Training seminar for distributors of cosmetic products

Introduction to market surveillance

Camden Court Hotel, 29th March 2012

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Overview

• What does it involve?
• Who carries it out?
• What happens at EU level?
• What does this mean for the Irish market?
What is Market Surveillance?
Stakeholders Involved

- IMB
- Customs
- HSE
- NCA
How does it work?

- National Cosmetics Surveillance Forum (NCSF) – IMB & HSE (EHO & PALS)
- Meet biannually
- Develop a market surveillance programme
- Proactive and reactive surveillance
- Proactive – risk based market surveillance plan
- Reactive – survey market for product that has been highlighted as posing a risk to consumers
Cooperation in market surveillance

- Products identified within the NCSF
- EHO samples product and sends to PALS
- Lab report circulated to EHO and IMB
- IMB risk assessment in cooperation with HSE and decide on future action
- IMB to contact RP or Manufacturer
- IMB/ EHO to contact Distributor
Key area for 2012 – tooth whitening

- Products containing up to 0.1% $\text{H}_2\text{O}_2$ can be made available to the consumer
- Products containing between 0.1% and 6% $\text{H}_2\text{O}_2$ can only be made available to dental practitioners
- Products containing >6% $\text{H}_2\text{O}_2$ **Prohibited**
- Distributors must ensure product meets requirements in terms of labelling and must only supply to dental practitioners
Labelling requirements for H$_2$O$_2$ > 0.1%

- Contains hydrogen peroxide
- Concentration of H$_2$O$_2$ present or released indicated as %
- ‘Avoid contact with eyes, rinse immediately if product comes into contact with them’
- Not to be used on a person under 18 years of age
- **To be only sold to dental practitioners.**
- For each cycle of use, the first use to be carried out only by dental practitioners
Stakeholders roles?

- Knowledge of legislation and your respective obligations
- Only place compliant product on the market
- Cooperate with the authorities for documentation and sampling requests as well as any corrective actions required
Products posing a risk

- IMB
- RP

- NCA
- HSE

- EU Commission
- Member States

Risk Assessment

Distributor

IMB

NCA
Products on the Irish Market

• If risk is deemed to be serious – RAPEX notification is completed
• Cooperative process involving
  • PAL report (CoA)
  • EHO completes RAPEX notification form and photographs product
  • IMB completes risk assessment form
• IMB sends all appropriate information to the NCA
• NCA notifies the EU Commission
RAPEX ALERTS

- EU rapid alert system for products posing a serious risk
- Measures ordered by CAs and taken voluntarily by distributors and producers are reported by RAPEX
- National Contact Point in each Member State
National Consumer Agency

• Manages Ireland’s input to the EU RAPEX system
• Recalls notified through RAPEX are listed on the NCA website
  http://www.nca.ie/nca/product-recalls
• Sign up to Product Recall RSS feed
http://www.nca.ie/product-safety
Dunnes Stores recalls soft toy farm animals

27 February 2012, 00:00:00

Dunnes Stores is carrying out a voluntary recall of a series of soft toys due to a potential safety issue which may cause the eyes to detach from the toys leading to a choking hazard.

The following toys are affected:

Mixed Soft Toy Farmyard Animals

- Style No. 62-78185, Black and White (cow), Yellow (chick), Pink (pig)
- Style No. 62-78187 Black and White (cow), Lemon (chick), Pink (pig), White (lamb)

Furry Soft Toy Farm Animals

- Style No. 62-78185, Black and White (cow), Grey (donkey), Pink (pig)
- Style Number 62-78164, Grey (donkey), Pink (pig), Brown (horse)
Online business notification process

• Producers and distributors have the option of notifying dangerous product via an online system

• Easier for businesses required to notify national authorities in a number of EU States at the same time.

• GPSD – Business Application Database

• Further information on NCA website:
Serious risk – RAPEX communication flow

- EU Commission – circulates RAPEX alert to Member States NCP
- NCA receives RAPEX alert
  - Sends to IMB for review
  - IMB risk assessment & circulates to EHOs & PALS as appropriate
- EHOs carry out surveillance & report back to IMB
• http://ec.europa.eu/consumers/dyna/rapex/rapex_archives_en.cfm
• Weekly overview published every Friday
RAPEX is the EU rapid alert system that facilitates the rapid exchange of information between Member States and the Commission on measures taken to prevent or restrict the marketing or use of products posing a serious risk to the health and safety of consumers with the exception of food, pharmaceutical and medical devices, which are covered by other mechanisms. Since 1 January 2010, as regards goods subject to EU harmonisation regulation, the system also facilitates the rapid exchange of information on products posing a serious risk to the health and safety of professional users and on those posing a serious risk to other public interests protected via the relevant EU legislation (e.g., environment and security). Both measures ordered by national authorities and measures taken voluntarily by producers and distributors are reported by RAPEX.

Every Friday, the Commission publishes a weekly overview of the products posing a serious risk as reported by the national authorities via RAPEX notifications. This weekly overview gives you all information on the product, the possible danger and the measures that were taken by the reporting country. (Disclaimer - Important notice concerning re-use of RAPEX notifications)

NEW

Enforcement is a top priority of the EU Consumer Policy Strategy 2007-2013. Both measures, leading to RAPEX notifications and measures which come to the attention of the Commission and other Member States as reactions are indications of enforcement activities by the Member State concerned.

In order to give a better overview on the overall level of enforcement, including the follow-up activities of the national market surveillance authorities, the Commission RAPEX team has decided to publish on the RAPEX website a list of the names of the countries that have found the notified product on their market and have taken appropriate measures (and have submitted a reaction to a RAPEX notification as a consequence).

Information about the reacting countries is available in the RAPEX weekly overview in the column "Products were found in country and measures were taken there". The Commission RAPEX team will publish reactions sent by May 2009 onwards to 2009 RAPEX notifications.

Have a look at latest notifications (published on 23-03-2012)

Besides, you can use the search tool by typing one or more keywords (e.g. toy, chemicals) and then the system will display all notifications containing these words.

2013

- Report 4 (published on 23-03-2013)
- Report 4 (published on 16-02-2013)
- Report 4 (published on 09-03-2013)
- Report 4 (published on 27-01-2013)
- Report 3 (published on 27-01-2013)
- Report 3 (published on 02-01-2013)
EU Activity in market surveillance

- Platform of European Market Surveillance Authorities in Cosmetics (PEMSAC)
- Representatives from Member States responsible for market surveillance
- Facilitate a cooperation framework
  - Coordination of activities
  - Exchange of information
  - Development of joint projects
  - Exchange of expertise and best practice
PEMSAC subgroups

• Analytical Methods Group
  • Development of analytical methods
  • Shared database of analytical methods
  • Screening method for detection of preservatives

• Market surveillance group
  • Vigilance for cosmetic products
  • Guidance on communication of SUE
  • Focus on use of nanomaterials in cosmetics
  • Campaign on skin bleaching products
Impact on our market

- Focus of PEMSAC influences Irish market surveillance programme
- Cooperation in method development
- Participation in EU campaigns and studies
- Network of support and expertise
In Summary

• Stakeholders – important to ensure product is in compliance with the legislation
• Must ensure informed of regulatory updates
• Market surveillance – carried out by a number of authorities in Ireland
• Must cooperate with the authorities
• Through compliance that we can ensure safe product is available to the consumer