

# EU MARKET SURVEILLANCE CONFERENCE

## Facing the challenges

Wednesday 04 November - Thursday 05 November 2020



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### Draft programme

DAY 1 – Wednesday 4 November 2020

- 10:45** *Welcome*
- 11:00** **Opening statements**
- Ms Kerstin Jorna  
Director General for Internal Market, Industry, Entrepreneurship and SMEs  
European Commission
  - Ms Elisabeth Winkelmeier-Becker  
Parliamentary State Secretary  
Federal Ministry for Economic Affairs and Energy – BMWi, Germany
- 11:30** **Introduction to the Conference**  
Mr Johannes Braun  
Moderator  
Director of the Global Project Quality Infrastructure (GPQI)
- 11:45** **The new EU market surveillance framework: a game changer?**
- **Expectations of consumers**  
Ms Sylvia Maurer  
Director  
Sustainability & Safety European Consumer Organisation (BEUC)
  - **Expectations of businesses**  
Mr Jacques Levet  
Director Technical Affairs and Standardisation  
French Federation of Electrical, Electronic and Communication Industries
  - **Expectations of market surveillance authorities**  
Dr. Gerhard Ludwar  
Head of market surveillance  
Electrical engineering  
Austrian Ministry for Digital and Economic Affairs
- 12:45** *Lunch break*
- 14:45** **E-Commerce: part of the problem, parcels of solutions?**
- **EU industry: Toy Safety online – who plays by the rules?**  
Ms Catherine Van Reeth  
Director General  
Toy Industries of Europe (TIE)
  - **Consumers: Distributing responsibility and liability fairly in E-Commerce**  
Ms Michaela Schröder  
Head of Law and Trade  
Federation of German Consumer (VZBV)
  - **Online platforms 1: Alibaba and the Safety of Products Sold Online**  
Mr David Baumgart  
Director Government Relations Europe  
Alibaba
  - **Online platforms 2: Product Safety @eBay**  
Mr Wolfgang Weber  
Senior Director  
eBay
  - **Public Authority: A Member State perspective**  
Mr Jonas Wester  
Attaché at the Swedish Permanent Representation
- Panel discussion**
- 16:30** **Achieving the right balance between product-based and operator-based market surveillance**
- **An example of operator-based market surveillance: French “Contrôle de la première mise sur le marché” (Control of the first placing on the market)**  
Mr Xavier Bouton  
Head of the Industrial products unit  
Directorate General for Competition Policy, Consumer Affairs and Fraud Control – DGCCRF, France
  - **Danish experience with operator-based market surveillance and future perspectives**  
Ms Lone Saaby  
Director  
Danish Safety Technology Authority – SIK
- 17:00** **Conclusions of day 1**

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### Draft programme

DAY 2 – Thursday 5 November 2020

10:15

#### Welcome

10:30

#### The single liaison office, how might it work in practice?

- **Germany**  
Mr Boris Böhme  
Head of Divisions VID4/VID5  
Federal Ministry for Economic Affairs and Energy – BMWi, Germany
- **Czechia**  
Ms Eva Přebilová  
Officer of Department of Trade Licences and Consumers' Legislation  
Ministry of Industry and Trade

11:00

#### New opportunities in market surveillance

- **Strengthening market surveillance**  
Dr. Wilhelm Eschweiler  
Vice President  
German Federal Network Agency – BNetzA
- **Federal Research & development supports market surveillance**  
Dr. Michael Nitsche  
Head of Department "Quality Infrastructure"  
Federal Institute for Materials Research and Testing – BAM

11:30

#### Control of products entering the EU: practices in customs-market surveillance cooperation

- **Customs control – the cornerstone of the effective market surveillance**  
Ms Linda Rinkule  
Director Goods and Services Supervision  
Consumer Rights Protection Centre (PTAC), Latvia
- **Smart Enforcement in balance with Trade Facilitation**  
Mr Ron Roelof  
Senior Police Advisor Enforcement and Policy  
Customs Administration of the Netherlands
- **Key factors for beneficial cooperation of customs authorities and market surveillance authorities**  
Dr. Monika Sulzberger  
Head of Division Prohibitions and Restrictions  
Central Customs Authority Germany – GZD

