

NATIONAL MARKET SURVEILLANCE STRATEGY

Finland

2022–2025

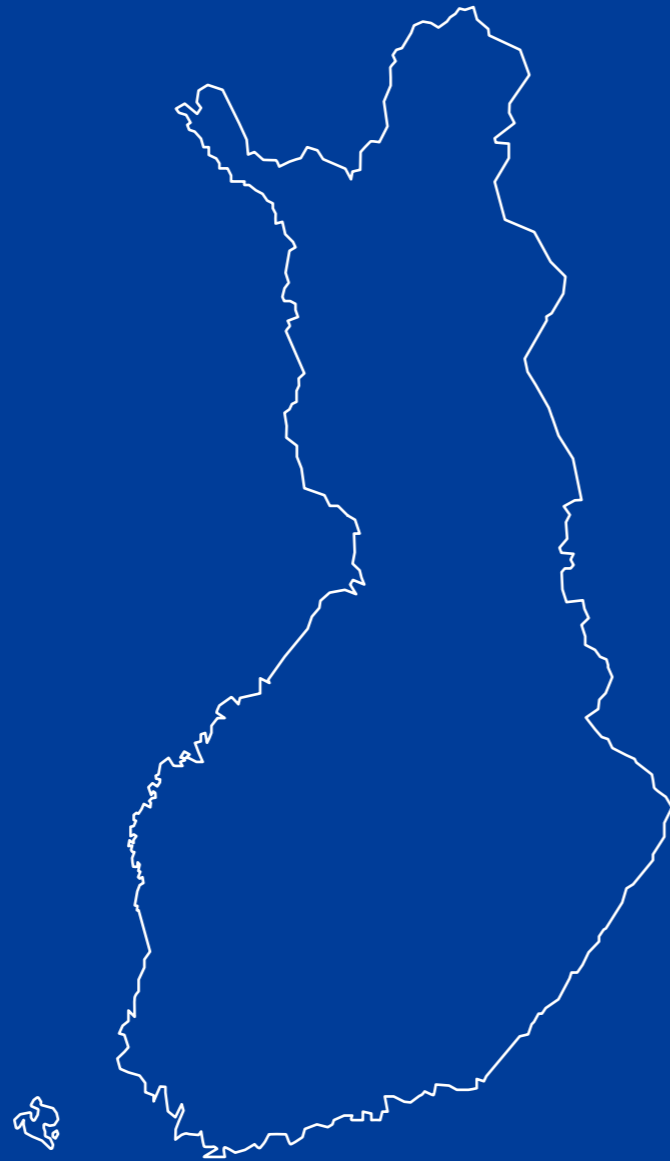
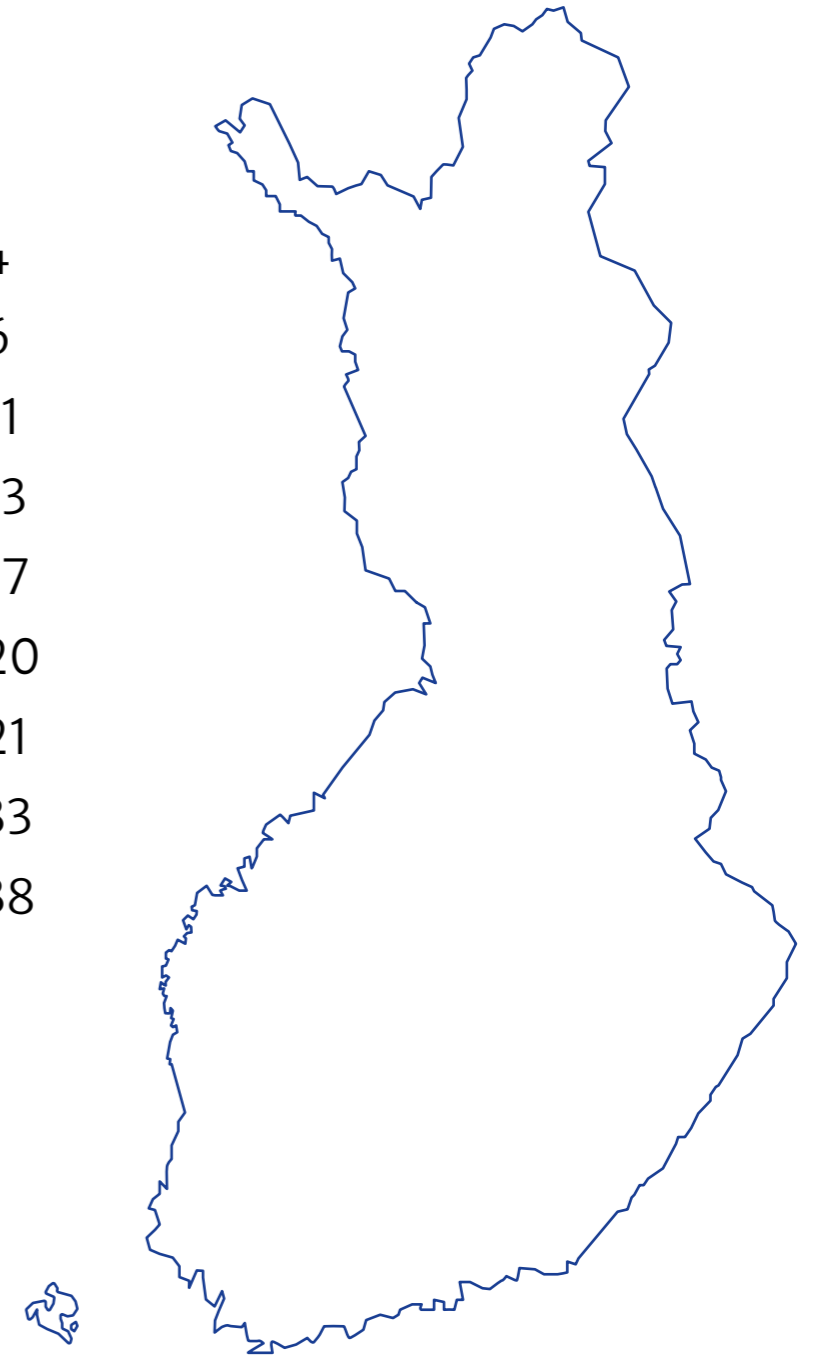




Table of contents

Introduction	4
1. Changing operating environment.....	6
2. Finland’s market surveillance vision, mission and values	11
3. Strategic choices	13
4. Priorities of market surveillance in Finland	17
5. Strategy assessment	20
Appendix 1 – Market surveillance in Finland	21
Appendix 2 – Product sectors.....	33
Appendix 3 – Contact details of the market surveillance authorities	38



Introduction

The purpose of the guidelines and choices defined in Finland's national market surveillance strategy is to ensure a consistent, comprehensive and integrated approach to market surveillance of products and to the enforcement of the Union harmonisation legislation concerning products in Finland. The strategy also defines the general policies for how market surveillance is carried out and prioritised in Finland to achieve the goals set for market surveillance and to optimise the effectiveness and impact of the surveillance and the resources available for it. The strategy covers the market surveillance of products to which the Union harmonisation legislation from Annex I to Regulation (EU) 2019/1020¹ of the European Parliament and of the Council on market surveillance and compliance of products (hereinafter, the Market

Surveillance Regulation) applies. The strategy also applies to the market surveillance of certain other product sectors that are outside the scope of the Market Surveillance Regulation (Appendix 2). The market surveillance strategy of Finland does not apply to the agri-food chain² nor medicine.

Finland's national market surveillance authorities take into account the general policies confirmed in this market surveillance strategy where applicable in their sector-specific market surveillance.³

The market surveillance strategy must also be taken into account in the surveillance plans that the market surveillance authorities shall draw up for each product sector.⁴

In accordance with the Market Surveillance Regulation, the Member States must organise and carry out market surveillance in their territory. The purpose of market surveillance is to ensure that the products placed (and put into service) on the European internal market comply with the statutory requirements and thus to protect public interests such as the safety and health of consumers, employees and other end users, as well as the environment.

Market surveillance also creates conditions for fair competition and thus ensures a level playing field for economic operators.

Market surveillance covers all activities of market surveillance authorities, and the measures they take to ensure that products placed on the European internal market comply with the statutory requirements.

Each Member State shall designate one or more market surveillance authorities in its territory. The Member State must inform the Commission and other Member States of its market surveillance authorities and the areas of competence of each of those authorities.

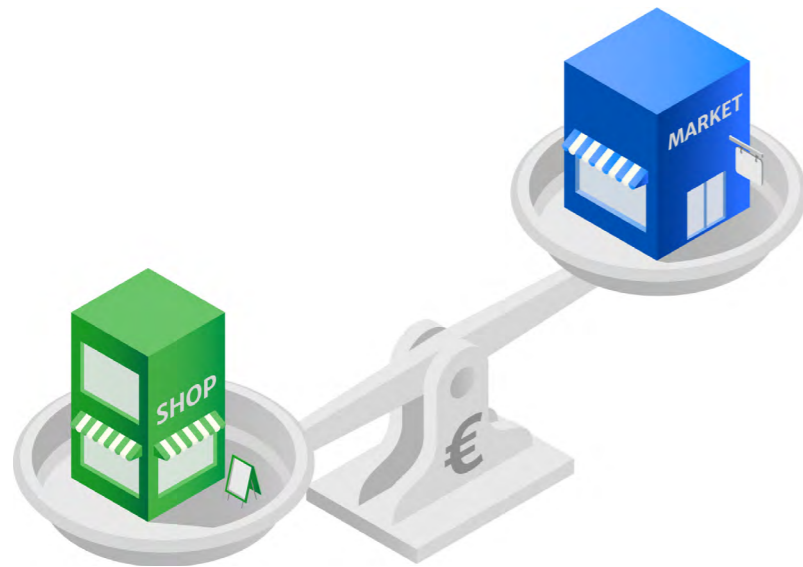
¹Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJEU L169, 25 June 2019, p. 1).

²The following sectors belong to the agri-food chain: food and feed, food contact materials, deliberate release into the environment of genetically modified organisms for the manufacture of food and feed, animal health, animal welfare and animal by-products, plant health and plant protection products, organic production and name protection matters. Provisions for the market surveillance of the agri-food chain are laid down in Regulation (EU) 2017/625.

³Because Finland's market surveillance strategy is a horizontal document that applies to more than 40 product sectors, it may not be applicable as such in the market surveillance of each sector. For example, the guidelines for online sales cannot be followed for tobacco products, because the online sale of tobacco products is prohibited. The market surveillance authorities therefore take the national market surveillance strategy into account where applicable in the market surveillance of each product sector.

⁴Section 7 of the Act on the Market Surveillance of Certain Products (1137/2016) requires that the market surveillance authorities draw up a plan for the market surveillance of the products in its scope that takes the national market surveillance strategy into account.

One of the main goals of the national market surveillance strategy is to create a clear operating framework for how the market surveillance authorities can best respond to the challenges that the rapidly changing operating environment sets for the functioning of product markets and economic operators, as well as for the verification of product compliance. Another goal is to harmonise the surveillance practices between the various authorities and product sectors, as well as to increase the cooperation between the market surveillance authorities.



Finland's market surveillance strategy is in force from 16 July 2022 to 31 December 2025. However, if the operating environment related to market surveillance changes significantly during the validity period of the market surveillance strategy, the strategy can be reviewed at the national level and updated if necessary. The market surveillance strategy has been drawn up so that it can be reviewed, assessed and reprioritised regularly, allowing the market surveillance authorities to adapt and react to a changing operating environment and the needs of the markets and stakeholders flexibly and quickly.

