

JOINT MARKET SURVEILLANCE ACTIONS 2015 ON **PRODUCT** SAFETY

GPSD 2001/95/EC



LAYMAN'S REPORT

Joint Market Surveillance Actions on
General Product Safety Directive (GPSD)
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Disclaimer

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THE PROJECT

Joint Market Surveillance Actions on GPSD Products 2015 (JA2015)

Duration: 26 months (April 2016 - June 2018)

Participating Member States: 35 Market Surveillance Authorities (MSAs) from 27 countries across Europe (Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom).

Coordinating beneficiary: PROSAFE

Total Budget: €3.121.751

Co-financing: €2.185.044 funded by the European Commission (EC)

Five Product Activities:

- Soothers and soother holders;
- Plasticised toys;
- Playground equipment;
- Power Tools, circular saws;
- Blenders, mixers and toasters.

About the GPSD:

The aim of the General Product Safety Directive (GPSD) 2001/95/EC is to ensure that only safe products are made available on the market. The GPSD applies in the absence of other EU legislation, national standards, Commission recommendations or codes of practice relating to safety of products, complementing sector-specific legislation. Specific rules exist for the safety of toys, electrical and electronic goods, cosmetics, chemicals and other product groups.

The GPSD establishes obligations for both businesses and Member State authorities. Businesses should place only products which are safe on the market and inform consumers of any risks associated with the products they supply. They have to make sure that dangerous products present on the market can be traced and removed.

THE CHALLENGE

The European Single Market is one of the greatest achievements of the European Union (EU). The Single Market envisages the EU as one territory without any internal borders or other regulatory obstacles to the free movement of goods and services. A functioning Single Market stimulates competition and trade, improves efficiency, raises quality, and helps cut prices.

The EU's primary objective is to ensure the free movement of goods within the market, whilst setting high safety standards for consumers and the protection of the environment.

Looking for a product to buy in a shop or on the internet is a commonplace activity for consumers throughout Europe.

The Joint Actions target seemingly non-compliant products found on the market, testing them for possible risks to health and safety of consumers.

Market surveillance plays a crucial role in the field of consumer product safety as even the best rules are worth little, if they are not enforced properly. Effective market surveillance is important not only to protect consumers from dangerous products, but also to ensure a level playing field for reputable businesses.

The Member States, through their appointed national authorities, are responsible for market surveillance. They check whether products available on the market are safe, ensure product safety legislation and rules are applied by manufacturers and businesses throughout the supply chain and apply sanctions when necessary.

MSAs cooperate closely with customs authorities, who play a major role in protecting consumers from unsafe products coming from outside the EU.

Member States send information about dangerous products found on the market to the Rapid Alert System for non-food dangerous products (RAPEX). RAPEX is a cooperation tool developed to enable rapid communication between EU and European Economic Area (EEA) authorities about dangerous products, allowing them to be traced everywhere on the European market. Third countries like China and international institutions are also involved.

THE MISSION

The primary objectives of the action were to continue creating the conditions, whereby Member States can cooperate effectively on product-specific market surveillance activities, while generating results to be exploited by as many Member States as possible.

In particular, the **primary goals of JA2015** were to:

- Build on the work undertaken within previous Joint Actions and thereby increase the safety of products;
- Ensure that products examined are safe in use;
- Take corrective actions if and where necessary;
- Remove unsafe products from the market;
- Ensure that instructions for use, technical files and declarations of conformity (DOC) are adequate;
- Continue to support and enhance the harmonisation of market surveillance across the European Economic Area (EEA) within the product sector.

How we achieved these goals? By:

- Researching national markets and using the collated data for determining sampling criteria;
- Sampling from online retailers as well as shops with intelligence or assistance from customs;
- Submitting products for testing at accredited testing laboratories in the EU;
- Carrying out risk assessments using the EC's RAG tool;
- Undertaking follow-up actions, including administrative activities on non-conforming products;
- Reporting on follow-up actions taken to improve safety for consumers across Europe and beyond.



MAPPING THE PROCESS

JA2015 comprised **three** groups of activities:

1. Product-specific, or vertical: purporting to increase the safety of a specific product or product category;
2. Horizontal: these are attempting to develop methodologies and capacity to support the market surveillance work, including:
 - Risk assessment;
 - Continuous Improvement of Market Surveillance
 - Development of E-learning tools
 - Methods of addressing new and emerging Issues
 - Impact Improvement of the Joint Actions
 - Further development of market surveillance best practices, e.g. Operation of Rapid Advice Forum, Knowledge base
 - Cooperation with Customs
 - Organisation of Market Surveillance Workshop.
3. Project management and coordination activities that are responsible for encouraging a consistent approach throughout the entire project and ensuring the effectiveness and delivery of results according to the legal requirements and contractual obligations.

All JA2015 product-specific activities went through the following **six** stages:

1. Risk and market analysis:

An analysis was carried out on each product-specific group with regards to the nature of the market and the risks posed by the products.

2. Deciding on sampling criteria:

The Joint Action decided on how the MSAs shall carry out sampling. This phase included the development of checklists to guide the Member States sampling products that were most likely to fail, encompassing the best practices regarding the sampling of a particular product.

3. Sample products:

The MSAs acquired products according to the criteria defined at the previous stage. They visited manufacturers, importers, wholesalers and retailers to collect products. Their actions were coordinated and reported at Action level.

4. Test products at a laboratory:

The Joint Action decided which of the sample products had to undergo tests at an accredited laboratory, which had been previously selected through a call for tender. The Member States were advised how to send their products for testing.

5. Risk assessment:

The participants discussed a common set of principles for risk assessment to ensure that the results are harmonised to the largest extent possible. The MSAs then carried out the risk assessment for the products based on these principles and reflecting their local conditions.

