

Spanish Market surveillance on PPE

CNMP experience

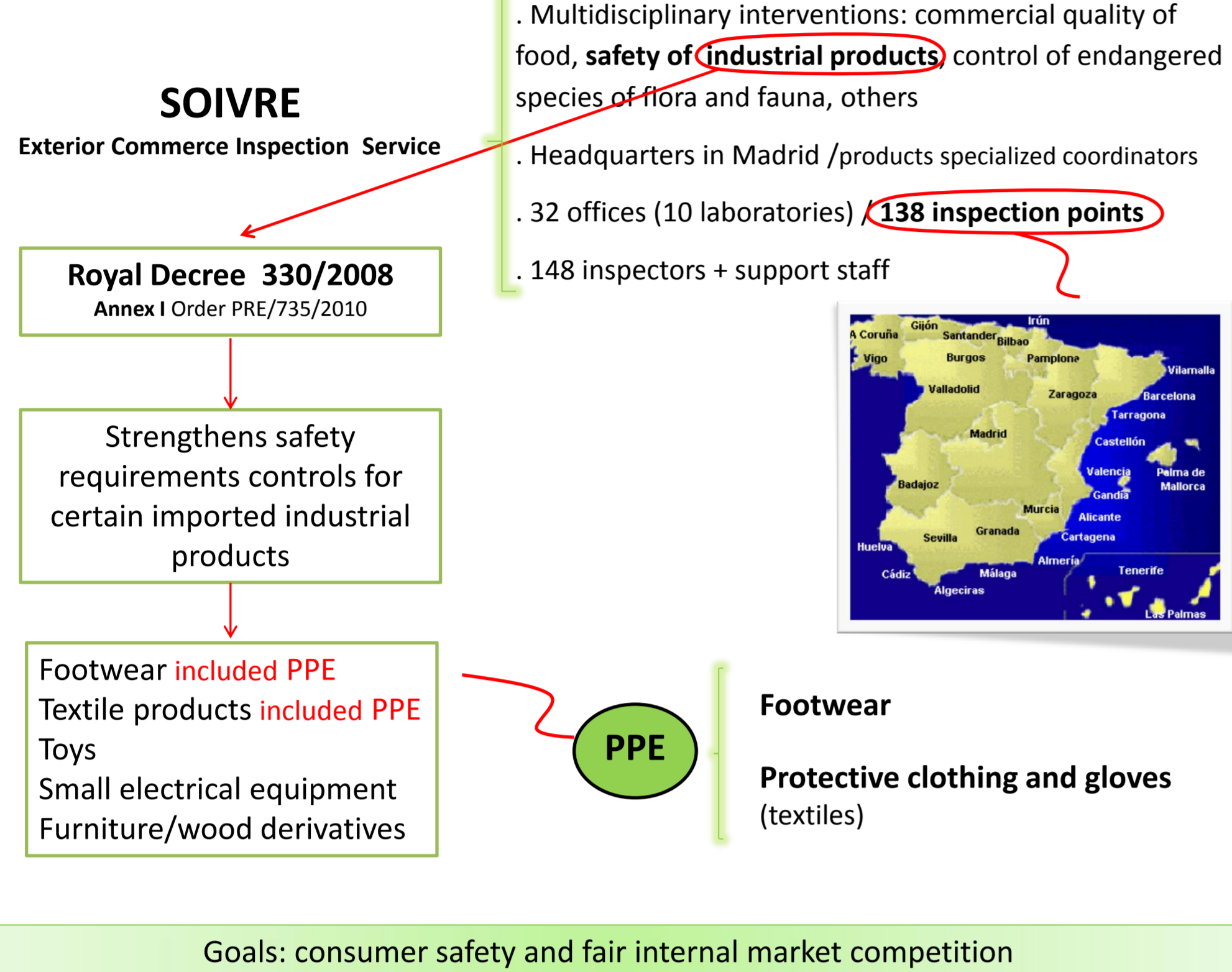
Introduction

Market surveillance, enhanced by Regulation 765/2008 as part of the New Legislative Framework, is one of the key instruments to ensure that safe products reach European workplaces. By improving market surveillance activities we better protect our workers from unsafe products.