The national market surveillance strategy has been drawn up in accordance with Article 13 of the Market Surveillance Regulation.⁵ Finland's single liaison office for market surveillance (Fipoint)⁶ drew up the market surveillance strategy in cooperation with the national cooperation group on market surveillance⁷.



⁵In accordance with Article 13 of the Market Surveillance Regulation, each Member State must draw up a national market surveillance strategy at least every four years. The national strategy shall promote a consistent, comprehensive and integrated approach to market surveillance and the enforcement of Union harmonisation legislation within the territory of the Member State.

⁶The single liaison office for market surveillance established under Article 10 of the Market Surveillance Regulation that is placed under the Finnish Safety and Chemicals Agency (Tukes) in Finland.

⁷Cooperation group established under section 4b of the Act on the Market Surveillance of Certain Products (1137/2016) that includes representatives of the national market surveillance authorities as referred to in the Market Surveillance Regulation, Customs as the external border control authority, Pirkanmaa ELY Centre, National Police Board of Finland and the Finnish Competition and Consumer Authority (KKV).

Changing operating environment

Recently, the operating environment of product markets and thus also market surveillance has undergone a major change. Consumers' consumption habits as well as general trading habits have changed significantly. The increase of digitalisation and the factors introduced through product development and new product related technologies have also changed the product markets. The vigorous revision of EU legislation on product requirements seeks to solve the challenges which the changing markets, new innovations, and significant global challenges (such as climate change and geopolitical uncertainties) have created. Even though many of the matters presented above may increase economic growth, make the markets more flexible, and promote the introduction of product innovations, they may also create new and significant challenges for the market surveillance of products. This section examines some change factors identified in the operating environment of product markets that are linked to the market surveillance of products, as well as their safety and compliance.

“Recently, the operating environment of product markets and thus also market surveillance has undergone a major change. Consumers' consumption habits as well as general trading habits have changed significantly.”

INCREASED ONLINE SHOPPING

Product markets have moved increasingly online. Both the number of companies selling products online and the number of consumers and other end users (such as employers) purchasing products there are increasing rapidly. Various online shops and marketplaces are capturing the market share from traditional brick-and-mortar shops at an increasing rate because they can offer a comprehensive selection of products more cheaply and flexibly than the brick-and-mortar shops. A product's price is often the deciding factor in purchases, which may contribute towards people making purchases from online marketplaces that sell very cheap products and are located in third countries outside the EU. Products are always available online, and the product range covers nearly everything. Some product categories that were previously bought from traditional brick-and-mortar shops are now also available online, and they can be delivered straight to your door. The COVID-19 pandemic has also strongly affected people's views of consumption and online shopping. People have avoided going to shops, and they have bought goods to be delivered directly to their homes where possible. Online shops have become a stable part of nearly every Finn's daily life. Common products ordered online include clothes and shoes, beauty products, books, sports and leisure products, and home electronics.



Recently, attention has increasingly focused on certain problems in online shopping. The sharp increase in the number of transports and packages related to delivering and returning online shopping goods have harmful environmental impacts. Many scams and other issues related to online shopping have also increased. Online shopping therefore requires particular caution. For example, it can be very hard for the buyer to find out or verify whether a product sold online complies with the applicable product legislation and is safe to use. In the case of products bought from online shops outside the EU, it can be particularly difficult to get the business that sold the product to fix any issues the product may have. The incomplete product information provided in the online shop or non-delivery of the product altogether can also pose challenges for the market surveillance authorities when carrying out surveillance of products sold online.

NEW PLACES OF SALES

Online trade (e-commerce) develops and changes rapidly, and new ways to sell and buy have emerged in addition to online shops. New types of places of sales have joined the traditional online shops, such as online auctions, online marketplaces, and operators that sell products on social media. Social media channels try to develop new kinds of functionalities for making purchases online. Various digital platforms and the platform economy are also increasingly linked to the operation and future strategies of many businesses. The new type of social media marketplaces may form the next significant channel for digital trade that may gain considerable ground from traditional online places of sales.

Today, it is common for the business selling products to have both a brick-and-mortar and an online shop that complement each other by combining the positive in both places of sales and providing the buyer with a shopping experience that is as positive and flexible as possible. The online shop is the business's virtual display space and marketing channel. At the brick-and-mortar shop, buyers can touch and try the product physically. The brick-and-mortar shop can also be the online shop's storage.

Market surveillance of products sold in new types of places of sales can be challenging, because identifying the responsible economic operator and the traceability of products can be difficult. It can also be difficult to make the marketplace intervene in the sale of a non-compliant product or ensure that the product is not placed back on the market after a while. The responsible business may also be located outside the EU, which may lead to problems such as having no contact channel, not receiving a reply to a contact request, or lacking a common language and an understanding of administrative procedures. Market surveillance of products sold on various online platforms that fall under different legislation can also be challenging due to the different classification of products and the varying interpretation of applicable product legislation between the Member States. For example, some Member States classify the various products containing cannabidiol (CBD) as medicinal products.

Due to legislative restrictions, means of market surveillance are not always enough to bring operators outside the EU to account for the non-compliant products they have placed on the market, as the national market surveillance authority's competence

does not extend beyond the borders of their own country. Similarly, the EU's consumer protection applies to purchases from an online shop outside the EU that clearly target consumers within the EU, but it may be hard for the consumers to defend their rights if the seller is located outside the EU.

DIGITALISATION

Digitalisation, or the use of digital technology in technical equipment and services, has spread everywhere. Digitalisation is no longer a separate function but an essential part of modern processes and equipment. Many new digital solutions have already revolutionised several fields of business, and the number of smart products connected with a network will continue to increase. For example, the Internet of Things (IoT) refers to digital solutions you use to connect equipment to a network. Through the network, you can control the equipment remotely or monitor the information it generates in real time.

Although many of the development steps brought by digitalisation are good for the users, digitalisation does not always come without costs and risks. Many new products and applications using digitalisation have raised questions about the openness of data, privacy protection, and cyber security. Various cyberattacks and the hijacking of digital services are already affecting people's lives. Legislation is to be renewed so that it better acknowledges matters related to product digitalisation (such as the EU's proposal for an artificial intelligence act). On the other hand, the possible conflicts between horizontal regulations and regulations specific to a product sector may create challenges. The increase of digitalisation

in products makes market surveillance work more challenging, as digitalisation may create new types of unpredicted risks, and it can be difficult to test the products and assess their compliance. It is important to acknowledge that as digitalisation progresses, the means and tools of the market surveillance authorities may also improve. For example, there are various web crawlers for market surveillance that search the network for non-compliant or dangerous products based on certain criteria.

NEW ECONOMIC OPERATORS

The number of economic operators in specific product sectors can grow rapidly with new trends or innovations. Products that can be acquired quickly and cheaply, as well as online shops that are easy to establish, can attract new entrepreneurs to start selling products. However, the new operators do not always have sufficient knowledge of the products they sell or their responsibilities as economic operators. For example, businesses entered the markets during the coronavirus epidemic that sold personal protective equipment or disinfection products that were based on UV radiation. New economic operators' growing need for knowledge also increases the need to develop new types of solutions for more effective guidance from the authorities on product compliance and the obligations of economic operators.

PRODUCT DEVELOPMENT AND INCREASINGLY COMPLEX PRODUCTS

Products are continuously developed, and new prod-

uct models placed on the market. Nowadays, the lifecycle is fairly short for many products and equipment. However, the sustainable development goals and tightening of environmental requirements direct the development towards safer, more durable and recyclable products. Safe and sustainable product development that acknowledges the product's entire lifecycle is a prerequisite for a functional circular economy.

The raw materials used in products and innovative materials and chemicals are also continuously developed. These include biomaterials, nanocomposites, electromagnetic materials, photoactivated materials, advanced alloys, and in-situ chemicals. The use of new raw ingredients and materials can also create challenges for market surveillance. For example, using nanotechnology in cosmetics can include unknown risks, as all effects of nanosized substances are not yet known. Additionally, the trend of using lighter materials (such as plastic and nano and bio composites) in vehicles and the possible blending requirement for plastics can increase the amount of harmful substances in various products (such as persistent organic pollutants, POP compounds).

The increasingly complex products may also lead to a situation in which a product under surveillance falls under the scope of several product regulations, making it difficult to find the competent authority, the surveillance is fragmented, and the boundaries between various product sectors' surveillance are unclear. In future, market surveillance of products may also require expertise in several different fields from the authorities. Another problem is caused by the legislation's slow change in relation to products' new features and functionalities. There is also a risk that a

specific product or equipment will become popular in a manner that was not predicted in the preparation of legislation. European standardisation may also be unable to keep up with the fast product development.

DISRUPTIONS AND EXCEPTIONAL CONDITIONS

As the COVID-19 pandemic has proved, various disruptions and exceptional conditions can also significantly affect the activities of the authorities responsible for surveillance of products. New types of products and completely new operators may enter the markets in large numbers, which also puts pressure on product surveillance. On the other hand, changes in safety policies and natural catastrophes can also hinder the availability of products and raw ingredients, which can promote the development of new, replacing materials and their use in products.

In their operations, authorities must be prepared for different and exceptional situations that may emerge quickly so that their capacity to perform market surveillance remains the same in the changing conditions. In potential changes, the resources must be sufficient, and operation reliable. The role of communication is also highlighted, as the authority must give timely and reliable information in sudden disruptions and exceptional conditions, as well as fix any false information that is spread deliberately or through rumours.

ENVIRONMENTAL CONSCIOUSNESS

The European Commission has attempted to respond to the challenges brought by climate change with the European Green Deal⁸ and related action and legislative proposals. Due to the increasing regulation of environmental protection, economic operators must acknowledge various environmental matters in their operations, such as combating climate change and other factors related to environmental protection. With the shortage of raw materials and the circular economy, using new types of materials in products can lead to situations in which all risks related to the raw materials are not identified.

Environmental regulation can itself take technology in a direction that may cause new risks in the future that do not fall under any sector-specific regulation. For example, regulation concerning F-gases encourages to use more environmentally friendly refrigerants. However, some of them are flammable or require high pressure, which places new demands on occupational safety.

Various environmental assets and many concerns related to climate change have begun to affect Finns' shopping habits and product choices. Environmental consciousness is increasing rapidly, and most businesses, consumers, and other end users value activities that are good for the environment. For example, one can make a conscious choice by choosing



⁸European Green Deal: https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_en

products that have an environmental certificate or are otherwise produced sustainably. However, “greenwashing” can trick people into buying a product that is marketed as being environmentally friendly, even though it is not.

From the perspective of environmental protection, it is important to promote the circular economy and the use of sustainable materials. To promote the circular economy, products and materials containing harmful substances must be removed from circulation, so that people or the environment are not exposed to them, or the harmful substances are not transferred to new products. Economic operators must answer for their products’ lifecycles from manufacture to waste disposal in a circle that is as closed as possible that does not waste natural resources. Businesses are increasingly selling used products in addition to new ones. The increasingly complex products and new materials create challenges for a functional circular economy. Consumers and businesses operating at various stages of the supply chain require information on environmental and product safety to prevent hazards when using or delivering a product, as well as when handling materials in waste disposal.

SURVEILLANCE AUTHORITY’S RESOURCES

In many product sectors, the market surveillance resources are currently limited in relation to the legal obligations. In future, it is important to ensure that the various product sectors have sufficient resources for surveillance. Often, the market surveillance authorities need reliable test results on the products to support their decisions. Testing requires appropriate equipment and its maintenance, as well as experts who can perform the tests reliably. Products can also be tested at an independent testing body, which can be quite expensive. In certain product sectors, testing services are not always available, or they may be congested due to legislative changes or sudden changes in the markets (such as COVID-19 and Brexit).

