Helmets

Joint Market Surveillance Action supported by the Executive Agency for Health and Consumers (EAHC)

Agreement No: 2009 82 02

Final Implementation Report

Covering the period 1 December 2009 – 31 December 2010

Published February 2011

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Executive Summary

This is the Final implementation report prepared for the Joint Market Surveillance Action on Helmets. In accordance with the Grant Agreement the report provides a concise overview of the Joint Action.

The report includes the following information:

- Activities undertaken in the Joint Action:
  - All activities undertaken throughout the Joint Action, including awareness-raising and dissemination activities are described in chapter 2. Awareness-raising activities are described in chapter 2.6. Dissemination activities are described in chapter 2.5.
  - The report makes a distinction between coordination activities and activities undertaken at national level by the participants. Coordination activities are described in chapter 2.4 and activities undertaken at national level by the participants are described in chapter 2.3.
  - Explanations for any differences between the foreseen activities and the work program and those actually undertaken are explained in chapter 2.8. This chapter also includes an overview of additional activities undertaken that were not foreseen in the agreement.

- Participants in the Joint Action
  - A description of how the participants have been involved in the Joint Action and what activities they have undertaken is presented in chapter 2.
  - The report shall also present an overview of all organisations and persons (by organisation) who participated in the execution of the Joint Action. This overview is found in Annex F. Differences between the foreseen participation in the Joint Action and those actually realised are explained in Annex G.

- Results of the Joint Action
  - A description of the results of the Joint Action and how they have contributed to the overall objectives, distinguishing between results at a global and national level is presented in chapter 3. Differences between the expected results and objectives of the Joint Action, and those actually achieved, are explained in chapter 3.5. This chapter also includes an overview of additional results that were not foreseen in the Grant Agreement and recommendations for future market surveillance actions.

Included within the final report is the financial statement which provides an overview of all expenditures compared with the budget.

The Joint Action has been executed under the 2009 call for tender. Thus, the reporting requirements may differ from actions granted under the call for tenders outlined in other years.

1. Background Information

1.1 Summary of Project Description

1.1.1 Title of the Joint Action

Joint Market Surveillance Action on Helmets

The Joint Action was supported financially by the European Commission
under Grant Agreement No: 2009 82 02 (Helmets 09).

1.1.2 Participating Member States

The application for the Joint Action was signed by Stichting PROSAFE and 11 Member States (Cyprus, Czech Republic, Germany, Iceland, Latvia, Lithuania, Norway, Slovenia, Spain, Sweden, The Netherlands).

It has to be noted that, according to the agreement, The Netherlands partially followed the action, attending several project meetings and delivering comments and support, although their participation did not include the visits for verification and selection of samples.

The applicant body that also took overall responsibility for the Joint Action was Stichting PROSAFE, the legal body behind PROSAFE. (The PROSAFE organisation is an informal cooperation between product safety enforcement officers in Europe.)

The coordination of the project was subcontracted to an independent consultant, Fabio Gargantini. Issues related to the daily management of the project were discussed between the Project Leader Aleksejs Niscaks from Latvia and Fabio Gargantini.

1.1.3 Primary Objective

The primary purpose of the Joint Action was to ensure that helmets placed on the EU market are safe and carry the appropriate warnings and instructions.
This is not only in line with the PPE Directive but is also linked to the fact that:

- Producers must only place safe products on the market (GPSD article 3)
- Member States must ensure that producers only place safe products on the market (GPSD Article 6)
- The means employed to do this by the Member States through their market surveillance activities (This is elaborated within Article 8 & 9 of the GPSD)
- The effect of the action will be increased by providing coordinated activities between Member States through exchange of information on sampled products, test methods, test results and other relevant procedures and practices. (This is the requirement of GPSD, Article 10).

Thus, the main deliverable of the project was intended to draw attention to, and present information about, the amount of unsafe helmets presently available on the European market.

1.1.4 Secondary Objective

The secondary objective of the Joint Action was to gather further experience related to best practice techniques by running a Joint market surveillance action that involves many Member States, i.e.:

- Selecting test samples and sample size and performing testing to determine whether cheap imported products imply a higher risk, and if this were to be the case, could the results be used for cooperation with customs in this field;
- Promotion of a harmonised approach to the market surveillance and enforcement of the safety requirements for helmets.
- Promotion of cooperation between the market surveillance authorities and between the market surveillance authorities and Customs.
- Acquiring additional experience with the execution of a joint market surveillance and enforcement action with participation of a significant number of Member States.
- Establishing an overview of economic operators who place helmets on the EC market.

- Establishing testing criteria and procedures for joint testing.
- Identifying possible potential for improvement of the relevant standards
- Identifying any traces of Dimethyl Fumarate (DMF) in helmets, particularly in equestrian helmets.

1.1.5 Deliverables of the Joint Action

The primary purpose of the Joint Action was to ensure that helmets placed on the EU market were safe. Thus, the main deliverable of the project was intended to bring about a significant reduction in the amount of unsafe helmets on the European market.

The aim of this project is to execute a Joint Action and thereby increase the awareness of cross-border market surveillance and its ability to serve as an efficient barrier against those products that are marketed as identical/similar products throughout Europe.

Secondly, the project aims to continue the change in perception of such actions from isolated events that attract considerable attention into activities that are included in the planning of national authorities.

Furthermore, the project aims to develop the exchange and implementation of best practices between the Member States. Experiences will be exchanged and shared with participants from the EMARS II project.

The expected outcome is to ensure a significant reduction of a number of non-compliant helmets on the European Market. This falls in line with the Commission's third main objective over the period 2007-2012 – "to effectively protect consumers from the serious risks and threats that they cannot tackle as individuals. A high level of protection against these threats is essential to consumer confidence".

The progress in the project can be monitored using the following indicators:

- The share of non-compliant helmets that is found on the European market.
- The share of non-compliant helmets that is imported to Europe.
- The share of non-compliant helmets that is produced in Europe.

1.1.6 The Activities of the Joint Action

The activities of the Joint Action were divided into three stages:

First stage	January 2010 – March 2010 Although the Joint Action officially started on December 1st 2009, due to delays in the finalisation and signature of the Grant Agreement the activity began on January 1st 2010. The first stage comprised the kick-off of the Joint Action including establishing the first initial overview of the market and the contacts with stakeholders that could be identified. Procedures and reporting forms were developed and experiences from previous actions in the Member States were collected. Furthermore, an initial monitoring of the market was carried out. The market surveillance activities began in March.
Second stage	April 2010 – July 2010. A call for tender to assess the laboratories' capacity to perform the tests in the Joint Action was prepared and more than 40 laboratories were detected using the Nando website [1]. These laboratories were contacted and invited to submit a tender. The tenders received were analysed by a group of experts in the Joint Action. The market surveillance activities continued during the period April to July. Potentially non-compliant helmets were selected to be sent to the laboratory for testing.
Third stage	July 2010 – November 2010. The tests were carried out at the selected laboratory and the results were collected, discussed with the members and disseminated by the coordinator. The Joint Action was completed and the participants issued a final report with conclusions and recommendations from the activities. A half-day workshop was organised on 15th November 2010 to disseminate the results.

[1] http://ec.europa.eu/enterprise/newapproach/nando

In the frame of the Joint Action, 367 models of helmets were examined and 40 models were tested at the laboratory.

The Joint Action was coordinated with the EMARS II project which is also facilitated by PROSAFE. A number of tools, methods and practices that have been described or developed in the context of the EMARS II project (and its predecessor EMARS I) were used in the Joint Action and experiences were reported back to the EMARS II project; Task A, Task B, Task C and, in particular, Task H . Task A deals with further development of the best practices, Task B develops best practices for Joint Actions, Task C is involved Risk Assessment and Task H is involved in the relationships between Market Surveillance bodies and Notified Bodies/Expert Testing Laboratories.

The Joint Action also included activities to encourage those Member States that were not in the financial scheme of the Joint Action and activities to liaise with the European Commission and stakeholders, such as the European Association of helmets manufacturers, the consumer organisations and the standardisation organisations.

1.2 Other Background information

1.2.1 The European Market

It has to be noted that due to the extreme fragmentation of the market and the difficulty of finding manufacturers or retailers associations that deal specifically with the helmets covered by the Joint Action (leisure helmets for skiing, biking, horse riding and child protection), it was difficult to obtain objective data on the market trends.

Some basic information collected on the market situation showed that a significant share of the helmets on the markets in the participating Member States is imported. It is estimated that approximately 65% of all helmets on the European market, as a whole, are imported from outside the European Union. The main exporters are China and Taiwan.
The other helmets available on the markets in the participating Member States are produced inside the EU. The eleven Member States that participated in the Joint Action have indicated that the majority of the helmets in their national markets that are produced inside the EU are domestically produced or imported from Italy, Germany, Czech Republic and Spain.