CNMP, specialized center on PPE of the INSHT, combines functions of Notified Body (nº 0159) for Directive 89/686/CEE and OSH national institution. It is involved with MS authorities supporting effective market surveillance activities in Spain. These collaborative efforts are focused on border controls and internal market surveillance of different types of PPE.

Border control

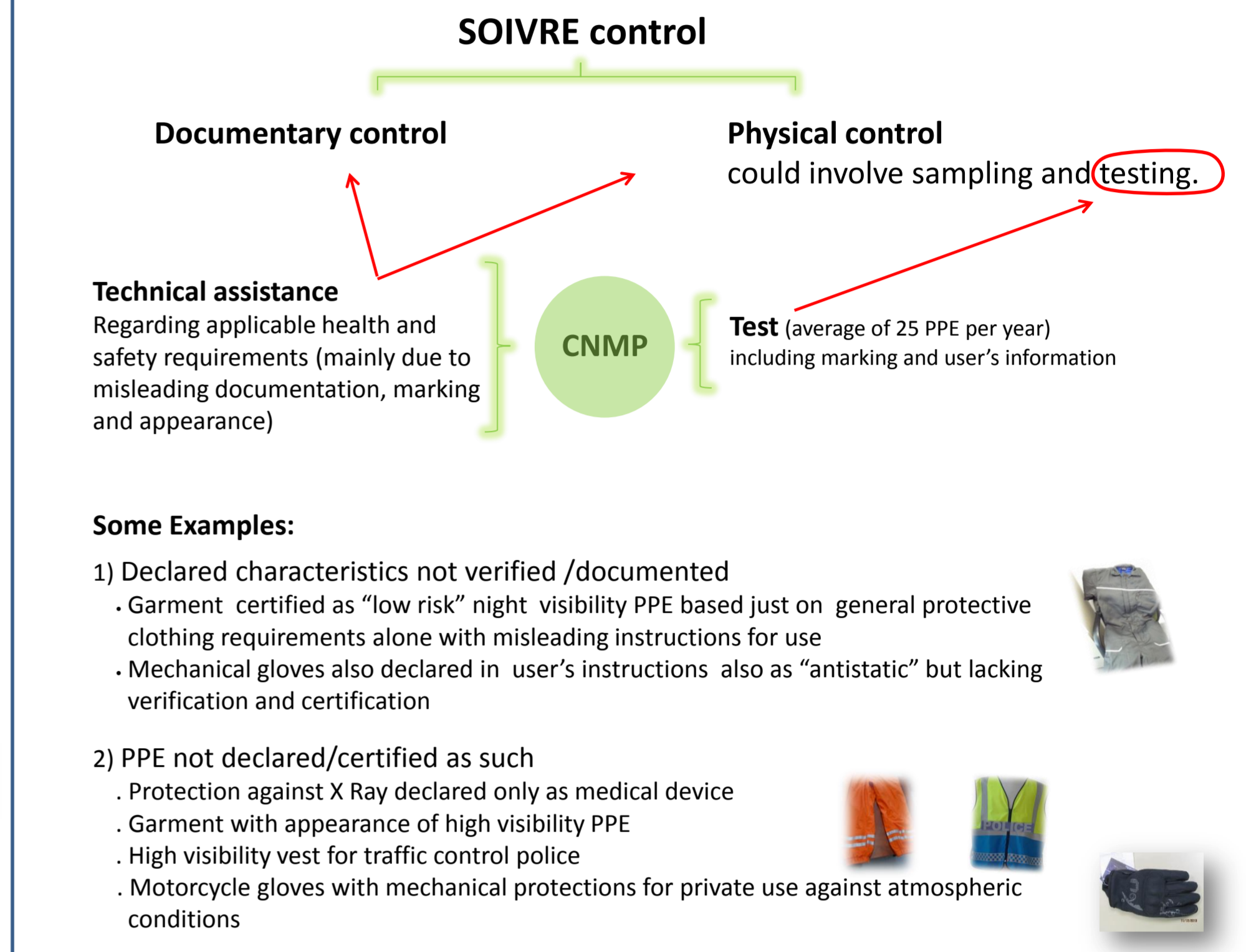
1. Who?



