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Douanes et sécurité des produits: coopération renforcée entre les administrations douanières et les autorités de surveillance du marché dans le domaine de la protection contre les produits dangereux importés

Les administrations douanières et les autorités de surveillance du marché de 32 pays (l'UE à 27, la Croatie, la Turquie, la Norvège, la Suisse et les États-Unis d'Amérique) ont décidé de coopérer plus étroitement en vue de protéger les ressortissants de l'UE contre l'importation de produits dangereux lors d'un séminaire financé par la Commission européenne et organisé par le ministère autrichien des finances, qui s'est tenu les 8, 9 et 10 avril 2008 à Saalfelden (Autriche).

M. Robert Verrue, directeur général de la DG Fiscalité et Union douanière, a fait la déclaration suivante: «Une coopération renforcée entre les administrations douanières et les autorités de surveillance du marché est d'une importance capitale pour garantir une meilleure protection des ressortissants de l'UE contre les importations de produits dangereux. En communiquant rapidement les informations utiles aux services douaniers, les autorités de surveillance du marché apporteront une aide précieuse aux douanes de l'UE pour détecter à un stade précoce les marchandises importées qui représentent un risque pour la sécurité des personnes, bien avant leur mise sur le marché.»

Les résultats dans le domaine des saisies douanières de marchandises de contrefaçon (128 millions d'articles saisis en 2006) montrent que les douanes disposent d'une expérience considérable dans la traque aux produits illicites avant le stade du commerce de détail.

Une série d'actions très concrètes ont été convenues pour mieux cibler les contrôles douaniers au moyen d'une coopération accrue entre les services des douanes et les autorités de surveillance du marché, en particulier dans le domaine de la gestion du risque. Il a notamment été convenu:

- de renforcer le réseau de coopération entre les douanes et les autorités de surveillance du marché au niveau international;
- de mieux cibler les contrôles sur les produits dangereux grâce à un échange accru d'informations concernant les risques; et

- de partager l'expérience, les connaissances et les meilleures pratiques dans le domaine de la coopération et des contrôles sur la base de lignes directrices.

Des actions pilotes concernant certaines marchandises et/ou secteurs à haut risque seront conduites pour tester et améliorer l'efficacité de la coopération.

Le séminaire a permis aux experts douaniers et de surveillance du marché de tous les États membres, des pays candidats (Croatie et Turquie), de la Norvège, de la Suisse et des États-Unis d'Amérique, pour la première fois à une si grande échelle, d'échanger leurs points de vue et leurs meilleures pratiques sur la coopération dans le domaine de la sécurité des produits.

Le séminaire est une action menée dans le cadre du programme Douanes 2013 ([IP/07/531](#)).

Pour plus d'information, veuillez consulter les conclusions du séminaire (voir p.3).

Veuillez [cliquer](#) ici pour obtenir des informations sur la sécurité des produits et le système d'alerte rapide pour les produits de consommation non-alimentaires (RAPEX).

Veuillez [cliquer](#) ici pour obtenir des informations sur le nouveau cadre législatif concernant la surveillance du marché.

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Conclusions

Customs 2013 Seminar

“Preventing Imports of Dangerous Products”

8 – 10 April 2008, Saalfelden, Austria

The seminar participants included Customs and Market Surveillance representatives from all EU Member States, the European Commission, Croatia, Turkey, Norway, Switzerland and the United States.

Recognising the increasing threat to public health and safety posed by imported dangerous products, participants considered that close co-operation between Customs and Market Surveillance authorities at all levels was key to increasing the effectiveness of controls to protect the public.

In order to further improve co-operation, and so increase the protection offered, the seminar recommended the following package of practical actions¹ to be implemented in the near future as well as issues for medium term consideration.

Political support and resource availability would be important to make significant progress.

The actions cover three key areas

- Enhancing the cooperative network between Customs and Market Surveillance authorities
- Improving risk management
- Sharing experience, knowledge and best practice on co-operation and controls

1. A Customs-Market Surveillance Co-operative Network

Greater general co-operation between Customs and Market Surveillance authorities at Community, national and local levels is recommended. The benefits of international co-operation should also be fully explored.

To do this, contact details should be exchanged. Furthermore, clear information on the format of this co-operation should be established in the form of guidelines.

Given the risk to public health and safety there is a need to ensure there is efficient co-operation at the Community level and a Community level mechanism to guarantee the relevant, targeted information is rapidly made available to Customs and Market Surveillance authorities in the most serious cases.

Recommended actions:

- Create a contact list of Customs and Market Surveillance experts.
- Produce guidelines to foster closer co-operation and best practices between Customs and Market Surveillance authorities.
- Ensure Community level response mechanisms are able to provide the relevant rapid information to the appropriate authorities.

¹ These recommendations result from the work of three working groups, whose more detailed proposals are attached.

2. Improving risk management and sharing experience

Before customs is able to inspect goods they must possess the necessary information to be able to select high risk consignments from the total traffic of goods. The rapid exchange of relevant, targeted risk information between Customs and Market Surveillance authorities is therefore vital to prevent dangerous products from being imported into the Community.

At present information is shared between the relevant authorities but it is often not sufficiently adapted to the recipients' needs.

Where appropriate, information included in the Market Surveillance systems, including RAPEX, should therefore be complemented by elements that allow Customs to target high risk consignments for controls. In these cases Market Surveillance authorities are encouraged to collect the relevant targeting information and provide it to Customs. The Commission should ensure the dissemination of this information at Community level using the existing information exchange and control mechanisms, in particular RAPEX (Rapid Alert System for non-food consumer products) and RIF (Risk Information Form). In addition, efforts should be made to further focus the exchange of information to ensure that Customs and Market Surveillance authorities receive the most relevant data elements. Where possible and appropriate, IT-systems should be interoperable.

Pilot actions are recommended to test the effectiveness of existing co-operation mechanisms. Feedback from such actions should be used to further develop co-operation.

Specific action should be taken to protect against the risk of re-importation of previously rejected dangerous products.

Recommended actions:

- Customs should provide Market Surveillance authority with details of the data elements they need to target high risk consignments.
- To test the possibility to improve targeting by Customs a short term pilot project should be initiated. The project could include the following:
 - ✓ establishing a list of the top 5 goods or sectors for increased joint action or controls;
 - ✓ provide targeting information for these goods or sectors;
 - ✓ joint implementation of the targeting information in the Member States;
 - ✓ feedback to report on the usefulness of the activity.
- In the light of the results of the pilot project consideration could be given to the creation of a Community risk profile (Common Priority Control Area) for further application in all Member States.
- Create indicative check-lists to facilitate customs controls and reduce the burden on administrations and businesses.
- Encourage joint training at the national and local level.
- In cases of serious risk where dangerous products are re-exported, customs should be notified and a suitable RIF issued.

3. Further action:

A working group of Market Surveillance and Customs experts should be established to support the follow-up of the above recommendations, in particular the production of guidelines to foster closer co-operation between Customs and Market Surveillance authorities and indicative check lists.

In addition, the possible benefits of further international co-operation should be explored.