Many helmets are imported even though they appear to be domestically produced. Some members have reported that the majority of helmets imported to their countries are designed in their countries and sold under a domestic or a well-known international brand.
In some Member States imported helmets are sometimes sold under anonymous brand names. This makes traceability very difficult (if at all possible) for the market surveillance authority.

1.2.2 Risks and Accidents

There is a general concern among experts because helmets present several serious risks for all types of user, and particularly for children because the protection against impact is sometimes insufficient.
Recent skiing accidents have drawn the public's attention to the broader question of wearing helmets, and in some countries the wearing of ski helmets is already mandatory or at least highly recommended.
There are still a great many head injuries that occur when using leisure helmets in other sports such as snowboarding, skateboarding, horse riding and bike riding.
Likely hazards presented by helmets may include:

- Incorrect or incomplete marking and information.
- Reduced field of vision
- Limited shock absorbing properties
- Limited mechanical resistance
- Retention system properties including chin strap and fastening devices ill-suited to be resistant to specific strengths

Limited protection given by helmets can cause very serious and even fatal accidents.

In addition, and as a collateral investigation, the project was intended to discover any traces of Dimethylfumarate (DMF) in helmets, particularly in equestrian helmets.

The presence of such substance can cause severe allergic reactions in consumers, because of its use in sachets which may be labelled as fungicide, desiccant or mould-proof, or may simply have been applied directly to the material itself. This applies particularly to equestrian helmets.

1.2.3 Regulation and Standardization

Safety of helmets falls under the General Product Safety Directive and Personal Protective Equipment Directive which requires that producers may only place safe products on the market. For all the types of products covered by the Joint Action this can be presumed to be the case if the product complies with a standard, the reference of which is published in the Official Journal of the European Union.

Safety provisions for the helmets are covered by the following standards:

Type of helmet	Standard
Skiing	EN1077:2007 "Helmets for alpine skiers and snowboarders" [2]
Cycle	EN 1078: 1997/A1:2005 "Helmets for pedal cyclists and for users of skateboards and roller skates" [3]
Children	EN 1080:1997/A1:2002/A2:2005 "Impact protection helmets for young children" [4]
Horse riding	EN 1384:1996/A1:2001 "Helmets for equestrian activities" [5]
Dimetylfumarates	COMMISSION DECISION of 17 March 2009 [6]

1.2.4 The European Situation before the Joint Action

Some of the participating Member States had undertaken market surveillance activities on helmets before the Joint Action began.

- A project from 2008 carried out by the Consumer Rights Protection Centre of Latvia covered skiing helmets.

In the frame of the project, 52 different models were inspected and 10 models were tested in the laboratory. Three models had no CE marking and 33 models did not include any instruction for use at all, or the instructions were not translated into Latvian. 6 models out of 10 helmets tested were found to be inadequate as regards the safety standards; and had the following shortcomings: the strike absorbing levels of helmet in low temperature exceeded the standard, insufficient retention system strength, low resistance to mechanical shocks.

- A project from 2009 carried out by the Baltic Sea Market Surveillance Network that focused on bicycle helmets by checking some basic characteristics.

1.2.5 The International Situation

Safety in helmets is also regarded as an issue in other territories.
The US Consumer Product Safety Committee (CPSC) maintains a website with recalls undertaken by US importers and manufactures.
Five recalls in the period 2004-2008 concerned helmets; three of these recalls were due to insufficient mechanical resistance and two were due to insufficient retention system strength.

In addition, the Consumer Products Safety Commission (CPSC) is seriously concerned that, from a National Bike Helmet Use Survey carried out in 1999, it emerged that half of all bike riders do not regularly wear a helmet, which is the single most effective protection against head injury. Out of this survey it was also indicated that about 38% of adult bike riders regularly wear a bike helmet and about 69% of children under 16, as reported by their parents, regularly wear a bike helmet while riding a bike. Based on this survey CPSC stressed the fact that all bikers, in particular children under 16 years, should wear a safe helmet and, to support this initiative they published a bicycle helmet standard that is mandatory, by federal law, for helmet manufacturers to meet or exceed, in order to sell a helmet for bicycle use in USA.

In Australia, a mandatory standard for bicycle helmets came into effect on 9 August 1989 and was last amended 15 December 2009. It covers design, construction and safety marking requirements for bicycle helmets.

2. Activities Undertaken in the Joint Action

2.1. Overview of Activities

This chapter presents all activities undertaken in the Joint Action. A timeline of the action can be found in Annex A.

Detailed descriptions of some of the activities are found in chapters 2.2 to 2.6.

- Project management activities
  - Select consultant
    The first activity in the Joint Action was to select a consultant to manage and coordinate the Joint Action. This was done by Stichting PROSAFE, which drew from its pool of the consultants, and appointed an individual. This consultant was then engaged and a contract was drawn up for signature.
  - Management of the Joint Action
    The consultant developed a note with a timeline and important dates with an overview of the financial situation. The documents relevant to the administration of the project were discussed at all meetings of the project group.
  - Interim report
    One Interim technical implementation report was produced. It covered the period 1st December 2009 – 30th June 2010.
  - Filing of documents
    A document depository has been created on the EMARS WebEx website where all documents produced by the Joint Action are stored.
- Project Meetings
  The Joint Action has organised five project meetings over the course of the period concerned. Stakeholders were invited for two of the meetings: during the initial phase and at the final workshop. The consultant has produced invitations, agendas, minutes, lists of participants and presentations for the meetings. More information on the meetings can be found in chapter 2.2.

- Selection of test laboratories
  A call for tender was prepared and issued and quotations were received and assessed. The outcome of the call for tender process resulted in selecting the laboratory SP Sveriges Tekniska Forskningsinstitut –SP Technical Research Institute of Sweden. A contract was drawn up and signed.
  More information can be found in chapter 2.4.1.

- Exchange of information on inspected helmets
  The coordinator drafted an inventory of the helmets that had been assessed by the participants at the inspected sales premises and of the helmets that were tested. The inventory included data on manufacturers, importers and distributors of the helmets and also gave an indication of the shortcomings found in shops, and concerning marking and instructions. The inventory also included some tools for the search and enquiry of data together with an indication of types and number of samples selected for testing.
  An additional inventory was developed, after the conclusion of the tests, on the outcome of the tests.
  A short description of the procedure and the inventory is given in 2.4

- Coordination of tests, sampling of helmets
  Specific forms for doing inspections on the spot and sampling were issued. Instructions for submission of helmets to the laboratory were developed.
  More information can be found in chapter 2.4.2

- Testing
  Testing of 40 helmets representing all the types of helmets covered by the Joint Action (see chapter 1.2.3) was conducted.

- Some questions were discussed in the frame of the project and were reflected in the Q&A form that was developed for this purpose and was uploaded in the WebEx repository concerning the Joint Action, for the benefit of all participants. It was kept up to date including any further clarification that was needed in the execution of the project.

- Drafting and updating of miscellaneous documents
  The Coordinator has produced a number of documents to capture the conclusions from the Member States' discussion of important subjects:
  - Four checklists for assessing the different types of helmets.
  - A Q&A tool to support members giving answers to the most common questions concerning the Joint Action.
  - Several excel tools giving overviews on the products selected, on the products tested, on data concerning the participation of the different members, etc were developed. All these tools allowed for combined searches and enquiries, and were used by all members throughout the whole period of the Joint Action in order to obtain up to date and complete information on the current state of the project.
  - An information sheet concerning helmets was produced and was to be given to Customs and inspection Authorities in the countries where helmets are produced. It contains information on the legalities, and on the main characteristics that can be assessed to verify that the helmet is compliant with relevant Legislation and Standards.
  - At the conclusion of the Joint Action an Evaluation Questionnaire was developed and was distributed to all the members of the Joint Action and to stakeholders to collect their feedback on the Joint Action. It contained a part, to be filled in by Market Surveillance representatives with the aim of collecting information on actions undertaken in their country on non-complying helmets.

- Awareness-raising and outreach activities
  Presentations of the Joint Action was made at the PPE ADCO in April 2010 and at events organised by PROSAFE.
  The Joint Action had two meetings with stakeholders in connection with project group meetings.
  Activities were undertaken to attract Member States outside the Joint Action.
  More information can be found in chapters 2.5 and 2.6

- Dissemination activities
  Contributions ("articles") about the Joint Action were produced in the PROSAFE newsletter and in two specific press releases.