2. Some data (2014)

- 3.418 consignments submitted
 - 1289 controlled (physical and/or documentary controls) based on risk assessment
 - 82 laboratory tested
 - 68 initially refused (85.619 kg) / 49 in the end
 - 10 alerted after results of laboratory tests
 - 126 with some type of non-conformity: **almost 10 % of controls**
- Documentation: fake (3% of refused textile), missing or incorrect (87% of refused textile)
- Checks made with NB and test houses for all type of products (included PPE)
- OK 53%
fake 30%
DK/NR 17%
- Incorrect marking and/or user's information
 - Presence of Cr VI (75% of refused footwear)
 - Lower performance than declared (3% of refused textile)
 - Textile with appearance of PPE undeclared as such
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3. CNMP role



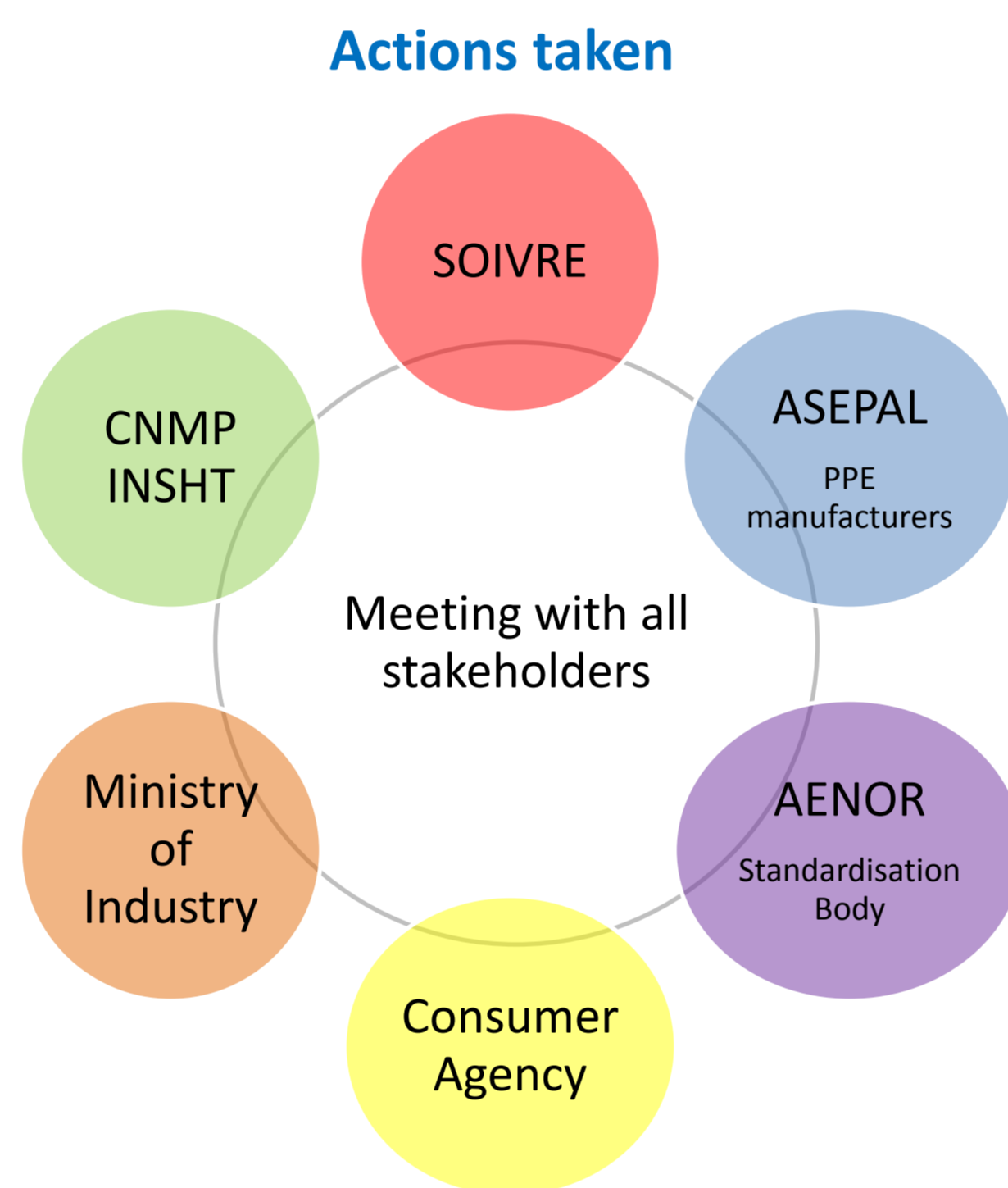
4. Collaborative experience

Problem

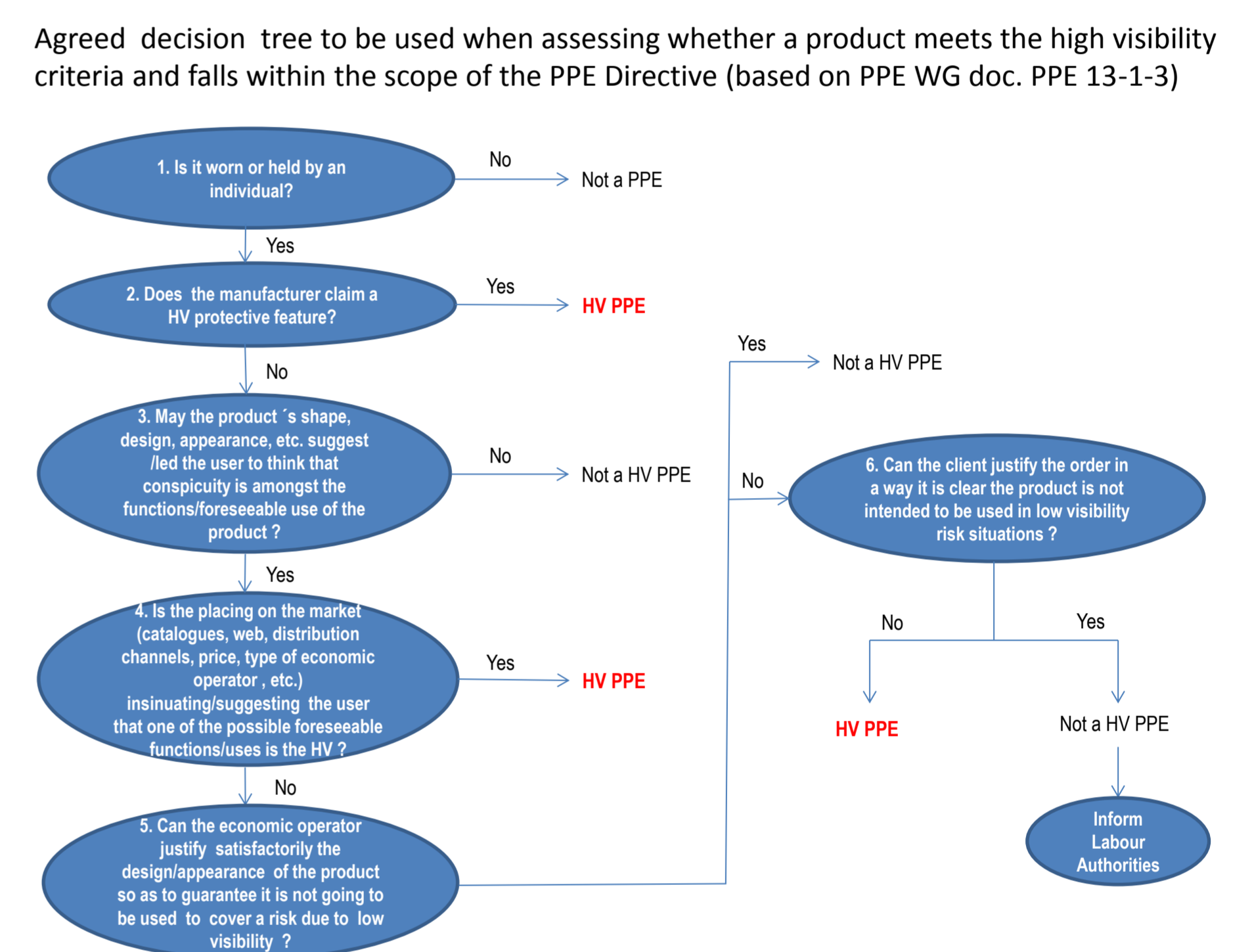
Whether a product meets the criteria "signalling the users presence visually" and falls within the scope of the PPE Directive. (EHSR 2.13)