It is also noteworthy that products constantly face new demands that require new skills and additional resources for market surveillance. The resources allocated for normal product surveillance, making cooperation possible, creating and maintaining various software and databases, participating in standardisation work on products, and acquiring necessary background documents (such as the standards used in the market surveillance of products) should be sufficient to promote effective and significant market surveillance.

CONSUMER AWARENESS

Many consumers still think that most of the products sold at brick-and-mortar and online shops have been examined or approved by the authorities in advance, even though this is not the case. Consumers may have different values when making purchases: a low price may be the main factor affecting the purchase decision of some, while others try to focus on sustainability factors and environmental matters related to the product when shopping.

Information on the products is also available from numerous sources. However, not all the available information is reliable. The operator may try to influence consumers by publishing fake product reviews or by drawing up materials related to the product in a manner that makes it difficult to identify them as advertising. For example, people share and forward information and opinions from various sources on social media channels, some of which may contain misleading, false or even dangerous information. Some consumers may also be unable to identify their rights.

Finland's market surveillance vision, mission and values

VISION

The vision of Finland's market surveillance defines the main goal of the activities of market surveillance authorities, that is, the desired situation to be achieved by market surveillance in Finland in the future. Hence, the vision of market surveillance focuses on the future, and it represents what the market surveillance authorities are striving for with their operation.

Compliant products and fair competition

Our goal is to have a market in which Finns can trust that the products on sale comply with the statutory requirements, and where companies have fair conditions for competition. The market surveillance we perform is appreciated, competent, and reliable, which brings additional value to society.

MISSION

The mission of Finland's market surveillance defines the main purpose for the activities of Finland's market surveillance authorities.

We perform market surveillance to ensure the products on the market comply with the statutory requirements. We thus protect people and the environment from the harmful effects of non-compliant products and create fair conditions for competition between companies.

VALUES

Reliability

Our operations comply with the principles of good governance, and Finns can rely on our operation.

Impartiality

We act independently, impartially, and equally.

Expertise

We perform our tasks as experts, and we maintain and develop our competences.

Cooperation

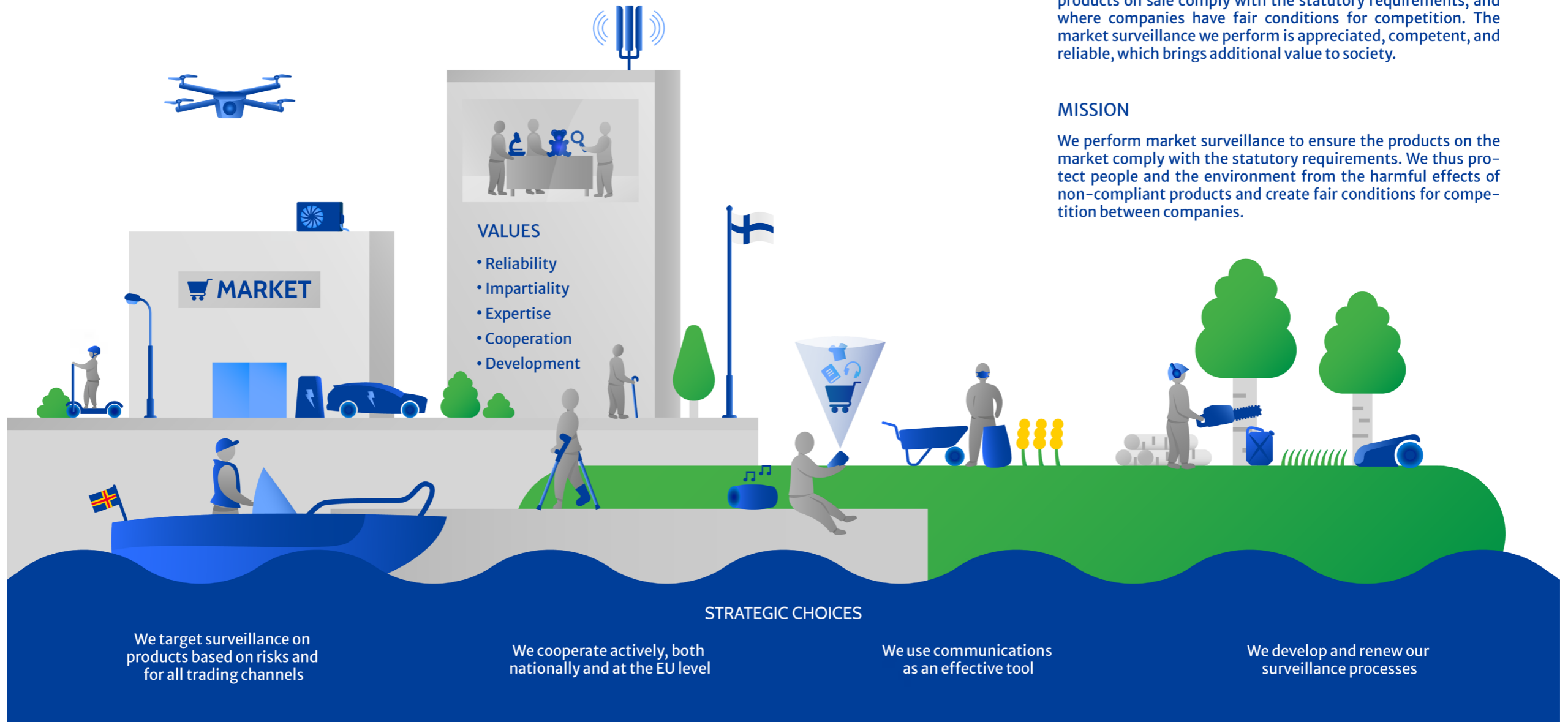
We cooperate actively both nationally and at the EU level.

Development

We renew the operating and working methods of market surveillance.

Products under the Tobacco Act are not regular consumer goods. The vision and mission presented in the market surveillance strategy are thus not directly applicable to the market surveillance of products under the Tobacco Act.

FINLAND'S MARKET SURVEILLANCE STRATEGY 2022–2025



VISION

Compliant products and fair competition

Our goal is to have a market in which Finns can trust that the products on sale comply with the statutory requirements, and where companies have fair conditions for competition. The market surveillance we perform is appreciated, competent, and reliable, which brings additional value to society.

MISSION

We perform market surveillance to ensure the products on the market comply with the statutory requirements. We thus protect people and the environment from the harmful effects of non-compliant products and create fair conditions for competition between companies.

Strategic choices

To implement the above mission and achieve the desired vision, here are the four strategic choices of Finland's market surveillance that contain concrete targets. The strategic choices and their targets presented here set the general guidelines for how market surveillance is performed in Finland, and what is aimed to be achieved by market surveillance by 2025. The market surveillance authorities will acknowledge the strategic choices and their targets in their market surveillance where applicable.

STRATEGIC CHOICE 1:

We target surveillance on products based on risks and for all trading channels

It is important to target surveillance based on risks so that the effectiveness and impact of the available surveillance resources can be optimised as well as possible. Based on risks, surveillance resources are targeted at those products that contain a potential risk that can be considered great or the most significant because of its impact. Although the product market is moving to the online environment, surveillance is still targeted at all shopping channels so that our market surveillance can cover the product markets as extensively as possible.



1.1 We use a risk-based approach in our surveillance

We target surveillance at products that cause the largest or most extensive risks, or where their surveillance has the greatest impact. In the risk-based approach, we acknowledge the hazards and non-compliances related to products, the product's harmfulness to its operating environment or the user, the number of products on the market and their distribution range, any previous non-compliances of the economic operator responsible for the prod-

ucts, the risk profiling performed by Customs, notifications and complaints related to the products, and any information from other sources that may be an indication of non-compliance. We perform effective controls on the products entering the European single market from outside the EU.

We utilise and develop the tools used for risk assessment, in which we use the information received on products placed and sold on the market, as well as other reports (such as accident data) that may be useful in assessing product risks.

1.2 Our surveillance targets all shopping channels

In addition to products sold in brick-and-mortar shops, we target surveillance at products available in online shops, various online-based marketplaces and on channels in social media. In certain product sectors, we also target surveillance at products sold from business to business (B2B sales). We monitor the markets of different product groups with surveillance visits that are made to brick-and-mortar shops where required, as well as to other commercial and industrial places of business. When necessary, our surveillance will also concern foreign online shops that target sales in Finland. We also use the mechanisms for cross-border mutual assistance between the market surveillance authorities in the EU, as well as other related EU-level cooperation channels in the surveillance of online shops located abroad. We also develop surveillance methods for products sold on social media.

1.3 We also target surveillance at new types of products and try to predict the risks that new technology and equipment may bring

We also monitor the markets for any products of a new type that are quickly becoming popular, and we proactively seek more information about their features. We cooperate nationally and at the EU level to assess the risks related to products of a new type and to harmonise risk assessments. By acknowledging

the EU's standardisation strategy⁹, we will participate in the standardisation work related to new types of products and attempt to influence the preparation of product regulation if necessary.

STRATEGIC CHOICE 2:

We cooperate actively, both nationally and at the EU level

Cooperation between the authorities and development of uniform procedures are important to ensure that surveillance can be performed in as unified a manner as possible, and economic operators can receive equal treatment both at the national and EU levels. The surveillance authorities' cooperation with various stakeholders such as national and foreign organisations and research and testing bodies is also fundamental to gaining extensive background information and different perspectives.

”Cooperation between the authorities and development of uniform procedures are important to ensure that surveillance can be performed in as unified a manner as possible, and economic operators can receive equal treatment both at the national and EU levels.”

2.1 We cooperate and share good surveillance practices with the authorities

We strengthen and develop the cooperation between the various market surveillance authorities and create common guidelines and principles for the surveillance of products that fall between different regulations, for example. We develop and stabilise cooperation procedures for external border control. We introduce guidelines and procedures nationally that were prepared and defined at the EU level. We also have national joint projects with the market surveillance and other authorities. We also participate in Nordic and EU-level cooperation in the form of various joint market surveillance projects and development projects, for example.



⁹An EU Strategy for Standardisation – Setting global standards in support of a resilient, green and digital EU single market <https://ec.europa.eu/docsroom/documents/48598/attachments/2/translations/en/renditions/native>

2.2 We cooperate with various stakeholders

We cooperate with stakeholders such as various umbrella organisations and associations, and exchange information about legal amendments, trends at the product markets, and other current matters related to the compliance and safety of products. We cooperate with various research facilities to gather background information. With our work with stakeholders, we also try to reach new businesses and operators and improve their knowledge of the requirements of product legislation.

2.3 We influence the development of product legislation

We influence the preparation of national and EU-level product regulation as early as possible, and we bring a tangible surveillance perspective to the preparation work. In the cooperation group for market surveillance, we also seek to have an impact on the horizontal Market Surveillance Regulation through coordinated cooperation and by examining matters comprehensively from the perspectives of several product sectors. We keep the authoritative orders we have issued up to date.

2.4 We participate in standardisation work

We participate in the development of standards for product features and testing methods, because the standards can efficiently affect the technical requirements for products on the EU's markets. It is particularly important to participate in work for the standards that are a continuation of EU legislation (such as European harmonised standards). By participating in the preparation of standards, we can avoid the objections and amendments proposed to the standards afterwards. We maintain and promote standardisation competence among the authorities.

STRATEGIC CHOICE 3:

We use communications as an effective tool

The implementation of goals set out in the strategy can be promoted effectively through various means of communication. Effective and significant communications targeted at economic operators, consumers and other end users is a vital part of the market surveillance authorities' operation.