2.2. Meetings

2.2.1. Project Meetings

Five project meetings have been organised by the Joint Action as planned in the original project plan:

- 14 January 2010 in Brussels: kick-off meeting
  The purpose of the meeting was to present the Joint Action to the participants and to discuss the involvement of stakeholders and the interaction with the EMARS project. Some administrative issues were discussed.
  The participants also discussed the details on the types of helmets that had to be covered by the Joint Action and the samples that will have to be selected for each of these types.
  In addition, each participant gave a brief update about the situation on the market in their respective Member State, on their views and on which stakeholders could be approached in the frame of the Joint Action

- 9th-10th February 2010 in Brussels: meeting with stakeholders
  On 9th February, the participants discussed how to involve the stakeholders in the Joint Action, the samples to be selected and the criteria for selection.

Contributions and experiences from the participants on activities carried out on helmets were also discussed at the meeting, together with views and proposals from stakeholders on matters to be considered in the Joint Action.
The participants continued the discussions on how best to approach the laboratories for the tests, and it was agreed that all laboratories that were indicated as 'Notified Bodies' for the tests on helmets in the "Nando" website will be contacted when the call for tender is circulated.
It was agreed that the Project Coordinator would prepare a draft for a call for tender, sending it to all members in the Joint Action for checking and to obtain their comments.
On February 10th during the meeting with stakeholders, detailed discussions were held taking advantage of their knowledge of the market and of the standards to be applied for testing. This discussion was very useful to better target the scope of the Joint Action and the main matters to be covered.

- 24 May 2010 in Brussels: Interim meeting
  This meeting included a general overview of the situation of the Joint Action. During the meeting, there was a detailed discussion on how to proceed with the samples selection, defining which type of helmets, amongst the four types covered by the Joint Action (bicycle helmets, impact protection helmets, equestrian helmets, skiing helmets) would be selected and by which member.
  The most important part of that meeting was the evaluation of the tenders received from laboratories and a selection of suitable laboratories charged to perform the tests. This was based on a matrix that was prepared by the Project Coordinator summarising the contents of the tenders received. In order to have an objective evaluation, specific acceptance criteria were considered:
  - answers/tenders received by a set deadline;
  - laboratory able to perform all required tests for all types of helmets;
  - laboratory accredited according to ISO/IEC 17025 and a Notified Body for the products concerned;
  - total costs for testing a maximum of 40 models (including VAT) and for participation to one meeting for the Joint Action in Brussels is less than 40.000 EUR ;
  - availability to lead a meeting for the Joint Action group to discuss test results.
- 1st October 2010 in Brussels

The meeting was mainly dedicated to the presentation and discussion of the results of the tests on the 40 helmets that were selected from the Market. A representative of the laboratory that performed the tests attended the meeting to give support and provide information about the correct evaluation of the results.
Other matters that were discussed at the meeting concerned the contents of the first press release that was issued at the end of October, the preparation of the final workshop and an overview of the administrative matters.

- 15th November in Brussels – Final Workshop

The meeting was dedicated to the presentation of the results of the Joint Action and it was also attended by representatives of the DG SANCO division of the European Commission and by stakeholders.
It has to be noted that the majority of information was exchanged by email, thus allowing to minimise the costs of the project, but to still maintain a high level of information exchange. The Project Coordinator acted as the point of contact through which information was disseminated. In the frame of the Joint Action and to limit the burdens and the expenditures for participants several types of information were exchanged and several discussions took place utilising phone/web based tools.

2.2.2. Other Meetings Attended within the Framework of the Joint Action

Representatives from the Joint Action attended the following meetings and events:

- PPE ADCO, Brussels, 28 April 2010;
- The PROSAFE meeting, Malta, 29 - 30 May 2010;
- The PROSAFE workshop. Brussels 16th-17th November 2010

- The Risk Assessment Seminar 2010, Brussels 3rd December 2010

Further to this, the Project Coordinator participated in several Core Group meetings organised under the EMARS II projects.

2.3. Activities Undertaken at the National Level

2.3.1. Reporting of Data

The main activity that the Member States undertook at a national level in the context of the Joint Action on helmets was market surveillance performed through inspections in retail shops and at wholesalers, importers and manufacturers.
The Member States reported on their activity in several ways.

- They submitted information on individual (non-conforming) helmets by making use of the specific checklists developed in the frame of the project; this information went into the overview of non-conforming helmets for the benefit of the other participants.
- They reported statistical information about the number of inspections, helmets checked, etc. on a periodical basis. Data from both sources have gone into the analyses in this chapter.
- They gave a feedback on the Follow-Up initiated at their country level on products that were found to be non-compliant after verifications "on the spot" and after testing.

The detailed results from the Member States' inspection activities can be found in the tables under 2.3.3, whilst the information concerning actions taken at the country level is given in Chapter 3.

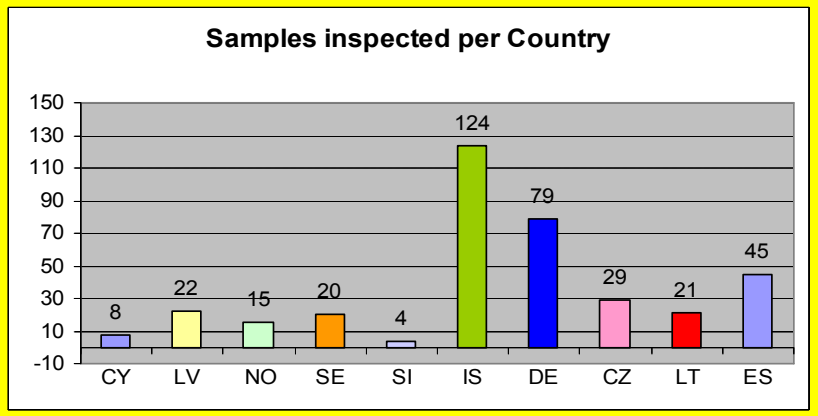
2.3.2. Involvement of Customs

Considering the specific frame of the Joint Action and the limited time available, it was decided that the inspections would concentrate on the retailers, as covered in this report.
Although the project did not envisage specific participation by Customs officers, they will still be indirectly involved. Given that part of the focus will be on imported products, any products coming in from the EU borders, that are suspected to be defective, may ultimately need to be identified and held back by Customs officers. This will trigger the market surveillance authorities who will then assess the product and take a final decision as to whether such a product can be placed on the market or not.

In addition, as part of the deliverables of the project, an information sheet concerning helmets was produced to be delivered to Customs and to inspection authorities in the Countries of production of helmets. It contains information on the legal basis and on the main characteristics that can be assessed to verify the basic compliance of the helmet to the relevant Legislation and Standards.
The Member States plan to contact the Customs to check whether it is possible to make use of the information sheet together with the checklists, (which will be eventually simplified), to increase the level of control on imported helmets.

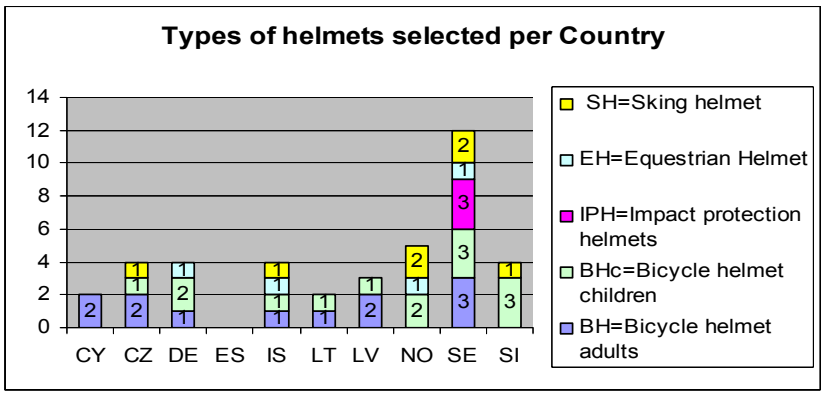
2.3.3. Statistics on Market Surveillance Inspections

The market surveillance authorities have been actively carrying out inspections in the market in the period March-July 2010. This has occurred mainly at retailers, as shown in the following figure, where the number of market surveillance inspections carried out is indicated.



The figure shows that a total of 367 samples have been verified out by market surveillance authorities in the Joint Action. In the frame of the inspections carried out, several of the participating Member States indicated that their domestic markets are composed of a few large distributors and some small shops. In some cases, brand owners operate their own outlets or chains, which means that even major operators can be efficiently targeted through visits to retail stores.