- Garments with appearance of high visibility clothing not declared as PPE
- Garments certified with high visibility elements declared as "decoration"
- PPE with high visibility elements added after certification

Example of thermal protective clothing with high-vis elements added after certification



Solution



5. Balance

Data 2012-2014

In the period 2012-2014 due to non-compliance with legislation, SOIVRE INSPECTION SERVICE has denied the importation of:

- 69 consignments of PPE
- 777.248 units/pairs
- 85.628 kg
- Value close to 689.000 €
- Altogether 213 consignments detected with some type of non-conformity.

Major problems

- Proliferation of fake technical documentation
- Traceability (chemical tests, multi-models certificates ...)
- Own brand PPE without certificate
- Operators of CAT III PPE without certificate of production
- Importers unaware of their obligations
- Products with appearance of PPE not declared as such

Achievements

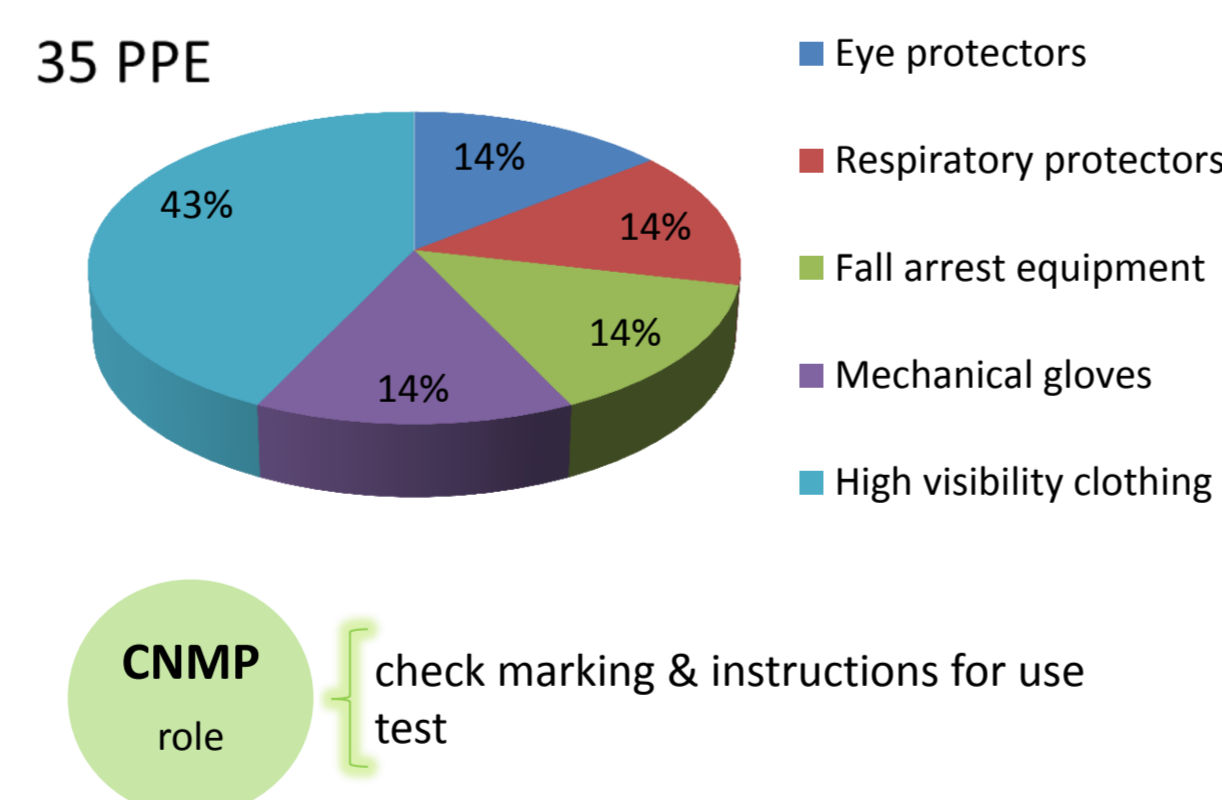


Internal Market Surveillance

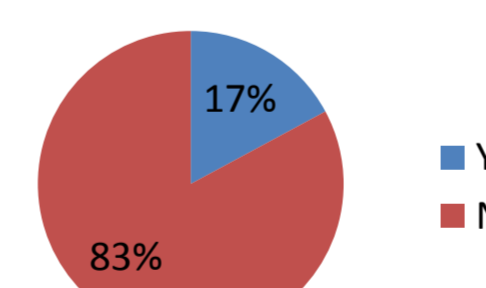
Background

- National and regional (17) authorities involved
- Intensive national campaigns in the past (CNMP actively participated from 1995 to 2005). Nowadays, only local and sectorial campaigns take place; due to the economic crisis national campaigns have focused on other "priority" products
- 2015: Spain made 14 RAPEX notifications (40% of total)

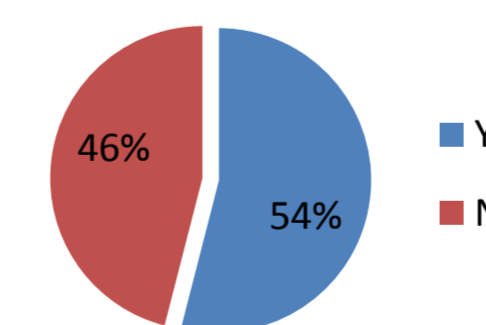
Local control (2014)



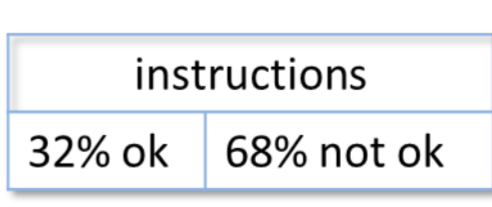
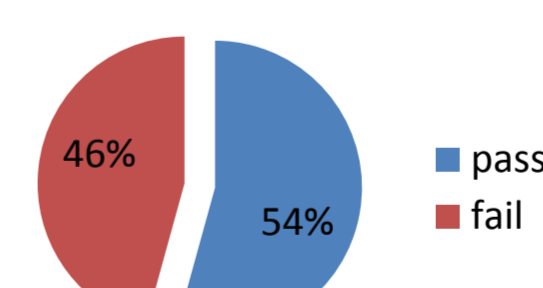
Compliance