3.1 We publish up-to-date information on dangerous and non-compliant products

We publish up-to-date information on the dangerous and non-compliant products discovered in the surveillance on our website or the publication platform shared by the market surveillance authorities¹⁰. We make these sites better known among businesses and end users. We actively publicise the surveillance we have performed and the results from the surveillance projects that have ended. We also use our social media channels to convey information discovered in the surveillance.

3.2 We improve safety knowledge in citizens' daily lives

We communicate information on the products and their related risks to consumers and other end users effectively and understandably, and we correct any false information on products. We also have communications targeted at citizens to improve their knowledge of product non-compliance and safe use, as well as of increasing the understanding of what tasks and roles the market surveillance authorities have. We make publications with several authorities by using joint announcements and campaigns so that communications are versatile, including multiple perspectives, and as effective as possible.

¹⁰The publication platform shared by the market surveillance authorities (www.vaarallisetuotteet.fi, available in Finnish and in Swedish) is only used by some of the authorities of Appendix 3.

3.3 We guide economic operators on product legislation and encourage them to be responsible

We share information about product legislation online and organise information events and training for economic operators when necessary. We make our website clearer and more customer focused, so that they can easily find and access the right information. We contact economic operators directly and answer the contact requests they send effectively in accordance with the principles of good governance. We cooperate with Finland's product contact point in the guidance services provided for economic operators. We also develop new means to convey information on product legislation.

STRATEGIC CHOICE 4:

We develop and renew our surveillance processes

Functioning market surveillance procedures and information systems help allocate the resources of market surveillance authorities more effectively to surveillance and thus increase the influence of the operation. It is important to renew and continuously develop the processes, so that we can react to any changes in the operating environment as effectively and quickly as possible.

4.1 We develop our surveillance procedures

We assess our surveillance procedures regularly so that we can improve and renew them when necessary. We take the general instructions, statutory requirements and changes in the operating environment into account in the development work of the surveillance procedures. We develop surveillance procedures for products that fall under the scope of several regulations so that the product's compliance can be assessed from the perspective of several regulations simultaneously. In the cooperation group for market surveillance, we exchange information on surveillance procedures and the best practices. We also create common methods and instructions so that Finland's market surveillance can be as harmonious as possible.

4.2 We utilize and develop market surveillance tools

We utilize and develop the tools of market surveillance, such as various information systems, applications, and registers, so that we can gain comprehensive information for surveillance and can target resources at the surveillance actions as effectively as possible. We use network-based tools (such as search bots) to improve the effectiveness of surveillance of products sold in online shops. The EU Commission also aims to develop information systems and increase the level of information received on the market in order to promote product safety. We can

also participate in development projects at the national and EU levels, and improve the functionality and usability of old tools.

4.3 We use EU information systems effectively

We use the information systems of the EU's market surveillance effectively so that the information exchange with other Member States and the Commission can be effective, fast, precise and coordinated. We use the information in the EU's systems to target and develop market surveillance. We enter the information required by legislation into the Commission's information and communication system (ICSMS¹¹) to make it available to the surveillance authorities of other Member States. We promote the use of the interface between the databases related to national market surveillance and the ICSMS to make information exchange more effective (such as the automation of data transfer).

4.4 We maintain and develop our skills

We maintain the up-to-date competence and expertise of the surveillance authorities by providing sufficient training for them. We promote the cooperation between the authorities through an exchange of personnel with other national surveillance authorities or the authorities of other EU Member States.

¹¹An information and communications system established under Article 34 of the Market Surveillance Regulation that gathers, processes and stores information in a structured format on questions related to the implementation of the Union's harmonisation legislation to improve information exchange between the Member States, including information requests and offering a comprehensive overview of the market surveillance actions and its results and trends. The systems can be used by the Commission, market surveillance authorities, contact points, and the authorities in charge of surveillance of the products entering the Union's market.

Priorities of market surveillance in Finland

The priorities of market surveillance in Finland (the areas defined as priorities in accordance with Article 13(2)(b) of the Market Surveillance Regulation) and the surveillance activities planned to reduce non-compliance in these areas (Article 13(2)(c) of the Market Surveillance Regulation) are presented in this section. The priorities are areas that are as horizontal as possible, applying to several product sectors.

PRIORITY 1:

E-commerce

An increasing number of products is sold and bought from online shops, online-based marketplaces and social media platforms. Certain challenges have been discovered in the market surveillance of products sold online, such as reaching the economic operators and lacking power in situations where the online shop targeting its sales in Finland is located abroad (particularly third countries). However, market surveillance must be able to cover products sold online.

In this priority area, the non-compliance of products on the market is reduced with the following surveillance activities:

1. A working group has been constituted under the cooperation group on market surveillance with the goal of creating common instructions and policies for e-commerce, exchanging surveillance experience, and harmonising the surveillance practices

concerning e-commerce that the various market surveillance authorities have.

2. We target surveillance of products sold in online shops by examining the information provided for them in the online shop and acquiring the products for further examinations if necessary.
3. We guide online shop operators and sellers on social media platforms about the statutory requirements.
4. We use the mechanisms for cross-border mutual assistance between the market surveillance authorities in the EU actively in our online shop surveillance.
5. We inform consumers and other end users about the risks related to products bought from outside the EU.

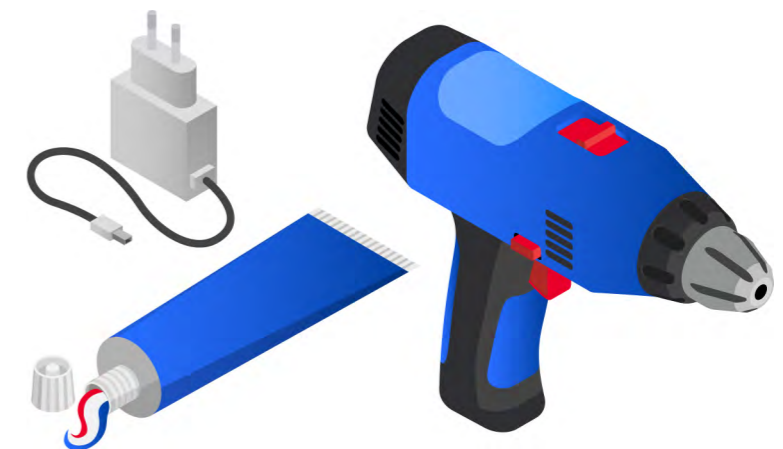
PRIORITY 2:

Products spread widely across the market that might pose a serious risk

The basic principle of risk-based surveillance is to focus resources on products that may pose a risk that is considered the greatest or most impactful. It is important to target surveillance particularly of commonly used products that may pose a serious risk.

In this priority area, the non-compliance of products on the market is reduced with the following surveillance activities:

1. We focus surveillance on high-risk products and products that have caused serious accidents.
2. We develop tools for risk assessment and analyse information from various sources to target surveillance.
3. We have joint surveillance projects with customs and the market surveillance authorities.



PRIORITY 3:

Particularly vulnerable user groups

With market surveillance, we want to ensure that products do not pose a threat to particularly vulnerable persons, i.e. people with a reduced capacity to function (such as older persons), those who lack the required experience and skills (such as children), or those who are otherwise in a particularly vulnerable position (such as pregnant people). The increasingly complicated products that may also contain digital features can be challenging for these user groups. The products may also contain chemicals harmful to health. Employees also use products at work where they may not always be able to influence the product's compliance (for example, exposure to chemicals or use of personal protective equipment). In addition to this, some of the product groups of a new type do not have European standards or other requirements yet.

In this priority area, the non-compliance of products on the market is reduced with the following surveillance activities:

1. We target surveillance of products designed for particularly vulnerable user groups.
2. We participate in standardisation work.
3. We cooperate with various stakeholders such as organisations and research facilities related to communications, for example.
4. We have joint surveillance projects with customs and market surveillance authorities.

PRIORITY 4:

Environmental safety

Our environment faces many threats such as climate change and excessive consumption. We must pay more attention to environmental protection to ensure future generations can enjoy a clean and healthy environment. Environmental protection should be acknowledged throughout a product's lifecycle, from its manufacture to waste disposal. From the perspective of environmental protection, it is important to promote circular economy and the use of sustainable materials. In addition to economic operators, consumers and other end users should be informed of the environmental risks a product poses. Substances limited in the REACH and POP regulations are particularly harmful for the environment when found in products, as well as persistent and bio-accumulative substances (such as substances of very high concern, SVHC).

In this priority area, the non-compliance of products on the market is reduced with the following surveillance activities:

1. We target surveillance of the substances that are particularly harmful to the environment and products that contain them.
2. In the assessment of risks, we also take into account the new types of raw materials used in products due to the circular economy.

3. In the surveillance, we monitor how the use of waste or other recycled materials as raw materials for products affects their safety and compliance, and we try to influence product regulation where shortcomings arise.

4. We inform economic operators of products' environmental impact.

5. We inform consumers and other end users of the environmental risks products pose.



PRIORITY 5:

New threats that require immediate reaction

In addition to innovations and the rapidly changing market, significant global challenges such as climate change, pandemics and geopolitical uncertainties create new challenges for the market surveillance of products. The market surveillance authorities must predict and try to prepare for any new threats to react to them quickly and effectively.

In this priority area, the non-compliance of products on the market is reduced with the following surveillance activities:

1. We create common general operating principles (a contingency plan) for all the market surveillance authorities to control threats requiring immediate reaction.
2. If necessary, we will cooperate with various research facilities in the identification of threats and future scenarios.
3. In the cooperation group on market surveillance, we exchange information about the experiences we have gained during the COVID-19 pandemic in relation to market surveillance, and we share good practices.
4. We develop new communications methods and a more effective guidance service for economic operators.

PRIORITY 6:

Increasingly complex products and new technology

Many products and equipment are developed to respond to the needs set by the digitalising society. Products gain new functionalities, and innovative materials are used in their production that may cause new risks or change the former risks. The new technology and materials set challenges for market surveillance work, because the same product may be under the scope of several product regulations, and since the product may not have clear requirements or product standards.

In this priority area, the non-compliance of products on the market is reduced with the following surveillance activities:

1. We develop our competence with new types of products and their features.
2. We strengthen the cooperation between the various surveillance authorities in relation to products that belong to several sectors by making clear operating principles for their surveillance.
3. We harmonise and develop risk assessments and related operating methods. We also exchange information on good practices related to risk assessments.



Strategy assessment

The success of the market surveillance strategy's implementation is assessed annually by the cooperation group for market surveillance. The group also assesses the strategy's influence. Based on the assessment, the market surveillance strategy can be updated in accordance with the guidelines agreed on the cooperation group for market surveillance.

At the EU level, market surveillance strategies are assessed in the Union Product Compliance Network (hereinafter, EUPCN¹²). The first assessment of the national market surveillance strategies will be performed by 16 July 2024.

The EUPCN has also confirmed 12 indicators to assess the market surveillance performed in the EU that can also be used in the assessment of national market surveillance strategies where suitable. The purpose of the application of the indicators is to collect data to support various decisions, possible regulation preparations and assessments, and to gain general information about the state of market surveillance in the EU. The market surveillance indicators are divided into four categories: resources (budget and staff), market surveillance activities (the number of inspected product groups and models), EU cooperation (cross-border mutual assistance requests and the market sur-

veillance authorities' contacts and action requests to economic operators), and market surveillance results (numbers of non-compliant products and products presenting a risk). The information required for defining the indicators is collected annually, and it is collected as extensively as possible directly from the EU's information and communication system for market surveillance (ICSMS).