12:45

#### Lunch break

14:45

#### Control of products entering the EU: how can we do better?

##### Panel discussion

15:30

#### Engaging with businesses outside the EU: experience, challenges and opportunities

##### International Panel Discussion

- **Brazil**  
Mr Geanluca Lorenzon  
Division Director  
Division for Market Surveillance and Competition  
Ministry of the Economy (ME)
- **China**  
Mr Huichuan Sun  
Deputy Director General  
Department of Product Quality Regulation  
State Administration for Market Regulation (SAMR)
- **India**  
Mr Darpan Jain (tbc)  
Joint Secretary  
Department of Commerce (DoC)  
Ministry of Commerce and Industry (MoCI)
- **Mexico**  
Mr Alfonso Guati Rojo Sánchez  
Director General  
General Directorate of Standards (DGN)  
Secretariat of Economy (SE, Ministry of Economic Affairs)

16:30

#### Conclusions of the conference

# Who is Who

## Opening statements



**Kerstin Jorna** is the Director-General for Internal Market, Industry, Entrepreneurship and SMEs at the European Commission. She is a German national and a civil servant at the European Commission where she has held various positions, amongst others as Head of Cabinet of several Commissioners and different Director posts. Mrs. Jorna was Deputy Director-General in the Economic and Financial Affairs general directorate where her areas of responsibility included, amongst others, macroeconomic surveillance of EU Member States, the European Investment Plan and coordination with international financial institutions. Mrs. Jorna also held positions on the Board of both the European Investment Bank and the European Investment Fund.

**Elisabeth Winkelmeier-Becker** is since 29 November 2019 the Parliamentary State Secretary at the Federal Ministry for Economic Affairs and Energy. In her current capacity, she is acting as a political representative of the Federal Minister, in particular vis-à-vis the Bundestag and the parliamentary groups. In her capacity as Federal Government Special Representative, she is also in charge of coordinating the implementation of the Extractive Industries Transparency Initiative (EITI) in Germany (D-EITI). She also represents the Federal Ministry for Economic Affairs and Energy on the supervisory board of Deutsche Bahn AG and DEG - Deutsche Investitions- und Entwicklungsgesellschaft mbH.



## Speakers



**Sylvia Maurer** is Director for Sustainability, Energy, Food, Health and Safety at BEUC, the European Consumer Organisation. BEUC acts as the umbrella group in Brussels for its members and its main task is to represent them at European level and defend the interests of all Europe's consumers. BEUC investigates EU decisions and developments likely to affect consumers, with a special focus on financial services, food, digital rights, consumer rights & enforcement and sustainability. Sylvia supervises BEUC's food, health, energy, sustainability and safety teams. She represents BEUC in Commission working groups such as the Consumer Safety Network. Moreover, she oversees externally funded projects on sustainable product design and environmental labelling. Sylvia joined BEUC in December 2007. She studied Political Science and European Studies at the Universities of Bonn, Bradford and Berlin.

**Jacques Levet** is Director of Technical and Standardisation Affairs in the French Association for Electrical, Electronic & Communication Industries (FIEEC). He is a Major General (retired). Education: Jacques LEVET graduated from "Ecole Polytechnique" (1981) and "Ecole Nationale Supérieure de Techniques avancées" (1983). In 2001, he became graduate from Military High School in Paris. During 30 years, he occupied several high responsibility positions in the French Ministry of Defence (MoD) and in NATO (Brussels), as Program Manager, as Chief of Staff Adviser, and as technical leader for land defence and missiles systems. He was from 2010 to 2013 director of the Defence Standardization Centre and Senior Adviser for standardization in the French MoD. He was also administrator of the French Standardization Organization (AFNOR) and of the French Electrotechnics Standardisation Organization (UTE). He represented France in the NATO Committee for standardization. In 2011, he was designed as the Chairman of the French Standardization Commission dealing with Conformity Assessment (mirror of ISO/CASCO) and French representative in CEN-CENELEC TC1 (Conformity Assessment). He retired from the MoD in December 2013 and he became in January 2014, Technical and Standardization Affairs Director in the French Association for Electrical, Electronic & Communication Industries (FIEEC). In FIEEC, he is responsible for industrial strategy, standardization, conformity assessment and market surveillance. He is also Secretary General of UTE, Association of the French Electrotechnical Committee stakeholders, Vice-president of COFRAC (The French Accreditation body) and he chairs the Board of LCIE (Certification body for Electrical products). He was from 2014 to 2016 French alternate in IEC/SMB, and from 2016 to 2018 member of CENELEC CA. In AFNOR, he is since 2017, member of the Standardization Coordination and Steering Committee (CCPN) and has been elected in June 2020 administrator of AFNOR. Jacques LEVET was born on June 8th, 1958 (Age 62). He is married and has three children. Decorations: Jacques LEVET is "Officier de la Légion d'Honneur" and "Officier de l'Ordre National du Mérite".



