



Wednesday 24 April 2013

Mr. Vicente Garces-Ramon  
Member of the European Parliament  
European Parliament  
Rue Wiertz, 60  
B-1047 Brussels

**RE: Agenda for European Consumer Policy: Reject amendment 136**

Dear Mr. Garces-Ramon,

For members of the American Chamber of Commerce to the European Union (AmCham EU), safety is a key priority. AmCham EU would like to emphasise that our members share the rapporteur's view that the promotion and protection of consumer rights are core EU values.

In that context, consumer protection deserves all our attention to ensure the consumer's trust in the market and in our brands. Safety has built the reputation of our members' products, services and brands for decades. Losing the confidence of the consumer directly translates into the loss of market shares.

AmCham EU strongly believes that making third party testing mandatory is not proportionate to the objectives stated by the rapporteur. Third party testing will add burden and costs onto responsible manufacturers, in particular SMEs, with no proven benefit in terms of improving consumer safety.

**Amcham EU calls for the rejection of AM 136 by Evelyne Gebhardt on the need for independent product certification.**

Our members invest considerable resources to ensure that their products meet or exceed relevant legislation and related standards of health, safety and environmental protection in Europe. Indeed, our members operate in a global environment and therefore have to meet the strictest safety standards. Responsible manufacturers already use testing as a means of verifying conformity of a product with applicable safety requirements and it is typically performed early in the design and development process. Mandatory testing and certification of final products cannot make the product any safer; it only verifies conformity with technical requirements.



In our view, only a solid quality assurance scheme and processes provide the highest safeguards to the European consumer. Testing is just one element of this process. In other words, quality assurance and management systems are more comprehensive than testing in achieving a high level of product safety. Furthermore, quality assurance processes are regularly audited to ensure their highest level of compliance.

Ultimately, the manufacturer is legally responsible for placing compliant products on the market and can face penalties and sanctions, which act as an effective deterrent. The upcoming revision of the product safety package will also strengthen consumer safety, improve market surveillance and increase the obligations for each economic operator.

Rogue traders will continue to refuse to play by the rules and the burden will be borne by responsible players, putting them at a competitive disadvantage. Consumers will also have to pay for a higher price.

Against this background, we strongly believe that independent product certification will have unintended consequences and should therefore be opposed. We trust you understand the importance of the matter and look for your support.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Imelda Vital', written over a light blue grid background.

Imelda Vital  
Chair of the Consumer Affairs Committee, American Chamber of Commerce to the EU

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*AmCham EU speaks for American companies committed to Europe on trade, investment and competitiveness issues. It aims to ensure a growth-orientated business and investment climate in Europe. AmCham EU facilitates the resolution of transatlantic issues that impact business and plays a role in creating better understanding of EU and US positions on business matters. Aggregate US investment in Europe totalled €1.9 trillion in 2012 and directly supports more than 4.2 million jobs in Europe.*

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