¹²A network established under Article 29 of the Market Surveillance Regulation, with the purpose of serving as a platform for structured coordination and cooperation between the enforcement authorities of the Member States and the Commission, and to streamline the practices of market surveillance within the Union, thereby making market surveillance more effective. The Network will be composed of representatives from each Member State, including a representative of each single liaison office and an optional national expert, the chairs of administrative cooperation groups, and representatives from the Commission.

1. Market surveillance structure in Finland

1.1 Market surveillance steering, national market surveillance authorities and division of power in Finland

The Ministry of Economic Affairs and Employment oversees the coordination of the national implementation of the Market Surveillance Regulation, as well as the coordination of cooperation related to market surveillance between different ministries. Each ministry is responsible for organising market surveillance in their sector.

In Finland, market surveillance has been organised as a task of several market surveillance authorities separately for each product sector. Finland's market surveillance authorities operate in the field of administration of seven ministries, and market surveillance is performed mainly by agencies steered by the ministries. The market surveillance of technical equipment designed to be used for work to a material degree performed by the Department for Work and Gender Equality (TTO) of the Ministry of Social Affairs and Health and the five OSH divisions in Regional State Administrative Agencies is an exception. In this sector, any restrictive decisions concerning making products available on the market and putting them into service are made in the ministry. Similarly, the Ministry of the Environment is the market surveillance authority for noise emissions of equipment used outdoors. It should also be noted that Finnish Customs is the market surveillance authority for certain product sectors (chemicals, cosmetic products,

biocides and consumer goods such as toys and child-care products) in addition to acting as the external border control authority. The Government of Åland oversees market surveillance for many product sectors in the Åland region. The market surveillance authorities report on the surveillance and actions taken usually in a sector-specific manner at the national level.

In Finland, market surveillance is also performed in product sectors outside the scope of this strategy, such as food surveillance, which is one of the largest. In the EU, food legislation has traditionally been separated from legislation applying to non-food products, which is why food has been left outside this market surveillance strategy as well.

Finland's market surveillance authorities, their areas of responsibility, and the ministries in charge of steering the market surveillance authorities are listed in Table 1. In addition to the authorities listed in Table 1, the Government of Åland, with certain exceptions and conditions, is responsible for the market surveillance of cosmetic products, toys, personal protective equipment and machinery for consumers, construction products, aerosols, transportable pressurised equipment, lifts, noise emissions for outdoor equipment, equipment and protective systems intended for use in potentially explosive atmospheres, pyrotechnical products, explosives for civil users, gas equipment, electrical equipment, chemicals, eco-design and energy labelling of products, tyre

labels, recreational crafts, vehicles, fertilising products, consumer goods, biocides, packages and package waste, as well as tobacco products in the Åland region.

Table 2 (Appendix 2) presents the product regulations (product sectors) included in this strategy and under the scope of the Market Surveillance Regulation (EU) 2019/1020, as well as the surveillance authorities in charge of them.

Table 1. The market surveillance authorities of product sectors under Finland’s market surveillance strategy, the product groups they monitor, and the ministries that steer the authorities in question.

Market surveillance authority	Monitored product groups	Steering ministry
Finnish Transport and Communications Agency Traficom	Marine equipment, recreational crafts, tyre labels, vehicles and separate technical units, unmanned aircraft, exhaust emission of mobile machinery, and radio equipment.	Ministry of Transport and Communications, Ministry of the Environment
Finnish Medicines Agency Fimea	Medical devices and medical devices for in vitro diagnostics	Ministry of Social Affairs and Health
Finnish Food Authority	Fertilising products	Ministry of Agriculture and Forestry
Occupational safety and health authorities <ul style="list-style-type: none"> • Ministry of Social Affairs and Health (STM) • OSH divisions in Regional State Administrative Agencies 	Personal protective equipment and machinery for occupational use and cableway installations (STM and Regional State Administrative Agencies) Chemicals for occupational use and noise emissions from occupational equipment (Regional State Administrative Agencies)	Ministry of Social Affairs and Health
Finnish Environment Institute (SYKE)	Fluorinated greenhouse gases and substances that weaken the ozone layer, as well as equipment containing them, traffic fuels and the EU Ecolabel	Ministry of the Environment
Radiation and Nuclear Safety Authority (STUK)	Products containing radiation features: electromagnetic fields; infrared radiation; visible light; ultraviolet radiation; laser; ultrasound; and radioactivity.	Ministry of Social Affairs and Health
Finnish Safety and Chemicals Agency (Tukes)	Batteries and accumulators, articles made of precious metals, biocides, chemicals, construction products, consumer goods, cosmetic products, washing agents, ecode-sign and energy labels, electrical and electronic equipment, lifts, explosives for civil users, gas equipment, machinery for consumers, noise emissions from outdoor equipment for consumers, measuring instruments, oil tanks, packed products, packages and packaging waste, personal protective equipment for consumers, pressure equipment, pressure vessels, products imitating food, pyrotechnical products, equipment for explosive facilities, equipment and tools for rescue, single-use plastic products, textile and shoe labels, toys, and transport containers and packages of dangerous substances and volatile organic compounds	Ministry of Economic Affairs and Employment, Ministry of Social Affairs and Health, Ministry of the Environment, Ministry of Agriculture and Forestry, Ministry of the Interior, Ministry of Transport and Communications
Finnish Customs	Chemicals, cosmetic products, biocides and consumer goods (such as toys and child-care products)	Ministry of Employment
National Supervisory Authority for Welfare and Health (Valvira)	Tobacco product and other similar products	Ministry of Social Affairs and Health
Ministry of the Environment	Noise emissions from outdoor equipment	Ministry of the Environment

1.2 Market Surveillance Regulation in Finland

In Finland, product regulation is mostly spread out, because it is divided into the field of administration of several ministries.¹³ The Act on the Market Surveillance of Certain Products (1137/2016, hereinafter the Market Surveillance Act), which lays down provisions on the market surveillance of product sectors under its scope, is an exception where the scattered legislation is concerned. The Market Surveillance Act is a general horizontal law that applies to certain sectors. It lays down provisions on competent authorities and the surveillance measures used by market surveillance authorities. The Market Surveillance Act implements the Market Surveillance Regulation for the sectors under its scope of application. It should be noted that some product sectors do not fall under its scope, which is why sector-specific regulation applies to the market surveillance of such products (for example, medical devices and construction products).

The Consumer Safety Act (920/2011) also applies to consumer products, implementing the directive on general product safety 2001/95/EC¹⁴. The Consumer Safety Act is a general law that yields to other legislation, also known as a safety net regulation, that will be applied in a supplementary manner in situations in which special legislation does not provide sufficient safety.

Market surveillance performed in the Åland region is based on the division of authority between the Åland and the state as laid down in the Act on the Autonomy of Åland (1144/1991). Product regulations are mainly under the state's authority and partly under Åland's. Åland is responsible for the enforcement of EU regulations where applicable under its authority.

1.3 Market surveillance process in Finland

Market surveillance authorities shall carry out surveillance using the measures best suited to each product or control case. The goal of market surveillance is that products placed on the market comply with the statutory requirements, and that any harmful effects of non-compliant and dangerous products that are already on the market can be minimised with various corrective actions. Market surveillance should be thorough and effective to ensure that product legislation is applied correctly. With active communications and guidance for economic operators, the market surveillance authorities seek to ensure in advance that only products that comply with the statutory requirements are placed on the market.

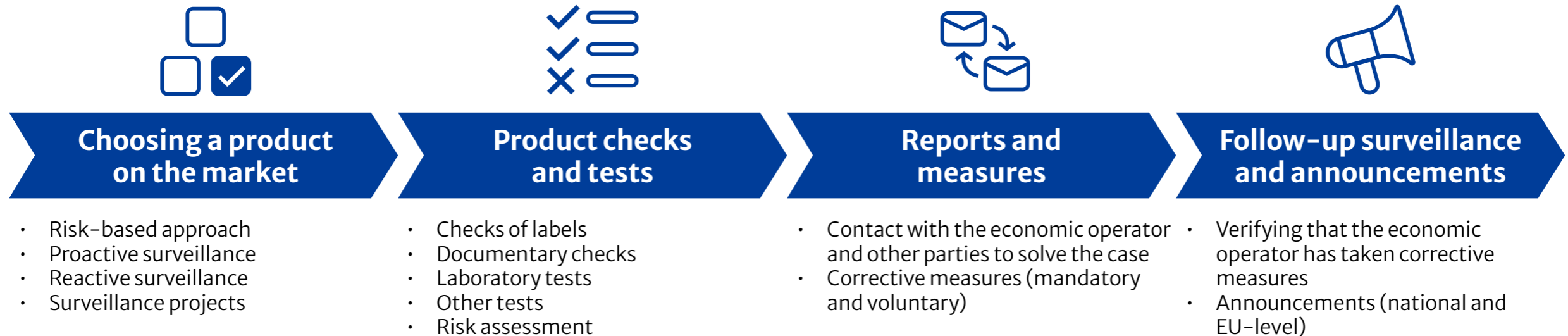
According to Article 11 of the Market Surveillance Regulation, the market surveillance authorities should conduct their activities to ensure the following:

- a) effective market surveillance within their territory of products made available online and offline with respect to products that are subject to Union harmonisation legislation;
- b) the taking by economic operators of appropriate and proportionate corrective action in relation to compliance with that legislation and this regulation;
- c) the taking of appropriate and proportionate measures where the economic operator fails to take corrective action.

”With active communications and guidance for economic operators, the market surveillance authorities seek to ensure in advance that only products that comply with the statutory requirements are placed on the market.”

¹³The national product regulations are compiled in a table on the website of the Finnish product contact point: <https://tukes.fi/en/product-contact-point/national-product-regulations>

¹⁴Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety (OJEU L 11, 15 January 2002, pp. 4–17).



The market surveillance authorities should exercise their powers and carry out their duties independently, impartially and without bias. The process stages of market surveillance are described in a simple and summarised manner in Figure above.

Choosing a product on the market

The market surveillance authorities have an obligation to perform appropriate checks on the characteristics of products on an adequate scale by means of documentary checks and where appropriate, physical and laboratory checks based on adequate samples. Market surveillance authorities should follow a *risk-based approach* in deciding on which

above-mentioned market surveillance checks to perform, on which types of products and on what scale.

Here, the risk-based approach refers to practices of the market surveillance authority in which choices for targeting surveillance at certain products or product types, as well as decisions on the number and scale of checks performed in surveillance, are based on the information received on products placed and sold on the market and other reports with which the possible risks related to the products can be assessed. Depending on the product sector, the following elements will be considered: the possible hazards and non-compliances associated with the products, harmfulness to the operating environ-

ment or user, user groups of the products, the products' occurrence on the market (number and distribution range), the economic operator's past record of non-compliance, risk profiling performed by Customs, consumer complaints and other information that may indicate non-compliance. In other words, surveillance resources are targeted based on risks to those products that contain a potential risk that can be considered great or the most significant by its impact. In accordance with EU product legislation, the concept of risk is broader in relation to products than the traditional health and safety risks. It also includes risks related to occupational health and safety, consumer protection, the environment, public safety, and matters related to the protection of other public interests.¹⁵

¹⁵A product presenting a risk means a product with the potential to affect adversely the health and safety of persons in general, health and safety in the workplace, protection of consumers, the environment, public security and other public interests, protected by the applicable Union harmonisation legislation, to a degree which goes beyond that considered reasonable and acceptable in relation to its intended purpose or under the normal or reasonably foreseeable conditions of use of the product concerned, including the duration of use and where applicable, its putting into service, installation and maintenance requirements (Article 3(19) of the Market Surveillance Regulation)

Market surveillance is divided into proactive and reactive surveillance. Proactive market surveillance means market surveillance activities that the market surveillance authority has planned in advance, and it is performed in accordance with the authorities' surveillance plans. Proactive market surveillance is performed on inspection visits to various shops, online shops, industrial locations or other similar places in which products are sold or used. Various national, Nordic or EU-level market surveillance projects targeted at certain product sectors or types of economic operators have proved effective as a method of proactive surveillance.