Furthermore, samples of the models that were considered suited to be subjected to testing were to be sent to the laboratory. The models selected were divided per the types of helmet covered by the Joint Action, as indicated in the following graph:



2.4. Activities Undertaken by the Coordinating Body

This chapter includes coordination activities and coordinated activities undertaken by the coordinating body.

2.4.1. Selection of Laboratories

The plan for the Joint Action anticipated that a number of tests should be undertaken at the same laboratory. The potential benefits for the participants are primarily financial, as it should be possible to negotiate better prices when the total volume of tests in the Joint Action involves only one laboratory. This will allow a reduction of the transport and dispatch costs for the samples, which can therefore be grouped and sent in as a single batch from each Member State.

The participants in the action agreed that the main source for the collection of laboratory references would be the "Nando" website[2]. In addition, members were asked to provide the contact details of other potential laboratories. The result was that the call for tender was sent to 41 European laboratories on 2 May with the deadline set for 15 May, 2010.

[2] http://ec.europa.eu/enterprise/newapproach/nando/Directive:89/686/EEC Personal protective equipment>EC Type examination Art. 10>Equipment providing head protection

The call mentioned that the selection would be based on eight criteria (experience with the testing of helmets, formal qualifications such as accreditation, price, delivery time, terms of delivery, ability to supply additional services to the Joint Action, ability to assist individual Member States with the testing of helmets in helmets outside the Joint Action, and to gauge a general impression of the laboratory's ability to undertake the assignment).

Nine laboratories responded by sending in quotations. One of the quotations was received after the deadline, so it was disregarded.
The received quotations were examined by the project group and the PROSAFE core group. They each based their assessment on an analysis matrix and the additional information provided by the Project Coordinator. The result was that the Swedish laboratory, SP Sveriges Tekniska Forskningsinstitut -SP Technical Research Institute of Sweden, was chosen to do the testing.
The selected testing laboratory is accredited to test according to all the standards covered by the Joint Action, was found to be capable of completing the assignment and offered the most competitive tests prices.

The Joint Action entered into a contract with the laboratory on 5 July, 2010.

2.4.2. Testing

The participants also discussed the scope for laboratory tests.
A decision was taken to use the laboratory for the most significant technical tests, whilst the verification of marking and instructions for use was performed directly by the Inspector "on the spot". This also offered the advantage of providing a correct understanding of the language used for the marking, explanation of the instructions and their application.

Testing was undertaken in the following way:

- The individual authorities sent the selected helmets to the laboratory together with their identification in accordance with the instructions agreed by the coordinating body.
- When the tests were completed the test reports were sent to the coordinator and the authority that requested the test. The coordinator uploaded the reports to WebEx to enable the participants to arrange to do a follow up in their home territories.

40 models of the different types of helmet covered by the Joint Action were subjected to tests.

2.4.3. Checklist

The coordinator drafted checklists that a market surveillance inspector or a customs officer could use in their inspections of helmets. The intention was that such an inspection on site might reveal if the helmet would basically conform to the relevant applicable standard, particularly as regards marking and instructions.
In addition, based on the low selling price or insufficient information delivered on marking or instructions - no other suitable evaluation tools could be found on how to detect "on the spot" the quality of helmets - samples should be selected for a more detailed examination and testing in the laboratory.
The checklists that were developed and used in the frame of the Joint Action are in Annex B.

2.4.4. Assessing and Evaluating the Standard

It was agreed that when the participants or the laboratory examined the helmets in the Joint Action, they also needed to verify the correct and harmonised application of the specific standard and if necessary, make modifications or clarifications to the standard itself.

One of the outcomes of activity revealed that the Standards addressed all the needs with clear and well-established requirements and there was no need to ask for any clarification or modification.

When discussing the background of the standards, ANEC "European consumer voice in standardisation" presented the results of a study that showed there could be room for modifying the standards for bicycle helmets to take into consideration impacts at higher speeds than those actually foreseen in EN 1078. It was considered that this matter is not covered by the Joint Action scope and

ANEC was invited to submit specific proposals through the usual standardisation process. CEN that was amongst the stakeholders involved in the Joint Action was invited to note the ANEC proposal and eventually to evaluate it in the specific Technical Committee in charge for the mentioned standard.

2.4.5. WebEx Document Depository

A document depository was set up at the WebEx document management system; a system that is also used by the EMARS I and EMARS II projects. All documents produced by the Joint Action and other documents relevant to the scope of the Joint Action were uploaded to this depository.

The documents are accessible to all participants in the Joint Action and to others with access to the EMARS WebEx system.

2.4.6. Administration of Action

The participants discussed an overview of received timesheets, addressed other administrative matters at each meeting, and communicated by email when the need arose. Continuous support in this process was given by the PROSAFE Secretariat and by the Project Coordinator.
This was done to encourage the continuous collection of timesheets and relevant administrative information, during the Joint Action.

2.4.7. Synergies with other PROSAFE Activities

The Joint Action was coordinated with the EMARS II project, and in particular with Task B which works with cross-border material for Joint Actions. In practice, this was done by running a number of training sessions for the consultants and the Project Leaders. During these sessions PROSAFE's approach to managing Joint Actions was presented and discussed. This included a discussion of organising kick-off meetings, organising the cooperation in the Joint Action as a whole, outreach to stakeholders, executing a call for tender to test laboratories and research institutes, project administration, etc. This was done to ensure that the 2009 Joint Actions benefited, as far as possible, from the previous experiences gained by PROSAFE.

To collect best practices and other feedback from the 2009 Joint Actions, PROSAFE identified a person to shadow the Joint Actions and to run the training events. This person participated in some of the kick-off meetings and organised regular meetings between the consultants. Furthermore, the consultants were at liberty to contact him, when necessary to discuss emerging issues. The input received via this channel is being used as input for Task B to adjust and fine-tune the procedures for running Joint Actions.

Three examples where the Joint Action has fed back knowledge and best practices into the EMARS II project are:

- The Joint Action contributed by issuing a checklist for helmets and an information sheet concerning helmets to be delivered to Customs that will be included in the documents under discussion in EMARS II Task A.
- The discussion on how to approach the Risk Assessment in case of the absence of important instructions or misleading instructions/warnings (e.g. a non clear definition of the helmets characteristics as far ears protection) that may have an impact on the protection of the consumer, which now has been transferred to Task C to be considered as a possible case study on how to approach the Risk Assessment for these situations.
- The experience gained in analysing data from the “Nando” website and eventually improve areas in the definition of competence, and on the relationship with Notified Bodies/accredited laboratories will be transferred to EMARS II Task H

The Joint Action was coordinated with the EMARS II project. The participants have been presented for the best practices on planning and implementation of market surveillance projects that were described by EMARS WP3 in “The book”[7] and were encouraged to report back their experience from their application of these practices in their national projects.

2.5. Dissemination activities

2.5.1. Press Releases

The members of the Joint Action discussed the need to produce press releases and, also considering what is required by the Grant Agreement, agreed that two press releases should be issued in the frame of the Joint Action.

- Press release 1 - October 2010
  To raise people's awareness that the Joint Action on helmets is running and that samples have been inspected/selected and tests have started. The press release stated that a number of accidents occur every year with serious consequences, largely because the helmets fail to meet the basic safety criteria. It also gave some information on how the Joint Action was set up and organised and on the main outcomes that were expected.

- Press release 2 – First months of 2011
  The press release will mark the final conference of the Joint Action and the main outcome of it with indications on how to approach the evaluation of helmets on the market. It will describe the main results of the action and will give some recommendations on helmets control, purchase and maintenance.

2.5.2. Meetings where Presentations of the Joint Action have been given

The coordinator presented the contents and the target of the action in the PPE ADCO meeting that was held in Brussels on 28 April 2010.

The results of the Joint Action as discussed during the final workshop and as presented in this document under Chapter 3 will be presented at the next meeting of PPE ADCO in 2011.

2.5.3. Final Workshop

A half-day workshop was organised on the 15 November 2010 to inform interested parties about the results of the Joint Action and to discuss the findings and experiences with stakeholders.

2.6. Awareness-Raising Activities

The Joint Action has undertaken numerous activities to encourage Member States that lie outside of the action. We generally tended to contact them, highlighting the contents and scope of the Joint Action. This includes the promotion and advocacy of the Joint Action during PROSAFE meetings that were held during the period covered by this report.

2.6.1. Member States and other countries outside the Joint Action

In total 11 Member States participated to the Joint Action, 10 Member States were actively and fully involved inside the financial scheme and the Joint Action. One Member State (NL) participated partially in the Joint Action by attending meetings and receiving all the information produced by the Joint Action, but was not involved in the market inspections.
Other Member States were made aware of the Joint Action through information delivered at PROSAFE meetings.