6. Follow-up on non-compliant products and exchange information:

MSAs followed up towards the economic operators in their countries, i.e. they consulted the economic operators on the results from the risk assessment, agreed on appropriate measures and ensured that these measures were implemented. Results were reported to the Joint Action and shared with all participating MSAs, not only with those involved in the particular product-specific activity. A range of Actions can be seen in *Figure 3*.



Figure 1 - JA2015 Process

▼
1,041

products have been sampled and tested in total

JA2015 KEY STAGES

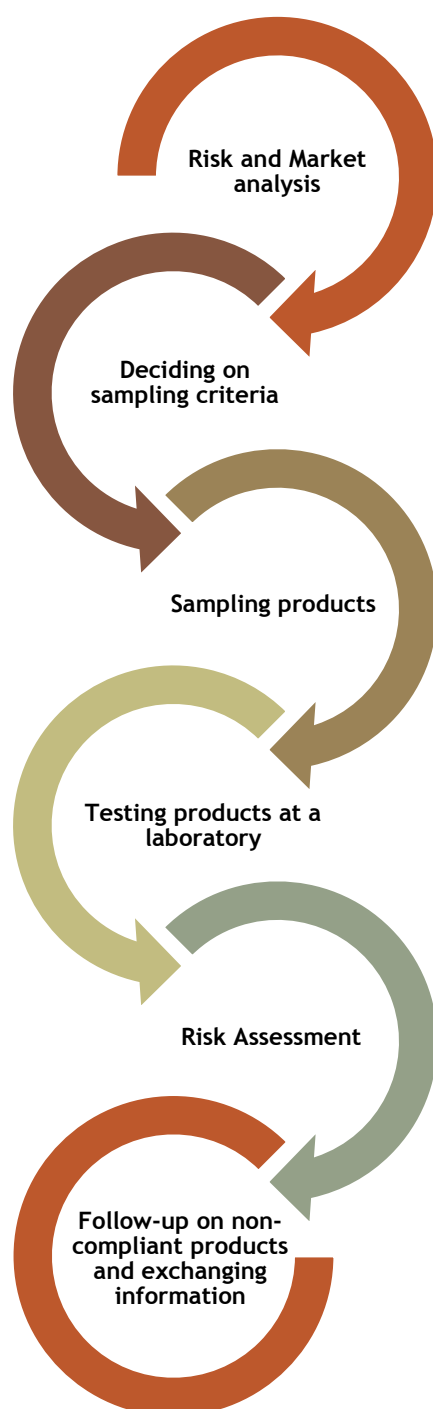


Figure 2 - Key stages

FOLLOW-UP ACTIONS AVAILABLE TO THE MSAs

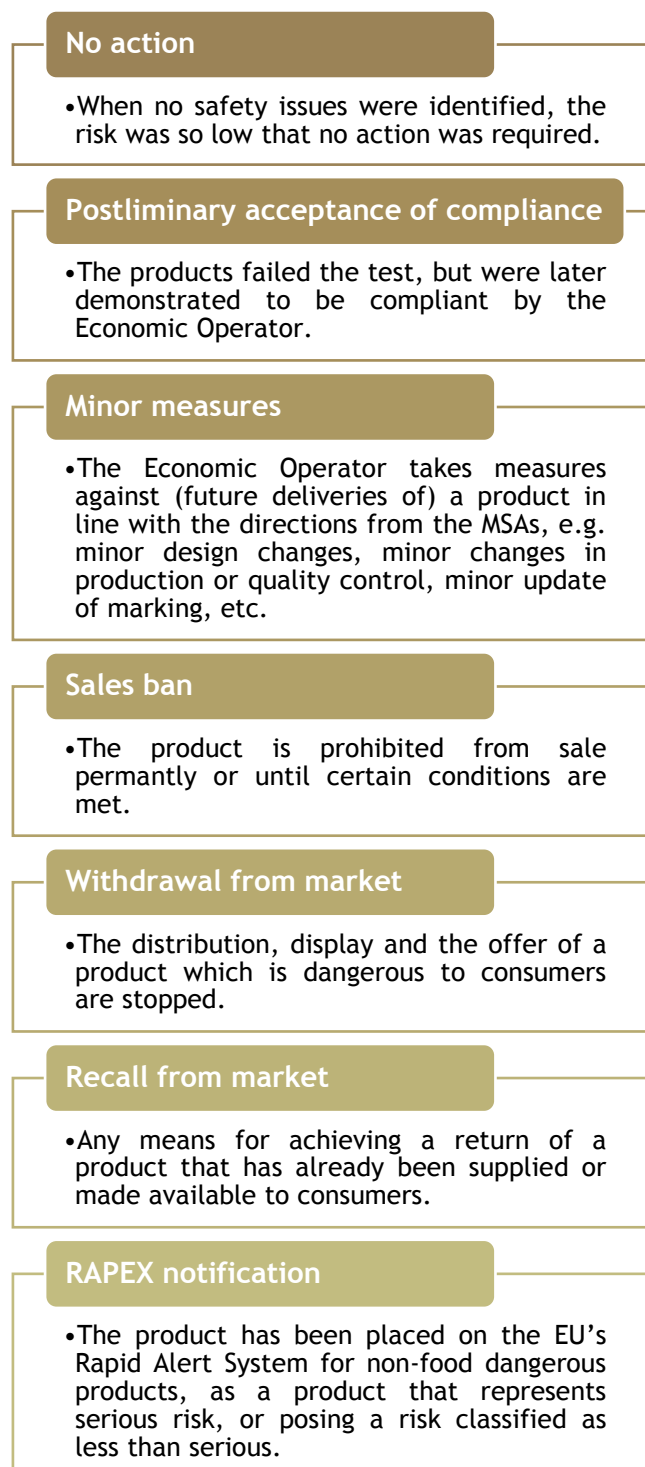


Figure 3 - Available follow-up action

ACTIVITY RESULTS

The Joint Actions provide added value in many different ways. With so many Member States working together the Activity reflected a truly pan-European survey of the marketplace.

