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PANEL 1: PRODUCT SAFETY – CURRENT CHALLENGES, FUTURE OPPORTUNITIES

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Thank you very much to the organisers for inviting BUSINESSEUROPE to present its views on product safety at the European Consumer Day.

Let there be no question: business wants safe products on the market. Here we believe that decision makers, authorities, citizens and business have a common interest. We may not always choose the same solutions but we share the same goal.

On the 13th of February the European Commission adopted its 'Product Safety Package'. According to the Commission this package addresses three major objectives: more safety for consumers; fewer burdens for business; more co-operation among competent authorities.

BUSINESSEUROPE is currently analysing the details of the Package but in principle, we welcome its essence as for a number of years we have been urging the Commission to improve the consistency of product safety legislation as the current interplay between the various layers is complex and leads to uncertainties in the internal market.

Simplification of the product safety legislation, if done well, will ease enforcement and contribute to growth by providing business with clearer rules, lower compliance costs, and a more level playing-field for legitimate business.

So let me come to the subject of this panel: Product safety – current challenges, future opportunities.

Regarding the **challenges**, let me name a few which are important to highlight from a business perspective:

Making sure that legislation on product safety is clear but proportionate

Product regulation must strike a good balance between the interests of society, consumers, and enterprises. Unrealistically high requirements may eliminate certain product categories altogether, hurting business and consumers alike. Therefore, proportionality is of the essence. This crucial concept is enshrined in some of the proposed articles, but needs to be added in others.



Avoiding unnecessary adjustments to the product safety package

Business needs a coherent and simple legislative framework. Therefore unnecessary burdensome additions should be avoided at all costs when the product safety package goes through the European Parliament and Council.

It is essential that a product conforming to sector-specific Union harmonisation legislation that aims at the protection of health and safety of persons should be presumed to be safe. BUSINESSEUROPE is happy to see that this is taken into account in the product safety package and this should not be changed.

Another issue that is important to raise here is that stricter rules, such as e.g. third party certification, will not provide safe products as such. It must not be forgotten that all tests can be falsified. All certificates can be copied. The serious, well-meaning manufacturers who follow the rules just end up with more administration, more costs. This is why efficient market surveillance and cooperation across borders is so fundamental.

Now, let me turn to the **opportunities**:

Increasing consumer confidence and boosting business

A simplified, clear and proportionate legislative framework addressing pre-market requirements AND enforcement through market surveillance will increase consumer confidence and boost business opportunities. Fair and well-meaning businesses are more likely to succeed if they know that they operate in a level playing field where competitors who cut corners and flout the rules are penalised.

Business contributing to better enforcement of legislation

BUSINESSEUROPE sees the establishment of a European Market Surveillance Forum, as stated in the proposal on market surveillance, as a very positive step.

It is good that the proposal foresees some form of interaction between representatives from market surveillance authorities and other stakeholders like business.

Companies can be of great help in enforcement as they possess lots of information on their markets. Therefore, more interaction with companies through this Forum would lead to better market surveillance programmes and would help direct market surveillance and customs efforts much better to the real points of tension.

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