2.6.2. The European Commission

DG SANCO of the European Commission was the most important stakeholder for the Joint Action. Therefore, representatives from DG SANCO were invited to participate in every project group meeting, and progress reports were given to the Commission when requested.

2.6.3. Stakeholders

The Joint Action wanted to involve stakeholders, i.e. businesses, consumers and standardisation. This involvement took place in the form of a meeting with stakeholders that was organised in conjunction with the project group meeting on 10 February 2010 and of the final workshop to which all stakeholders that were identified were invited. Representatives from ACEC (European Association of Helmets Manufacturers), ANEC and CEN attended the meeting in February 2010 representatives from ANEC attended the final workshop. The main purpose of the meetings was to inform stakeholders about the Joint Action and to collect their views and proposals. The participants of the Joint Action also benefited from CEN being present, for the reasons mentioned under item 2.4.4

2.7. Outreach to China

PROSAFE recognised that products manufactured in China may comprise a significant proportion of the products to be tested within the framework of the Joint Action. Accordingly some outreach to China was planned as part of the project.

The Grant agreement specifically makes provision for a mission to China and the budget includes provisions for 2 people to travel to China for a 5-day journey. At the time of drafting the proposal this seemed the most obvious form any outreach might take in respect of which some budget provision needed to be made. The primary purpose of the trip was to present the findings of the Joint Action and the safety requirements for the Chinese authorities and/or manufacturers. The secondary purpose was to gather experiences with surveillance activities in China in cooperation with the Chinese authorities. The agreement does not stipulate any formal deliverables linked to the China activities.

From the beginning it was planned that these activities should be coordinated with the EC-China activities to benefit from their experiences and contacts. It was considered virtually impossible for PROSAFE to create contacts to the Chinese authorities within the short duration of the Joint Action. Therefore the Joint Action contacted the European Commission in September to discuss how the outreach to China could be done. A couple of options were discussed and as a first step the PROSAFE chairman, Jan Deconinck, presented PROSAFE and its activities during the Shanghai summit in October 2010.

It was however also decided that further activities were needed so PROSAFE submitted a proposal for a mission to the European Commission in the beginning of November. The proposal foresaw a combined trip to present the results from the Joint Action on Helmets, the Joint Action on Babywalkers and the Joint Action on Lighters in one mission. It was foreseen that the mission would go to several different regions in China where the major manufactures of the three products were located. One obstacle was that although nearly the half of the models tested were produced in China, it was not possible to trace if they were from a specific area where contacts with relevant inspections authorities could be initiated. Therefore the Chinese authorities were requested to help identifying the specific area.

The proposal was discussed and forwarded to the Commission's Chinese counterparts for them to examine whether such a mission could be organised within the few weeks left of 2010. Unfortunately the Chinese authorities replied back in the end of November that it was impossible due to the limited timeframe and the wide scope of the visit so PROSAFE had to consider other means.

The immediate lesson learned is that it takes quite long time – at least some months – to set up a mission to China. PROSAFE's preparations only involve a limited number of people, but the organisation in China is difficult and time-consuming. Typically such activities would involve several units on the authorities' side. If the activities furthermore include workshops for manufacturers, these must be identified and invited, meeting rooms must be organised, etc. It is foreseeable that the preparations on the Chinese side can well take more than half a year. If the activities moreover are to be linked to scheduled events in the EC-China discussions, more time must be allocated to allow for the necessary synchronisation.

When the cancellation was a reality, PROSAFE decided to apply other means to make available some of the material that would have been presented to the Chinese during the missions as describe below. This material is forwarded to the European Commission so they can present it for their Chinese counterparts to demonstrate what could be put into a European-Chinese cooperation on market surveillance. To this aim the information sheet for Customs in Annex C was also translated into Chinese language. Any future strategy aimed at other producer nations outside the EU must consider a holistic approach seeking to communicate the results of the Joint Actions and the experience gained throughout the supply chain. This may certainly well involve visits to the producer nation but the need to undertake action closer to home, for example in collaborating more closely with customs and in addressing retailers and importers in Europe, must not be neglected and should be integrated within the strategy and work plan for PROSAFE's activities.

Moreover PROSAFE plans to carry out a study visit in 2011 as part of the Joint Action 2010 and the Joint Action on Lighters. This trip is envisaged to include workshops or training sessions for manufacturers and meetings with export authorities to discuss the result from the 2009 Joint Actions as well as preliminary findings and observations from the 2010 Joint Action. Thus the results from the baby walkers action and the helmets action will also be addressed. This reflects how PROSAFE wants to co-ordinate the China activities across all the different Joint Actions into a coherent strategy. In practice it means that any relevant issue from any Joint Action will be addressed whenever PROSAFE is in contact with the Chinese authorities or manufacturers. This must of course be coordinated with the European Commission's activities and activities carried out by individual Member States to maximise any arising synergies.

2.8. Differences between Work Program and Activities Actually Undertaken

The following Table compares the activities foreseen in the work programme as stated in the Grant Agreement [1] to those actually undertaken in the Joint Action.

Planned Activity	Activity Actually Undertaken
Market Surveillance Activities	
Check of helmets at retailers.	367 helmets were inspected at retailers and distributors shops. Please also see chapter 2.3.3
Organise and execute laboratory testing of 40 models of helmets according to EN1077, EN 1078, EN 1080, EN 1348	One laboratory was selected after a call for tender. A contract was signed with the laboratory. Procedures for coordinating tests and submitting helmets to the laboratory were set. 40 models of helmets were sent to the laboratory for testing. Please also see chapters 2.4.1 and 3.3.
Exchange of information on assessed helmets.	The participants reported information that was expected to be of common interest to the project group, to the coordinator before each meeting or when the need arose. Please also see chapters 2.3.1 and 2.6
Coordination Activities	
Experiences from previous actions in the Member States are collected.	At the first project meeting, Member States were invited to report their previous activities with helmets. An overview is given in chapter 1.2.4 All following project meetings included sessions where all participants shared their experiences with the other members, for common discussion and decisions. This allowed Member States with less experience in assessing helmets, to benefit from the Member States with more experience in this field. Most of the information was exchanged by email thus allowing members to save time on travelling to attend meetings and to minimise the costs of the project, whilst still keeping a high level of information exchange. The Project Coordinator served as a central point from which all information was circulated.

Planned Activity	Activity Actually Undertaken
Update procedures, inventories and forms	The following main documents were drafted during the action: • Inventory of helmets assessed by the participants. • Instruction for submitting samples to the laboratory. • Checklist for checking helmets. • An Excel based tool for statistical analysis of the inspections done, samples verified and tested, main shortcomings detected, etc. • An information sheet concerning helmets to be delivered to Customs and to authorities in countries where helmets are manufactured
Possibilities for involvement of the Customs are explored.	The Customs will be contacted at the beginning of 2011 to invite them to make use of the information sheet concerning helmets and of the checklist that was used for the inspection of helmets on shops to help them in their assessment of helmets.
Answer questions on coordination issues	A Q&A database on helmets was set up. Questions were answered by the members or by the coordinator. Please also see chapter 2
Organise, prepare and participate in 6 meetings	5 project meetings were organised. It was considered that by making use of the normal available electronic and web communication tools the Joint Action could be conveniently managed with 5 meetings instead of the 6 originally foreseen. Please also see chapter 2.2.
Organise, prepare and participate in the final workshop	A half-day workshop was held on 15 November 2010. Please also see chapter 2.5.3
Prepare interim report	The technical interim report covering the period from 1st December 2009 to 30 June 2010 was issued 31 August 2010.
Prepare final report	The final technical implementation report from the Joint Action covering the period from 1st December 2009 to 31 December 2010 will be issued by 31 January 2011.

Activities not foreseen in the Original Work Programme	
Activity	**Detailed description**
Checklist for inspections of helmets.	The participants drafted a checklist that a market surveillance inspector or a customs officer could use for the on-site inspections of helmets, to make a preliminary evaluation and to decide if the helmet should be taken for further examination. Please also see chapter 2.4.3 and Annex B.
Q&A document	During the performance of the Joint Action and in particular in the phase of products inspection and selection several questions were raised from participants. They were discussed between the Project Leader and the Project Coordinator and were uploaded on the specific folder concerning the Joint Action under WebEx for the benefit of all participants.
Appreciation Questionnaire	The Project Coordinator drafted an Appreciation Questionnaire that was distributed to all the members of the Joint Action and to stakeholders to collect their feed-back on the Joint Action and Follow-Up activities at countries level.