**Dr. Gerhard Ludwar** is head of Directorate 3 - Electrical Engineering at the Austrian Federal Ministry for Digital and Economic Affairs. His career started with testing and research work in a federal test laboratory in the field of high voltage engineering and electromagnetic compatibility. Since 2004, his main professional focus has shifted to regulatory issues. He represents Austria at the European Commission in matters concerning the Low Voltage Directive (LVD and other legislation relating to electrical products and is responsible for their national transpositions. With ample practical experience through his responsibilities for market surveillance under these directives, a focus of his directorate has been the coordination of Austrian market surveillance authorities. In the context of the Austrian Presidency of the Council of the EU 2018, Mr Ludwar chaired the Council working group on technical harmonisation dealing with the revision of the market surveillance provisions of regulation (EC) No 765/2008 and was instrumental in the adoption of the new market surveillance and compliance regulation (EU) 2019/1020. Mr Ludwar holds a doctoral degree from the Technical University Vienna.



**Catherine Van Reeth** joined Toy Industries of Europe (TIE) in 2009 as Director General when she established a dedicated Secretariat for the organisation, which now has five permanent staff. One of Catherine's priorities since joining TIE has been educating economic operators and other parties that play a role in ensuring toys are safe about the rules in place, especially the Toy Safety Directive 2009/48/EC. Catherine is a regular speaker at events and seminars on toy safety and other relevant topics for the toy sector. Catherine has over 20 years of experience in European Union public affairs, with a specialisation in consumer protection policy. Before joining TIE, Catherine was Director of the team at one of the top-five consultancies in Brussels prior to becoming in-house Global Corporate Affairs Director for a leading international brewer. A Belgian national, Catherine studied English and Dutch Literature and Linguistics at Leuven University (KUL) in Belgium and Trinity College Dublin, Ireland. She holds two masters degrees: International Relations from Leuven University and European and International Studies from Sophia Antipolis, Nice, France.

**Michaela Schröder** is working as policy officer in the Federation of German Consumer Organisations since 2010. For the first years, Ms Schröder worked as a data protection expert at the Federation of German Consumer Organisations (vzbv). From June 2015 to July 2020, Ms Schröder was political advisor to the executive director. Since August 2020, she has been head of the vzbv's Legal Affairs and Trade team. Michaela Schröder has studied business law at the Berlin School of Economics and Law and Information Law at the University of Oldenburg.



**David Baumgart** is acting as Director Government Relations, Europe, for Alibaba since 2016. Previously, he was employed at the German Foreign Office, and worked at the German Embassy in Beijing/China as Industry Attaché. He had started his career at the chemical company BASF, working in the field of Government Relations in Brussels and Ludwigshafen/Germany. As a special assignment, he has been nominated into a DIN standardization committee for several years. He holds two master degrees, one from Berlin's Humboldt University and one from Munich's Ludwig Maximilian University.

**Wolfgang Weber** is a corporate lawyer with over 20 years of international legal and management experience. He manages Global Regulatory and Policy at eBay. His team oversees all of eBay's prohibited and restricted items policies globally. The team closely cooperates with government agencies, regulatory authorities, and NGOs all over the world to help mitigate legal and brand risk associated with the sale of non-compliant, illegal or highly regulated products. Before joining eBay in 2003, Wolfgang held several positions in the telecommunications industry. He studied law at the University of Bonn.



**Jonas Wester** is responsible for questions relating to market surveillance at the Swedish Government Offices between 2014 and 2017. Technical Harmonisation Attaché at the Swedish Permanent Representation since 2017 and has in that capacity, among other things, participated in the negotiations of the new Market Surveillance Regulation.

**Xavier Bouton** is the Head of the industrial products unit at DGCCRF (General directorate for competition, consumer affairs and fraud control, within the French Ministry of Economy), the main French market surveillance authority. From 2015 to 2019 he was the Deputy Head then Head of the Risk Department at DREAL (Regional directorate for environment, spatial planning and housing) Hauts-de-France, which is in charge of industrial, mining and hydraulic risk prevention in the Hauts-de-France region.



