Market surveillance statistics 2020

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Section 415 – Recognition of Conformity Assessment Bodies

MIC MRA WORKSHOP 2021

with kind permission of

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Section 412 – International Market Surveillance Issues

Introduction

- The COVID-19 pandemic affected the Bundesnetzagentur's market surveillance in 2020.

- As of March 2020, regional service operations were temporarily either fully suspended or were only possible to a very limited extent.

- Regional offices limited or suspended "on-site" inspections and products to be checked were procured by other means where possible (letter, e-mail, telephone)

- Comprehensive hygiene and social distancing rules ensured the necessary operations could be carried out on-site

- Checks were delayed due to social distancing and hygiene rules

- For this reason, the results can only be compared with those of previous years to a limited extent

Stay safe!!!

On-site market surveillance

Online market surveillance

Cooperation with customs

EU campaigns and test purchases

Summary and outlook

On-site market surveillance

On-site market surveillance

- 1,156 products with regard to EMC (58% less than 2019)
- Proportion of non-compliant products: 44% (2019=21.5%)

648

508*

461 — Non-compliant with formal requirements

96 — Non-compliant with technical requirements
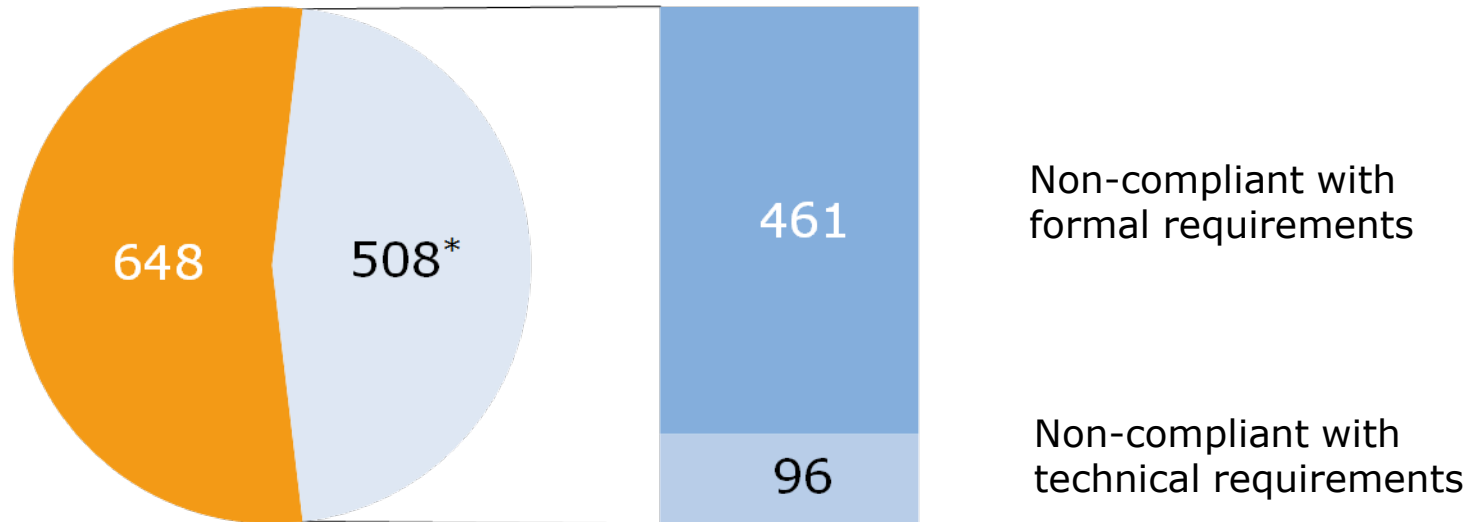
* Some products failed to meet both requirements

- 1,546 products with regard to RED (42% less than 2019)
- Proportion of non-compliant products: 60% (2019=48.2%)

