

Joint Action 2011 GPSD

Joint Market Surveillance Action co-funded by the European Union
Agreement No: 2011 82 01

Final Technical Implementation Report

Covering the period 1 January 2012 - 30 April 2014



Co-funded by
the European Union



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Disclaimer

This report arises from the Joint Market Surveillance Action on GPSD Products - JA2011, which received funding from the European Union in the framework of the 'Programme of Community Action in the field of Consumer Policy (2007-2013)'.

The report reflects only the views of the author. *The Consumers, Health and Food Executive Agency (Chafea)* cannot be held responsible for any use, which may be made of the information contained therein.

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Executive Summary

This report presents the activities undertaken and the results achieved in the “Joint Market Surveillance Action on GPSD Products - JA2011” supported financially by the European Union under Grant Agreement No. 2011 82 01.

The Joint Action was carried out by PROSAFE and 28 market surveillance authorities from 18 Member States (Belgium, Bulgaria, the Czech Republic, Denmark, France, Germany, Ireland, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Slovenia, Spain, Sweden and the United Kingdom) plus Norway. Furthermore, Bosnia and Herzegovina, Finland, Iceland, Luxembourg and Turkey participated in the Joint Action as collaborating partners outside the financial scheme.

The purpose of the Joint Action was to coordinate market surveillance activities undertaken by the participants targeting the following 4 product groups or product sectors:

- Childcare Articles (wheeled child conveyances and baby bathtubs);
- Fireworks;
- Battery chargers;
- Lawn mowers.

These market surveillance activities followed the following phases:

- Planning of sampling including decision on how to sample, number of samples per authority, when to sample, and definition of sampling criteria.
- Sampling of the products according to the sampling criteria including inspections of manufacturers, importers, wholesalers and retailers coordinated through the Joint Action.
- Identify an appropriate test laboratory and subcontract it via a call for tender.
- Test products at a laboratory. The participants would ship their products for testing. The laboratory would test and issue test reports that would be shared with all the participants.
- Develop a common approach to risk assessment for the particular product to assure that the results were harmonised to the extent possible.
- Assess the risk associated with any non-compliant products using the method from the RAPEX risk assessment guideline and the agreed approach.
- Follow-up on non-compliant products with the concerned economic operators including sharing of measures taken.

Some of the main results from the activities are the following.

- First childcare article, wheeled child conveyances
The authorities visited in total 163 economic operators trading wheeled child conveyances. As a result, 51 samples from 48 different brands were taken for further inspections and laboratory testing. These samples comprised 5 prams, 26 pushchairs and 20 combinations.
The result of the test was that 16% of the 51 samples were found to present a serious risk to the consumer. In total, measures were taken in 41 of the 51 cases:
 - 53% of the measures were minor.
 - 16% involved sales bans or withdrawals from the market.
 - 10% of the samples were recalled from consumers.
 - RAPEX notifications were issued in accordance with the measures taken.

More than 80% of the measures were voluntary measures taken by economic operators. This is seen as a very positive signal from the industry.

- Second childcare article, baby bathtubs
The participants visited in total 270 economic operators and sampled 43 baby bathtubs from 36 different brands. Around 9% out of the 43 samples were identified to have a ‘serious risk’. No recalls were required by the market surveillance authorities. However, 8 cases out of the 43 samples tested (19%) resulted in sales bans or withdrawals. The market surveillance authorities issued RAPEX alerts on 4 of these 8 cases. 26 cases (60% of the tested products) resulted in minor measures being taken by the market surveillance authorities.
Again, it was very satisfactory to see that the cooperation between the businesses and the market surveillance authorities in most cases was very focused on eliminating the risks with products. Around 70% of the measures taken were taken voluntarily by the businesses in coordination with the respective market surveillance authorities.

- **Fireworks**
This activity focussed on 5 different types of fireworks: Small fountains, small potentially unstable batteries and combinations, small rockets preferably without a stick to stabilise the flight, flash bangers and roman candles. The participants sampled 138 fireworks that were tested at one of the two accredited test laboratories that were contracted for this job. The testing focussed on those requirements with the highest impact on consumer safety.
The results from the market surveillance exercise were that 40% of the fireworks failed to comply with the physical tests required by the standard, and that 17% failed to comply with the marking and labelling requirements in either the legislation or the standard. Taking both these factors into account a total of 48% of the samples failed to meet the physical requirements or the product information requirements or both.
The most common non-compliances were related to the ignition of the fuse, the functioning of the fireworks, the firework's stability during functioning or the sound pressure level. Authorities are following up these non-compliances with the economic operators involved.
Further to the testing of the products, this activity also produced a "Guide for Economic Operators and Market Surveillance staff on the Markings & Labels on Fireworks".
- **Battery chargers**
The participating authorities checked 235 models of battery chargers, out of which 77 were taken for further testing at an accredited laboratory.
The result of the test was that various non-compliances were found in 52 of the tested chargers. This resulted in the following actions:
 - 1 product was recalled from the market and the consumer;
 - 12 products were withdrawn from the market;
 - In 39 cases, the business was invited to take actions and give feed-back to the authority.
 After the tests, the participants assessed the risks and verified that the associated risks for consumers are low in general. Less than 10% of the tested products presented high or serious risk to the consumer.
- **Lawn mowers**
This activity tested 25 lawn mowers divided on 7 robotic mowers, 4 electric cordless mowers, 7 electric corded mowers and 7 petrol mowers.
The result was that 17 of the 25 tested mowers were found to be non-compliant. Out of these 7 were found to have major non-compliances such as possibility to access the knives while the (robotic) mover was operating, the (robotic) mower failing to stop when lifted, inadequate rear wall extension and inadequate structural integrity.
This Joint Action did not comprise testing of ride-on lawn mowers. However, the participants did undertake some simple visual inspections that revealed that 5 out of 17 models did not comply.

Caution!

The above results are based on products that were sampled from the markets in the participating countries by experienced market surveillance inspectors that were looking for non-compliant and potentially unsafe products. As in any routine market surveillance activity, the results represent the targeted efforts that authorities undertake to identify unsafe products. They do not give a statistically valid picture of the market situation.

The samples were tested at accredited laboratories. The test focused on those safety requirements that have the largest impact on consumer safety.

In addition to the product specific activities, the Joint Action has also focused on a number of horizontal issues such as outreach to China; international co-operation; coordination of dissemination and use of results by all Member States; stakeholder outreach and other communications activities; as well as follow-up with standards organizations. Finally, the Joint Action continued the development of methods that facilitate the work and cooperation between European market surveillance authorities such as:

- Continuous improvement of market surveillance (CIMS);
- E-learning module on GPSD and risk assessment;
- A "Home Authority" solution for Europe;
- Risk assessment.

Some of the main achievements from these activities include:

- Two e-learning modules, one on the General Product Safety Directive and one on carrying out risk assessment in accordance with the RAPEX guideline. Both modules can be accessed on elearn.prosafe.org or from PROSAFE's website. The modules are available for anyone who will register.
- Links between the market surveillance authorities and customs authorities were further developed and the Joint Action produced various materials that customs can use as part of their import control. This material included inter alia a checklist with instructions for inspection of battery chargers, an "atlas" of battery chargers, checklists and other information material on checking markings and labels on fireworks, and checklists on childcare articles.
- A European Home Authority Principle was described. The basic idea is a market surveillance authority will always be either the "home authority" or an "enforcement authority" for a given market surveillance case. The home authority is the authority that belongs to the jurisdiction where the concerned producer rests. The enforcement authorities are the authorities in the jurisdictions where the product in case is sold. The home authority is expected to be the first contact point in communication with the economic operator and enforcement authorities must inform the home authority so it is kept fully updated on all actions being taken or about to be taken. It has been agreed to include some simple EHAP exercises in the product-specific activities in Joint Action 2012.
- Risk assessment. The Activity continued to develop tools to support the Member States in their risk assessment work. One task was an examination of methods for improving the estimation of probabilities where a method called the DELPHI approach seemed promising. Another task dealt with improving the understanding of the RAPEX risk assessment method where the group was planning to develop a short guideline. Finally, the Risk Assessment Seminar 2012 had been organised on 15 October as part of the International Product Safety Week 2012.

Introduction

This is the final technical implementation report prepared for the Joint Market Surveillance Action on GPSD Products - JA2011. The Joint Action received funding from the European Union in the framework of the 'Programme of Community action in the field of Consumer policy (2007-2013)'.

In accordance with the Grant Agreement the report is due 30 June 2014 and it shall summarise the activities specifically foreseen and those directly related to the objectives of the project and present and explain the activity actually done in the Joint Action. In accordance with Annex III in the Grant Agreement [1] the report includes the following information on the work carried out and the results achieved:

- A description of the activities conducted in the Joint Action in chapter 2.
- A description of the results obtained in chapter 2.
- Deviations from the work programme are identified and explained in chapter 2.17.
- Differences between the foreseen results of the Joint Action and those actually achieved in chapter 3.3.
- The manpower for the execution of the activities and the partners and countries involved in chapter 5.
- The achievement of the objectives of the Joint Action in chapter 3.2.

Copies of deliverables produced by the Joint Action are annexed in Annex 2. Some additional deliverables are included in Annex 3.

The final report includes a financial report that compares the expenditure incurred during the Action with the foreseen budget as laid down in the Grant Agreement [1]. An overview of the budget and actual expenses is given in chapter 4.

The Joint Action is being implemented under the 2011 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

This chapter presents a short extract of the project description. The full description can be found in the Grant Agreement [1].

1.1.1 Title of the Joint Action

Joint Market Surveillance Action on GPSD Products - JA2011

The European Commission supported the Joint Action financially under Grant Agreement No. 2011 82 01.