Overall, JA2015 made a significant contribution to achieving a high level of consumer protection and a level playing field for all Economic Operators across Europe. The sheer volume of tests delivers economies of scale that drive unit test costs down, thus stretching the resources further.

SOOTHERS AND SOOTHER HOLDERS

Thirteen participating market surveillance authorities were involved in this specific Activity. These were Belgium, Bulgaria, Cyprus, Denmark, Germany (2 authorities), Greece, Iceland, Latvia, Lithuania, Malta, The Netherlands and Romania.

The participating authorities sampled 195 products that were tested at an accredited laboratory. They divided on 73 soothers and 122 soother holders. 77 of the 122 soother holders were traditional soother holders comprised of a strap with a soother holding device at one end and the garment clip at the other. The remaining 45 soother holders also contained a toy or play element (i.e. they were either regarded as a toy or considered to have significant play value and therefore required to also meet the requirements of the Toy Safety Directive).

73 soothers tested

29% found to be non-compliant in relation to the shield, the ventilation holes, impact resistance, tear resistance, bite endurance and lack of mechanical strength in the teat protector



78% found to be non-compliant in relation to ventilation, the length of the string on the soother holder and mechanical strength



The test results were subjected to risk assessments using the European Commission’s Risk Assessment Guidelines tool. Following the results of this exercise, the participants took enforcement actions on many of the models tested. The results of the enforcement activities are presented in Figure 4.

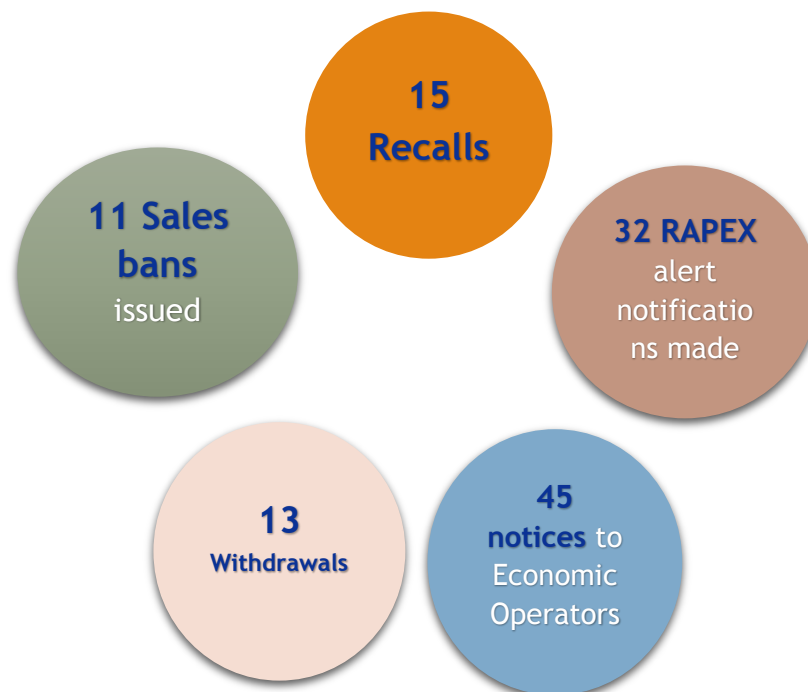


Figure 4 - Enforcement activities taken

Detailed feedback concerning the standard was conveyed to the CEN Working Group TC 252/WG 5 for Feeding, Drinking, Sucking and Similar Functions Committee.

“As a consumer, you should look out for soother holders with small parts that are not sufficiently attached or soother holders longer than 220 mm. Also check the RAPEX overview at the European Commission’s website for unsafe products¹”

¹ http://ec.europa.eu/consumers/consumers_safety/safety_products/rapex/alerts/main/index.cfm?event=main.listNotifications

