

Presence of market surveillance authorities at IFA 2019

Information for exhibitors

Tasks of the market surveillance authorities

The range of tasks performed by market surveillance authorities is prescribed by EU law and is clearly defined in the German Product Safety Act. These tasks include the following:

- The control and monitoring of products presented to the market to ensure compliance with current regulations
- Cooperation with all involved industry players in order to prevent the presentation of non-compliant products

As deemed necessary on a case-by-case basis:

- Reporting the presence of dangerous products to the general public, other (EU) Member States and to the European Commission
- If regulations are violated, introduction of measures aimed at achieving conformity, e.g. sanctioning of those responsible (manufacturers, official representatives, importers, possibly retailers)

Responsible authorities in Berlin

- The Berlin State Office for Health and Safety of Equipment (LaGetSi) is the market surveillance authority responsible for certain systems, devices and products in Berlin.
- For trade exhibitions in Berlin, LaGetSi tasks include **ensuring that CE marking regulations are enforced and/or devices that do not have a CE marking are properly identified**
- LaGetSi team members will be present at IFA on several days and will be **spot checking exhibition stands**
- Exhibitors of **products requiring a CE marking** are obligated to present the **required documents and declaration of conformity** when requested by LaGetSi officials
- Products that are **not properly marked or labeled** in compliance with EU regulations **may be confiscated** from the exhibition stand by LaGetSi officials. **Fines may also be imposed for violations** of §39 of the Product Safety Act

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CE marking requirements

- The CE marking on a product indicates that the manufacturer complies with the requirements of the European standards and laws
- The manufacturer is directly responsible for verifying this by completing a declaration of conformity
- A complete list of EU Directives pertaining to CE marking requirements is available on the Internet: http://ec.europa.eu/enterprise/policies/european-standards/harmonised-standards/index_en.htm
- The EU Directives have been implemented as **national laws** in the Member States. In Germany, for example, product safety is regulated by the **Product Safety Act** and electromagnetic compatibility by the **EMC Act (EMVG)**
- **Products that do not conform with CE standards are permitted for display** at trade exhibitions under the condition that they are **clearly marked with a sign** stating that the specific product will only be placed on the market in the EU when it is in full compliance with the required standards

Identifying products without the CE marking at IFA

- The following agreement was reached with the LaGetSi regarding products that do not have a CE marking (prototypes, design studies, etc.):

- A **clearly visible sign** with the following information (in **German and English**) must be placed near the product:

- *"Der Hersteller versichert, diese Produkte nur konform zu den Anforderungen des Produktsicherheitsgesetzes – ProdSG – und der Ökodesign Richtlinie in Verkehr zu bringen. "*

- *"The manufacturer assures that these products will be placed on the market only in compliance with the requirements laid down in the German Product Safety Act - ProdSG and Ecodesign directive. "*

- For small exhibition stands ($\leq 12\text{m}^2$) one sign per stand is sufficient

- For larger exhibition stands, each product on display, or each cluster of products (e.g. on a table or in a glass display case), must be clearly marked with a sign

The sale of products on display at the trade show is prohibited

- IFA is a trade exhibition intended solely for the purpose of presenting products
- Sales and/or delivery of products or objects on display is prohibited for the duration of the exhibition
- Based on the conditions of participation and the agreement signed with Messe Berlin, all exhibitors are obligated to abide by the 'no sale' rule (item 13 in the conditions)
- Market surveillance authorities will also be checking to ensure compliance with the regulations prohibiting sales
- Without the ban on sales, it would not be possible to present products at the IFA that do not meet EU standards (CE marking)

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Thank you for your attention!

Ruth Senitz
IFA Team Leader Global Sales

Messe Berlin GmbH
Messedamm 22
14055 Berlin

Telefon/phone: +49 (0)30 3038-2344
Fax/fax: +49 (0)30 3039-000-2344

senitz@messe-berlin.com
www.messe-berlin.com
www.ifa-berlin.com

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