1.1.2 Participating Member States

The application for the Joint Action was signed by PROSAFE and 28 market surveillance authorities from 18 Member States (Belgium, Bulgaria, Czech Republic, Denmark, France, Germany, Ireland, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Slovenia, Spain, Sweden and the United Kingdom) plus Norway. Furthermore, Bosnia and Herzegovina, Finland, Iceland and Turkey participated in parts of the Joint Action as collaborating partners outside the financial scheme.

The applicant body that also took overall responsibility for the Joint Action was PROSAFE.

1.1.3 Overview of Key Staff in the Joint Action

The Project Leader was Gunnar Wold from DSB in Norway.

The Project Leader was supported by two consultants Bruce Farquhar and Torben Rahbek.

The Activity Leaders and their consultants (Activity Coordinators) are listed in table 1.

1.1.4 Budget

The total budget cost for the Joint Action was €2.491.046,63. The European Union funded 68,24%, equivalent to €1.699.933,67.

1.1.5 General Objective

The general objectives of the Joint Action were to continue to create conditions whereby Member States could cooperate successfully on market surveillance activities and to co-ordinate a number of product activities exposing the results of the activities to the largest number of Member States national authorities possible.

The objectives of the product activities were to ensure that childcare articles, fireworks, battery chargers and lawn mowers on the EU market were safe and carried the appropriate warnings and instructions.

1.1.6 Specific Objectives

The following specific objectives were identified for the method development activities:

- Improved coordination of all Joint Actions being managed by PROSAFE;
- Maintenance, implementation and further development of the existing best practice;
- Operation of existing systems such as the Rapid Advice Forum, the Knowledge Base and other initiatives promoting the continuous improvement of national systems such as CIMS;
- Further development and roll out of our e-learning initiative focused on the GPSD;
- The development of further e-learning packages focused on risk assessment and key principles of market surveillance modelled on the GPSD package and similarly delivered;
- The development of an operational protocol to deliver a 'Home Authority' solution for Europe as envisaged by our Key Principles together with the identification of other operational protocols, which may improve the efficiency and effectiveness market surveillance.

Activity	Activity Leader	Activity Coordinator
Project Management	Gunnar Wold, Norway	Torben Rahbek and Bruce Farquhar
<i>Method Development Activities</i>		
Coordination of Joint Actions	Gunnar Wold, Norway	Torben Rahbek and Bruce Farquhar
Best practice	Gunnar Wold, Norway	Torben Rahbek
Rapid Advice Forum		Torben Rahbek and Ioana Zlotila
Knowledge Base		Ioana Zlotila
Risk Assessment	Matthias Honnacker, Germany	Torben Rahbek
Continuous improvement of market surveillance (CIMS)	Gunnar Wold, Norway	Noel Toledo
Methods for identification of priorities	Gunnar Wold, Norway	Bruce Farquhar
E-learning module on risk assessment	Noel Hunter, UK	Noel Toledo, Torben Rahbek and Ioana Zlotila
Protocol for the "Home authority" principle	Ron Gainsford, UK	Noel Toledo
Annual market surveillance workshop	Gunnar Wold, Norway	Torben Rahbek and Bruce Farquhar
<i>Product Activities</i>		
Childcare Articles	Anna Strandberg and Stina Johansson, Sweden	Noel Toledo
Fireworks	Jan Deconinck, Belgium	Robert Chantry-Price
Battery chargers	Martin Gustafsson, Sweden	Fabio Gargantini
Lawn mowers	Jonny Pedersen, Norway	Chris Evans
<i>Horizontal Activities</i>		
Co-operation with Customs	Gunnar Wold, Norway	Torben Rahbek
Outreach to China	Marijn Colijn, the Netherlands	Torben Rahbek
Other horizontal activities (international co-operation, coordination of dissemination and use of results by all participants, stakeholder outreach and other communication activities, follow-up with standards organisations, e-commerce)	Gunnar Wold, Norway	Torben Rahbek and Bruce Farquhar

Table 1: Activity Leaders and Activity Coordinators (consultants) in the Joint Action

The following specific objectives were identified for the product activities:

- **Childcare Articles**
Childcare articles were targeted as a class of products.
The first objective of the Activity was to draw up a medium to long-term programme of activities based on a consideration of injury data, RAPEX notifications and input from interested parties. Also within the framework of JA2011 there would be work undertaken on two specific products - bathing aids and wheeled child conveyances. The objectives were to gain some experience with carrying out product activities in the childcare article sector and to establish close working relationships at operational level in the Member States.
- **Fireworks**
The focus of the Activity was on developing best practices and exchanging experience with the implementation of the new requirements and building up a better understanding of the European market.
- **Battery chargers**
The focus of the Activity was on developing best practices and exchanging experience with carrying out market surveillance on battery chargers.
- **Lawn mowers**
The primary focus of the Activity was on developing best practices and exchanging experience with carrying out market surveillance on lawn mowers.

1.1.7 Deliverables of the Joint Action

The deliverables are listed in Annex 2.

1.1.8 The Activities of the Joint Action

The Joint Action included three groups of activities:

- Method development activities purporting to develop methodologies and infrastructure that will support the market surveillance work in the Member States (and in PROSAFE). Usually carried out by a working group supported by a consultant.
- Product activities (vertical activities) purporting to increase the safety with a specific product or product category. Carried out by a working group supported by a consultant.
- Horizontal activities that are common to all (or most) of the product activities where PROSAFE wants to have a consistent approach. Usually carried out by representatives from the involved product activities with the support from a consultant.

The method development activities focussed attention on the following issues:

- Coordination of Joint Actions and the maintenance and further development of the existing best practice;
- Further development and enhancement of the Rapid Advice Forum, Knowledge Base, risk assessment group and other initiatives promoting the continuous improvement of market surveillance (CIMS);
- Further development of methods for identification of priorities for future activities;
- Development of a further e-learning module focused on risk assessment, modelled on the GPSD module and similarly delivered;
- The development of a protocol for the “Home authority” principle;
- Annual Market Surveillance Workshop.

The product activities targeted the following products:

- Childcare Articles;
- Fireworks;
- Battery chargers;
- Lawn mowers.

The product activities were market surveillance activities that followed these phases:

- Deciding on sampling criteria
The Joint Action decided on how the Member States should carry out sampling, i.e. how many samples would be taken by each authority, when would the sampling take place, should sampling take place in one or more rounds, what criteria would be applied when selecting the specific samples, and how many items should be taken of each product.
- Sample products
The Member States would acquire products according to the sampling criteria. This implied that the market surveillance authorities would visit manufacturers, importers, wholesalers and retailers to collect products. This was coordinated and reported back to the Joint Action.
- Test products at a laboratory
The Joint Action would issue a call for tender and selected an appropriate laboratory and the Member States were instructed how to send their products for testing. The products were shipped and the laboratory submitted test reports after the testing had taken place. The Joint Action shared all test reports with all the participants.
- Risk assessment
The participants developed a common approach to the application of the RAPEX risk assessment guideline for the particular product to assure that the resulting assessments were harmonised to the extent possible. The Member States then assessed the risk for the products applying the agreed approach and any relevant national conditions.
- Follow-up on non-compliant products and exchange information on follow-up activities.
The Member State authorities followed up towards the economic operators in their countries, i.e. consulted the economic operators on the results from the risk assessment, agreed on appropriate measures and followed-up that these were properly implemented. The resulting measures were reported to the Joint Action and shared with all participants.

The horizontal activities focused attention on a number of important issues including:

- Co-operation with Customs;
- Outreach to China;
- International Co-operation;
- Coordination of dissemination and use of results by all Member States;

- Stakeholder outreach and other communications activities;
- Follow-up with standards organisations;
- Co-ordination with other on-going and future Joint Actions.

2 Activities Undertaken in the Joint Action

2.1 Overall Structure of Joint Action 2011

Joint Action 2011 was the first Action coordinated by PROSAFE that applied the 12/28 months scheme for its activities. The idea was to run the method development activities for 12 months and to run the product-specific activities for 28 months. This reflected that PROSAFE undertakes a number of core activities that ideally should continue uninterrupted from year to year and, at the same time, PROSAFE runs product-specific activities that requires 24 - 28 months to plan, sample, test, enforce and follow-up for a particular product group.

This scheme could be applied year after year to PROSAFE's future Joint Actions as shown in figure 1.

2012	2013	2014	2015
Lighters			
JA2010			
JA2011 Method Development Activities	JA2012 Method Development Activities	JA2013 Method Development Activities	JA2014 Method Development Activities
JA2011 Product Activities			
	JA2012 Product Activities		
		JA2013 Product Activities	
			JA2014 Prod...

Figure 1: Illustration of the 12/28 months scheme applied in PROSAFE Joint Actions

The figure shows the Joint Actions that were undertaken or foreseen by PROSAFE at the start of JA2011 (Lighters, JA2010, JA2011 and JA2012). The core activities started in the EMARS projects would continue as core activities of the large umbrella actions JA2011, JA2012, etc. and accommodate 12 months of method development activities. Each of the umbrella Actions would furthermore include a number of activities targeted at specific products that would run for 28 months. Last, but not least the project management activities would also run for the whole 28 months of the project.

This approach would imply that PROSAFE would only launch one Joint Action every year which would minimise the administration and in turn mean that the grant will buy as much product safety as possible. It would also mean that all method-development activities on one hand could run continuously which would ensure that the acquired expertise were maintained and on the other hand prevent overlapping in the financial administration of these activities. The product activities are much easier to separate out administration-wise so they can run for the full 28 months of the Action.