3. Results of the Joint Action

3.1. Introduction

The Grant Agreement [1] identifies the following deliverables:

The main deliverable was intended to bring a significant reduction in the amount of unsafe helmets placed on the EU market. The progress in the project was monitored using the following indicators:

- The share of non-compliant helmets that is found on the European market.
- The share of non-compliant helmets that is imported to Europe.
- The share of non-compliant helmets that is produced in Europe.

The primary purpose of the Joint Action was to ensure that helmets placed on the EU market were safe. Thus, the main deliverable of the project was intended to bring about a significant reduction in the amount of unsafe helmets on the European market.

Further deliverables from the project were:

- The final report.
- A half-day workshop to present the main findings and results.

3.2. Results from Member States' Market Surveillance Activities

3.2.1. Capturing Results from the Member States

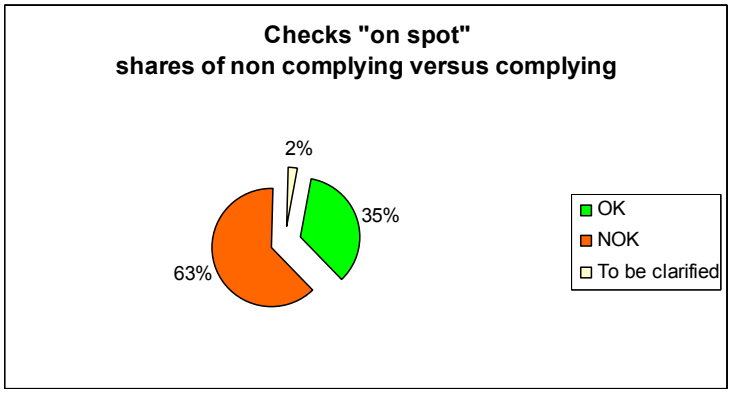
The Member States reported the results of their market surveillance on a periodical basis. They were requested to report the number of helmets checked, the number of non-conforming helmets found with the detail of the relevant non compliances, referencing the standards, and listing which models were selected for testing.

The detailed results from the Member States' inspections can be found in Annex G.

3.2.2. Level of Compliance

A total of 367 helmets have been checked in the frame of the Joint Action in the period covered by this report. The inspections showed that out of 367 models inspected, 63% did not comply with the standards requirements concerning marking and instruction.

During the visits some of the models available were checked "on the spot" for correctness and completeness of marking and instructions.
The following graph shows the share of non-complying helmets due to shortcomings on markings and/or instructions versus those that were in compliance:

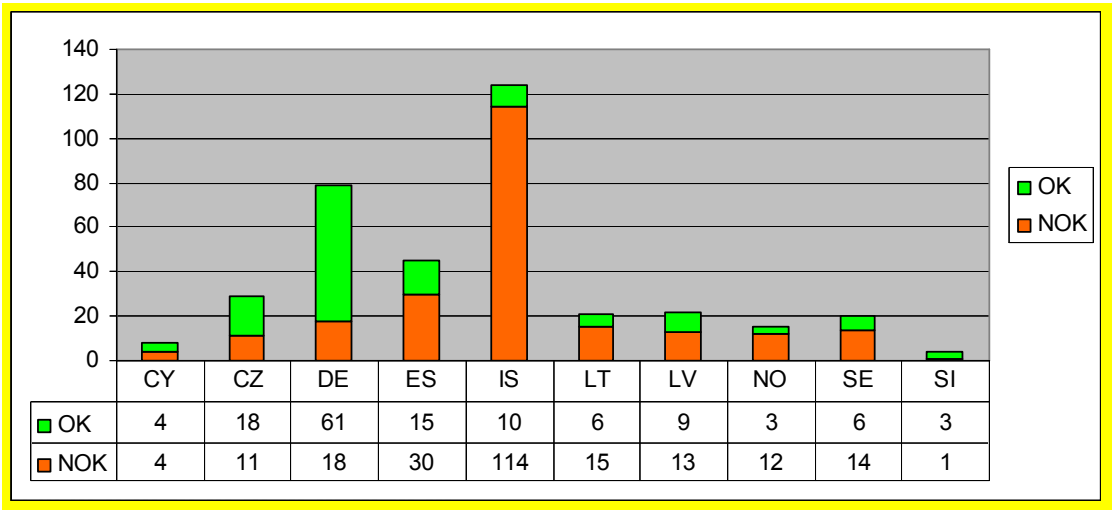


As an example, frequent shortcomings on the verification discovered during "on the spot" checks of helmets is the absence of some markings and instructions and the presence of instructions in a language other than in the one of the country concerned.

Some of these models were non-compliant as the instructions and/or marking were not in the language of the relevant country or as some marking or instructions that are considered fundamental for safety (e.g. that helmet subjected to violent impact shall be discarded) were not indicated at all or were not correctly indicated.

It was considered that the lack of understandable or correct or complete information can give rise to serious safety problems due to improper use of the helmet, or the believe that a given helmet can give a suitable protection in certain conditions, whilst it was not designed for that condition of use. As consequence, it was considered that incomplete or inappropriate marking and instructions can give rise to serious risks. Based on the discussion had in the Group of Experts in the Joint Action and on the clarifications that will be given by EMARS II Task C, members will investigate in detail the non-compliance due to these causes and wherever relevant will take appropriate actions.

The ratio on compliance/non-compliance detected on models inspected on the spot and on models tested is shown in the following graph, split per country.



	CY	CZ	DE	ES	IS	LT	LV	NO	SE	SI
OK	4	18	61	15	10	6	9	3	6	3
NOK	4	11	18	30	114	15	13	12	14	1

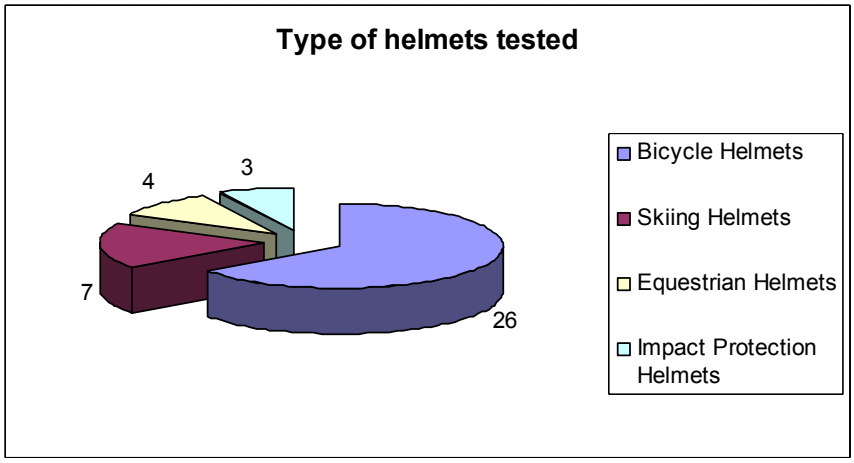
The differences that appear in the Table point to a number of different issues that will have to be investigated by the members of the Joint Action to clarify the reasons for the discrepancies to make possible corrective actions, if needed.

3.3. Results from Laboratory Tests

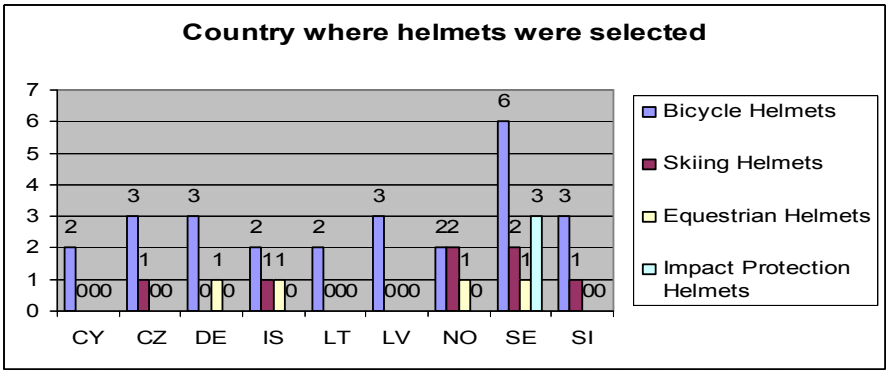
40 models, well representing the different types of helmets covered by the Joint Action were sent to the laboratory for testing. It has to be considered that in order to appropriately follow the standards requirements more than one sample per each model needed to be tested had to be selected and this caused some difficulties, in particular as far as the Equestrian helmets are concerned. The following Table gives an indication of the samples that needed to be selected:

