



Brussels, 6th December 2011

Joint Market Surveillance Action on Food Imitation Products

CALL FOR TENDERS FOR TEST LABORATORIES

In 2010, PROSAFE became the co-ordinator for the Joint Market Surveillance Action on Food Imitation Products. More information on the joint action can be found in the following file:



Grant Agreement JA
FIPS

The joint action started in December 2010 and will end in June 2012.

PROSAFE (officially called Stichting PROSAFE, a foundation under the Dutch law), is a non-profit organisation established to coordinate joint activities between market surveillance authorities and their enforcement officers, who deal with the safety of non-food products.

The first formal meeting of the group was in 1990. Since that time, most EU-Member States and EFTA (the European Free Trade Association) countries have been represented at meetings. PROSAFE is presently also undertaking the project EMARS, "Enhancing market surveillance through best practice". More information can be found at the website www.prosafe.org.

The joint action is organised as follows:

- The Board of PROSAFE is responsible for the general management including the overall financial responsibility.
- An external consultant, Mr. Fabio Gargantini, has been selected to act as Project Coordination.
- The financial administration is handled by the PROSAFE Secretariat

An important part of the joint action is testing of a number of Food Imitation Products. The grant agreement of the joint action foresees also a budget for tests on a minimum number of 35 products.

The budget should cater for testing of samples provided from the following Countries: Austria, Cyprus, Greece, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovak Republic. In addition Bosnia and Herzegovina and Turkey are participating out of the financial scheme

Further testing might be requested by individual Member States, but will be outside the financial scheme of the action.

Furthermore, the task might include participation of the selected laboratory, at its own full charge, in one or more project meetings that are normally held in Brussels to give input and to reply to the Member States questions on test methods, sampling, test results, etc.

PROSAFE is calling for one or more laboratories to undertake this task.

It is emphasized that PROSAFE may choose to assign the testing to more than one laboratory depending upon the received tenders.

Requirements that the laboratory shall fulfil to participate to the selection phase are:

1. Ability to carry out the tests required.
2. Full independence from manufacturers, importers or other economic operators in the market for such Food Imitation Products.
3. Excellent active and passive knowledge of the English language. (Preferably good knowledge of other official European languages.)
4. The testing is envisaged to start in March 2012 and will end at latest by the end of May 2012. Certain flexibility may however be needed.
5. The contract with the selected laboratory will be signed under Belgian or Dutch legislation.
6. The Laboratory should be able to meet the requirements under the section entitled "Additional Information" further below
7. Fulfilling Management and Technical information in the following items A.1 to A.13
8. Accreditation according to EN 17025 or similar will be considered as a positive discriminating factor
9. **The capability of carrying out all the tests required will be considered as a positive discriminating factor**

Taking into consideration Council Directive 87/357/EEC of 25 June 1987 concerning products which, appearing to be other than they are, endanger the health or safety of consumers, the purpose of the testing is to clarify whether chemicals are part of the investigated Food Imitation Products and if such products are unsafe enough and contain substances that may cause poisoning or chemical pneumonia if ingested and may need that the authorities will take prior action against them.

In addition the Laboratory shall perform a verification of the possibility of ingesting small detachable parts and/or of biting parts of the Food Imitation Product and ingesting the material with the consequent risk of choking or ingestion of chemical substances .

Therefore the tests shall focus on the requirements that are most important for the safety and on the characteristics that may cause the above mentioned consequences.

Examples of chemicals that may be present in Food Imitation Products are listed in the following table:

Household chemicals	Disinfectants, Sodium hypochlorite, Hydrogen peroxide
<u>Cosmetics and toiletries</u>	Aftershave lotions, cologne, perfume, shampoo, soap bar, hair remover
<u>Detergents:</u>	Washing-up liquid, Fabric conditioner, Automatic washing/dishwashing liquid

Each laboratory is requested to send detailed quotes in the form of rates for testing of each of the type of Food Imitation Products, splitting the quote for chemical tests and the quote for mechanical tests. Quotes shall include the delivery of a Test Report for each of the tested Food Imitation Products, with pictures of the products tested and due description of the products tested and of the test findings.