613   933*

913 — Non-compliant with formal requirements

83 — Non-compliant with technical requirements
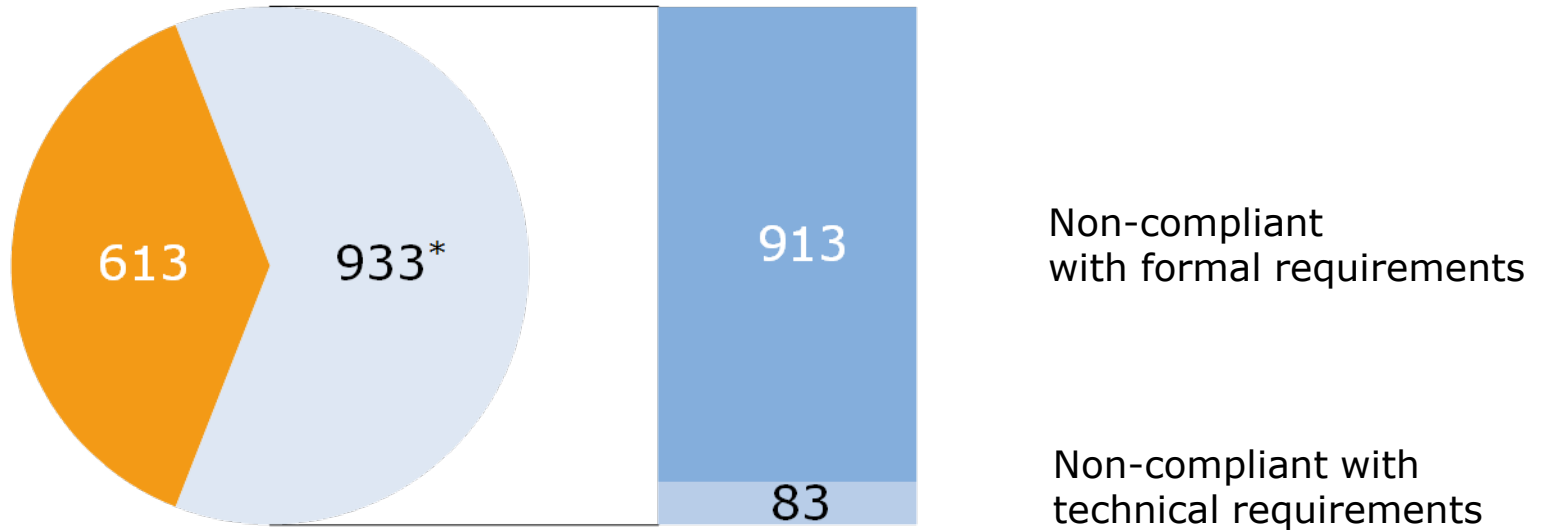
* Some products failed to meet both requirements

Risk assessment for EMC products
that have undergone technical checks for non-compliance

EMC

- low risk (L)
- medium risk (M)
- high risk (H)

47% · 34% · 19%
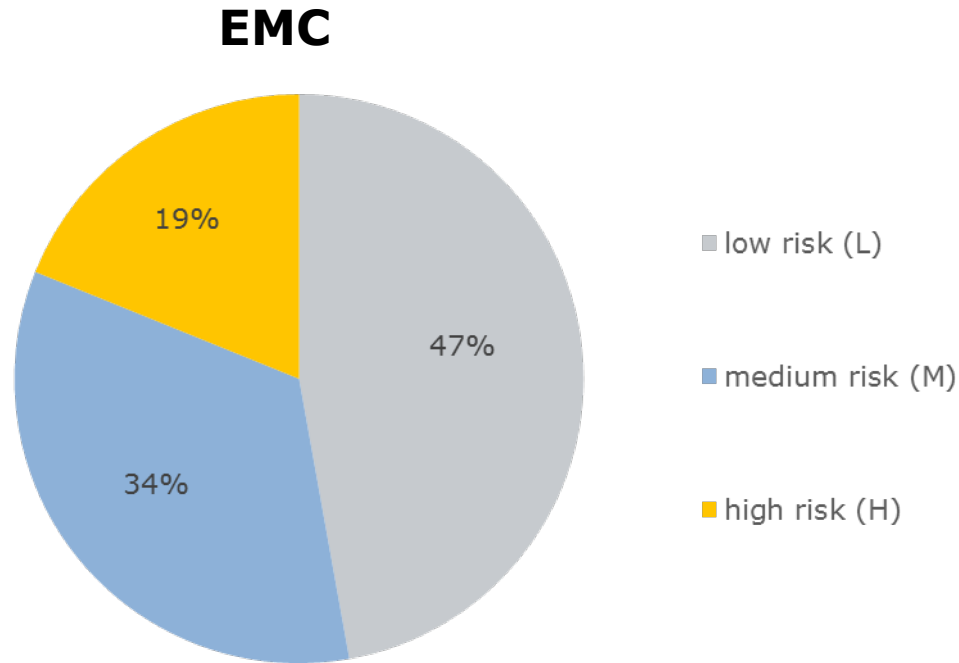
Risk assessment for RED products that have undergone technical checks for non-compliance (product safety only)