Photographs from JA2015 inspection and testing activities



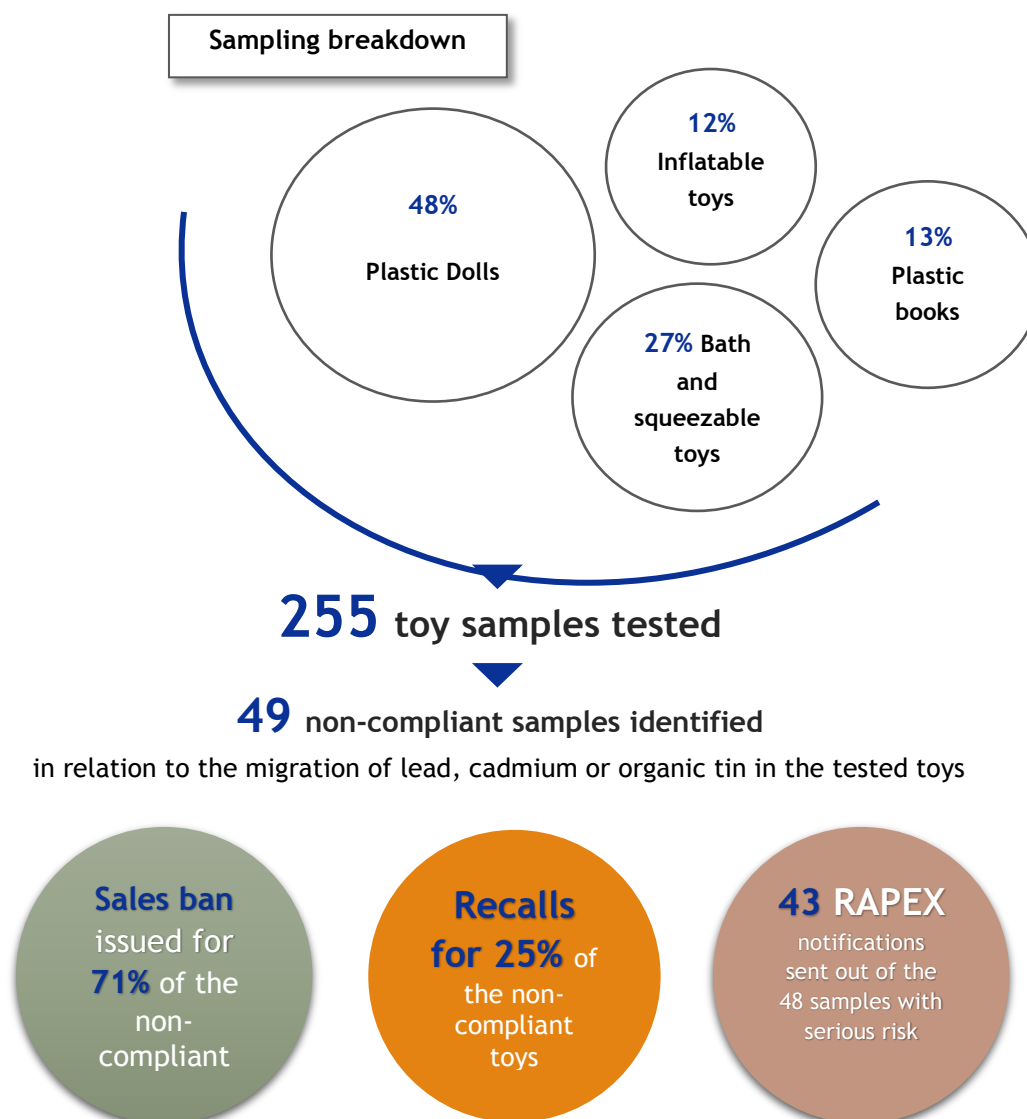
PLASTICISED TOYS

Plasticised toys are toys made out of soft plastic. Different types of chemicals can be added during the manufacturing process for various reasons. The chemicals include:

- Phthalates;
- Short chained chlorinated paraffins (SCCPs);
- Polycyclic aromatic hydrocarbons (PAHs);
- Bisphenol A (BPA);
- Certain elements, such as lead, cadmium and organic tin.

These chemicals can all be very dangerous to children if they are present and exceed the limit values laid down in legislation. All types of economic operators were inspected including manufacturers, importers and all kinds of distributors. Special attention was given to cheap toys and toys without proper markings and warnings. Experience from previous Joint Actions on Toys has indicated that these present the highest levels of risk.

In total, 130 samples (51%) were collected via traditional market surveillance activities, another 47 samples (18%) were collected with assistance from customs authorities, and 78 samples (31%) were collected from online traders.



The positive results from testing show that there were no non-compliances detected related to the migration of lead, cadmium or organic tin in the tested toys. Additionally, the testing did not reveal any non-compliances related to PAH. However, the testing also identified several toys containing phthalates, SCCP and BPA. The level of non-compliance with regards to these chemicals is concerning and still needs to be better controlled so as to ensure that economic operators only place safe toys on the European market.

Some difficulties were faced with regards to risk assessment. However, the guidance issued by the European Commission in October 2017 helped the authorities with a much simpler approach to risk assessment for future surveillance actions. Risk assessment showed that 48 out of the 49 non-compliant samples posed a “serious risk” to the consumer.

The activity was undertaken by seventeen market surveillance authorities from the following countries: Belgium, the Czech Republic, Estonia, Germany, Greece, Latvia, Lithuania, Luxembourg, Malta, Norway, Poland, Portugal, Romania, Slovakia, Spain, Sweden, and The Netherlands.

PLAYGROUND EQUIPMENT

The purpose of the activity was to focus on playground equipment that is already installed in playgrounds in the participating Member States, rather than new equipment being placed on the market. One of the consequences of this was that some of the equipment that was inspected had to be checked against previous editions of standards in the EN 1176-series.

Two major market surveillance inspections were organised during the course of the project. The first, undertaken during the Spring 2017, reviewed the safety of indoor playground equipment, whereas the other inspection, which took place during the Summer/Autumn of 2017, focussed almost exclusively on equipment in outdoor playgrounds.

A wide variety of different types of playground equipment have been inspected in the indoor playgrounds. Some were complex items, which contained playground equipment designed to give children a wide variety of play experiences, whereas others consisted of a single piece of equipment, such as a ball, pool or a slide.

The range of equipment in the outdoor playgrounds inspected was more limited and, for the most part, consisted of cableways, carousels, climbing units, combined play equipment, rocking equipment (seesaws), slides, and swings.

357 indoor (91) and outdoor (266) playgrounds were inspected

1,016 items inspected

78% (790 items) of the inspected equipment found to be non-compliant

A total of 677 (67%) of the items were non-compliant with regard to the information that should be on the equipment in order to conform to EN 1176, e.g. name and address of the manufacturer, importer or their authorised representative, year of manufacture, the “basic level mark” on the

equipment, reference number, date of the standard to which the equipment conforms and type or serial number. The bulk of the items had three or more of the five pieces of information missing.

549 (54%) items did not comply with one or more safety requirements related to structural integrity, fall protection, the entrapment of parts of the body, "falling space" and surfacing issues.

Risk assessment - INDOOR equipment

Non-compliance risks and issues found	Number of non-compliances	
Structural integrity	7	3%
Fall protection	47	21%
Entrapment of various parts of the body	101	44%
Inadequate falling space	47	21%
Surfacing issues	27	12%
Total	229	100%

Table 1 - Risk assessment - INDOOR equipment

Risk assessment - OUTDOOR equipment

Non-compliance risks and issues found	Number of non-compliances	
Structural integrity	113	11%
Fall protection	112	11%
Entrapment of various parts of the body	230	23%
Inadequate falling space	181	18%
Surfacing issues	382	38%
Total	1,018	100%

Table 2 - Risk assessment - OUTDOOR equipment

In cases where non-compliances were found to present a serious risk, the inspector required the operator of the playground to stop using the equipment immediately. On such occasions, the equipment was taken out of use or modified so that it will no longer present a risk to children. If the equipment presented a high, medium or low risk, the inspector provided the operator of the playground with details of the non-compliances found and asked the operator to send to the MSA within the next few days details regarding the corrective action they would be undertaking to bring the equipment into compliance.