Type of helmet	Standard	N° of samples to be tested
Skiing	EN1077	4 samples (type A or type B, if possible same size same colour) /per model.
Cycle	EN 1078	4 samples (if possible same size and same colour) /per model.
Children	EN 1080	4 samples (if possible same size and same colour) /per model.
Horse riding	EN 1348	12 samples (3 smallest size, 3 largest size, one each intermediate sizes to have a total of 6)/per model

The following graphs show the different types of helmets that were subjected to tests



and the country from where such helmets were selected:

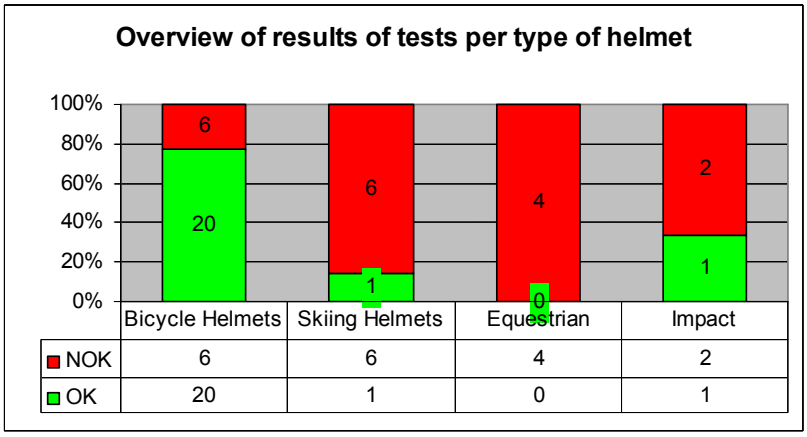


Impact Protection helmets are common in Sweden; all models of this type of helmets that were tested come from that country.

It has also to be noted that, considering that the Joint Action could commence its operation in late February, only 7 models of skiing helmets could be tested as the skiing season was nearing towards to its end, making it difficult to to find the suitable number of helmets needed for testing.
The testing is considered to be a key part of the Joint Action because it is needed to verify the essential safety characteristics of the helmet such as the mechanical resistance and impact protection. These characteristics cannot be verified by visual inspection and suitable testing apparatus, as specific testing experience and suitable testing apparatus are needed.

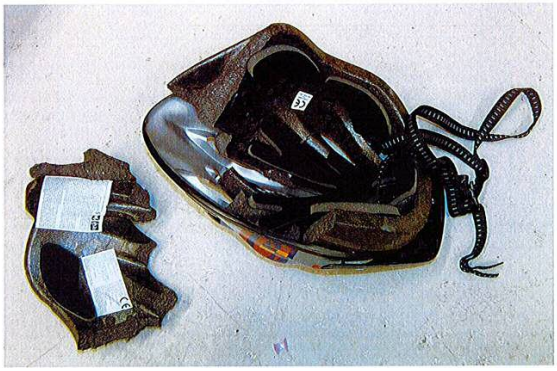
Another important verification concerned the presence of DMF (Dimethylfumarates) that could only be performed in an expert and well equipped laboratory.

The overview of the results of the tests is shown in the following graph:



Most of the common defects that were found on the helmets tested were:

- For helmets for cyclists and skateboarders: effectiveness of retention system: on 5 models



- Shock absorption capability on 3 models and strength of retention system on 2 models
-

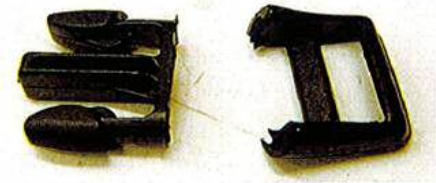


Photo 2. Buckle from helmet no. 2 after retention system strength test.

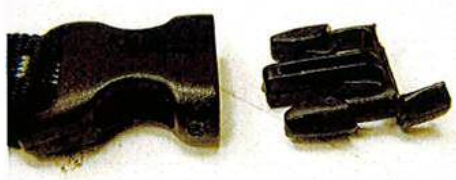


Photo 3. Buckle from helmet no. 3 after retention system strength test.

- For helmets for skiers and snowboarders: shock absorption capability on 4 models, resistance to penetration on 3 models, ears covers detachable on 1 model and a strength of retention system on 1 model
- For helmets for horse riding: shock absorption capability on 3 models, strength of retention system on 2 models and resistance to penetration on 1 model
- For impact protection helmets: the release force was higher than the one required by the standard

3.4. Analysis of Results – Lessons Learned

3.4.1. Technical Analysis-Overall evaluation of the outcome

The Joint Action was expected to verify if helmets placed on the EU market are safe and carry the appropriate warnings and instructions. From the analysis of the data described in 3.2 and in 3.3 it appears that a significant number of helmets that are placed on the European Market are not in compliance with the relevant standards. Specific actions have been aimed at Member State level where the involved authorities have initiated contacts and actions with the relevant economic operators asking them to take the appropriate corrective actions.

At this stage and considering that helmets, in particular helmets for skiers and snowboarders and helmets for cyclists, skateboarders and roller skaters are seasonal products, it is not yet possible to have a real appreciation of the impact of the Joint Action on the products that will be put on the market in the next months.
It is important to note that some significant assumptions can be taken from the results of the Joint Action as indicated as follows:

- No clear relationship exists between price and negative results to tests. Models with low or even very low price were in compliance, whilst models positioned at the top end of the price line were found not in compliance as shown as follows:

Country	Helmet type	Model	Price [EUR]	Test result
Cyprus	Bike	1	10,00	NOK
Cyprus	Bike	2	20,00	OK
Iceland	Bike	3	*	OK
Iceland	Bike	4	23,00	OK

Iceland	Equestrian	5	67,00	NOK
Iceland	Ski	6	55,00	NOK
Latvia	Bike	7	13,79	NOK
Latvia	Bike	8	17,06	NOK
Latvia	Bike	9	9,95	OK
Lithuania	Bike	10	16,80	OK
Lithuania	Bike	11	11,58	OK
Norway	Bike	12	19,50	OK
Norway	Bike	13	43,00	OK
Norway	Equestrian	14	104,00	NOK
Norway	Ski	15	85,00	NOK
Norway	Ski	16	80,00	OK
Slovenia	Bike	17	142,00	OK
Slovenia	Bike	18	19,95	OK
Slovenia	Bike	19	9,99	OK
Slovenia	Ski	20	19,95	NOK
Sweden	Bike	21	37,00	OK
Sweden	Bike	22	37,00	OK
Sweden	Bike	23	42,00	OK
Sweden	Bike	24	32,00	OK
Sweden	Bike	25	32,00	OK
Sweden	Bike	26	48,00	OK
Sweden	Ski	27	41,00	NOK
Sweden	Ski	28	82,00	NOK
Sweden	Children	29	32,00	OK
Sweden	Children	30	32,00	NOK
Sweden	Children	31	21,00	NOK
Sweden	Equestrian	32	40,00	NOK
Czech Rep.	Bike	33	73,00	OK
Czech Rep.	Bike	34	66,00	NOK
Czech Rep.	Bike	35	*	NOK
Czech Rep.	Ski	36	*	NOK
Germany	Bike	37	35,00	OK
Germany	Bike	38	10,00	NOK
Germany	Bike	39	45,00	OK
Germany	Equestrian	40	25,00	NOK

***** *investigations to collect the price failed*

- It is a very fragmented market and it is difficult to trace groups/association representative of manufacturers and importers;
- Most of the non -compliances except those related to marking and instructions can only be detected by testing;
- **NO problems were encountered as far as DMFs concerned**: all Equestrian helmets tested were OK;
- The marking and instructions for use of some helmets use pictograms instead of instructions. The matter was analysed and it was considered that either from the Standards or from the PPE Directive it seems that the options are text with specific warning or harmonised pictograms. The helmets under discussion didn't meet any of these conditions, as some warning were missing, pictograms were not harmonised and some of the pictograms were not clearly understandable, therefore such helmets were considered to be non-complying.

Another scope of the Joint Action was to gather experience related to best practice techniques in carrying out market surveillance on helmets. From the feedback given by the members at the final workshop and answering to the specific question in the Evaluation Questionnaire it appears that this target was successfully met: all members considered the Joint Action seeing it as a way of to increase their competence and approach to the compliance verification of helmets.

In particular it was considered that the checklists that were developed, together with the discussion had in the meetings and by correspondence on the technical matters were very helpful.

Market surveillance inspectors became more competent during the action. From the results obtained during the inspections on spot (see 3.2.), it seems likely that the inspectors focused their attention on the non-compliant helmets and that this focus increased as their competences increased during the action.

The participating Member States also issued two press releases with common key messages on the results and advice to consumers. The intention was to raise the awareness of the general public of the risks and safety requirements for helmets. This was successful, as the press releases were picked up well by media in the Member States.