RED

- low risk (L)
- medium risk (M)
- high risk (H)

8%

15%

77%
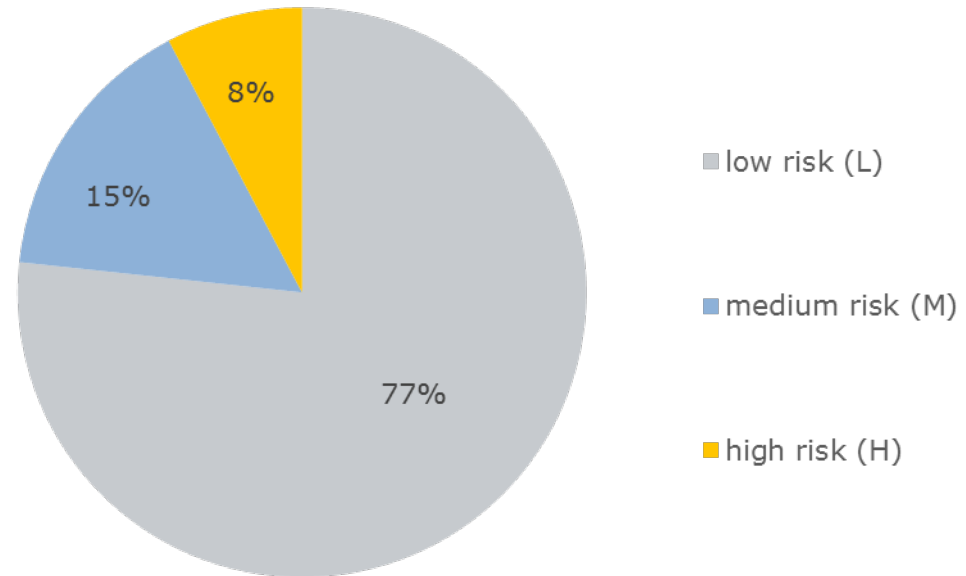
65 products were found to have safety deficiencies **at Kolberg test laboratory**[*1] and at the **external laboratory**.

[*1] At present, it is not possible to carry out a full technical test for device safety.

Results of e-Commerce investigations 2020

Chart legend: DE, EU, non-EU

Category	DE	EU	non-EU
2,090 distributors	23	45	2,022
2,142 stopped online offers	25	47	2,070
21,772,606 products	1,288	8,529	21,762,789