The results of the inspection give cause for real concern as a high proportion of the items inspected were found to be non-compliant with regards to their markings or the technical requirements specified in EN 1176 and EN 1177. The authorities advise owners of playgrounds to ensure that they are properly maintained and inspected on a regular basis by the operator of the playground. They also have to be checked by a properly qualified inspector for any dangerous shortcomings on an annual basis.

Overall, the results from this project, and the previous 2007 Joint Action on playgrounds,² show that there is a continuing need for MSAs to inspect this type of equipment on a regular basis.

The activity was undertaken by eight countries: Belgium, The Czech Republic, Germany (Baden Württemberg), Iceland, Latvia, Norway, Slovakia and Slovenia.

² <http://prosafes.org/index.php/gpsd-actions-joint-actions-2008/gpsd-actions-playground-equipment>

Photographs from JA2015 inspection and testing activities



POWER TOOLS - HANDHELD ELECTRICAL CIRCULAR SAWS

Prior to testing, the participating MSAs had examined the markings and instructions, as well as the Declaration of Conformity the collated samples.

100 saws tested
20 samples from online traders

▼

50% of the sampled items found to have non-conformities



Figure 5 - Risk issues identified

The stakeholders were informed, the concerned economic operators were visited, and appropriate enforcement measures have been taken. Comments to the harmonised standards have been sent to the relevant Technical Committee and ADCO Machinery.

The Activity was carried out by ten MSAs from nine countries (Belgium, Bulgaria, the Czech Republic, France, Germany (Baden Württemberg and Bavaria), Latvia, Luxembourg, Malta and Portugal). Turkey participated outside of the financial scheme.

SMALL HOUSEHOLD ELECTRICAL APPLIANCES

This was the first activity on small household electrical appliances in a Joint Action coordinated by PROSAFE. It focussed on **household blenders, mixers and toasters**.

The participants undertook the following tasks:

- *Study their national markets and use the data for determining sampling criteria.*
- *Sample from online retailers as well as shops with intelligence or assistance from customs.*
- *Submit products for testing at an accredited testing laboratory in the European Union.*
- *Carry out risk assessments using the European Commission's RAG tool.*
- *Undertake follow-up actions including administrative activities on nonconforming products.*
- *Report on the follow-up actions taken to improve safety for consumers.*

