rather than suggesting any amendment to the text we proposed. To the extent to which, in the future, PROSAFE will be involved in projects that serve to implement the various components of the strategy, we will most certainly bear in mind the many valuable comments we received.

We should perhaps also underline that the principal role of PROSAFE under the EMARS II project has been to provide practical expertise in the field of market surveillance. Therefore, it is with great pleasure that we would direct your attention to the long list of deliverables we have developed during the project and which present practical guidance in relation to market surveillance. These include the following:

- Pocket guide to market surveillance;
- Practical guidance to apply the EMARS Best Practice Book to different product sectors;
- Checklists and inspection forms;
- Best practice handbook for the management of Joint Actions;
- Database of risk assessments;
- Risk assessment training materials;
- Revised Corrective Actions Guide;
- E-learning tool;
- GPSD training module;
- Guidelines related to standardisation and notified bodies.

We are also pleased to note that the two EMARS (I and II) projects have helped together to create the conditions that have seen the launch of Joint Market Surveillance Activities targeting fourteen different product groups during the past five years. A proposal for another four product-activities is currently under consideration. All 27 EU Member States and 2 EFTA Member States have participated in at least one of these Joint Actions with the average being nearer six. In total, PROSAFE has been able with the generous support of the Commission to launch projects coordinating over 200 national market surveillance activities in the past five years.

PROSAFE has a demonstrated track record in successfully coordinating market surveillance activities at European level. However, this does not mean that it would automatically assume this role in any future European market surveillance framework. We are of course pleased to note that there is a consensus emerging on the need for a central coordination body. The strategy document developed under the first EMARS project envisaged this development. Moreover, our practical experience has, in our opinion, certainly validated the need for such a body since then.

We are also humbled that the European Parliament has also recognised our efforts and gone as far as to request the European Commission to consider under what conditions PROSAFE could fulfil that role. Nevertheless, we are mindful of the challenges that this would pose and await with interest the outcome of the current discussions within the European public authorities. We can only assure everyone of our willingness to build further on our experience to date and place the knowledge that we have gained at the disposal of the European Public Authorities and the Member States.

Once again, I would like to thank all the project participants and interested parties for their valuable comments and we look forward to your continuing support during the implementation of the new strategy.

Yours sincerely,

Gunnar Wold

EMARS II Project Leader