**Lone Saaby** is the Director General of the Danish Safety Technology Authority since May 2016. Before that date, she was the Director of Business Development and European Affairs at the Danish Agriculture and Food Council (2008 – 2016), the Director of Business Development and International Relations at the Danish Patent and Trademark Office (2005 – 2008), the Director of SME's and Globalisation at the Confederation of Danish Industries (1999 – 2008), Consultant at the Teknologisk Institut (1997 – 1999) and the Head of Section of Erhvervs- og Vækstministeriet (1995-1997). Lone has a Master's degree in Economics. Lone has strong competences within strategy, organisational and business development, management and communication. She believes that innovation, motivation and employee engagement are best achieved through clear, respectful and open communication about strategy and goals.

**Boris Böhme** is Head of Unit "Product and Plant Safety, Technical Harmonisation, Market Surveillance" and "eGovernment for Business, Online Access Act" as well as Coordinator of the Global Quality Infrastructure Project at the Federal Ministry for Economic Affairs and Energy since 2015. Before, he was responsible for the executive management seminars at the Federal Academy for Security Policy. From 2011 to 2013, he was the executive manager of the FDP's parliamentary group and from 2009 to 2011, the Federal Minister for Economic Affairs and Technology appointed him to his personal advisor. Prior to that, he held different positions in the administration of the German Bundestag, i.e. he was the Head of the European Office. From 1994 to 2001, Boris Böhme studied Policy Science and History at the Eberhard Karls University of Tübingen and Freie Universität Berlin and was degree candidate at DaimlerChrysler. Prior to his academic studies, he took up a commissioned officer career at the German Bundeswehr.



**Eva Přibylková** graduated from the Institute of Chemical Technology Prague, Faculty of Food and Biochemical Technology. After graduation, she worked in the private sector of food industry, mainly in food safety and quality area. In 2001, she started to work in the central state administration. Currently she works at the Ministry of Industry and Trade, in the Department of Trade Licences and Consumers' Legislation. She deals with the agenda related to general product safety and market surveillance of non-food products including legislative and non-legislative works. She takes part at EU meetings of RAPEX National Contact Points, of Consumer Safety Network and of the Internal Market of Products – Market Surveillance Group. She is also concerned with other aspects of consumers' protection, e.g. preparation of the national strategy of consumers' protection or preparing information for consumers and economic operators.

**Dr. Wilhelm Eschweiler** is one of the two vice presidents of the Federal Network Agency (Bundesnetzagentur). His responsibility includes telecommunications and rail. In 2016, he was Chair of the Body of European Regulators for Electronic Communications (BEREC). Prior to that, he was responsible for the European ICT policy in the Federal Ministry of Economics and Energy where he was head of unit from 2007 until April 2014. From 2002 until 2006, he headed the unit for international telecoms and postal services policy. There he was concerned with fundamental issues regarding regulation from 1998 until 2002. After passing the Second State Examination, he worked at the Federal Ministry of Post and Telecommunications from 1992 until 1994. In 1994, he worked at the Directorate-General Information Society of the European Commission in Brussels. From 1995 until 1997, he worked in the Office of the Minister Dr. Wolfgang Bötsch. Dr. Eschweiler studied law at the Rheinische Friedrich-Wilhelms University in Bonn and at the University of Lausanne.



**Dr. Michael Nitsche** heads the department „Quality Infrastructure at the „Bundesanstalt für Materialforschung und -prüfung“ BAM. The department's areas of responsibility include "Quality in Testing", "Conformity Assessment", "Ecodesign" and "eScience". Mr Nitsche is active in various organisations and committees. Among others, he is the Chairman of Eurolab-Germany, Chairman of the German Accreditation Advisory Board and Member of the Advisory Board of the European co-operation for Accreditation (EAAB).

**Linda Rinkule** has Master degree in Business Administration and 22 years' experience in the area of quality infrastructure, where 13 years of professional life is dedicated to market surveillance. Currently she is working in the Consumer Rights Protection Centre as the deputy director of the authority and the head of Products and Services Surveillance department. The area of market surveillance is interesting and demanding and the main aim is to find the optimum control model in the complex regulatory area of non-food products in the small country and changing market circumstances. She believes that cooperation is the key of success.



