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A look at the EU Market Surveillance Regulation

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The European Union has some of the world's most robust environmental, health and safety standards^[1] for products sold and imported into the market. Despite these strict regulations (e.g., Registration, Evaluation, Authorisation and Restriction of Chemicals; Restriction of Hazardous Substances) member states often acted individually when investigating violations and enforcing compliance. The EU lacked a union-wide mechanism that could help member states work together to solve compliance-related problems more efficiently.

Starting Jan. 5, 2021, however, member states can use the infrastructure and legal framework created by the Market Surveillance Regulation^[2] (MSR) to work together on regulatory enforcement and identify and enforce remediation for noncompliant products and equipment, which includes either bringing them into compliance or removing them from the market altogether.

The MSR does not introduce any new requirements for companies, nor does it request any new data. The regulation is strictly focused on creating the back-end tools necessary to help enforcement agencies around the EU access information quickly, collaborate with neighbor states, and quickly pinpoint high-risk industries and instances of product noncompliance. It does so in a few different ways.

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