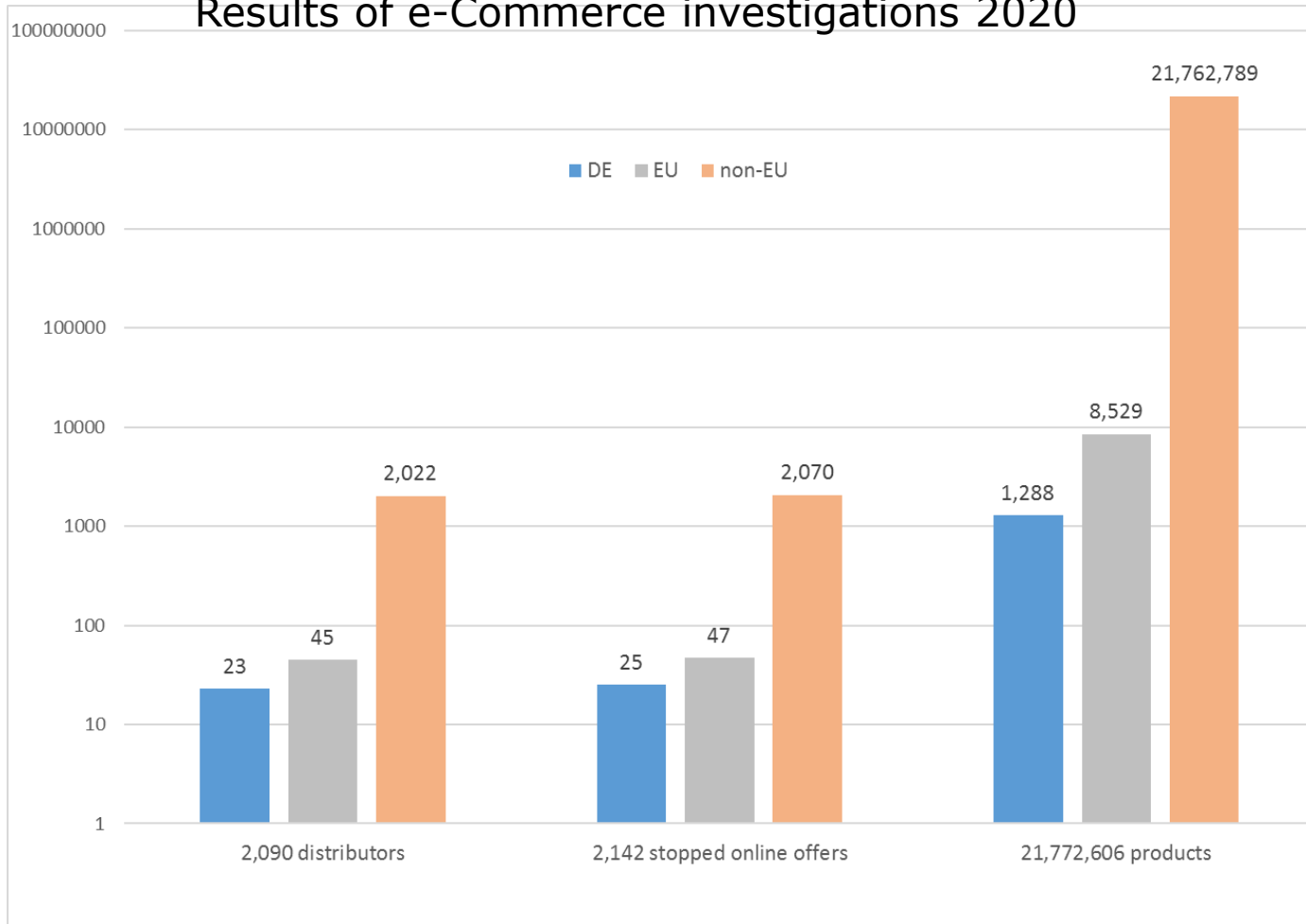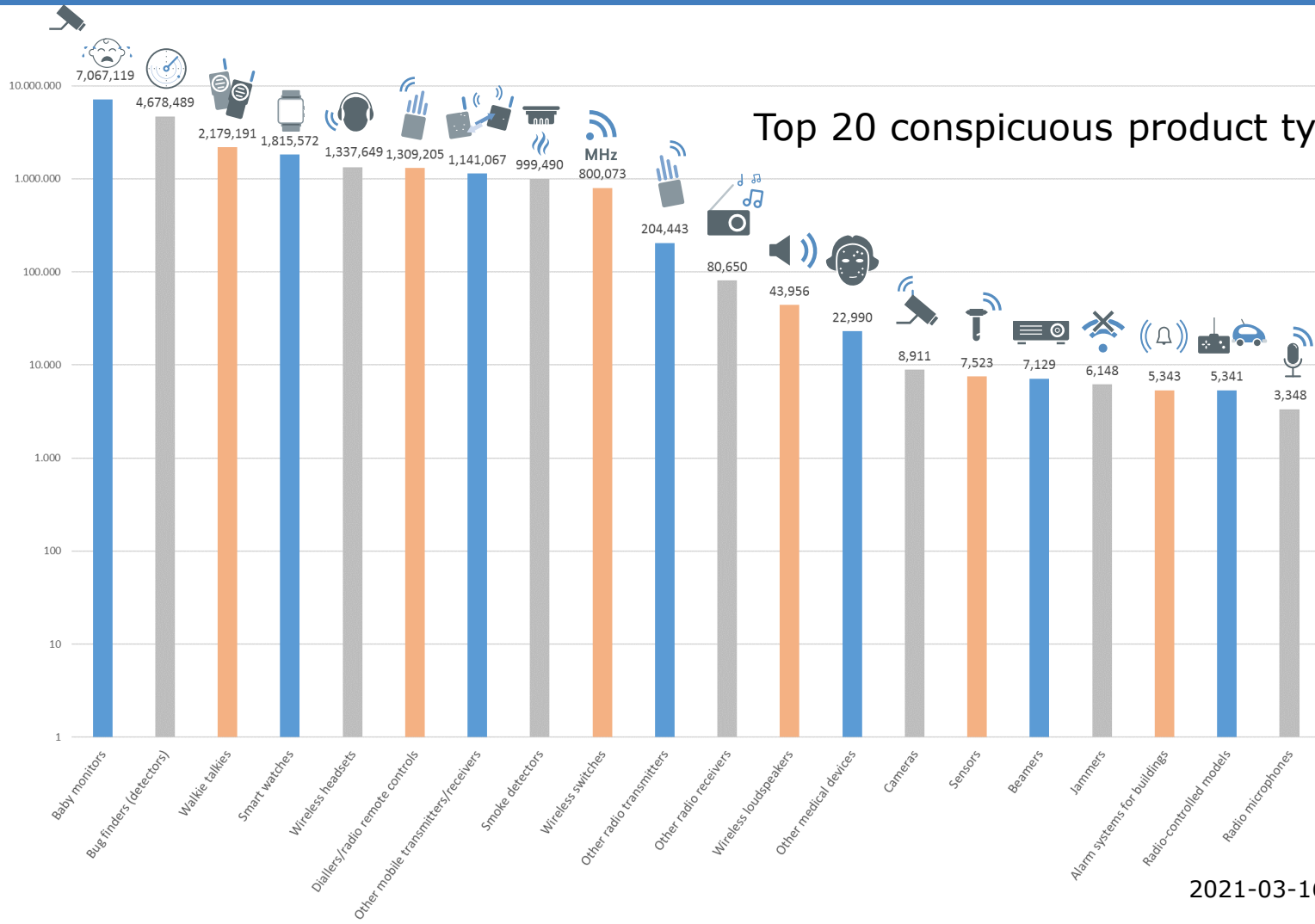Top 20 conspicuous product types