Reactive market surveillance is usually initiated by an external impulse such as various hazardous situations and accidents related to products, notifications other market surveillance authorities have submitted through different information systems, or notifications submitted by other authorities, consumers or economic operators. If a market surveillance authority receives information on a product that is suspected to be non-compliant or risky, it must investigate the matter and take purposeful action if necessary.

Product checks and tests

To determine a product's compliance, the market surveillance authorities may perform various checks and tests on it that, depending on the situation,

can be checks of labels and documents¹⁶, physical and laboratory tests, and other examinations of the product. If a market surveillance authority decides to have a product tested under its surveillance, the product is usually subjected to partial testing that focuses on certain features determined beforehand without covering all the requirements concerning the product. The market surveillance testing can be performed in accordance with an applicable European harmonised standard or another suitable standard or method.

Based on the possible shortcomings or faults discovered during the market surveillance inspection, the authorities assess whether the product complies with the requirements set for it and decide whether any corrective measures are necessary. With *risk assessment*, they can assess how serious the possible consequences of the product's non-compliance could be and determine the most suitable corrective measures for the situation and any other required action. Risk assessment is an overall process that includes the identification of risks, risk analysis and an assessment of the significance of the risk. When assessing the significance of a risk, the product's planned user groups, and the severity of the harm caused and its probability are considered. The purpose of assessing the significance of the risk is to help decide what kind of reaction the risk presented by the product requires. Various risk matrices specific to a product sector can help assess the significance of a risk and define the required measures.

It should be noted that the risk assessment performed by a market surveillance authority differs from the manufacturer's risk assessment. Manufacturers must perform a comprehensive risk assessment as part of the compliance assessment process of their products before placing them on the market, while the market surveillance authorities will usually only assess the risk in relation to a non-compliance factor discovered during a market surveillance check.

Reports and measures

If the market surveillance authorities assess that a product does not comply with the requirements set for it, they must immediately require that the relevant economic operator to take appropriate and proportionate corrective actions to bring the non-compliance found in the product to end or to eliminate the possible risk posed by the product. If the economic operator fails to take the demanded corrective measures, the market surveillance authority must use administrative means to ensure that sufficient measures to remove the risk presented by the product are implemented.

With administrative decisions, market surveillance authorities can ban the sale of a non-compliant product or batch, oblige the economic operator to withdraw the product presenting the risk from the market or have the product recalled, i.e. recall all items from consumers and other end users. The

¹⁶Unless there are reasons to believe that the product presents a risk, there are cases where non-compliance with a number of administrative or formal requirements are defined as formal non-compliance by Union product legislation. Examples of typically formal non-compliance could be the situations where conformity markings provided for in the Union harmonisation legislation are incorrectly affixed, or where the EU declaration of conformity cannot be provided for immediately or it does not accompany the product when this is mandatory, or the requirement to accompany other information provided for in sectoral Union harmonisation legislation is complied with insufficiently.

market surveillance authorities can also demand that the economic operator take other required corrective measures to bring the product into compliance.

If necessary, the market surveillance authorities can enforce the impact of the order or ban by imposing a conditional fine. As a rule, the market surveillance authorities can charge the economic operator for the product's purchase price and testing costs if the product is non-compliant, and the non-compliance is considerable.

Follow-up surveillance and announcements

The market surveillance authorities must ensure that the economic operator has performed the required measures (voluntary or mandatory). In addition to this, the market surveillance authority must usually warn consumers and other end users of the hazardous and/or non-compliant product. If necessary, the relevant economic operator can also be obliged to announce the risk related to the product and give consumers and other end users instructions for what to do. In addition to national market surveillance systems, information about the market surveillance case is entered into the necessary information systems related to EU market surveillance as required by law, and any notifications also required by law are made (such as a notification in accordance with the safeguard clause procedure).

1.4 External border control and related practices in Finland

Customs is Finland's external border authority as referred to in Article 25(1) of the Market Surveillance Regulation. It oversees the external border control of products entering the EU market. External border control observes the procedures defined in Chapter VII of the Market Surveillance Regulation. Depending on the product sector, external border control is either continuous or in the form of special control projects. Functioning communications channels and procedures between Customs and the market surveillance authorities ensure that the external border control process is smooth and undelayed. Customs and the market surveillance authorities have annual cooperation meetings in which the control procedures and project are planned.

Customs will stop a product (batch) in the customs clearance process if the selection criteria set for the Customs risk profile are met or in other justified cases where a product's non-compliance is suspected. Customs will perform the necessary controls for the stopped products based on a risk analysis and in accordance with Articles 46 and 47 of the regulation (EU) No. 952/2013¹⁷ and following the risk-based approach if necessary. If necessary, Customs will suspend the product's release for free circulation and notify the competent market surveillance authority that can, for a justified reason, ask Customs to suspend the product's release for free circulation. After this, the market surveillance authority has four days

to decide whether the suspension should continue, or if the product can be released for free circulation. If the market surveillance authorities consider that the product presents a serious risk, or that it does not comply with the Union law applicable to it, they must take measures to prohibit the placing of the product on the market and demand that Customs suspends the process for its release for free circulation. They must also add the necessary entries to the ICSMS system.

Finland's Customs also acts in the role of a market surveillance authority for chemicals, cosmetic products, biocides and consumer goods (such as toys and childcare products).

By 31 March each year, Customs submits to the Commission detailed statistics on the controls it has performed on products subject to Union law during the previous calendar year. The statistics must include the number of measures taken for the controls of safety and compliance of such products.



¹⁷Regulation (EU) No. 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJEU L 269, 10 October 2013, pp. 1–101).

1.5 Occurrence of non-compliant products¹⁸

Market surveillance targets only a small selected share of products on sale, based on risks, and there is usually no up-to-date information on the number of products on sale per each sector. The non-compliant products' market share is therefore very challenging to assess. It should also be noted that each product has a certain lifecycle, that is, a period when it is available on the market. The lifecycle of a product has various stages during which the product's availability and targeting of sales may differ.

However, various assessment tools are under development with which the occurrence of non-compliant products could be assessed in the EU market. The assessment models often require several information sources to be combined, making different assumptions, and recording available market surveillance information as accurately as possible in common databases of the EU market surveillance authorities.

Based on the results of pan-European market surveillance projects¹⁹, for example, we can generally state that it is fairly easy to find non-compliant products under many product sectors on the European market.

The following sections present examples of surveillance targeting and the presence of non-compliant products in certain product sectors.

For electrical equipment, surveillance focuses particularly on chargers, adapters and lighting products, because tests have continuously found shortcomings in them. For chargers, especially USB chargers, and adapters, the most common issue is having an insufficient insulation level between the mains voltage and low voltage. In lighting products, there are issues with watertightness in addition to the insulation problem.

Surveillance of chemicals has been performed on risk-based product groups. Their selection has depended on the annual surveillance plan for chemicals, the ECHA Forum's EU-wide surveillance project, the Nordic surveillance project and the notifications received on the products. In the chemicals sector, surveillance tasks cover a wide cross-sector field, concerning both the sale of raw materials and chemical products, as well as the majority of goods trade (substances contained in products/items). In EU-level surveillance projects, most cases of non-compliance have been found in products sold in online stores, products imported from outside the EU, classifications and labels of chemicals, and obligations related to the flow of information (particularly SVHC substances and safety data sheets). In recent years, Finland has had issues with the classifications and labels of various chemicals, safety data sheets, tattoo inks, trinkets, and spectacle frames.

For vehicles and their systems, market surveillance has focused on certain harmonised product groups that are selected on a risk basis. Surveillance has been targeted also at products that Finland has accepted nationally, and which are internationally significant (such as studded tyres). Non-compliance has been found in various product groups, and no single product group can be considered over-represented.

Surveillance of radio equipment has focused on equipment that is suspected of presenting a risk of radio interference. These include equipment that has already caused radio interference, and the equipment's non-compliance is suspected to be the cause of interference. Surveillance has been also targeted at equipment that uses free spectral range based on permission, for example. Non-compliance has been found in different groups of equipment. Insufficient documentation on the equipment has been the most common case of detected non-compliance. There have also been technical shortcomings in some equipment.

The surveillance of machinery for occupational use has been targeted at the framework of projects planned in advance and based on EU projects and requests, as well as submitted complaints, suspicions or requests for assistance from other authorities. Market surveillance checks have also been performed on a sample basis for machinery that has been noticed in occupational surveillance or that has been

¹⁸This section presents the information required under Article 13(2)(a) of the Market Surveillance Regulation.

¹⁹The websites of PROSAFE (the Product Safety Forum of Europe, www.prosafe.org), CASP (Coordinated Activities on the Safety of Products, <https://ec.europa.eu/safety-gate/#/screen/pages/casp>) and Forum for Exchange of Information on Enforcement of the European Chemicals Agency (<https://echa.europa.eu/fi/about-us/who-we-are/enforcement-forum/forum-enforcement-projects>) contain final reports of many pan-European market surveillance projects.

involved in an accident. In recent years, surveillance concerning machinery has found non-compliance in car lifts, interchangeable equipment (excavators, wheel loaders, and reach stacker accessories), man cages of loading cranes, CNC machines, combination machinery, road sweepers and machines built for the workplace's own use. Surveillance has also focused on waste presses, for which checks have found many shortcomings that endanger the safety of the employees and others who have access to the press, as well as on table, cross-cutting and mitre saws, that had several issues with their manuals and labels.

For machinery used by consumers, surveillance has focused on jacks and car lifts – in other words, where work is performed under or next to a load supported by equipment, presenting a potentially serious risk if the safety of the equipment is compromised. The share of non-compliance was high in the tested equipment, in addition to which a significant part of the identified shortcomings were assessed to present a serious risk to consumer safety.

In recent years, market surveillance of EC fertilisers has focused on the inorganic fertilisers used in food production. Packaging labels and the main nutrient content have especially been under surveillance in fertilisers, and the cadmium content in phosphorus fertilisers. The purpose of targeted surveillance has been to ensure that the fertilisers used in food production are safe, and that they do not present a pollution risk to the cultivated land or environment. Non-compliance has been found particularly in the nutrient contents on packaging labels, which have deviated more than legally allowed. Due to the deviations, economic operators were sent a request

to monitor nutrient content and update the packaging labels. EC fertilisers contained no such non-compliance that would have caused a prohibition of their placement on the market by an administrative decision.

For toys, surveillance has been targeted particularly at high-risk products such as toys for small children and babies. Non-compliant products have been found especially in market stalls, exhibitions, flea markets, amusement parks and on social media. Toys and children's products that are sold in online shops outside the EU do not always fulfil the requirements of EU product legislation either. Small detachable parts and button batteries that can be accessed too easily have been the most common types of non-compliance in toys. Surveillance of toy chemicals has also revealed that phthalates, used as softeners, are still found in different toys. It is also noteworthy that new types of products designed for children are continuously placed on the market, and we will attempt to allocate resources for their surveillance and risk assessment.

