

PRODUCT SAFETY MONITORING

The goal of the Product Safety Act is to ensure that consumer goods and services do not present a risk to consumers' health or property. Traders bear primary responsibility for the safety of products. The Consumer Agency, Customs, the state provincial offices and local authorities are responsible for ensuring that traders comply with their obligations. Consumer matters fall within the scope of the Ministry of Trade and Industry.

The present audit investigated whether product safety monitoring has worked in the way required by legislation and how successfully the Consumer Agency and the state provincial offices have supervised local authorities in this area. State authorities spent about a million euros on tasks related to product safety monitoring in 2002.

The main conclusion was that the product safety monitoring system does not work. It has substantial shortcomings and unclear points which hamper monitoring and the achievement of the Product Safety Act's goal. In the opinion of the State Audit Office, entirely new solutions should be considered with regard to how product safety monitoring is organized.

Monitoring at the practical level is supposed to be based largely on local authorities' own activities. Local authorities did not appear to be aware of this, however, and in practice this task was not fulfilled. Most local authorities' investments in monitoring have been clearly below the minimum level set by the Consumer Agency, and local authorities' own activities have been negligible. Some local authorities have not conducted monitoring at all. It has also been unclear what legislation actually requires of local authorities. In the light of interpretations presented by supervising and implementing authorities during the audit, monitoring in many local authorities does not meet statutory requirements.

Reliably evaluating the need for monitoring has been impossible and the selection of focuses has been uncertain, since information concerning damage caused by goods or services or other research or monitoring data regarding hazardous goods or services has not been available. Local authorities have also estimated the need for monitoring at a significantly lower level than the Consumer Agency. With Finland's system of local self-government, this does not create proper conditions for the successful supervision of monitoring.

State authorities have generally reckoned that the need for monitoring has increased in recent years. The audit indicated that investments in monitoring have apparently been falling, however. Local authorities have been forced to prioritize tasks. Product safety monitoring has not been considered as important as tasks under the Health Protection Act and the monitoring of food safety, for example. Inadequate information regarding state authorities' expectations and focuses together with the broad scope of monitoring work and faulty expertise have also made things more difficult.

Product safety monitoring has not been supervised in an active and thorough way, although the Consumer Agency has devoted more attention to supervision recently. One indication of the passive approach to supervision is that local authorities have not been aware of key principles which the Consumer Agency considers important in product safety monitoring at the local level. The gap between the Consumer Agency's expectations and reality has been wide. Monitoring has not been proportional to municipalities' size, industrial structure or risks. Some small rural municipalities have invested much more in monitoring than some large cities.

A direct evaluation of the effectiveness of monitoring cannot be presented on the basis of the audit. State supervising authorities have considered effectiveness to depend largely on monitoring by local authorities. Against this background effectiveness cannot be given a good mark. The Consumer Agency believes that some home and leisure accidents have been caused by goods and services which do not comply with regulations and guidelines and

that even limited monitoring has to some extent prevented health risks, accidents and even fatalities. Detailed monitoring information is not available, however.