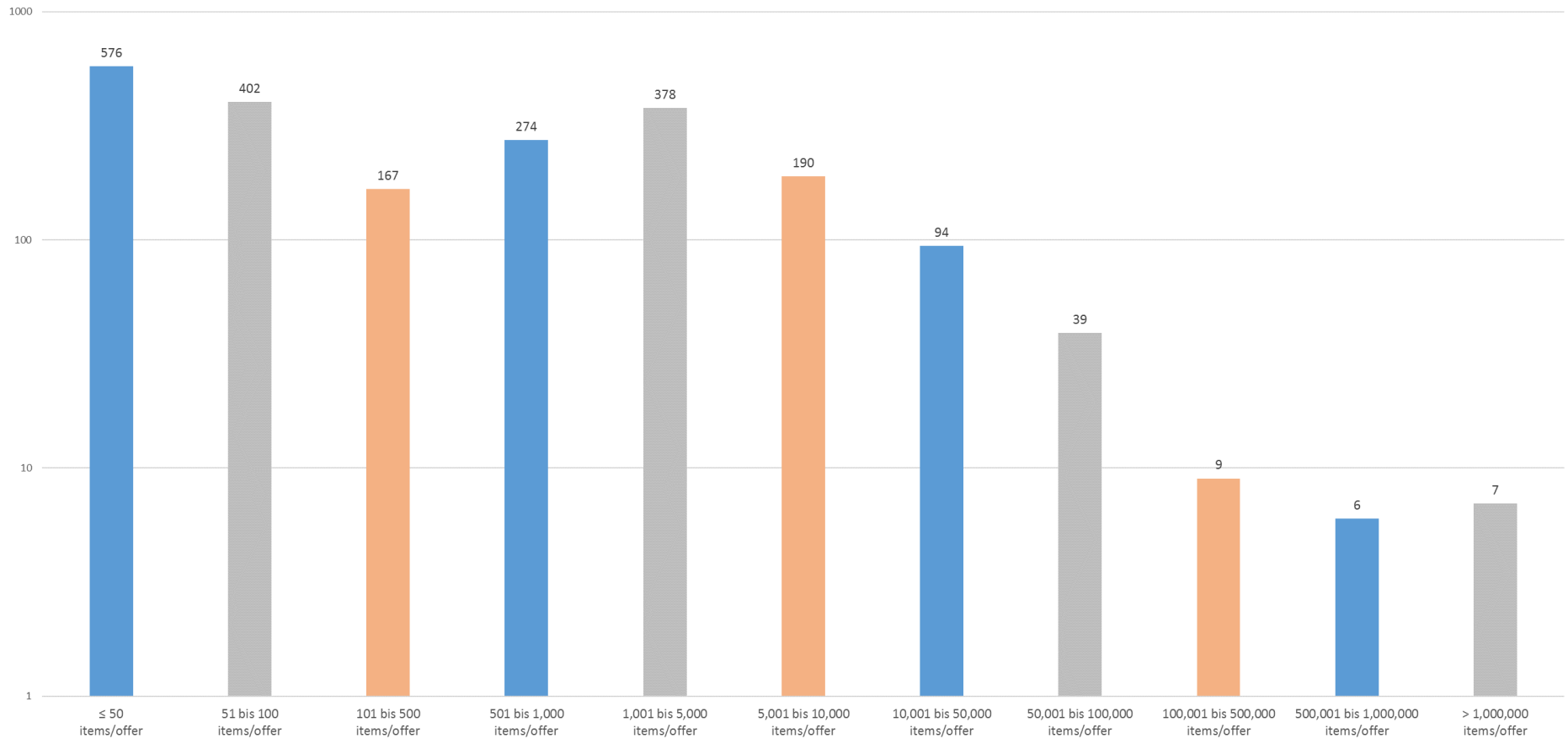| Product type	Value
Baby monitors	7,067,119
Bug finders (detectors)	4,678,489
Walkie talkies	2,179,191
Smart watches	1,815,572
Wireless headsets	1,337,649
Diallers/radio remote controls	1,309,205
Other mobile transmitters/receivers	1,141,067
Smoke detectors	999,490
Wireless switches (MHz)	800,073
Other radio transmitters	204,443
Other radio receivers	80,650
Wireless loudspeakers	43,956
Other medical devices	22,990
Cameras	8,911
Sensors	7,523
Beamers	7,129
Jammers	6,148
Alarm systems for buildings	5,343
Radio-controlled models	5,341
Radio microphones	3,348