For JA2011 this means that all the method development activities within the scope of JA2011 formally finished on 31 December 2012, whereas the product activities ended on 30 April 2014.

2.2 Launch of the Joint Action

2.2.1 Planning of Joint Action

The Joint Action formally commenced on 1 January 2012. By then the PROSAFE Board had already appointed Gunnar Wold to be the Project Leader. Activity leaders from the participating Member States were identified in the last months of 2011 and the first weeks of 2012.

Two project consultants were selected in January to support the Project Leader: Torben Rahbek and Bruce Farquhar. Their task was to support with the overall coordination of the Joint Action and to ensure that PROSAFE's best practices were being applied where appropriate. Moreover, a number of Activity Coordinators (consultants) were selected to support the Activity Leaders in the implementation of the method development activities and the product activities.

It was decided to kick-off the Joint Action with a launch meeting for all participating authorities and to run a preparatory project management meeting the day before this launch event for all Activity Leaders and Activity Coordinators. Some of the method-development activities even scheduled their kick-off meetings the day after the launch meeting to benefit from the fact that the participants would already be in Brussels.

This approach was fine-tuned in a coordination meeting on 31 January 2012. At this meeting it was agreed that all activities should prepare a work plan (an activity plan) and a "kick-off preparation memo" embracing all issues that are relevant for the kick-off of an Activity.

The sequence of the entire launch event can be seen in figure 2.

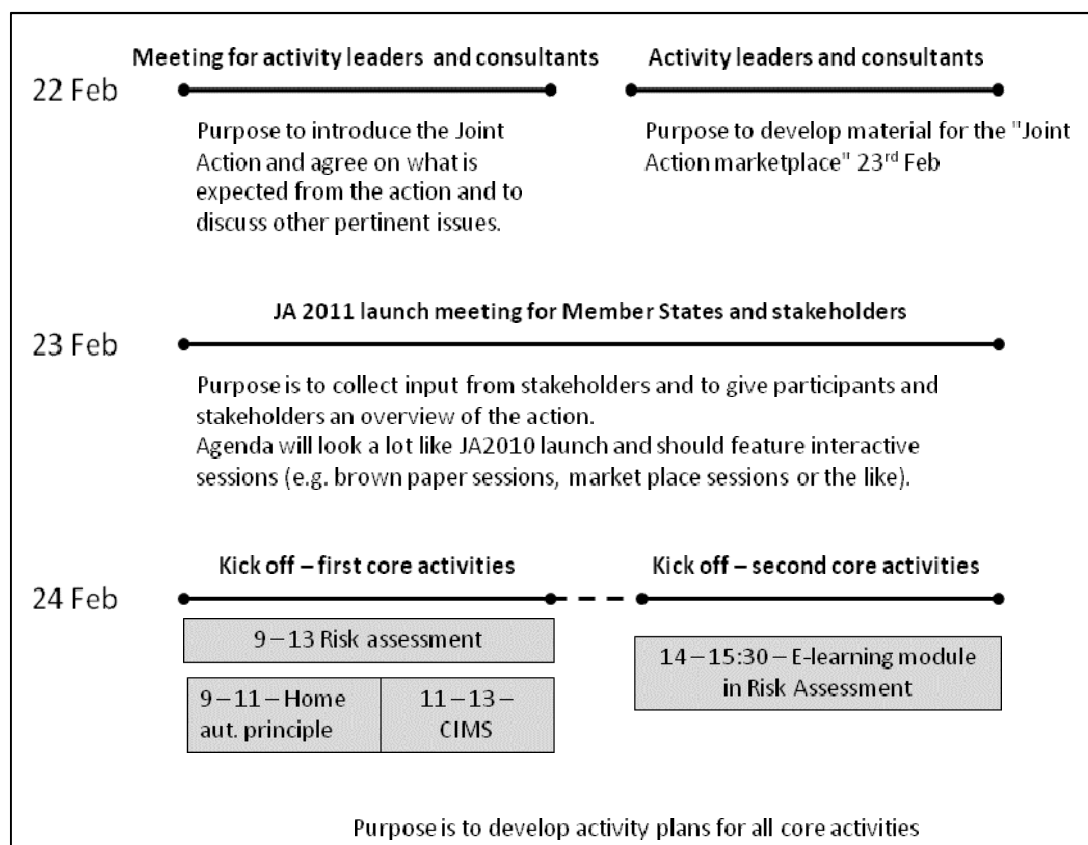


Figure 2: Master plan for the launch of JA2011

After the meeting, the two coordinating consultants prepared a number of documents that would support the launch of the action and the activities, including:

- Information sheets with the main facts and a brief outline of each Activity;
- Draft communication and outreach plan to be discussed at the launch meeting;
- Draft work plan for JA2011;
- Templates for consultant's progress reports. All consultants would bimonthly report on attendance at meetings, progress with deliverables and overview of consultancy days spent to give the project management a quick overview of the progress with the entire Action.

2.2.2 Kick-off Management Team Meeting and Training Session 22 February 2012

A kick-off management team meeting and training session took place on 22 February 2012. The purpose was to review the project description and to clarify roles and expectations of the involved parties as well as the contractual obligations PROSAFE has under the Grant Agreement. Moreover, PROSAFE's administrative procedures and best practices for the implementation of Joint Actions were discussed.

The meeting also featured a discussion of the launch event the day after to align the participant's approaches. At the end of the meeting, the Activity Leaders and Activity Coordinators sat together to discuss the final details of what they wanted to present at the launch event the day after.

The minutes from the meeting are included in the annexed deliverable D1.3.

2.2.3 Launch Event for JA2011

The Launch Event for JA2011 took place on 23 February 2012 in Brussels. The meeting was chaired by the Project Leader for the Joint Action. About 40 people including external stakeholders attended the event.

The meeting was opened with a key note address from the Director Consumer Affairs, DG SANCO. She highlighted the valid contribution delivered by PROSAFE as a coordinator of Joint Market Surveillance Actions and noted that JA2011 alone would consume around €1,7 million from EU funds. This showed the significant level of activity. She also noted that Joint Actions offer a very good platform for developing and sharing best practices, thus enabling the best use of resources at European level. The Director ended by thanking everyone for their engagement and wished success to this new Joint Action.

Her speech was followed by a key note address from the representative from DG TAXUD. He focused on the new collaboration between market surveillance authorities and customs that had fostered a guideline for import control among other important tools. He stressed the importance of using the new tools. The representative ended his speech by expressing DG TAXUD's satisfaction with the work done in the PROSAFE Joint Actions and he looked forward to an even closer cooperation in the future.

Following, the Project Leader, the Activity Leaders and the Activity Coordinators gave a number of presentations of their activities in the Joint Action. It was emphasised that JA2011 differed from previous PROSAFE actions because it embraced method development activities as well as product activities. The Project Leader emphasised the need for linking all these activities together to ensure that best practices developed in the product activities were captured for the benefit of future actions and that the method development activities could support the product activities.

The final item in the open part of the Launch Event was a discussion over the knowledge and understanding gained from the previous Joint Actions. The Project Leader gave a brief presentation of the lessons learned from EMARS II to introduce a debate in four small discussion groups of the following topics:

- How to increase the level of engagement between meetings within Joint Actions?
- How to ensure Member States' follow-up on results from the product activities?
- How to increase Member States' use of the tools produced in Joint Actions?
- How can market surveillance authorities and stakeholders mutually benefit further from these PROSAFE Joint Actions?

The ideas put forward by the groups were compiled into a document to be discussed further in the PROSAFE Project Management Team.

The external stakeholders left and the Member State participants sat together to discuss details in the activities. A marketplace format was chosen for this session to allow all participants to seek the activities they wanted to see and spend as much time as they found necessary at each place.

The agenda and the minutes from the meeting together form the annexed deliverable D1.2.

2.3 Product Activity on Childcare Articles

Planned deliverables from the Joint Action - all completed

- D5.0CCA Medium and long term programme for childcare articles
- D5.1CCA1 Planning of activities, detailed approach to market surveillance activities for first childcare article
- D5.1CCA2 Planning of activities, detailed approach to market surveillance activities for second childcare article (included in the deliverable D5.1CCA1)
- D5.2CCA Kick-off and planning meeting, memo from meeting

- D6.1CCA 2nd project meeting, minutes from meeting
- D6.2CCA 3rd project meeting, minutes from meeting
- D6.3CCA 4th project meeting, minutes from meeting
- D6.4CCA 5th project meeting, minutes from meeting
- D6.5CCA 6th project meeting, minutes from meeting
- D7CCA Set up means for exchange of information, guideline to Member States (included in deliverable D8.2CCA1 and D8.2 CCA2)
- D8.1CCA1 Sampling schemes, first childcare article (included in deliverable D8.2CCA1)
- D8.1CCA2 Sampling schemes, second childcare article (included in deliverable D8.2 CCA2)
- D8.2CCA1 Checklist and/or guideline capturing the best practices for doing market surveillance on first childcare article
- D8.2CCA2 Checklist and/or guideline capturing the best practices for doing market surveillance on second childcare article
- D9.1CCA1 List of test criteria, first childcare article
- D9.1CCA2 List of test criteria, second childcare article
- D9.2CCA Letter to laboratories requesting them to make a quotation
- D9.3CCA Overview of responses to call for tender
- D9.4CCA Contract with laboratory
- D10CCA1 Market surveillance activities, first childcare article
- D10CCA2 Market surveillance activities, second childcare article
- D11CCA Follow-up activities

2.3.1 Participants

The following 12 Member States participated in the Childcare Articles Activity: Bulgaria, the Czech Republic, Denmark, France, Germany, Lithuania, the Netherlands, Portugal, Romania, Spain, Sweden and the United Kingdom. In addition, Finland, Poland and Bosnia-Herzegovina were involved outside the financial scheme.