**Ron Roelofs** LL.M. is senior policy advisor at National Office of the Customs Administration of the Netherlands. After having worked in the field of Dutch and German national insurance schemes Mr Roelofs started at the Customs Administration of the Netherlands in the year 2000. At first as an administrative investigator and client manager. After having obtained a Master degree in Dutch law in the year 2008, he started as a policy advisor at the National Office. Mr Roelofs is responsible for policy and implementation of the legislation in the field of prohibitions and restrictions. Since then Mr Roelofs has been an expert on a broad scope of prohibitions and restrictions of which at this moment the CITES-Convention, the IUS-regulation and the FLEGT-regulation. With regard to Market Surveillance Mr Roelofs is now responsible for Product Safety consumer products and for radio communication products and represents Customs at the Alliance meeting of the Market Surveillance Authorities and Ministries of the Netherlands. Since 2013 Mr Roelofs is the representative of Dutch Customs at the Prohibitions and Restrictions Customs Control Strategy (PARCS) Expert Group of DG TAXUD of the European Commission. Furthermore, Mr Roelofs is the Secretary of the National Committee of Trade Facilitation and fulfils the role of Coordinator for the Horizon 2020 project PEN-CP Pan European Network of Customs Practitioners.

**Dr. Monika Sulzberger** is the Head of Division Prohibitions and Restrictions (P&R) at the Central Customs Authority. Concerning P&R, her division is responsible for legal and technical supervision of all 41 main customs offices in the Federal Republic of Germany and for resolving legal and actual problems of these authorities. Participation in market surveillance (or product safety and compliance) is one of more than 60 P&R to be supervised by customs authorities in the international movement of goods. Other P&R are for example Waste, Drugs, Weapons or goods that infringe Intellectual Property Rights.



**Geanluca Lorenzon** is Secretary for Competition Advocacy and Competitiveness (SEAE) of the Ministry of Economy of the Federative Republic of Brazil. He holds a Bachelor of Arts in Law from the Federal University of Santa Maria, Brazil, as well as a postgraduate degree in Global Competitiveness from Georgetown University, United States. From January 2019 to May 2020, he was Director of Debureaucratization at the Special Secretariat for Debureaucratization, Management and Digital Government of the Ministry of Economy. Mr Lorenzon was also a Strategy Consultant at Mckinsey & Company (2017-2019).

**Huichuan Sun (孙会川)** is Deputy Director General, Product Quality and Safety Supervision Department at the State Administration for Market Regulation (SAMR). Prior to his current position and after a major administrative restructuring in April 2019, Mr Sun held the position of the Deputy Director General of Product Quality and Safety Supervision Department at the Administration for Quality Supervision, Inspection and Quarantine (AQSIQ). Before that, Mr Sun held several positions in the city administration of the city Chifeng, Province of Inner Mongolia.



**Darpan Jain** is an Indian Administrative Service (IAS) officer of 2001 batch. He is Joint Secretary, Department of Commerce, Ministry of Commerce and Industry, Government of India in the trade policy division since January 2019. He is responsible for policy related initiatives on quality infrastructure (QI), and driving reforms for implementation of the Indian National Strategy for Standardization (INSS). Prior to this, he has held positions in the Karnataka state finance department and was Managing Director at the Karnataka Urban Infrastructure Development and Finance Corporation. He holds a Master's in Industrial Engineering from the Indian Institute of Technology.

**Alfonso Guati Rojo Sánchez** is acting Director General of the General Bureau of Technical Regulations and Standards (DGN) of the Mexican Ministry of Economy (SE). He chairs as president among others, the Mexican committees for attention of ISO, IEC and CODEX as well as the national advisory committee for technical regulation of the Ministry of Economy. Furthermore, he is the Executive Secretary of the National Commission for Quality Infrastructure and its technical council – both essential elements of the Mexican Quality Infrastructure System. Guati Rojo is a lawyer with several specialties, like commercial law and was among other management position, the president of the national Association of Business Lawyers.



## Moderator



**Johannes Braun** is the Director of the Global Project Quality Infrastructure (GPQI), which is commissioned by the German Federal Ministry for Economic Affairs and Energy (BMWi). Through GPQI, BMWi engages in international cooperation on quality infrastructure with its important trading partners Brazil, China, Mexico, India, and Indonesia. In political and technical dialogues, the project brings together experts from public and private sectors, standardisation and accreditation bodies, metrology institutes, and technical-scientific institutions. Jointly, they work towards reducing technical barriers to trade, strengthening product safety, and enhancing consumer protection. GPQI is being implemented by Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH. GIZ is a federal enterprise that supports the German Government in achieving its objectives in the field of international cooperation for sustainable development. It operates in around 120 countries.