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Overview of other banned products types 2020

Example: Baby monitor

- Formal requirements not or only partially met

- Missing operating instructions in German
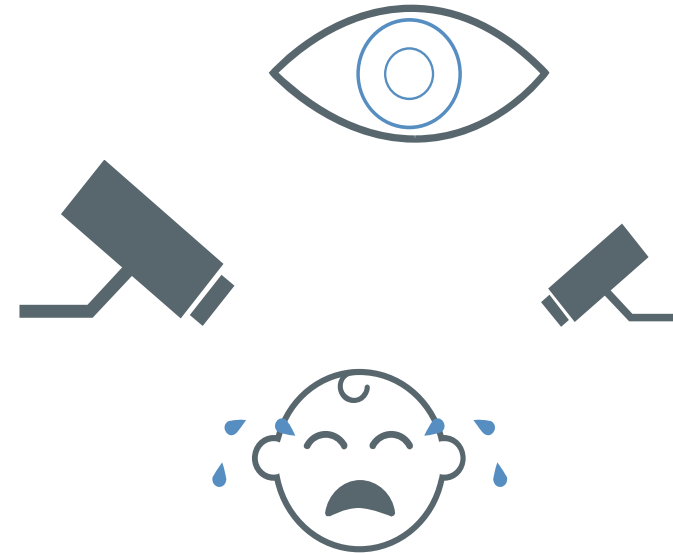
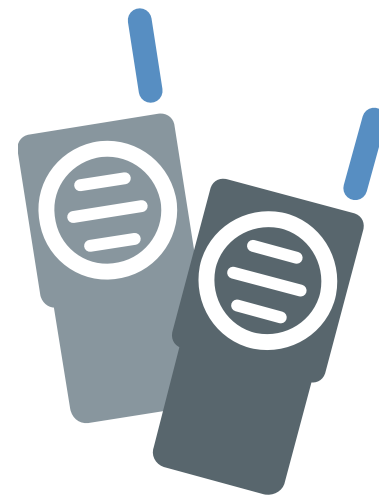# Example: Mini anti-spy detector/bug finder

- Formal requirements not or only partially met

- No German operating instructions supplied

- No power supply unit for Germany

Example: Walkie talkie

- Existing sales ban due to possible interference

- Device also non-compliant in other countries and subject to measures

- 8,832 suspicious shipments reported
  (32% less than 2019)