2.3.2 Planning of Activities

According to the Grant Agreement this Activity would develop a medium term priority list for Childcare Articles and activity plans for the two product groups, baby bathing products and wheeled child conveyances.

The Activity group decided to coordinate these 3 tasks to the highest degree possible to limit the consumption of resources and speed up the finalisation of the plans. In practical terms this meant that the two activity plans were developed simultaneously and reported in one document.

The Activity group also decided to contact all relevant market surveillance authorities within or outside JA2011 to acquire as much input to the priority list as possible. It was also agreed to involve a number of external stakeholders. Consequently, it was decided to postpone the finalisation of the priority list for childcare articles to take advantage of all this input and to allow sufficient time to digest it.

The medium and long term programme forms the annexed deliverable D5.0CCA.

The two activity plans were listed as deliverables D5.1CCA1 and D5.1CCA2 in the Grant Agreement. They were merged in to the annexed document D5.1CCA1.

2.3.3 Meetings

Kick-off meeting

The Activity had its kick-off meeting on 29 March 2012 in Brussels.

The project group discussed the planning of the Activity including in particular the development of a medium term priority list for Childcare Articles and activity plans for the two product groups, wheeled child conveyances and bathing products to be targeting in the Activity. It was agreed to postpone the finalisation of the priority list to take advantage of the input from a number of external stakeholders. Further to the planning activities the project group decided to contact all relevant market surveillance authorities within or outside JA2011 to ensure that the group will have all available information at hand. Additionally, the working group had worked to involve a number of external stakeholders.

The minutes from the kick-off meeting are annexed as deliverable D5.2CCA.

Second Project Meeting

The second project meeting took place from 19 to 20 June 2012 in Karlstad, Sweden. A number of external stakeholders as well as representatives from authorities in Poland, Finland and Bosnia-Herzegovina attended the meeting.

The Activity group confirmed the work plan and the communication plan, and two groups were formed to take the lead regarding the two selected product groups:

- Bathing products: France, Germany, the Netherlands and Sweden.
- Wheeled child conveyances: Sweden Denmark, Germany and the Netherlands.

The participants also discussed the sampling of the products for testing.

The minutes from the meeting are annexed as deliverable D6.1CCA.

Third Project Meeting

The third project meeting took place on 8 November 2012 in Brussels. It was divided into an open part with stakeholders and a closed part for Member States only.

The open part featured an update on the progress in the standardisation world, in the European Commission and in the Childcare Articles Activity. The discussion in particular addressed the priority list, the proposed project plan, the interaction with customs, and the application of a “Home Authority” approach for sampling and taking measures. (Please refer to chapter 2.10.)

The Activity group also presented the draft guidance documents, checklists and proposed test criteria that had been developed for baby bathing products and wheeled child conveyances.

During the closed part of the meeting, the project group discussed the tendering process and the draft call for tender for testing baby bathtubs and stands. It was agreed to issue two separate calls, one for each product group, to allow PROSAFE to contract two different laboratories for the tasks.

The minutes from the meeting are annexed as deliverable D6.2CCA.

Fourth project meeting

The fourth project meeting took place on 20 March in Brussels. It was divided into a closed and an open session.

The closed session updated the participants on the progress with the call for tender. The evaluation of the received quotations had revealed that the Spanish laboratory AIJU Technology Centre had submitted the most favourable quotation regarding baby bathtubs. AIJU had also submitted a favourable quotation on testing wheeled child conveyances, but the group had asked a number of clarifying questions and awaited replies.

The open session discussed the principles behind the cooperation with customs and it was agreed to develop a short checklist for customs at the end of the Action. The attendees also discussed the application of the Home Authority Principle and risk assessment, where the Activity group informed that they intended to develop a joint risk assessment to guide the enforcement actions.

The participants also agreed what information would be collected during the sampling phase, and it was agreed to “inspect” a number of e-traders, mainly on websites pertaining to manufacturers and importers within the participating Member States.

Fifth project Meeting

The fifth project meeting was held from 10 to 11 September 2013 at the premises of AIJU in Spain.

During this meeting, detailed discussions were organised on the actual samples that were tested. The format for the meeting allowed the participants to check the non-compliances with assistance from the laboratory staff.

Afterwards the participants discussed how to perform risk assessment and also how to take measures depending on the level of risk found with the products.

Sixth project Meeting

The sixth project meeting was held on 4 December 2013 in Brussels.

This was the final meeting before the JA2011 Final Conference, and it was utilised to update everyone, including stakeholders, about the final results of the project and to discuss how to best present the results in line with the discussions held during the meeting.

2.3.4 Tendering Process for Test Laboratories

The plan from the Grant Agreement foresaw one tendering process for both product groups but the discussions in the group soon revealed that this was not feasible. Instead it was agreed to issue separate calls for each product group. This was partly because it took longer time to develop the test criteria for the baby bathing products. The safety of these products is not covered by a European standard so the group first had to decide on an appropriate standard to guide the testing.

Splitting of the call for tender into two enabled the Activity to engage a laboratory for the testing of the wheeled child conveyances quicker. This was found to be necessary because tests of wheeled child conveyances were very time-consuming as they included durability tests that took weeks to accomplish. Despite of this, accidental delays meant that the both calls for tender were issued in December 2012 with a deadline for quotations 4 weeks later.

The letter to laboratories requesting them to make a quotation is annexed as deliverables D9.2CCA1 and D9.2CCA2.

The result of the tendering process was that one laboratory (AIJU Technology Centre in Spain) was able to undertake the testing of both product groups and to offer the best commercial conditions. Therefore, the participants agreed to contract all the testing to this laboratory. The contracts were signed by end of March 2013.

An overview of the responses to the call for tender is found in the annexed deliverable D9.3CCA.

The contracts are annexed as deliverable D9.4CCA.

2.3.5

2.3.6 Selecting Products, Sampling

The Childcare Articles Activity decided to target two product groups: Wheeled child conveyances and baby bathtubs.

The standard EN 1888:2012 [3] defines a wheeled child conveyance as: “A vehicle designed for the carriage of one or more children, consisting of a chassis to which a pram body (bodies) or car seat(s) or seat unit(s) or combination of these is (are) attached, which can be manually steered while being pushed or pulled”. Examples of such products are single prams, pushchairs with a pram body or carry cot intended to be used from birth, strollers with seat units intended to be used from six months, umbrella strollers and light strollers or combination products (chassis with seat unit, pram body and/or car seat).

The Childcare Articles Activity decided to focus on three main types of wheeled child conveyances:

- Single pushchairs (strollers).
- Single prams with chassis.
- Combination products, chassis with car seat(s), pram bodies, seat unit(s) or combinations of these.

They are shown on figure 3.



Figure 3: The 3 types of wheeled child conveyances targeted by the Childcare Articles Activity

This choice excluded the product groups: joggers, twin and double prams and twin and double pushchairs from the scope of the Activity. These were however found to represent a small share of the market.

The division of the samples on the three types is shown in table 2.

Product type	Number of samples
Pushchairs (strollers)	26
Prams with chassis	5
Combination products	20
Total	51

Table 2: Number of samples of each of the 3 types of wheeled child conveyances

The participants sampled 26 pushchairs and strollers. They were grouped into three categories depending upon their construction (umbrella type or not, reclined or fixed backrest). The numbers can be seen in table 3.

Type of pushchair	Number of samples	Share of samples
Umbrella-type fixed backrest	6	23%
Umbrella-type, reclined backrest	11	42%
Stroller, reclined backrest	9	34%

Table 3: The categories of pushchairs that were tested in the Joint Action

The participants agreed only to sample 5 prams. They were classified according to their internal length: smaller or greater than 800 mm. The sampling comprised one pram shorter than 800 mm and 4 longer than 800 mm.

The last group was combination products. The participants sampled 20 such products. All of them had a pram body or carry cot (one carry cot without handles). Only 7 of them had a car seat. They were categorised accordingly as can be seen from table 4.

Type of combination	Number of samples	Share of samples
Seat unit + carry cot	4	20%
Seat unit + pram body	9	45%
Seat unit + pram body + car seat	7	35%

Table 4: The categories of combinations that were tested in the Joint Action

As regards baby bathtubs, no harmonised standard existed. Instead it was agreed to apply the definition from Commission Decision 2010/9/EU [4]. Some examples are shown in figure 4.



Figure 4: A number of the baby bathtubs sampled by the participants.

Most of the baby bathtubs are designed with specific stands to support them, but there are a few universal bath stands within the market.

The Childcare Articles Activity ended up sampling 43 baby bathtubs for testing. They were classified into 4 main categories as shown in figure 5.