For radiation products, non-compliance was found mostly in products transmitting optical radiation, such as lasers, products generating UV radiation and pulsed light equipment. The markets also have laser pointers that have a light that is too strong. There are also shortcomings in the labels, user instructions and other documents of equipment generating a UV radiation and pulsed light equipment. For products that create electromagnetic fields, cases of non-compliance are unusual. However, due to great public interest, their information must be kept up to date for communications purposes.

Based on the controls Customs has performed pursuant to Article 25(3) of the Market Surveillance Regulation, it has been detected that the share of products that are contrary to regulations was approximately 15% of the controlled products that came from outside the EU in 2021. Non-compliance was found in cosmetic products, for example. In 2021, approximately 12% of the internal market products controlled by Customs were non-compliant. With the market surveillance authorities, Customs has performed periods of intensive control annually. The periods have been chosen based on trends, for example, and their results have been announced where necessary.

2. Market surveillance cooperation in Finland

2.1 Single liaison office for market surveillance, cooperation group on market surveillance, and other cooperation of the authorities

The Safety and Chemicals Agency (Tukes) acts as the single liaison office for market surveillance as referred to in Article 10(3) of the Market Surveillance Regulation. Within Tukes, the task of a single liaison office has been placed at the Fipoint group under the Products Unit. In the management of the single liaison office's tasks, Fipoint acts impartially in relation to the other market surveillance authorities and Customs. In accordance with Article 10 of the Market Surveillance Regulation, the single liaison office is responsible for representing the coordinated position of the market surveillance authorities and Customs and for recording the national market surveillance strategy into the ICSMS system. In addition to the tasks laid down in the Market Surveillance Regulation, the single liaison office also has tasks under section 4 a of the Market Surveillance Act. According to the Market Surveillance Act, the single liaison office of Finland coordinates cooperation between the authorities related to market surveillance and assists the market surveillance authorities in national and international cooperation. The single liaison office also prepares the national market surveillance strategy with the cooperation group on market surveillance. With the Ministry of Economic Affairs and Em-

ployment, the single liaison office represents Finland in the committee on product market surveillance and compliance.

Pursuant to section 4 b of the Market Surveillance Act, a cooperation group on market surveillance acts in connection with the single liaison office. The working group contains representatives from the market surveillance authorities as referred to in the Market Surveillance Regulation, Customs, and other authorities where necessary²⁰. The single liaison office's representative acts as the chair of the cooperation group. The purpose of the cooperation group is to support the single liaison office for market surveillance in coordinating the authorities' cooperation related to market surveillance, as well as in preparing the coordinated position of the market surveillance authorities and Customs. The cooperation group participates in the preparation of the national market surveillance strategy.

The purpose of the cooperation group's operation is to enforce the coordination of different market surveillance questions at the national level, as well as to support cooperation between the authorities, the exchange of best surveillance practices, and discussion of matters related to market surveillance. Another purpose of the cooperation group is to support the single liaison office in the preparation of docu-

ments related to market surveillance. The matters handled at EUPCN are prepared in the national single liaison office in cooperation with all market surveillance authorities and Customs. The national cooperation group on market surveillance can also develop common principles for risk assessment and handle other questions related to the Market Surveillance Regulation, such as matters related to the mutual recognition of products.

The market surveillance authorities also cooperate through several other networks. For example, Tukes coordinates the Network of authorities responsible for the enforcement of chemical regulations that aims to promote the authorities' cooperation on surveillance and share information on the current topics related to surveillance, as well as its planning and results. The network has also been an announcement channel for the authorities regarding matters related to the ECHA Forum, a cooperation forum for EU reporting, and a coordination group for the participation in joint surveillance projects as required.

²⁰On 16 July 2022, the members of the cooperation group on market surveillance are: the Finnish Medicines Agency Fimea; the Finnish Competition and Consumer Authority (KKV); the Finnish Transport and Communications Agency Traficom; Pirkanmaa ELY Centre; the National Police Board; the Finnish Food Authority; the Ministry of Social Affairs and Health and the Regional State Administrative Agency for Western and Inland Finland; the Finnish Environment Institute (SYKE); the Radiation and Nuclear Safety Authority (STUK); Customs; the Safety and Chemicals Agency (Tukes); the National Supervisory Authority for Welfare and Health (Valvira); the Ministry of the Environment; and the Government of Åland.

2.2 Cooperation between the market surveillance authorities and Customs in Finland

Customs and the market surveillance authorities cooperate actively in relation to market surveillance. The systematic cooperation and exchange of information between the market surveillance authorities and Customs authorities is important from the perspective of the effective and systematic implementation of external border control under chapter VII of the Market Surveillance Regulation. A working group for customs matters will be constituted under the cooperation group on market surveillance. The working group's purpose is to coordinate and strengthen the cooperation of Customs and all market surveillance authorities. Customs and the market surveillance authorities control the external border together to prevent non-compliant products entering the European single market or in other words, their release for free circulation.

In national legislation Customs has been designated as the competent market surveillance authority for certain sectors (chemicals, cosmetic products, biocides and consumer goods such as toys and child-care products). Cooperation with the other market surveillance authorities of the sectors in questions is vital. Customs has its own testing laboratory that examines the compliance and safety of consumer goods brought into the country. The Customs Laboratory also cooperates with the various market surveillance authorities in relation to testing.

Customs also cooperates with the competent market surveillance authorities of other sectors. For example, Customs samples traffic fuels for quality control

and analyses them, working closely with SYKE. To promote information exchange and a unified risk assessment, Customs and the other competent market surveillance authorities have regular meetings, training and visits.

2.3 Stakeholder cooperation

In Finland, information exchange and cooperation related to market surveillance also occurs with various stakeholders such as interest groups representing entrepreneurs or consumers. The market surveillance authorities and stakeholders have made announcements for consumers together, for example. The At Your Own Risk campaign is an example of the above, sharing information on products bought from online shops outside the EU (<https://tukes.fi/en/at-your-own-risk>).

Finland has advisory boards established under law that work in connection with various ministries. For example, the Ministry of Economic Affairs and Employment has the Advisory Committee for Conformity Assessment Matters. Its purpose is to develop cooperation on product and condition surveillance, as well as the promotion of the accreditation system serving various administrative branches, the reliability of conformity assessment services and international acceptability. The advisory committee includes representatives from the authorities, business life, consumer organisations, and testing facilities. The Advisory Committee on Chemicals (and its divisions) works in connection with the Ministry of Social Affairs and Health. It mainly handles matters related to the preparation, implementation and

surveillance of the EU's chemicals legislation and coordinates Finland's EU-level position on them. In addition to representatives from all the key chemical supervisory authorities, the Advisory Committee on Chemicals contains representatives from trade, industry, research institutions, personnel and various civic organisations.

3. EU-level cooperation on market surveillance

3.1 EU cooperation groups

The Union network EUPCN that handles product compliance was established under Article 29 of the Market Surveillance Regulation. The network's purpose is to serve as a platform for structured coordination and cooperation between the enforcement authorities of the Member States and the Commission, and to streamline the practices of market surveillance within the EU, thereby making market surveillance more effective. The Member States are represented by the single liaison offices (Fipoint as the representative of Finland) and national experts if necessary. Representatives from the Commission and the chairs of administrative cooperation groups of different product sectors also participate in the network's operation.

Finland's Safety Gate contact point is involved in the contact point network organised and steered by the Commission. The network consists of all the named Safety Gate contact points of Member States and countries within the European Economic Area (EEA). The national ICSMS contact points also have their own EU-level cooperation network. Finnish Safety and Chemicals Agency (Tukes) serves as the contact point for Safety Gate and ICSMS in Finland.

Finland also actively participates in the operation of the network for Member States' competent authorities in the field of product safety, the Consumer Safety Network²¹ (CSN), which is managed by the Commission. With the Safety Gate contact points, the purpose of the CSN is to make cooperation easier in the implementation of market surveillance, risk assessment, product testing, the exchange of expertise and scientific data, the implementation of joint surveillance projects, and tracking hazardous products.

3.2 Administrative cooperation groups²²

The market surveillance authorities must actively participate in the operation of product sector specific administrative cooperation groups as referred to in Article 30(2) of the Market Surveillance Regulation. These groups include the administrative cooperation groups (ADCOs) and forums. The purpose of the groups is to promote the unified application of EU product legislation within the EU. The single liaison office for market surveillance can also participate in the groups if necessary.

The administrative cooperation groups have been a significant and functional forum of cooperation between the market surveillance authorities of Member States. For example, the EU-level cooperation on

chemical surveillance is currently mostly based on the cooperation of the ECHA Forum. The groups allow us to have a broad discussion, fast reactions to current issues and views from different perspectives. For example, the groups have created common market surveillance projects that have developed unified surveillance guidelines and procedures and harmonised criteria for risk assessment. The groups have also promoted the unified application of standards, and they have attempted to influence their development and renewals. Through the groups, the members can also receive up-to-date information on matters related to the product sector.

Finland's market surveillance authorities have actively participated in the operation of administrative cooperation groups. The representatives of Finland's market surveillance authorities have also acted as the chairs or deputy chairs in some groups. Finland's representatives have attempted to raise current issues and matters that have arisen in Finland's market surveillance for discussion in the groups. Questions related to the application of laws or standards have also been raised in the groups, through which they have attempted to promote the dialogue between Member States. Cooperation in the groups has generally been found functional, even though the operation and activity differ greatly depending on the group. Although the Commission regularly

²¹A network established under Article 10 of Directive 2001/95/EC on general product safety. In the field of product safety, the Commission promotes the operation of Member State authorities as a European network.

²²This section presents the information required under Article 13(2)(d) of the Market Surveillance Regulation (reference to Article 11(8)).

organises horizontal meetings for the chairs of the different groups, there could also be more cooperation and exchange of information directly between the different groups and their members in future. This would be particularly beneficial for the surveillance authorities working on similar types of products and challenges. The handling process for application questions should also be sped up, and the promotion of identified development needs in EU regulation should be made easier.

3.3 Cross-border mutual assistance²³

EU:n laajuisen markkinavalvonnan toimivuuden To ensure that market surveillance functions well at the EU level, the cooperation and information exchange between the market surveillance authorities of the Member States, as well as between the market surveillance authorities, the Commission, and relevant EU agencies, must be effective. Articles 23 and 24 of the Market Surveillance Regulation present a procedure that applies to the requests for mutual assistance between the market surveillance authorities of Member States. This procedure applies to situations in which a market surveillance authority is unable to bring their investigation to an end due to a lack of access to specific information available in another Member State despite taking all the appropriate steps to gain access to the information themselves,

or where bringing non-compliance with regard to a product to an end requires measures within the jurisdiction of another Member State.

Thus far, there have only been a few such requests for cross-border mutual assistance, but their number is expected to grow in the coming years.

3.4 Other EU-level cooperation

Finland's market surveillance authorities actively take part in various joint projects funded by the EU, such as the CASP projects²⁴ funded by the Commission and the EU-funded cooperation projects coordinated by PROSAFE²⁵. In projects focusing on product testing, activities target certain predetermined product sectors for which the market authorities of the involved Member States have performed market surveillance in their respective areas and chosen items for various laboratory tests and other purposes. The projects have also aimed to develop new surveillance methods and risk assessments, as well as encouraging the market surveillance authorities to share the best surveillance procedures among themselves.

Finland's market surveillance authorities engage in open and continuous discussion with the authorities of different Member States. Finland actively partici-

pates in Nordic cooperation and surveillance projects in various product sectors. Various cooperation forums and groups have been established to promote Nordic cooperation that involve the market surveillance authorities from Finland, Sweden, Norway, Denmark, and Iceland, depending on the sector.

The market surveillance authorities and the single liaison office for market surveillance are also active in other EU-level cooperation groups, seminars and workshops.