3.4.2. Lessons Learned - Methodology

The Joint Action showed that, due to specific physical characteristics of helmets that are basically composed by a moulded shell with painting or decoration plus a chin strap, the verification of basic compliance (checking of instructions/marking + mechanical properties) on spot can be very difficult even if at all possible. Anyway it was shown that some basic information can be taken by checking instructions and marking, thus creating a first selection list of models that should not be on the market. Considering the results of the Joint Action this activity can dramatically improve the ratio of compliant products and remove the consequences of incomplete or incomprehensible marking or instructions.

It has to be noted that the “on the spot verification” undertaken in the project was considered to be a successful way of gaining expertise and mutual understanding in the standard. Furthermore, it reduced test costs dramatically. This idea can most certainly be used in the case of other products where it is important to exchange experience and align the perception of risks between participating Member States. Secondly, the participants used the exchange of information on progress in the national activities at each meeting for benchmarking

The issuing of a joint press release was also considered a success. The coordinated publishing effort stressed the European perspective and increased the impact and the visibility largely. Moreover, it caused less work for the participants to produce the key messages jointly and translate them for their own use. This idea can be used more generally in Joint Actions (and has been recorded by PROSAFE as best practices).

The final workshop took place too late to have any significant impact in the project. The Joint Action was rather short and intense and the aim was that the workshop would be used for presenting the final results from the action. Although some good ideas and suggestions came out of the workshop, the Member States found it difficult to pick up on these because the project plan left only a short period before the termination of the action to properly follow any of them through. This was especially the case as far as the results of the follow up at countries level on the non-compliant products were concerned.

It is considered a dilemma: on the one hand, the workshop is only meaningful once significant results have been produced, i.e. towards the end of the action. On the other hand, the plan should allow for a follow-up on good ideas that may emerge from the workshop, i.e. there should be a reasonable time slot allotted between the workshop and the termination of the action.

It is obviously difficult to foresee the outcome of the workshop at the planning stage of the action, which makes the organising for this, difficult. One idea could be to plan for two workshops in future actions.

Another idea could be that future actions are always planned with a 6 – 12 month with a follow-up period built in after the "final workshop" (which would obviously not be possible or applicable in short actions like this Joint Action) followed by some further verification of the models on the market, possibly by concentrating on those economic operators/brands/models that proved to be non-reliable. This will allow a real verification of the impact of the Joint Action on the products that are on the market.

This touches on a more general concern. When a Joint Action finishes, the general experience is that the gained expertise is difficult to maintain. The problem is that the end of an action also means the end of the funding from the European Commission for travel costs, costs for coordination, etc. In practice, this makes it very difficult to maintain the exchange of expertise, to continue the cooperation between the interested Member States, and to keep the pressure up on the market.

As regards the involvement of Member States in the action and outreach to Member States outside the action, the participants recognised finding ways to galvanize the interest of more Member States to participate in Joint Actions as an issue. In general, Joint Actions experience problems attracting Member States that do not participate which, for instance, mean that tools and procedures that are developed by the participants are not utilised outside the action. This means that other Member States do not benefit from the experiences gained in the Joint Actions, which could lead to a lowering of the efficacy of their activities. It would also lead to a risk for a lack of harmonisation across Europe of approaches, measures, etc.

Further to involve more Member States it was also considered important to involve authorities in countries that produce the products concerned. This option could be explored further in future Joint Actions that may envisage using tools, like training seminars, in big manufacturing countries as a means to increase the conformance level on the European market. PROSAFE has taken on board this recommendation in the 2010 proposals and foresees visits to China as part of the project.

This observation also applies to the involvement of the stakeholders, e.g. industry, consumers and standardisation: a closer and perhaps also earlier involvement of stakeholders that should be contacted at the stage when the proposal for a Joint Action is discussed and before submitting it officially to the EAHC may be very beneficial. Stakeholders possess market intelligence data that may be complemented with those possessed by the members of the Joint Action. It may also be an idea to differentiate the involvement of the stakeholders according to the needs of the Joint Action. Of course the Joint Action must ensure that the agenda is not taken over by the stakeholder. Furthermore, the budget of the action must be able to accommodate more meetings and potentially also payments to stakeholders.
As previously mentioned in this paragraph, considering the physical characteristics of helmets it is hard to identify non-compliant products on the Customs side. To this aim, a specific tool was developed on how to identify the products and, based on that, how to check their properties at Customs.

Finally, the participants have also observed that there appears to be a need for a more stringent involvement in some parts of the distribution chain, namely the importers and retailers, in particular those from the big retail chains. They play a key role in checking that the helmets that are made available on the market are in compliance with the legislation and that they be made aware of the main checks they have to make. It was noted that common press releases, specific dedicated workshops and distribution of some of the deliverables of the project (e.g. checklists and information sheet for Customs) could be a means for providing such information.

3.5. Differences between Foreseen Results and those Actually Achieved

The following Table compares the results expected in the work programme from the Grant Agreement [1] with those actually achieved in the Joint Action.

Foreseen Deliverable or Result	Deliverable or Result Actually Achieved
Main deliverable	
A significant decrease of the share of non-compliant helmets that were found on the European market.	It is not possible to verify a significant decrease of the share of non-compliant helmets within the short timeframe of the action. Please also see chapters 3.2., 3.3 and 3.4.
The share of non-compliant helmets imported to Europe.	It is not possible to verify a significant decrease of the share of non-compliant helmets within the short timeframe of the action.
The share of non-compliant helmets that were produced in Europe.	It is not possible to verify a significant decrease of the share of non-compliant helmets within the short timeframe of the action.
Further deliverables	
One interim report	**Deliverable produced as planned.** The technical interim report covering the period from 1st December 2009 to 30 June 2010 was issued 31 August 2010.
The final report	**Delivered** The final technical implementation report from the Joint Action will be issued 31 January 2011.
A workshop to present the main findings and results	**Deliverable produced as planned.** A half-day workshop was organised 15 November 2010. Please also see chapter 2.5.3.
Press releases	Delivered 2 press releases 1st October 2010 and in the first months of 2011. Please also see chapter 2.5.1
Deliverables not foreseen in the contract	
Checklist for inspections of helmets.	Checklists for inspections of different types of helmets were developed. Please also see chapter 2.4.3 and Annex B
Information sheet for customs	It contains information on the legal basis and on the main characteristics that can be assessed to verify the basic compliance of the helmet to the relevant legislation and standards. Please also see chapter 2.3.2 and Annex C
Appreciation Questionnaire	To collect feedback on the Joint Action and information on actions undertaken by Joint Action Members at country level on non-complying helmets. Please also see chapter 2.3.2 and Annex C

4. Financial Result

Budget and Actual Expenses

Table 1. presents the original budget and the actual expenses of the Joint Action.

	Original Budget (€)	Total Expenses (€)	Difference (€)
Direct costs			
Int/ext. Staff	166.008	153.120	-12.888
Travel & subsistence	80.426	39.647	-40.779
Equipment	0	0	0
Subcontracting	40.000	39.730	270
Miscellaneous	12.500	3.124	-9.376
Total direct costs	298.934	235.622	-63.312
Indirect costs			
Overhead 7%	20.925	16.494	-4.431
Total expenditure	319.860	252.116	-67.744
Revenue			
Resource of the participants	96.866	94.156	-2.710
Amount of EU support requested	222.994	157.960	-65.034
Total revenue	319.860	252.116	-67.744

Table 1. The difference is calculated so that it produces a negative, if the actual expenses are less than the budgeted ones.

This Joint Action ended with more than 20% lower expenses than foreseen.

Bibliography

All quotes and references in the text are stated with a number in brackets, e.g. [1]. The full list of references is given below.

1. Agreement No: 2009 82 02 (Helmets 09). (The Grant Agreement for the Joint Action on helmets)

2. EN1077:2007 “Helmets for alpine skiers and snowboarders”

3. EN 1078: 1997/A1:2005 “Helmets for pedal cyclists and for users of skateboards and roller skates”

4. EN 1080:1997/A1:2002/A2:2005 “Impact protection helmets for young children”

5. EN 1384:1996/A1:2001 “Specification for helmets for equestrian activities”

6. COMMISSION DECISION 2009/251/EC of 17 March 2009 requiring Member States to ensure that products containing the biocide dimethylfumarate are not placed or made available on the market

7. “Best Practices in Market Surveillance”, PROSAFE, 2008. The book is one of the key deliverables from the project “Enhancing Market Surveillance through Best Practices (EMARS)”. The book can be downloaded from www.prosafe.org