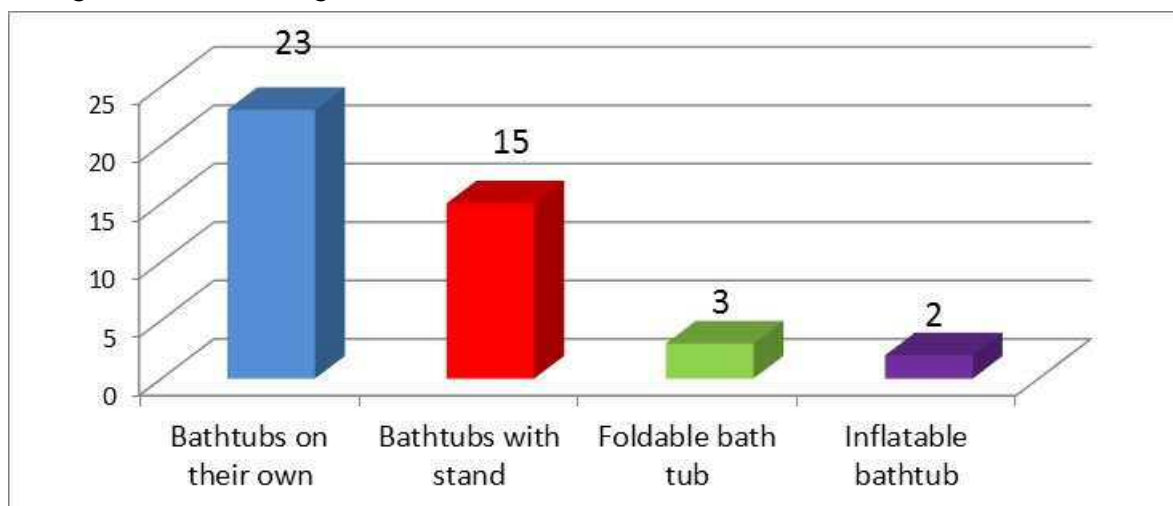


Figure 5: The sampled bathtubs grouped into 4 categories.

The Activity also examined the country of origin for the sampled bathtubs and found the distribution shown in figure 6. The figure shows that some 60% of the products were manufactured in the EEA. The rest of the samples came from outside Europe with China representing around 23% of all the samples.

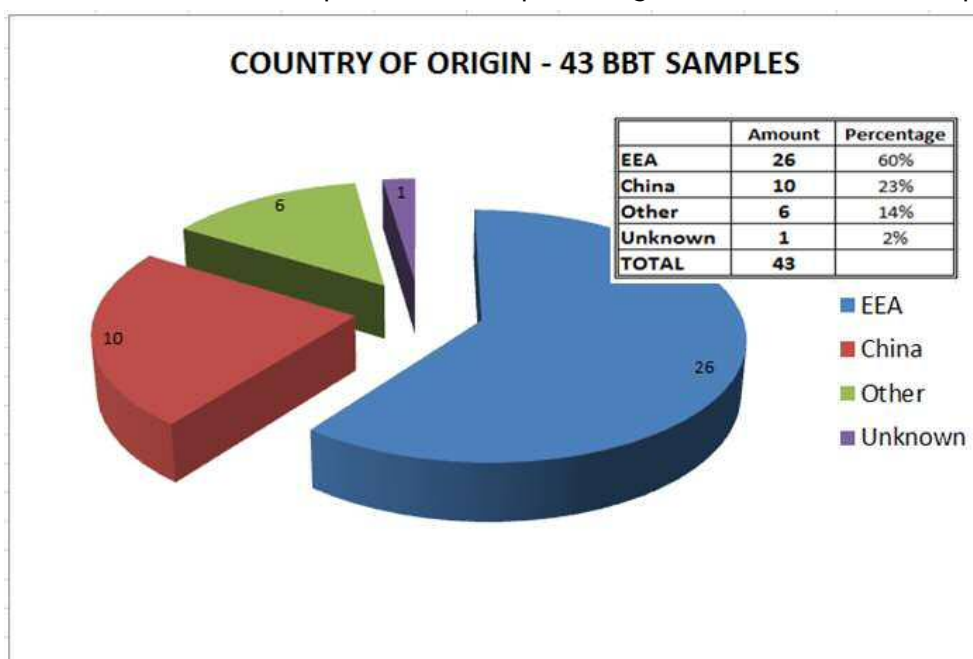


Figure 6: The country of origin for the sampled bathtubs.

Finally, it is noted that not all Member States took part in the full sampling programme: Lithuania and Denmark concentrated on wheeled child conveyances and didn't join the sampling of bathing products. Vice versa, France concentrated on bathing products and did not take part in the sampling of wheeled child conveyances.

2.3.7 Testing

The wheeled child conveyances were tested according to EN 1888:2012 "Child care articles - Wheeled child conveyances - Safety requirements and test methods". Before the test the samples were assembled according to their instructions for use, and pictures of all of the marking labels on the products were taken for inclusion in the final test reports. Inflatable tyres were inflated and the tyre pressure was adjusted according to the instructions for use before testing commenced. If a tyre punctured during the test, it was replaced before the tests continued. The vehicles were conditioned at a temperature of $(23 \pm 5)^\circ\text{C}$ for at least 2 h prior to testing. All tests were carried out at a temperature of $(23 \pm 10)^\circ\text{C}$.

The tests were conducted on one chassis assembled in the position of use and in the order of the clauses given in standard. Unless otherwise stated in the standard, each test was conducted with the vehicle in the most onerous condition as regards, the choice and number of seat units or pram bodies attached to the chassis, the use of test masses, the loading of any receptacle designed to carry additional loads, the addition of any other accessories supplied with the vehicle and the adjustment of seat units, handles and any other adjustable features allowed in the manufacturer's instructions.

If a failure occurred on a vehicle during testing, tests continued unless the failure rendered the vehicle unusable.

When the test had finished, AIJU prepared a test report for the sample. It included the test results obtained and indicated the non-conformances to the particular clauses of the standard. Also included were pictures of any non-conformances as well as comments or other relevant clarifications.

The detailed test requirements are annexed as deliverable D9.1CCA1.

All baby bathtub samples were also tested at AIJU Technological Centre in Spain. This test programme however faced the challenge that there were no harmonised European Standards available for baby bathing products. Instead the Childcare Articles Activity group decided to adopt two different approaches.

First, the bathtubs were tested according to the French experimental standard XP S 54-044. Afterwards, they were tested according to a test protocol developed by the Activity group with help from AIJU. This protocol was based on the Commission Decision (2010/9/EU) on the safety requirements to be met by European standards for bath rings, bathing aids and bath tubs and stands for infants and young children, and it employed test methods and requirements from a number of technical guidelines and standards:

- CEN/TR 13387:2004 "Child use and care articles - Safety guidelines" [5].
- EN 12221-1/2:2008 "Changing units for domestic use" [6].
- EN 1466 + A1: 2007 "Child care articles- Carry cots and stands- Safety requirements and test methods" [7].
- EN 1888:2012 "Wheeled child conveyances" [3].
- French Experimental Standard XP S 54-044 [8].

The final test criteria are annexed as deliverable D9.1CCA2.

By mid-May 2013, all samples had been sent to the laboratory. During August 2013, the laboratory prepared various overview tables and reports that were analysed by the concerned participants and the core group for the concerned product.

The testing had finished by the end of August or the first week of September.

2.3.8 Results

Figure 7 gives an overview of the non-compliances found in the tests of the 51 samples. The tests showed that the most common non-compliance related to the test for moving parts (clause 8.3 of the standard), where 41% of all samples tested failed. The figure shows that the following non-compliances related to suitability of the vehicle (clause 8.1.1), choking and ingestion hazards (clause 8.5), structural integrity (clause 8.10), and the restraint system and fasteners (clause 8.1.3). These tests all showed non-compliance percentages ranging from 24% to 33%. The tests for parking and braking devices (clause 8.8) and durability of marking (clause 9) both showed non-compliance rates of 14%. All other non-compliances had percentages below 10%.

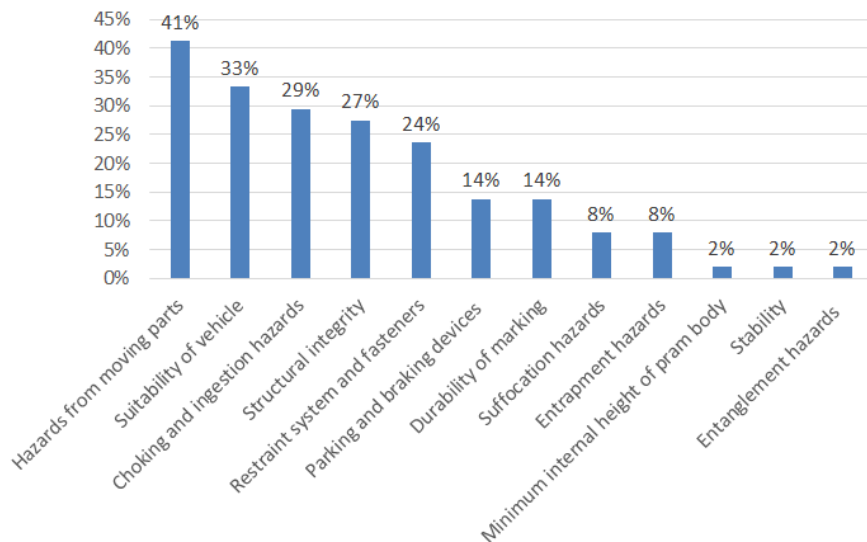


Figure 7: Share of non-compliances identified with the 51 tested wheeled child conveyances

The Activity group also analysed how the non-compliances were divided on the three types of vehicles examined. The results are shown in figure 8 (pushchairs), figure 9 (combinations) and figure 10 (prams). Figure 8 shows the situation for pushchairs (strollers). The most predominant non-compliances are hazards originating from moving parts, structural stability and the protective function.