Any additional information from the laboratory is more than welcome in order to be able to better ascertain the services being offered.

Interested candidates must describe and give evidence of their qualifications and experience in line with the above mentioned requirements. The tender must also specify the price for each of the above tests per one model/batch of samples.

The selection will be based on the following criteria:

- Experience with testing of Food Imitation Products.
- Formal qualifications (e.g. Accreditation).
- Price (Inclusive of VAT)
- Delivery time.
- Terms of delivery.
- Ability to supply additional services to the joint action.
- General impression of the laboratory's ability to undertake the job.

Further information regarding the task and the selection procedure can be obtained from the coordinator for the joint action:

Fabio Gargantini

Joint Action Coordinator
c/o PROSAFE Secretariat
EFTA Building
Rue Joseph II 12-16
1000 Brussels
tel/fax: +39 039 9284806 mobile: +39 348 6090854
email: garganti@inwind.it or fabio.gargantini@prosafe.org
<http://www.prosafe.org>

Additional Information that have to be confirmed by the Laboratory:

Management requirements

- A.1 It is the responsibility of the laboratory to carry out its testing and calibration activities in such a way as to meet the respective requirements of the tender specifications.
- A.2 The laboratory shall have managerial and technical personnel who have the authority and resources needed to carry out their duties.
- A.3 The laboratory shall provide adequate supervision of testing and calibration staff by persons familiar with methods and procedures, purpose of each test and/or calibration, and with the assessment of the test or calibration results.
- A.4 The laboratory shall establish and maintain procedures for the review of requests. The policies and procedures for these reviews leading to a contract for testing and/or calibration shall ensure that the laboratory has the capability and resources to meet the requirements.
- A.5 Any differences between the request and the contract shall be resolved before any work commences.
- A.6 The project coordinator shall be informed of any deviation from the contract.
- A.7 The laboratory shall establish and maintain procedures for identification, collection, indexing, access, filing, storage, maintenance and disposal of quality and technical records.
- A.8 The laboratory shall have procedures to protect and back-up records stored electronically and to prevent unauthorized access to or amendment of these records.

Technical Requirements

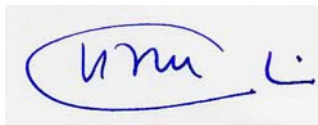
- A.9 The laboratory management shall ensure the competence of all who operate specific equipment, perform test and/or calibrations, evaluate results, and sign test reports and certificates. When using staff that undergoes training, appropriate supervision shall be provided. Personnel performing specific tasks shall be qualified on the basis of appropriate education, training, experience and/or demonstrated skills, as required.
- A.10 Laboratory facilities for testing and/or calibration, including but not limited to energy sources, lighting and environmental conditions, shall be such as to facilitate correct performance of the tests and/or calibrations.
- A.11 All equipment used for tests and/or calibrations, including equipment for subsidiary measurements having a significant effect on the accuracy or validity of the result of the test, calibration or sampling, shall be calibrated before being put into service.
- A.12 The laboratory shall have experience in the field of testing
- A.13 The laboratory shall have experience in performing tests related to Food Imitation Products according to the standard/testing methods listed in the Table above and shall be able to duly interpret the results of the tests.

By answering to this call for tenders the laboratory implicitly gives his allowance to representatives of the joint action that will be indicated by the Joint Action Coordinator to visit the laboratory prior the final decision on the laboratory that will be selected for carrying out the tests and to attend full or parts of the tests.

Tenders shall be sent to the coordinator of the joint action at the above mentioned address preferably by E-mail or, alternatively, by mail and have to be received not later than January 6th 2012 12:00 PM CET.

Tenders that will be received after that date will not be considered.

With best regards,



Nicolaas Olie
Executive Director of PROSAFE