²³This section presents the information required under Article 13(2)(d) of the Market Surveillance Regulation (reference to Chapter VI).

²⁴The Coordinated Activities on the Safety of Products (CASP) projects make common testing activities possible among the market surveillance authorities of Member States, as well as the exchange of best practices related to market surveillance.

²⁵PROSAFE is a non-profit organisation established by European market surveillance authorities in 1991. The organisation's main objective is to strengthen European market surveillance by organising common surveillance projects and developing and promoting the best surveillance principles and tools that support the work and joint activities of the market surveillance authorities. The European Union funds the projects.

4. Exchange of information related to market surveillance

Under the Market Surveillance Regulation, the market surveillance authorities must enter certain information related to the products placed on the market in their territory into the information and communications system (ICSMS) maintained by the Commission if they have performed a in-depth check of compliance on the product. They must also report, if necessary, information on products entering the EU market for which the proceedings to release the product for free circulation have been suspended.²⁶ Through ICSMS, information on national market surveillance activities is passed on to the Commission and the market surveillance and customs authorities of other Member States. Finland has used ICSMS since 2012, and it is used by the market surveillance authorities mentioned in Table 1 (except for Finnish Medicines Agency Fimea, which uses a separate Market Surveillance System for medical devices) and Customs. The Market Surveillance System will be replaced by the EUDAMED system²⁷. The ICSMS system is also used to submit notifications in accordance with the safeguard clause procedure of certain product regulations of the Union's harmonisation legislation.

Under Directive 2001/95/EC on general product safety and the Market Surveillance Regulation, the market surveillance authorities have an obligation to report products presenting a serious risk to the Safety Gate system. Through the system, information on hazardous products is passed on to the Commission and the market surveillance authorities of other Member States. The public portal of the Safety Gate system is also used to inform consumers and other end users. In Finland, the Safety Gate system is used by all the market surveillance authorities mentioned in Table 1 (except for the Finnish Medicines Agency Fimea, which uses the Vigilance system for medical devices) and Customs. The Vigilance system will be replaced by the EUDAMED system.

The Safety and Chemical Agency (Fipoint) acts as Finland's national contact point for both the ICSMS and Safety Gate systems. By placing their contact points in connection with Finland's single liaison office for market surveillance, we can help improve the flow of information related to market surveillance from the Commission to the contact point and further to the national authorities.

In accordance with the Market Surveillance Regulation, the market surveillance authorities ensure a high level of transparency while performing their activities and make any information they consider to be relevant to protect the interests of end users in the EU available to the public. The market surveillance authorities should also respect the principles of confidentiality and professional and commercial secrecy and should protect personal data in accordance with EU and national law. It is important that consumers and other end users of products, businesses and the media are informed of market surveillance activities adequately and quickly.

Various corrective actions are announced on the common publication platform of market surveillance authorities, the separate websites of the authorities and in press releases. The publication platform contains information on products that have been found hazardous or otherwise significantly non-compliant with the legal requirements, and their sales have been restricted by administrative decisions. The register also includes information on the voluntary corrective measures of economic operators.

²⁶In accordance with recital 58 of the Market Surveillance Regulation, ICSMS should be used for information exchange that is considered useful for other market surveillance authorities. This could include inspections performed in connection with market surveillance projects, despite their results. We need to find a balance for the amount of information submitted to ICSMS between excessive effort (when submitting information creates more work than the actual inspections) and sufficient coverage that supports the effectiveness and impact of authoritative work. The information entered into ICSMS should therefore also cover inspections simpler than laboratory testing. However, it is unnecessary to include quick visual tests. As a general rule, you should enter tests that are documented separately in ICSMS as well.

²⁷European Database on Medical Devices: <https://ec.europa.eu/tools/eudamed>

APPENDIX 2 – PRODUCT SECTORS

Tables 2 and 3 contain all product sectors (regulations) covered by this strategy.

Table 2. Product regulations (product sectors) under the scope of the Market Surveillance Regulation (EU) 2019/1020 and included in this strategy

#	Product sector	Directives and regulations	Market surveillance authority in Finland
1	Medical devices and medical devices for in vitro diagnostics	Regulation (EU) 2017/745, Regulation (EU) 2017/746	Fimea
2	Cosmetics	Regulation (EC) 1223/2009	Tukes, Finnish Custom
3	Toys	Directive 2009/48/EC	Tukes, Finnish Custom
4	Personal protective equipment	Regulation (EU) 2016/425	Occupational safety and health authorities (STM and Regional State Administrative Agencies), Tukes
5	Construction products	Regulation (EU) 305/2011	Tukes
6	Aerosols	Directive 75/324/EEC	Tukes
7	Simple pressure vessels and equipment	Directives 2014/29/EU and 2014/68/EU	Tukes
8	Transportable pressure equipment	Directive 2010/35/EU	Tukes
9	Machinery	Directive 2006/42/EC	Occupational safety and health authorities (STM and Regional State Administrative Agencies), Tukes
10	Lifts	Directive 2014/33/EU	Tukes
11	Cableway installations	Regulation (EU) 2016/424	Occupational safety and health authorities (STM and Regional State Administrative Agencies)
12	Noise emissions from outdoor equipment	Directive 2000/14/EC	Ministry of the Environment, occupational safety and health authorities (Regional State Administrative Agencies), Tukes
13	Equipment and protective systems intended for use in potentially explosive atmospheres	Directive 2014/34/EU	Tukes
14	Pyrotechnic products	Directive 2013/29/EU	Tukes
15	Explosives for civil users	Directive 2014/28/EU	Tukes
16	Gas equipment	Regulation (EU) 2016/426	Tukes

17	Measuring instruments, non-automatic scales, pre-packaged products, measuring containers and units of measurement	Directives 2014/32/EU and 2014/31/EU, Directives 2007/45/EC, 75/107/EEC, 76/211/EEC and 80/181/EEC, Directive 2009/34/EC	Tukes
18	Electrical equipment (EMC)	Directive 2014/30/EU	Tukes
19	Radio equipment (RED)	Directive 2014/53/EU	Traficom, Tukes (safety), STUK (radiation)
20	Electrical equipment (LVD)	Directive 2014/35/EU	Tukes, STUK (radiation)
21	Electrical and electronic appliances (RoHS and WEEE), batteries and accumulators	Directives 2011/65/EU and 2006/66/EC, Directive 2012/19/EU	Tukes
22	Chemicals and products containing them	Regulation (EC) 1907/2006, Regulation (EC) 648/2004, Directive 2004/42/EC, Regulation (EU) 2019/1021, Regulation (EU) 517/2014, Regulation (EC) 1005/2009, Regulation (EC) 1272/2008, Regulation (EU) 2017/852	Tukes, Finnish Custom, SYKE (1005/2009 and 517/2014), occupational safety and health authorities (Regional State Administrative Agencies)
23	Ecodesign, energy labelling, and EU Ecolabel	Directive 2009/125/EC, Regulation (EC) 66/2010, Regulation (EU) 2017/1369, Directive 92/42/EEC	Tukes, SYKE ((EC) 66/2010)
24	Tyre labelling	Regulation (EU) 2020/740	Traficom
25	Recreational crafts	Directive 2013/53/EU	Traficom
26	Marine equipment	Directive 2014/90/EU	Traficom
27	Motor vehicles and tractors	Directive 70/157/EEC, Directive 98/70/EC, Directive 2000/53/EC, Directive 2005/64/EC, Directive 2006/40/EC, Regulation (EC) 715/2007, Directive 2007/46/EC, Regulation (EC) 78/2009, Regulation (EC) 79/2009, Regulation (EC) 595/2009, Regulation (EC) 661/2009, Regulation (EU) 167/2013, Regulation (EU) 168/2013, Regulation (EU) 540/2014, Regulation (EU) 2018/858	Traficom, Tukes (2000/53/EC), SYKE (98/70/EC)
28	Mobile machinery and equipment	Regulation (EU) 2016/1628	Traficom
29	Fertilising products	Regulation (EC) 2003/2003, Regulation (EU) 2019/1009	Finnish Food Authority
30	Biocides	Regulation (EU) 528/2012	Tukes, Finnish Custom
31	Textile and footwear labelling	Regulation (EU) 1007/2011, Directive 94/11/EC	Tukes
32	Crystal glass	Directive 69/493/EEC	-

33	Unmanned aircraft	Regulation (EU) 2018/1139, Regulation (EU) 2019/945, Regulation (EU) 2019/947	Traficom
34	Packaging and packaging waste	Directive 94/62/EC	Tukes
35	Tobacco	Directive 2014/40/EU	Valvira

With certain exceptions and conditions, the Government of Åland is responsible for the market surveillance of sectors 2–6, 8–10, 12–16, 18, 20–25, 27, 29–30 and 34–35 in Åland. In other sectors, the national surveillance authority has jurisdiction in Åland.

Table 3. External product regulations (product sectors) under the scope of the Market Surveillance Regulation (EU) 2019/1020 and included in the national market surveillance strategy

Product sector	Regulations (both harmonised and unharmonised sectors)	Competent market surveillance authority in Finland
General consumer goods	Directive 2001/95/EC	Tukes, Finnish Customs, STUK (radiation)
Single-use plastics (SUP)	Finnish Waste Act (646/2011), Government decree on certain plastic products (771/2021), Directive (EU) 2019/904	Tukes
Hazardous substances in objects (SVHC/ SCIP)	Directive (EU) 2018/851 amending Directive 2008/98/EC on waste, Chemicals Act 599/2013, Act amending the Chemicals Act 716/2021	Tukes, Finnish Customs
Plant protection products	Regulation (EC) 1107/2009	Tukes
Articles of precious metals	Act on articles of precious metals 1029/2000 Government decree on articles of precious metals 1148/2000	Tukes
Unharmonised construction products	Act on the Type Approval of Certain Construction Products (954/2012)	Tukes

APPENDIX 3 – CONTACT DETAILS OF THE MARKET SURVEILLANCE AUTHORITIES

Finnish Transport and Communications Agency Traficom:

www.traficom.fi

kirjaamo(at)traficom.fi

Finnish Medicines Agency Fimea:

www.fimea.fi

kirjaamo(at)fimea.fi

Finnish Food Authority:

www.ruokavirasto.fi

kirjaamo(at)ruokavirasto.fi

Ministry of Social Affairs and Health:

www.stm.fi

kirjaamo.stm(at)gov.fi

OSH divisions in Regional State Administrative Agencies:

www.tyosuojelu.fi

tyosuojelu.pohjois(at)avi.fi, tyosuojelu.lansi(at)avi.fi, tyosuojelu.ita(at).fi,
tyosuojelu.lounais(at)avi.fi, tyosuojelu.etela(at)avi.fi

Finnish Environment Institute (SYKE):

www.syke.fi

kirjaamo(at)syke.fi, markkinavalvonta__ecolabel(at)syke.fi,
markkinavalvonta__lpa(at)syke.fi

Radiation and Nuclear Safety Authority (STUK):

www.stuk.fi

stuk(at)stuk.fi

Finnish Safety and Chemicals Agency (Tukes):

www.tukes.fi

kirjaamo(at)tukes.fi

Finnish Customs:

www.tulli.fi

kirjaamo(at)tulli.fi

National Supervisory Authority for Welfare and Health (Valvira):

www.valvira.fi

kirjaamo(at)valvira.fi

Government of Åland:

www.regeringen.ax

registrator(at)regeringen.ax

Ministry of the Environment:

www.ym.fi

kirjaamo.ym(at)gov.fi



Finnish Contact Point for
Market Surveillance

 [fipoint\(at\)tukes.fi](mailto:fipoint@tukes.fi)