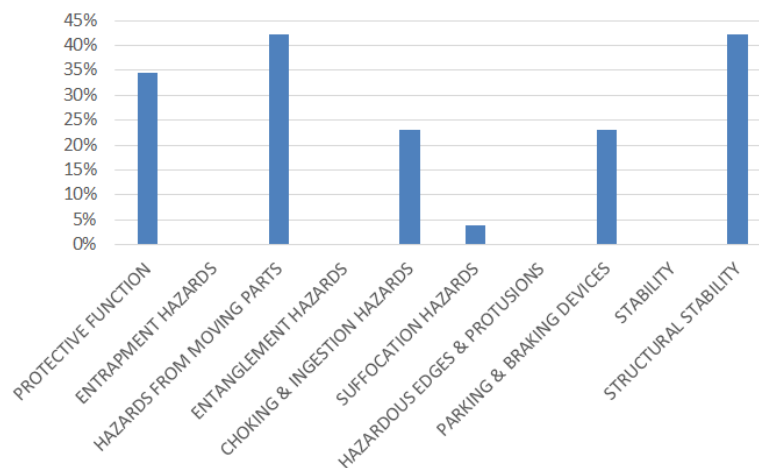


Figure 8: Percentage of non-compliances related to pushchairs (strollers) (26 samples).

Figure 9 shows the situation for combination products (figure 8). One can see that there are some differences compared to the situation for pushchairs. Most of the non-compliances for combination products related to the protective function and moving parts, but there was a considerable amount of non-compliances related to potential choking and ingestion hazards.

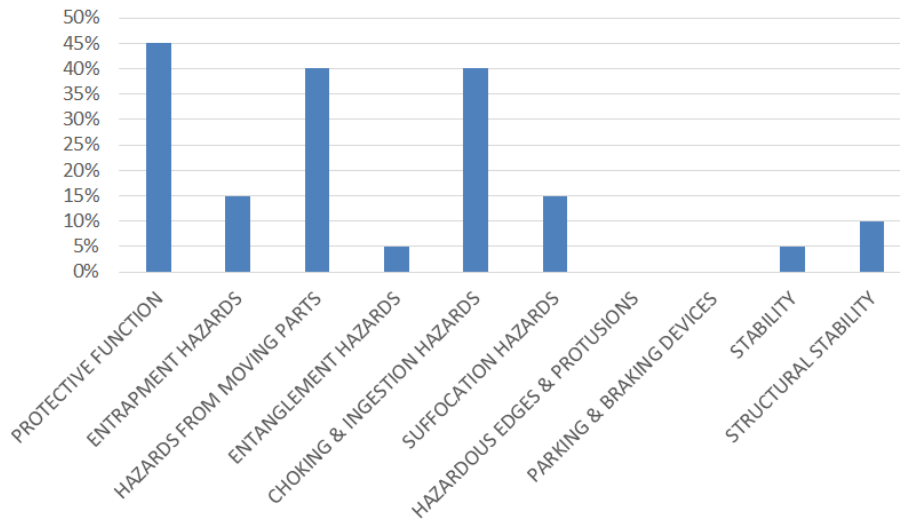


Figure 9: Percentage of non-compliances related to combinations (20 samples).

As regards prams, only 5 products were sampled from the market. This was probably due to the fact that pushchairs and combinations are much more common than prams in the Member States that were involved in the Activity. The Nordic countries make a significant exception to this observation.

Figure 10 presents the situation for the tested prams. The figure shows the highest rate of non-compliances by far related to hazards from moving parts. This was followed by entrapment hazards, choking and ingestion hazards, parking and braking devices and structural stability.

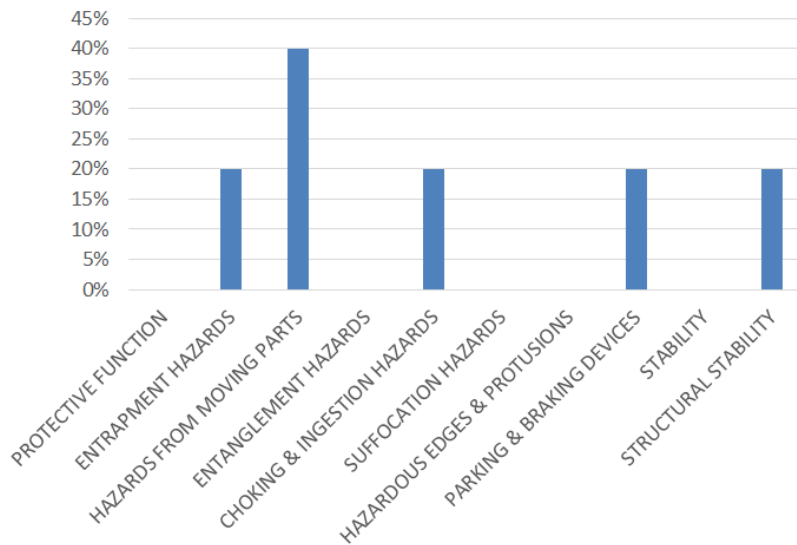


Figure 10: Percentage of non-compliances related to prams (5 samples).

When looking at the overall picture, one immediately notices that the level of the non-compliances related to mechanical requirements is high. Only 10 out of the 51 samples (or some 20%) passed all of the tests. This shows that the sampling was very effective and that the inspectors were able to “zoom in” on potentially non-compliant products when they selected the samples. The figure says little about the safety level on the market.

Table 5 presents the number of failed samples for each of the mechanical hazards (clause 8 of the standard) including a breakdown of some of the more relevant sub-clauses.

Clause	Requirement	Number of non-compliant samples	Percentage
8.1.1	Suitability of vehicle	17	33%
8.1.2	Minimum internal height of pram body	1	2%
8.1.3	Restraint system and fasteners	12	24%
8.2	Entrapment hazards	4	8%
8.3	Hazards from moving parts	21	41%
8.4	Entanglement hazards	1	2%
8.5	Choking and ingestion hazards	15	29%
8.6	Suffocation hazards	4	8%
8.7	Hazardous edges and protrusions	0	0%
8.8	Parking and braking devices	7	14%
8.9	Stability	1	2%
8.10	Structural integrity	14	27%
8.10.1	Carrying handles and handle anchorage points of pram bodies and detachable seat units	1	2%
8.10.3	Irregular surface test	12	24%
8.10.6.2.2	Handle strength. Durability test	2	4%
	Mechanical hazards, total	41	80%

Table 5: Overview of non-compliances due to mechanical hazards according to EN 1888:2012 (all 51 samples)

The participants also checked whether the information provided with or on the product complied with the requirements. The results are shown in table 6. The figures should be taken as indicative only. They are based on reports from the inspectors' inspections according to the checklists developed in the Activity. However, the experience was that they could be interpreted differently by different inspectors so it was impossible to ascertain the accuracy of the information gathered.

Clause	Requirement	Number of non-compliant samples	Percentage
10.1	All product information to be provided in the official language of the country of sale	19	42%
10.2	Marking of product	23	46%
10.3	Purchase information	22	44%
10.4	Instructions for use	22	44%
	Product information, total	39	76%

Table 6: Non-compliances related to product information (all 51 samples)

Again, one immediately notices the high percentages of non-compliances. This is due to the fact that one of the indicators that the inspectors used when selecting the potentially non-compliant products was the errors in the marking, instructions or other product information.

The participating market surveillance authorities assessed the risk presented by the identified non-compliances using the methodology from the RAPEX Guidelines [2]. The conclusion was that the majority of the products carried a low or medium risk. The result can be seen in table 7.

Risk level	Number of non-compliant samples	Percentage
No risk	3	4%
Low Risk	14	27%
Medium Risk	17	33%
High Risk	4	8%
Serious Risk	8	16%
Still under evaluation	5	10%

Table 7: The risk level associated with the identified non-compliances (all 51 samples)

Regarding the enforcement actions, the participating market surveillance authorities were very happy to experience the good cooperation with the economic operators that took place in most cases. Normally, the economic operators were seen to be very solution-focused working to eliminate the risks with products. Overall, 80% of the measures taken were voluntary measures taken by the economic operators in coordination with the authorities. The actions and measures are shown in table 8. Please note that some cases were still under evaluation when the report was written.

Actions taken	Number of samples	Compulsory measures
No action	3	NA
measures or notification to economic operator	27	2
Sales ban	3	1
Withdrawal	5	3
Recall	5	1
Still under evaluation	8	NA
Total	51	

Table 8: Overview of measures taken against the non-compliant vehicles

The actions mentioned in the table have the following meaning:

- No action. No action is necessary because no safety issues were identified with the product, or the risk is so low that no action is required.
- Minor measures. The economic operator takes measures against (future deliveries of) the product in line with directions from the market surveillance authority. The measures could be minor design changes, minor changes in production or quality control, minor update of marking, etc.
- Sales ban. The product is prohibited from sale permanently or until certain conditions are met.
- Withdrawal. This measure is defined in the GPSD (Directive 2001/95/EC). The distribution, display and the offer of a product which is dangerous to consumers are stopped.
- Recall. This measure is defined in the GPSD (Directive 2001/95/EC). Any means aimed at achieving a return of a product that has already been supplied or made available to consumers.

Furthermore, products presenting a serious risk must be notified in the RAPEX system. At the time of the reporting 3 prams, 4 strollers and 2 combination products had been notified.

The detailed test results on wheeled child conveyances can be found in the annexed deliverable D10CCA1.

Regarding the baby bathtubs, the first round of tests was carried out in accordance with the French standard XP S 54-044 [8]. The results are shown in table 9.

Clause	Requirement	Number of non-compliant samples	Percentage
5	Construction requirements, total	28	65%
5.1	General requirements	0	0%
5.2	Detachable or removable elements	6	14%
5.3	Static strength -	0	0%
5.4	Thermal test	0	0%
5.5	Impact test	26	60%
5.6	Test on foam mattresses	0	0%
5.7	Inflatable bathtubs or cushions attached to bathtubs	0	0%
6	Durability of marking	22	51%

Table 9: Results of testing baby bathtubs according to the French standard XP S 54-044 [8] (43 samples)

The table shows that the main non-compliance is related to construction requirements where 65% of the samples failed the test. The main cause was failure to pass the impact test where 60% of all samples failed. In other words, 26 of the 28 bathtubs that failed the construction requirements failed the impact test. The core of this test is that the bathtub must be able to withstand a standardised impact to the bathtub. The French standard XP S 54-044 [8] prescribes that 10 points are distributed on the bottom of the bathtub and that 10 standardised impacts are given on each point. One of the impact points must be at the centre of the bathtub. The requirement is that the test should cause no damages to the bathtub. The test mimics normal use where a consumer inevitably will bump the bathtub into the surroundings when preparing it before a bath or stowing it away afterwards.

