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ENPC STATEMENT ON RAPID ALERT SYSTEM FOR DANGEROUS NON FOOD PRODUCTS (RAPEX) SYSTEM

The nursing and juvenile industry, producing, importing and distributing child care articles in European market, welcomes the Rapid Exchange of Information System (RAPEX) as important communication measure to inform consumers about products which could pose risks to children safety.

RAPEX system is also a tool to help authorities in the different EU countries exchange information on the results of the continuous market surveillance activities ongoing in each single country. We are in favor of the revision of the rules going on in EU (Product Safety and Market Surveillance Package) aiming, among other objectives, at assuring a better coordination of surveillance activities, which is a key aspect to improve the system helping only products fulfilling EU rules and requirements can be placed and remain on the market.

We believe RAPEX system can be improved introducing or assuring a more open dialogue and exchange of information between the Authorities and companies before notification is circulated through the system, even before it gets to the consumers portal. A quick consultation with the manufacturer, or importer assuming the role of manufacturer, as soon as an alleged violation of EU rules is found in one country, can help Authorities get more elements to evaluate the product. This could happen very quickly through the RAPEX contact point of the Country were the manufacturer (or importer presenting itself as manufacturer) is established in EU.

Another improvement aspect deals with the risk assessment, since there is a difference between compliance/non-compliance to a technical standard and risk for the user.

On one side, compliance to the technical standards should be made only by laboratories having a deep understanding and knowledge about the technical standards requirements and interpretation: lack of "notified bodies" increase the possibility to have laboratories which do not have the right expertise to make correct and accurate compliance evaluations.

On the other side, risk assessment should be made with a specific expertise and with the involvement of independent experts. A dialogue with industry should be seen as an element adding value to this process, provided it is done in short time and with the aim to provide objective and scientific evidence to the risk assessment.

Finally, in consideration that most of the products in nursing and juvenile industry do not fall under a specific EU directive and CE marking is not applicable, industry would welcome a more systematic harmonization of EN standards to General Product Safety Directive, since in the absence of harmonized standard, legal certainty may lack consistence and a common ground.

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