

Charter for safe and compliant electrical low voltage infrastructure and installation engineering products and systems in the European Union

“We strive for safe and compliant products in Europe!”

Manufacturers of electrical infrastructure and installation engineering products and systems based in Europe, their related European and national trade associations and accredited European Conformity Assessment Bodies (CAB) are joining their efforts to act proactively in the field of market monitoring. These organisations will do this by informing the relevant market surveillance authorities of suspected non-compliant products¹ and assisting these authorities in their investigation within the framework of Regulation 765/2008² with a view to ensuring customer safety and fair competition in the European market.

The above-mentioned manufacturers, trade associations and CABs have committed to cooperate in operational initiatives and activities in European countries to combat the circulation of unsafe or non-compliant products on the market, cooperate at European level and support market surveillance authorities in their tasks.³ In doing so, MSSI participants commit to fully comply at all times with all the requirements of antitrust law in the context of the MSSI activities.

Non-compliant (1) products represent a threat to people’s safety, goods, property, and/or national economies and the environment.

- Non-compliant (1) products do not meet the requirements of safety/health/environmental/EMC legislation and consequently are more likely to be dangerous for users and/or fail to provide the expected or claimed level of performance.
- Non-compliant electrical products in the European market place are detrimental to fair competition. Their presence impacts negatively jobs, investments, innovation and the whole value chain.

¹ non-compliant products are products not in conformity with the applicable mandatory legislation (e.g. not meeting the requirements of the harmonised standard, with main focus on product safety)

² Regulation 765/2008 provides for a system of accreditation and market surveillance by the relevant national authorities relating to the marketing of products in the EU - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0030:0047:en:PDF>

³ This obviously includes the products of the member companies of MSSI

- The distribution of non-compliant products presents potential danger to both persons and property.

The Manufacturer's commitment:

Art 1: To fully comply at all times with all the requirements of antitrust law in the context of MSSSI activities

Art 2: To develop and sell only products that are compliant with all applicable legislation

Art 3: To apply best practices in their conformity assessment

Art 4: To actively participate and adequately support the MSSSI local operational process

Art 5: To cooperate with the accredited CABs

Art 6: To apply and to participate in the local MSSSI in the countries where the manufacturer is significantly active

The Trade Associations' commitment:

Art 7: To fully comply at all times with all the requirements of antitrust law in the context of MSSSI activities

Art 8: To launch and support (national) MSSSI activities

Art 9: To have rules and procedures in place for the local MSSSI implementation and operations

Art 10: To encourage their manufacturing members to participate in the MSSSI local initiatives

The Conformity Assessment Body's commitment:

Art 11: To be accredited and maintain its accreditation by the national accreditation body (within the ILAC/IAF accreditation frame) and for the relevant scope

Art 12: To fully comply at all times with all the requirements of antitrust law in the context of MSSSI activities

Art 13: To protect their brands and certification marks from being misused and abused; including publication of a listing of proven offenders

Art 14: To have a contract or partnership with the market surveillance and/or customs authorities

Art 15: To participate actively in the MSSSI operational local process

Art 16: To have a contract with their customers allowing the CAB, based on objective criteria, to publish the infringements of its IPR

Art 17: To participate in the local MSSSI in the countries where the CAB is significantly active