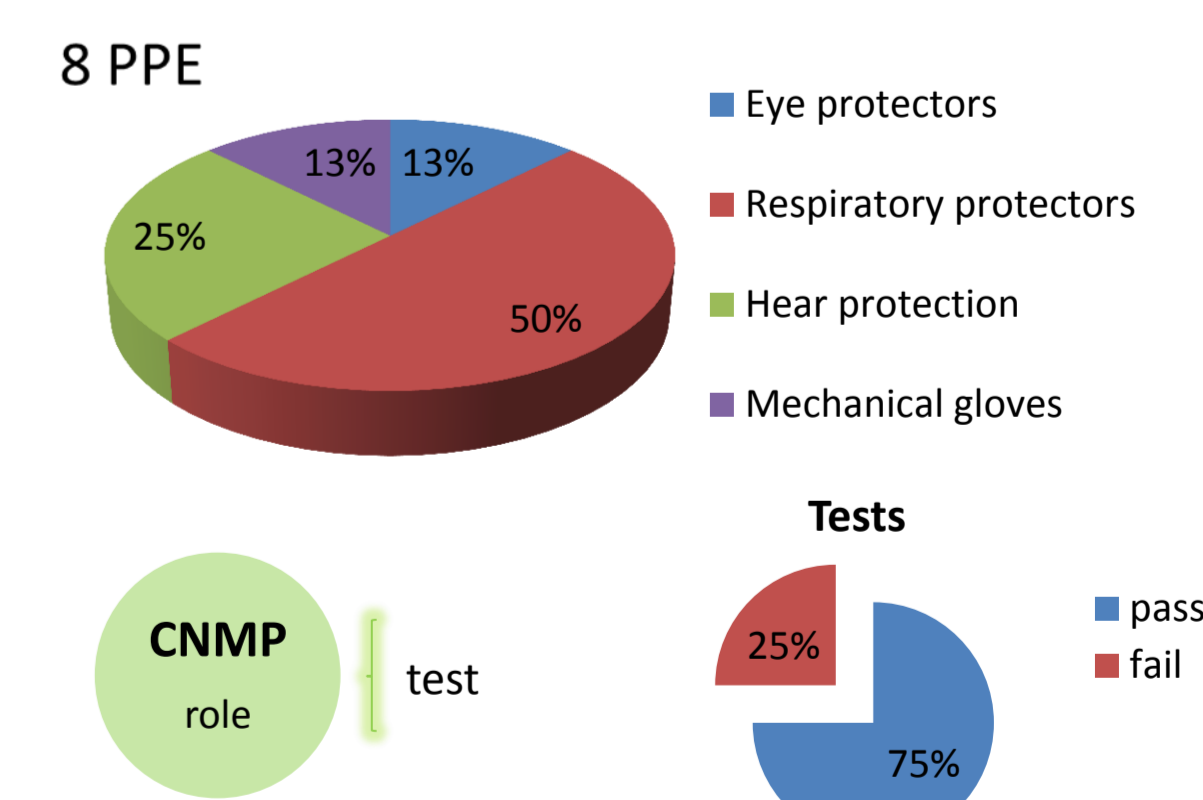
with instructions for use



Tests results



Sectorial control (2015)



Conclusion

The Market Surveillance Authorities are the statutory players appointed by the different member States. However, all too often specialized technical assistance is needed for making inspections or planning campaigns.

This technical assistance would require the knowledge of both, the rules of the European internal market of safe PPE (considering legislation, standardisation, PPE guidelines and coordination of Notified Bodies) and those related to the safe use of PPE at workplace (considering foreseeable use).

... and what's next?

Continue with these controls, improve collaboration and, with regards to professional PPE, it could be interesting to close the circle with "workplace surveillance"

A project on this matter is being planned between CNMP and labour inspectors