Figure 11 shows an example of a non-compliant sample after the impact test. The picture shows the cracks that have occurred in the bottom of the bathtub.

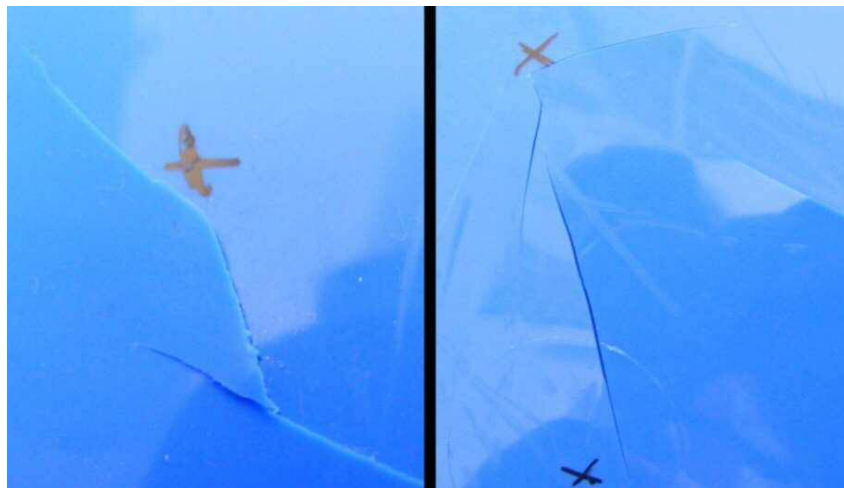


Figure 11: An example of a sample after impact tests

The second round of tests was carried out according to the testing protocol that was developed by the Activity group with help from AIJU. Table 10 shows the results.

Clause	Requirement	Number of non-compliant samples	Percentage
	Construction requirements	34	79%
ii	Entrapment & Strangulation Hazards	11	26%
iii	Hazards from Moving Parts	5	12%
iv	Falling Hazards	12	28%
v	Choking Hazards	5	12%
vi	Suffocation Hazards	2	5%
vii	Ingestion Hazards	6	14%
viii	Hazardous Edges	1	2%
ix	Structural Integrity	26	60%
x	Device attaching the tub to the stand	0	0%
	Requirements for marking and instructions		
i	Instructions pertaining to thermal issues	13	30%
xi-c-7	Durability of marking	22	51%

Table 10: Results of testing baby bathtubs according to the test protocol developed in the Childcare Activity

Again, the result is that a high number of the bathtubs fail to meet the construction requirements with the requirements for structural integrity as the main cause (60% of all samples).

The structural integrity requirement catered for a number of requirements. The results for the individual tests are further detailed in table 11.

Clause	Requirement (structural integrity)	Number of non-compliant samples
ix.1	Static strength	0
ix.2	Thermal test	0
ix.3	Impact test	26
ix.3.1	Test method 5.11.3 of EN 12221-2	8
ix.3.2	Test method 5.5 of XP S 54-044	26
ix.4	Strength of stands	0

Table 11: Results of structural integrity tests

The test protocol included a test of the stand for the bathtub. The test protocol proposed to verify this requirement in accordance with the similar requirement for strength of stands in EN 1466, "Childcare articles - Carry cots and stands". The bathtub is mounted to its stand and loaded with 38 kg. It is then inspected for breakages or any permanent distortions that will prevent its normal operation. The table shows that all samples passed this test.

The table shows that the same number of samples (26 out of 43) failed the impact test. The test method from the test protocol proposes two tests - one according to clause 5.11.3 of EN 12221-2 [6] and one according to clause 5.5 of the French standard XP S 54-044 [8]. However the first test can be considered to be a subset of the second one: EN 12221-2 prescribes that an impact is made to the centre of the bathtub 10 times. XP S 54-044 prescribes that 10 points are selected on the bottom of the bathtub including at the centre of the bathtub, and then each point is impacted 10 times.

Another common failure according to table 10 was related to clause I, product information pertaining to thermal hazards. This is a new safety requirement that is mentioned in the Commission Decision 2010/9/EU [4] that says that instructions shall be given to the carers to pay attention to the temperature of the water and to prevent the child from gaining access to the tap.

With regard to xi-c-7, durability of marking, the test protocol proposes exactly the same test as in the French standard, hence the identical failure rates.

The conclusion from this comparison of test methods is that the most decisive test was the impact test when it was performed according to clause 5.5 of the French standard.

Further to the mechanical tests, the participants also examined the product information on a number of products. These examinations included the 43 products that were sampled for laboratory testing plus another 24 baby bathing aids and 14 baby bath rings or baby seats that were inspected by the market surveillance authorities. All inspections except 13 were undertaken by the inspectors from the participating authorities using the checklists that were developed during the Activity. It is foreseeable that there might occur a certain level of disparity in the interpretation of the requirements in the checklists despite of all efforts to avoid this, so the below information should be taken as indicative only. (The 13 exceptions were checked by the laboratory itself because the marking was in the English, French or Spanish languages.)

The result of the examinations of the product information is found in table 12.

Requirement	Baby bathtubs	Bathing aids	Bathing rings	Total
Number of products	43	24	14	81
Information on the product	95%	100%	79%	94%
Instructions for use	93%	100%	93%	95%

Table 12: Non-compliance rates related to product Information

The table shows that the share of non-compliant products is very high - 80-100%. The most common non-compliance related to the information on the product is failure to inform that “Drowning can occur in a very short time and in very shallow water” (80% of the 81 products) and “Warning! Drowning Hazards” (69% of the 81 products). The same two non-compliances are the most common ones when it comes to non-compliances related to the instructions for use.

However, when looking at the numbers, it is important to bear in mind that the market surveillance inspectors had been asked to focus identifying potentially hazardous products when they sampled the products. This will cause a strong bias in the results towards a higher share of non-compliant products that one could find in the market if the sampling was done on a random basis. Therefore the results do not represent the actual safety level of the European market.

The market surveillance authorities also performed a risk assessment for the tested baby bathtubs to identify the risk level and thereby obtain important input to their enforcement actions. The result was that 4 samples (9% of the 43 samples tested) were identified to present a serious risk to the consumer. The main reason for this was that the 4 samples had failed to meet the requirements for stability and structural integrity. Another 4 samples (representing a further 9% of the 43 bathtubs) were found to present a high risk to the consumer.

Furthermore, 10 products (23% of the 43 samples) were found to present a medium risk to the consumer, and 14 bathtubs (33% of the 43 samples) were found to present a low risk to the consumer. The remainder of the samples were either found not to pose any risk or they were still being analysed at the time of the reporting.

The results from the risk assessment helped the market surveillance authorities determine the necessary actions. The authorities must take other considerations into account including the actual number of products on the market, the share of non-compliant products, how easy the risk can be removed, how obvious the risk is to consumers, etc. Finally, the economic operator must be consulted and have the chance to react himself to the observations. Again, it was very positive to see that the cooperation with the economic operators in most cases went very smoothly and was focused on finding appropriate solutions to eliminate the risks. Some 70% of the measures were actually voluntary measures taken by the economic operators (in coordination with the market surveillance authorities).

The actions taken are shown in table 13. Please refer to table 8 on p. 25 for definitions of the measures.

Actions taken	Number of samples	Compulsory measures
No action	7	NA
Minor measures or notification to economic operator	26	6
Sales ban or withdrawal	8	4
Recall	0	NA
Still under evaluation	2	NA
Total	43	

Table 13: Overview of measures taken against the non-compliant baby bathtubs

The table shows that no recalls were issued by the market surveillance authorities. However, 8 cases (19% of the 43 products) ended with sales bans or withdrawals. Moreover, the market surveillance authorities issued 4 RAPEX alerts on 4 of these 8 samples. More details on the test results can be found in the annexed deliverable D10CCA2.

2.3.9

2.3.10 Conclusions

The overall result of the test of wheeled child conveyances was that only 10 out of the 51 samples passed all of the tests related to mechanical requirements. This shows that the sampling process was very effective and the inspectors were able to identify potentially non-compliant products in their sampling so only few resources were wasted testing safe and compliant products.

The same trend can be seen in the results of the examination of the information provided with or on the vehicle. Again, the share of non-compliant products is very high, and this is due to the fact that errors in marking, instructions or other product information was one of the indicators that the inspectors used when selecting the potentially non-compliant products.

Still the market surveillance authorities had to impose measures to remove the risky products from the market. It was very positive to see that the cooperation with the economic operators in most cases went very smoothly and that some 80% of the measures were actually voluntary measures taken by the economic operators.

Regarding baby bathtubs, the results were quite similar. Approximately 65% of the samples failed the test, mainly because they did not meet the construction requirements. The main cause was samples that failed the impact test (60% of all samples failed). The participants also examined the product information on the 43 bathtubs that were tested plus 24 baby bathing aids and 14 baby bath rings or baby seats that were inspected by the market surveillance authorities. The results showed that 80-100% of the products had marking errors. (The figures varied from one type to another.)