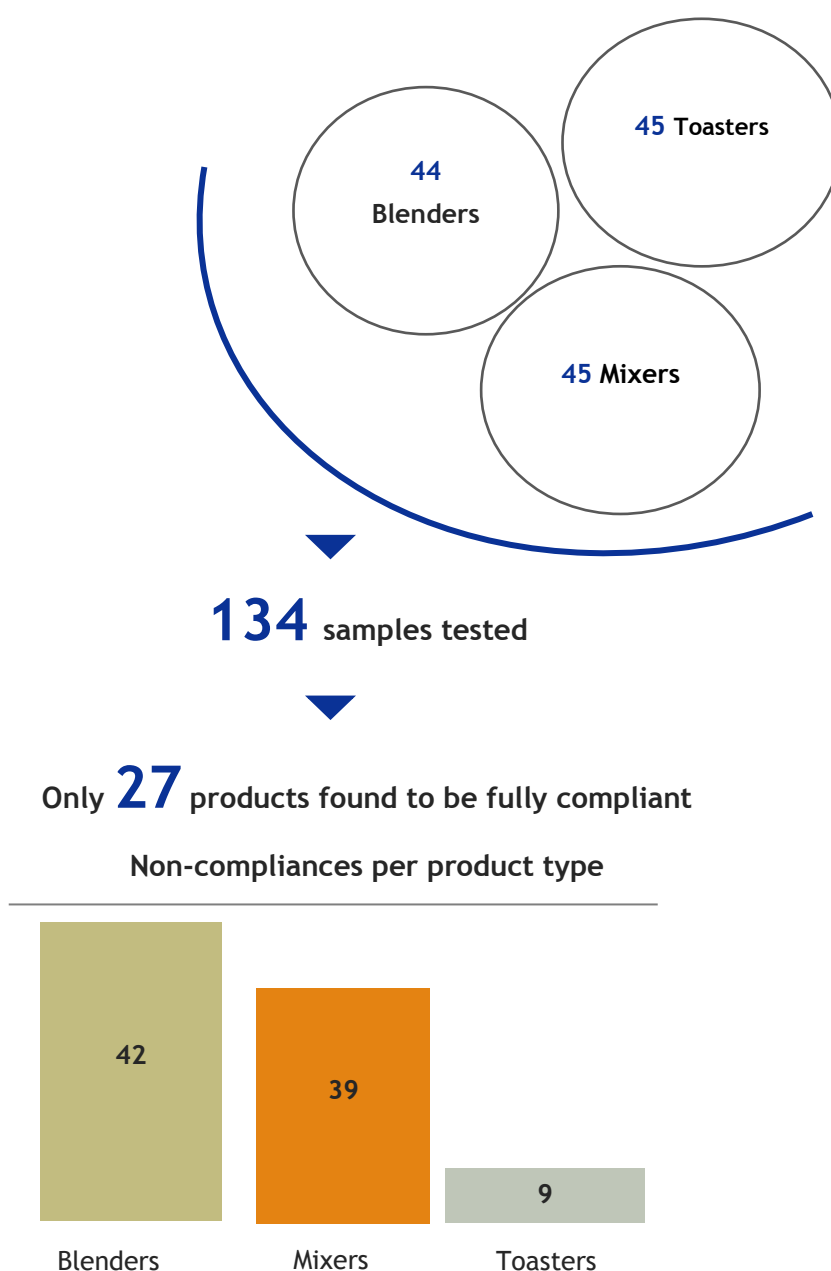


Figure 6 - Non-compliances

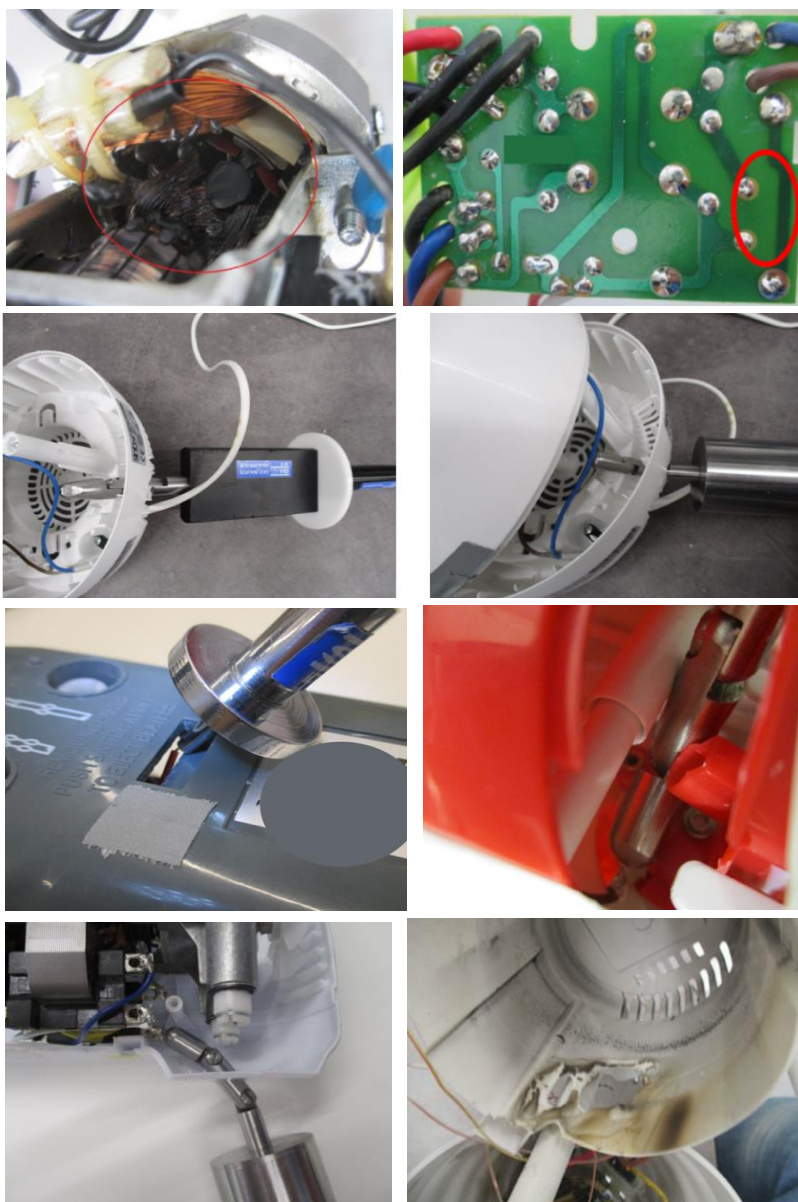
The test results for products failing the testing requirements were subject to a risk assessment using the EC's Risk Assessment Guidelines (RAG) tool and the EC document 2015-IMP-MSG-15.

The group requested DOC for the tested products. A high proportion of the documents requested were received from Economic Operators, but approximately half were not drawn up in accordance with the EU Low Voltage Directive.

Test reports were requested from economic operators for those products that failed the test programme. None of the test reports received for blenders were compliant with the checklist of assessment criteria that the group had drawn up. Approximately 20% of the test reports received for blenders and toasters were compliant, however, overall the compliance rate is considered to be very low.

The Activity was carried out by nine MSAs from nine countries (Bulgaria, Cyprus, the Czech Republic, Finland, Latvia, Malta, Portugal, Sweden and Slovakia). Turkey participated as an observer.

Photographs from JA2015 inspection and testing activities



METHOD & OTHER HORIZONTAL ACTIVITIES

In addition to the product activities, the Joint Action continued the development of methods that facilitate the work and cooperation between European market surveillance authorities, such as:

RISK ASSESSMENT

The Risk Assessment Activity had 16 participants from 14 countries, Belgium, Bulgaria, the Czech Republic, Denmark (two MSAs), Finland, France, Germany (two MSAs), Lithuania, Malta, Poland, Portugal, Romania, Slovakia and Slovenia. In addition, Austria, Latvia, Sweden and Turkey participated in at least one of the meetings or seminars outside the financial scheme.

The main achievements during JA2015 were the following:

- Continued development of risk assessment templates for products that have been targeted by Joint Actions coordinated by PROSAFE. Templates for 17 products plus a guideline for assessing the risks from acoustic toys were available on PROSAFE's website³ when the Joint Action ended.
- The commencement of the development of a draft guideline for risk assessment of chemicals in consumer products. The aim was to produce a guideline that would help non-expert market surveillance authorities decide whether a chemical in a product would present a serious risk for the consumer.
- Organisation of the Risk Assessment Seminar 2016. Some 40 representatives from market surveillance authorities and the European Commission attended. The seminar included the launch of the work on the risk assessment templates for the products targeted by JA2015.

CIMS

Seven Member States participated in the Continuous Improvement of Market Surveillance (CIMS) activity, Bulgaria, Estonia, Finland, Latvia, Malta, Slovakia and the Netherlands. In addition, France took part in the second CIMS review on

invitation from the host authority from the Netherlands.

Two CIMS review were organised and hosted each by the Bulgarian State Agency for Metrological and Technical Surveillance and the Netherlands Food and Consumer Product Safety Authority.

The reports from the reviews are available in the closed part of the knowledge base on PROSAFE's website.