- Total number of products reported: 204,000
  (55% less than in 2019)

- 96% of the suspicious shipments (91% in 2019) were not
  given clearance for the European market

Reasons why fewer suspicious shipments were reported

- Customs' focus in 2020 shifted increasingly to checking PPE as a result of COVID-19

- Customs staffing was halved leading to customs officials working different shifts

- Customs issued clearance for more products overall in 2020 owing to a lack of resources

- Forwarding to "inland customs" was limited for capacity-related reasons

The situation is expected to return to normal in 2021

Examples of suspicious shipments flagged by customs
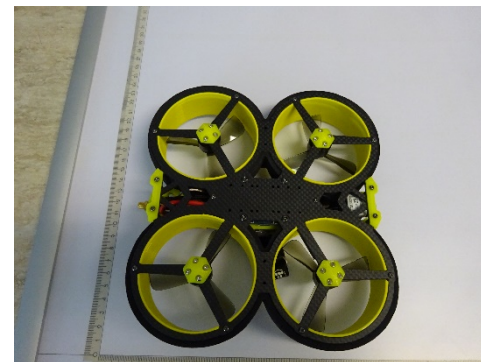
EU campaigns and test purchases

- The Administrative Cooperation group for European EMC Market Surveillance Authorities (AdCo) launched a joint campaign in 2020

- Target of the campaign: microwave ovens

- Report expected to be published in summer 2021

- AdCo for the Radio Equipment Directive (RED)
- Target of the campaign: Professional Mobile Radio (PMR)
  - 16 national market surveillance authorities formally inspected 86 products
  - This campaign was also delayed because of COVID-19; no final report is available yet

Test purchases in support of market surveillance activities

- The Bundesnetzagentur performs online test purchases to support the eCommerce and market surveillance activities at regional offices

- In 2020, a total of 63 test purchases were made (25 EMC, 38 radio systems)

- In 25 cases, test purchases were not possible

Test purchases carried out

- Out of 63 online test purchases carried out, 38 devices were delivered that subsequently underwent formal and/or technical checks

- 7 devices were deemed compliant following formal tests (18%)

- 31 devices had formal and/or technical defects (82%)

- 23 devices flagged by online market surveillance were blocked on the internet platform selling them

Example of test purchases

Video camera

Remote-controlled truck

Smart home alarm system

EMP jammer

Drone

Radar detector

- **772 market-restricting measures (excl. customs and Internet)**
  EMC:11 sales bans, 253 deficiency letters
  RED:20 sales bans, 488 deficiency letters

- **Number of non-compliant products facing market restrictive measures from**

  - On-site market surveillance   0.51 million
  - Online market surveillance   21.77 million
  - Cooperation with customs authorities   0.20 million

- **Total:**   **22.48 million**

- **Implementation of the new requirements set out in the Market Surveillance Regulation (EU) 2019/1020 by July 2021**
  - Specifically Article 4 of the Regulation regarding a designated economic operator in the EU (new fulfillment service provider) for 18 product sectors (Articles 4.5)
  - Adoption of the German Market Surveillance Act (Marktüberwachungsgesetz) (cabinet 10.02.2021)

- **Effects of BREXIT on market surveillance**

- **Development of a market surveillance app for citizens and companies** (initially for the EMC and radio product sectors with the aim of expanding to all product sectors)

- **Assist GIZ[1] with the publication about the German/European quality infrastructure system within the framework of the GPQI project implemented by the Federal Ministry for Economic Affairs and Energy (BMWi)**

[1] Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

- **Participate in market surveillance campaigns for EMC and radio**
  - USB chargers, prefabricated connector (cable) study, Internet of Things (IoT) in cooperation with customs authorities and Specific Absorption Rate (SAR)

- **Assist with the development (DK) and operation of a research tool using "Artificial Intelligence" (AI) in online market surveillance**

- **Cybersecurity; contribute to the drafting of a delegated act on the Article 3(3) RED**
  - d) Misuse of network resources,
  - e) User privacy, and
  - f) Fraud protection

- **Further information is available in the BNetzA 2021 project plan**
  - https://www.bundesnetzagentur.de/DE/Sachgebiete/Telekommunikation/Unternehmen_Institutionen/Technik/technik-node.html;jsessionid=56E3F9550203A1D7968D4CC3367AC55B#doc2

Bundesnetzagentur

Many thanks for your attention!!!

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