

# Members



## Supporting manufacturer associations



## A CECAPI initiative



[www.mssi-electrical.org](http://www.mssi-electrical.org)



# MSSI ELECTRICAL

MARKET SURVEILLANCE SUPPORT INITIATIVE

## About MSSI Electrical

MSSI Electrical is a CECAPI initiative, with the support of major industrial players. MSSI Electrical, a not-for-profit initiative, is serviced by the ORGALIM Partnership in Brussels.

MSSI Electrical's objective is to help eliminate unsafe and non-compliant electrical products in Europe to help protect people, goods and property.

Working together, with trade bodies, market surveillance and law enforcement authorities, MSSI Electrical will provide information and training to support efforts to help ensure 100 percent of products used in Europe are safe and compliant.

Some of the biggest global names in electrical product innovation are working together to raise awareness and inform the right people, including supply chain operators, customs and other government organizations.

The objectives are twofold:

1. The first goal is to bring together manufacturers to agree and develop proactive actions / initiatives for ensuring optimum customer safety and product compliance with European directives to contribute both to safety for customers of electrical equipment and to fair competition among market operators. The intent is to develop an initiative that serves as a framework to achieve more effective market surveillance by the relevant national authorities across Europe.

2. The second goal is to foster the widest application of this new framework, as defined above, including through reporting unsafe or otherwise non-compliant products to the relevant national authorities. In particular, this initiative would strive to:

- Improve market surveillance effectiveness and efficiency by contribution of all economic operators in European countries
- Consolidate national reporting of unsafe or otherwise non-compliant products to national authorities under the umbrella of a European organization.

**1. What does MSSl mean?** MSSl stands for Market Surveillance Support Initiative.

**2. What is market surveillance? Who is responsible?** Market surveillance is carried out by the authorities of the Member States who are responsible for checking and testing products available on the market or arriving at the custom borders of the European Union. Authorities check if the products are complying with existing legislation.

**3. What happens if a product does not comply?** If market surveillance authorities find a non-compliant product, they request the economic operator responsible for the placing of the product on the market to take corrective measures. In most cases the product will be voluntarily recalled by the market operator or withdrawn from the market by authorities when the dialogue is not possible. Presumably unsafe consumer products are listed in the European Commission RAPEX system. Companies may also be facing financial sanctions and penalties.

**4. What is the difference with counterfeiting?** Counterfeiting is an issue where Intellectual Property Rights (IPR) held individually by companies are violated. There are legal procedures in place to deal with these cases. While all counterfeited products are not necessarily unsafe, they are all de facto not in conformity with applicable legislation, as they are infringing the rights of the original manufacturer.

**5. Who has created MSSl Electrical?** MSSl Electrical is a CECAP1 initiative, supported by major industrial players.

**6. Who is supporting MSSl Electrical already?** Some manufacturers: ABB, Benedict, Dehn, Eaton, Hager, Legrand, Niko, Schneider Electric and Siemens are supporting MSSl Electrical directly at EU level while national initiatives are already counting more participants. The following Conformity Assessment Bodies have also signed the MSSl charter: INTERTEK, LCIE, VDE, UL, IMQ and AENOR. Many manufacturer associations from various EU Member States did the same: AFME, AGORIA, ANIE (CSI), BEAMA, ELA, GAMBICA, IGNES, KIGEIT (SPAE), VELTEK and ZVEI.

**7. Which products are covered?** The MSSl Electrical covers components for electrical installation such as switches; circuit breakers and residual current devices; arc fault detective devices; cable management systems; and home, building and process electronic systems – all for commercial, residential and industrial low voltage applications.

**8. Why was MSSl Electrical created?** Non-compliant products are a serious risk to the safety of people, goods and property and can damage the reputation of individuals and businesses within the electrical industry. The presence of non-compliant products in the European market is already a reality; its relative importance depends on the markets but it is considered as being a growing concern. Therefore European electrical equipment industry decided to pull together to protect consumers from unsafe and non-compliant product.

**9. How does MSSl Electrical work?** MSSl operations are carried out at local level. There can be slight differences in the approach due to local laws. However after identifying potentially non-compliant products, third parties (Independent Conformity Assessment Bodies) sample and test products, if products are found non-compliant,

relevant market surveillance authorities are informed. Then the authorities may decide whether to take enforcement measures against the responsible market operator or not.

**10. In which countries does MSSl Electrical operates?** To date, national MSSl exist in Belgium, Czech Republic, Denmark, France, Germany, Italy, Poland, Spain, and the UK.

**11. How will MSSl Electrical stimulate market surveillance?** MSSl Electrical aims to support public authorities. We hope that it will inspire authorities to check more electrical equipment to protect consumers. In addition non-compliant electrical products in the European market place are detrimental to fair competition.

**12. What measures have already been taken by industry to tackle unfair competition from unsafe and non-compliant products?** In some countries samples, test campaigns and information to market surveillance authorities have already taken place. Also some products have been taken out of the market.

**13. What is unfair competition?** Unfair competition in this context is the fact that some companies manufacture or sell non-compliant products, that means that they may be saving on the material (non-compliance with RoHS and REACH), on safety (non-compliance with the LVD), on EMC or on testing and conformity assessment costs, which brings them an unfair competitive advantage when they are placing these non-compliant products on the market.

**14. What can the Market Surveillance authorities do to further address unsafe and non-compliant products?** They would need to organize market surveillance campaigns by sampling and testing more and ensure identified non-compliant products are definitively removed from the market. Member States customs authorities could also stop non-compliant products at the border before they reach the market.

**15. How can MSSl Electrical help consumers?** Non-compliant products are a risk to the safety of people, goods and property. More compliant products on the market is reassuring consumers that they can have trust in their electrical installations.

**16. What does this mean for Europe's electrical equipment industry?** Non-compliant products can damage the reputation of individuals and businesses within the electrical industry. It means the industry will lose markets which could significantly impact their investment, development and employment capabilities.

**17. Why are third party certification organisations involved?** MSSl Electrical wants independent organisations to do the tests to ensure that tests results cannot be accused of being biased.

**18. Who can join the initiative and how?** Manufacturers, industry associations, conformity assessment bodies are invited to contact their local manufacturers association for more information.

**19. What role plays the European Commission in this initiative?** Market Surveillance is a Member State competence. However the New Legislative Framework (NLF) adopted in 2008 aims to improve market surveillance and boost the quality of conformity assessments. The Low Voltage Directive is aligned to the NLF since 2016. The European Commission published a proposal on 19 December 2017 entitled "The Goods Package: Reinforcing trust in the single market" that aims, among other things, at strengthening controls by national authorities and customs officers to prevent unsafe products from being sold to European consumers.