E-LEARNING

Seven Member States took part in the work, Bulgaria, Iceland, Lithuania, Portugal, Romania, Slovakia, and The Netherlands.

The Activity undertook the development of an e-learning module on children's cots and folding cots. The module is divided into two parts:

- Part One deals mainly with background information and includes an introduction to the concept of children's cots and folding cots and the respective standards;
- Part Two goes into more detail with the European standard EN 716 and explained the scope, definitions and safety requirements in detail.

It was decided to implement a simpler e-learning module because the standard on cots was being amended and had not been finalised when the module was created. An update of the module might therefore be necessary in the near future following the finalisation of the standard.

The module can be accessed via PROSAFE's website.

NEW AND EMERGING ISSUES

Four countries participated in this Work Package, France, Iceland, Latvia and the Netherlands. Malta also participated in one meeting outside the financial scheme.

The aim of the Activity was to develop recommendations for leveraging the Joint Actions to help the Member States deal more efficiently with new and emerging issues.

The Work Package came up with the following recommendations:

- Promote more systematic information exchange to identify new and emerging issues as early as possible;
- Encourage broader and enhanced international collaboration to share information and knowledge to promote the development of effective approaches to deal with specific new and emerging issues;

³ www.prosafe.org.

- Develop appropriate methodologies for the Joint Actions to build capacity to deal with new and emerging issues;
- Improve priority-setting in the Joint Actions again to address new and emerging issues in a more systematic fashion across different product sectors.

IMPACT IMPROVEMENT

With regards to impact improvement, JA2015 has identified and proposed [six](#) recommendations of best practices:

- Organise national seminars for business associations before the beginning and/or after the end of a Joint Action to inform the sector about regulations, risks, the project, etc.;
- Prepare a project factsheet before the beginning and/or after the end of an Activity;
- Design simple e-learning tools with basic guidance to other market surveillance authorities and officials after the end of a WP;
- The PROSAFE Knowledge Base should provide easy access of all documents produced in all Joint Actions coordinated by PROSAFE to all participants;
- Each WP in a Joint action should draw up an action plan upon completion to explain what should be done next;
- Promote the use of RAPEX in all Joint Actions.

The idea of using digital tools in combination with an online database to coordinate sampling seems very promising, so it was also included in JA2015 as a best practice.

The economic operators need to have increased focus upon the warnings, markings and instructions regarding their products. In particular, the Power Tools Activity has noted that economic operators selling power tools must be made aware of the importance of the required instructions and safety warnings in the instruction manual to reduce the remaining risks for non-professional operators.

This is particularly important for popular electric handheld tools like the circular saws, where professional products have migrated during the last decades into the consumer market.

JA2015 also highlighted the need for more awareness on ensuring the proper availability of the Declarations of Conformity to MSAs.

Manufacturers need also to pay more attention to the design and testing of their products to ensure that they are in conformity with the safety standards.

A significant number of suppliers were found that do not ensure that their equipment conforms to the requirements of the GPSD and the relevant

safety standards at the time of its manufacture. Likewise, the economic operators clearly need to pay much closer attention to the verification of test reports used as a basis for demonstrating conformity assessment and regulatory compliance.

Based on the JA2015 results, combined with the risk analysis undertaken, the following conclusions were drawn:

- The participating MSAs have improved their knowledge of the market;
- The participants now better understand the technical requirements and testing of such products;
- Overall, the sampling process was very effective, the inspectors were able to identify potentially non-compliant products in their sampling process;
- An increasingly uniform approach was used to evaluate and follow up on test results;
- Numerous risk assessments templates were developed for future use by all EU Member States;
- In cases where the samples failed the laboratory testing according to the relevant standards but were not found dangerous according to the MSAs risk assessments, the products/samples were simply considered as being of poor quality;
- Low, medium and high-risk non-compliance has been identified per product type and follow-up enforcement actions have been taken.

OTHER HORIZONTAL ACTIVITIES

The Joint Action organised an Annual Market Surveillance Workshop from 29 to 30 November 2016 in Brussels. This was very well attended and took as its over-arching theme "Building on ten years of Joint Actions".

The next horizontal issue was quality management. The first major activity was the planning and the launching of the project, but this also included regular reviews of a quality plan carried out by the PROSAFE Project Management Team as well as promotion and maintenance of the library of best practices.

The Rapid Advice Forum registered thirteen questions from the MSAs about dangerous products, legislative aspects or emerging issues during the period 8 April 2016 to 7 May 2017. Twelve of the questions were answered by other MSAs (with somewhere between 1 and 19 replies each). The average was 4,5 replies per question. The average response time was 2.8 days. Lastly, the project undertook the maintenance of the Knowledge Base with the addition of documents from JA2015.

CONCLUSION & LESSONS LEARNED

The Joint Action model is very well-established and continues to provide an excellent platform for the cooperation between the Member States on market surveillance. Almost all Member States participate and work together which means that the product activities reflect a truly pan-European survey of the market place.

Moreover, the Commission's generous funding ensures that a large number of samples can be tested. The sheer volume of tests also delivers economies of scale that drive unit test costs further down. In addition, the Joint Actions provide a platform for building a network amongst the participating MSAs that they can use to share knowledge and learn from each other's expertise.

Overall, the Joint Actions make a significant contribution to achieving a high level of consumer protection and a level playing field for all economic operators throughout Europe.

JA2015 provided added value in many different ways, including in the following areas.

SAMPLING AND TESTING

Joint tendering for testing of samples continued to prove itself advantageous for the MSAs. Pooling all the testing brought economies of scale that lead to very competitive quotes from the laboratories. These reductions in price meant that the participating authorities could perform more tests and focus on a much larger number of samples. In return, this raises new issues such as the capacity of the test laboratories to undertake such a large volume of tests. The administration of the sampling and testing also takes up more resources for the authorities and for the coordinator (PROSAFE). The chance of sampling more items of the same product increases (double-sampling).

The sampling process has been successful in avoiding these cases so far but there seems to be scope for using an online tool giving live updates rather than relying on each MSA providing a table via email.

DOCUMENTARY CHECKS

The checklists developed by the Joint Action for the assessment of products, the Declaration of Conformity and test reports provide an excellent basis for future Joint Actions. However, there is scope for refining the checklist by consolidating or

removing some of the criteria to ensure greater efficiency in the reporting of results.

The documentation review project for blenders and mixers conducted by Bulgaria in 2015 identified non-compliant user instructions and suggested the need for a wider product testing project. This Joint Action reinforced the need for product testing as 60% of the samples from Bulgaria were non-compliant resulting in two RAPEX notifications.

There was agreement that whilst documentary checks are useful, the real value for market surveillance purposes comes from the results of product testing. Good documentary conformity is not necessarily a reflection of a compliant product.

STANDARDISATION

Feedback given to the standardisation bodies is considered to be a very important task for the Joint Action.

The Activity on Soothers and Soother Holders found that they were in a unique position to provide feedback as never before have 195 soothers and soother holders been examined together. This enabled the group to give detailed feedback on the current versions of EN 1400 and EN 12586.

The Activity on Electrical Household Appliances was able to provide further evidence for debate within CENELEC/TC 61 and stakeholders such as ANEC as the accessible metal surfaces of several of those toasters that were tested by the Joint Action exceeded the burn threshold in CENELEC Guide 29.

Furthermore, the non-standard testing for blenders revealed the absence of an interlocking device in 75% of the samples thereby allowing the cutting blade to rotate when the lid was removed, and the mains switch was in the "ON" position. This has provided further evidence for debate within CENELEC/TC 61, a timely result given the differences between the two standards EN 60335-2-14:2006 prAD:2017 and EN 60335-2-14:2017.

LIAISON WITH STAKEHOLDERS

As in previous Joint Actions, input from stakeholders during the meetings including in particular technical input due to their expertise and experiences proved to be extremely valuable. Furthermore, maintaining a healthy dialogue between all stakeholders helped to identify and prevent possible future safety issues and at the same time identify practical solutions.

It is therefore highly recommended that European organisations, such as businesses, manufacturers, importers and traders, are encouraged to participate in Joint Actions. Stakeholders in the Joint Actions also include the administrative

cooperation groups, the ADCOs. The Activity on Toys involved the Toy - Expert Group and kept them continuously updated, which was found to be useful and positive to both parties concerned. Moreover, close cooperation with the ADCO Sub-Group on Chemicals helped the participating authorities to better understand the complexities behind the proposed approach for risk assessment of chemicals in toys. Regarding the Work Package on Electrical Household Appliances many of the participants were also members of the LVD ADCO and the LVD Working Party. This was hugely beneficial and allowed for dialogue at various stages of the project.

MSA TEST DIFFER FROM MANUFACTURER TEST

Testing in a market surveillance context differs from product certification testing. The former aims at checking if a product is unsafe. The latter's goals are to prove that the product is safe. This difference allows the laboratory to skip less relevant and expensive tests when the testing is done for market surveillance purposes. Experience from the Power Tools Activity can illustrate this. The standard foresees more than one sample to be tested for some critical clauses.

However, the MSAs gained good experience with testing only one sample per model by applying an intelligent sequence of the required tests and an intelligent undertaking of the individual tests.

As an example, the drop test requires three samples to drop from three different orientations. It is however foreseeable which orientation will lead to the worst damage when the saw has a heavy electric engine so one sample would suffice to test this. It was also found to be possible to carry out most of the non-destructive tests before the potentially destructive drop test was undertaken thus saving samples.

RISK ASSESSMENT

MSAs have increased their risk assessment knowledge in the application of the European Commission document 2015-IMP-MSG-15 as the document builds on the RAPEX Guidelines and assists market surveillance authorities when they assess the compliance of products that are subject to Union harmonisation legislation such as the Low Voltage Directive. It does, however, require the use of abstract levels of severity of harm when evaluating damage to property, which was necessary in this Joint Action. It would be helpful if the RAG tool included harm levels.

The European Commission RAG tool could be further improved by having a dedicated area to

cover sensitivity analysis. At present, the risk assessment has to be repeated after adjusting the probability of injury figures.

Risk assessment of chemicals in consumer products has presented challenges to many market surveillance authorities. The Activity on Plasticised Toys developed an internal proposal for risk assessment based on the original spreadsheet developed by the Sub-Group Chemicals of the Toy Expert Group. However, there were still MSAs in JA2015 who were sceptical about this approach. In October 2017, the European Commission issued an outline recommendation on how to establish the level of risk based on existing legislative limits of certain chemicals. This recommendation was very much welcomed by the participants and was taken into account in the activities of the project.

BUSINESSES, WARNINGS AND DOCUMENTATION

Economic operators need to have an increased focus upon the warnings, markings and instructions of their products. The Power Tools Activity in particular noted that economic operators selling power tools must be made aware of the importance of the required instructions and safety warnings in the instruction manual because they will reduce the remaining risks for non-professional operators. This is particularly important for popular electric handheld tools like the circular saws, where professional products have migrated during the last decades into the consumer market. Given the high number of products with missing or incomplete warnings or instructions found in this (limited) Activity, further surveillance activities seem to be desirable.

The Joint Action also noticed a need for more awareness to ensure the proper availability of DOC to MSAs. In addition to this, it may also be interesting to further analyse how the authorities act when a toy lacks the DOC. The purpose would be to harmonise the approach taken by the authorities.

Furthermore, the Joint Action highlights the fact that manufacturers need to pay more attention to the design and testing of their products so that they are in conformity with the safety standards. Apparently, a significant number of suppliers do not ensure that their equipment, at the time of its manufacture, is conforming to the requirements of the GPSD and the relevant safety standards. Likewise, economic operators clearly need to pay much closer attention to the verification of test reports used as a basis for demonstrating conformity assessment and regulatory compliance.



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