These numbers seem to be very high. The reason for this is that the inspectors had been asked to identify potentially hazardous products when they sampled, hence one can expect that the share of non-compliant products will be high. The results do not represent the actual safety level of the European market.

The participants assessed the risk associated with the non-compliant baby bathtubs and found that only 4 samples (9% of the 43 samples tested) presented a serious risk to the consumer and another 4 samples presented a high risk to the consumer. The rest of the bathtubs presented a medium or low risk to the consumers. The economic operators were presented for these results and again, it was very positive to see that the cooperation with the economic operators in most cases went very smoothly. Some 70% of the measures were voluntary measures taken by the economic operators.

Finally one aim of the baby bathtub investigation was to develop and evaluate a test protocol for assessing the safety level of such products. It was done. Such a test protocol was developed and provided satisfactory results.

2.3.11 Involvement of Customs

The liaisons between customs and the Activity was limited to sharing of checklists, as the Activity group at an early stage agreed that the sampling of products would take place at the importers and not at the border.

The Activity group drafted checklists for customs at its last meeting in December 2013. The group developed two checklists, one for wheeled child conveyances and one for baby bathtubs. They were made specifically with the intention that they should be very easy to understand and fill in. This was based on the experiences of the group that checklists should be easy to understand and simple to use to avoid misunderstandings and to rule out the possibility for interpretation to the extent possible. Such checklists should be based on clear and simple and indicators that would show when to “raise a flag” and inform the market surveillance authorities that further investigations are required on the product rather than making the customs officers experts on the products.

The group agreed it was useful to check the labelling and the instructions for use to use that as a first indicator in a preliminary investigation carried out by customs officers at the border or market surveillance officers doing inspections at economic operators. The group had found that products with no label whatsoever almost always had technical non-compliances, often presenting a serious risk to the consumers.

2.3.12 Other Liaisons

The Childcare Articles Activity maintained close links with the Consumer Safety Network throughout the Joint Action. The Commission representative (who is also involved in the Consumer Safety Network) participated in almost all of the meetings within the Activity.

2.3.13 Lessons Learned

Some of the most obvious lessons learned by the Activity group relate to experiences with the feasibility of the standards and test methods applicable for the two product groups.

Regarding the European Standard EN 1888:2012 for wheeled child conveyances [3], the group made a number of observations:

- There are no requirements that describe the format or specific content of test reports. This makes it difficult for market surveillance authorities to assess the reports and check what has been tested by the laboratory. The group suggests that test reports should build on the principles in EN13018:2001 [9]. Most important, the report should clearly identify the vehicle and its accessories including batch numbers and important physical features such as size, weight etc.
- The standard should make it clear which tests the different types of wheeled child conveyance needs to go through.
- The test report should only list one test result for each clause. The present standard describes several tests under some clauses, which creates confusion on the actual number of tests performed.
- If the result is “Not Pass” for a given clause, it may be impossible to see how close the product was to fulfilling the requirement. Further information would be useful in the risk assessment, so the test report should provide information on the size of deviations from the requirement.
- The method for measuring the length of pram bodies is not sufficiently clear which leads to ambiguous results.
- The standard does not cover all hazards originating from moving parts. As an example, hazardous shear and compression points are accepted inside the protected volume if they only occur during adjustments of parts that are locked when in use. This leads to different interpretations by test laboratories.
- The standard does not describe well enough how to carry out the bite test, which leads to different interpretations by different laboratories.
- The standard permits wheels to entangle whilst the vehicle is swivelling. This should not be allowed.

The chair of the Activity group participates in the involved CEN Technical Committee and she will convey these messages to the Committee.

The Activity group also had a number of proposals and considerations related to a European standard for baby bathtubs:

- The main hazards presented by this type of products are drowning hazards, hazards related to structural integrity, falling hazards and entrapment of fingers. Others hazards such as ingestion hazards, choking hazards, hazards from moving parts, suffocation hazards and hazardous edges were also present but to a lesser degree.
- The most important warnings, markings and instructions for use should be properly displayed on the baby bathtub.
- No test requirements can cover the drowning hazard, and baby bathing products is a product group that has a considerably high inherent risk. Therefore, it is extremely important that parents or carers who use these products for the bathing of babies can easily and quickly recognise the risks associated with these products. Warnings serve this purpose.
- All information (text and pictograms) on the packaging, on the product and in the instructions for use should make it explicitly clear that close assistance of an adult is necessary to use the product safely.
- The packaging, the product, and the instructions for use must bear a warning like “Warning! To prevent drowning always keep your child close at hand” and a pictogram. The warning label shall be durable and remain visible when the child is in the bathtub.
- Information on the vulnerable age range of children shall be provided on the product and in the instructions for use to carers, for example “from birth up to 12 months”.
- The instructions for use should include sentences similar to the following:
 - “These article do not provide any additional safety related to water hazards”;
 - “Drowning can happen very quickly and can occur in very shallow water (2cm)”;
 - “While bathing the baby, do not answer the phone, do not answer the door when someone rings.”
 - “If you must leave the bathroom take your child with you”.

- The instructions for use should give instructions to pay attention to the temperature of the bath, similar to: “Always check the water temperature before putting the baby in the bath (Ideal temperature 37°C).” Instructions shall also be given to prevent the child from gaining access to the tap.

These observations have been shared with the representative from the European Commission. Furthermore, representatives from the relevant technical committee of CEN attended some of the open meetings organised throughout the Activity.

The Childcare Article Activity group experienced that checklists were useful in assisting inspectors to identify samples that should be sampled for testing purposes. Checklists will ensure that the inspectors are able to perform adequate investigations before the product is sampled. However, the group also found that checking product information at European level by use of checklists was difficult due to different interpretations by the inspectors. Ideally, such information should be inspected by one party to ensure the consistency. This however conflicts with the fact that product information must always be in the local language, which for very practical reasons is easier checked by the local inspector than by a common European laboratory that only have a sufficient knowledge of a few European languages. This means that close liaison must be maintained between the market surveillance authorities to cross-check and ensure that all information is identified correctly.

The tendering process was found to be very beneficial. Pooling all the testing gave an economy of scale that lead to very competitive quotes from the laboratories. This in turn meant that the laboratory could perform additional tests for the same budget. What also helped decrease the costs were the establishing of efficient communication with the laboratory and a firm test plan with a suitable timeframe.

The European consumer organisation, ANEC, was involved in the Activity from the start bringing in their knowledge and offering the consumer’s perspective to the discussions. This was seen to be extremely useful. Off course, economic operators must always supply safe products, but it is important to ensure that consumers read and understand warning labels and manuals in order to use their childcare articles in a safe and correct way. The Activity group therefore recommends that market surveillance authorities also cooperate with consumer organisations at a national level to ensure that any relevant knowledge is well conveyed to the consumers. One example relating to baby bathing products is that the risk of drowning associated with these products is very high, and unfortunately (fatal) accidents do occur. An educational campaign in this area, targeting parents and carers, could possibly help to save lives and seems highly appropriate. It could be one example where ANEC, other European consumer organisations such as BEUC and market surveillance authorities could cooperate.

Economic operators must always cooperate with the market surveillance authorities in order to reduce any risks present in the market. The Activity group therefore recommends that European organisations representing businesses, manufacturers, importers and traders are encouraged to participate in Joint Actions. The group finds it important to maintain a healthy dialogue between all stakeholders to help to identify and prevent possible future safety issues and identify practical solutions. This seems to be particularly relevant for baby bathing products, where the economic operators need to be more aware of the hazards and risks associated with their products.

2.4 Product Activity on Fireworks

Planned deliverables from the Joint Action - all completed

- D5.1F Planning of activities, detailed approach to market surveillance activities for fireworks
- D5.2F Kick-off and planning meeting, memo from meeting
- D6.1F 2nd project meeting, minutes from meeting
- D6.2F 3rd project meeting, minutes from meeting
- D6.3F 4th project meeting, minutes from meeting
- D6.4F 5th project meeting, minutes from meeting
- D6.5F 6th project meeting, minutes from meeting
- D7F Guidelines to Member States on how to exchange information
- D8.1F Memo to Member States on which products to sample
- D8.2F Checklist and/or guidelines on capturing best practice for undertaking market surveillance on fireworks
- D9.1F Development of test criteria
- D9.2F Letter to laboratories requesting them to make a quotation
- D9.3F Overview of responses to the call for tender

- D9.4F Contract with test laboratory
- D10F Market surveillance activities
- D11F Follow-up activities

2.4.1 Participants

The following 10 Member States participated in the Fireworks Activity: Belgium, Bulgaria, Denmark, Malta, Norway, Poland, Portugal, Slovenia, Sweden and the Netherlands. In addition Iceland joined outside the financial scheme.

2.4.2 Planning of Activities

In March 2012, the Activity Leader, the Activity Coordinator and the coordinating consultant for JA2011 had a planning meeting in Brussels to discuss the conduct of the kick-off meeting and the development of the project plan.

A detailed Gantt chart was drawn up based on the Grant Agreement and was presented to those attending the kick-off meeting. It is annexed as deliverable D5.1F.

2.4.3 Meetings

Kick-off Meeting

The kick-off meeting was held in Brussels on 25 May 2012. The programme was divided in two parts: A wide range of stakeholders including representatives from DG Enterprise, CEN, the European Child Safety Alliance, the Notified Body Forum for Pyrotechnic Articles and the European Fireworks Association attended the first part of the meeting together with the Activity group. DG TAXUD and the ADCO Group on Pyrotechnic Articles had also been invited but were unable to attend.

On the second part, the Activity group and representatives from DG SANCO joined the meeting.

The Activity Coordinator introduced the tasks, objectives and timescale of the Activity as well as the range of safety problems associated with fireworks.

The discussions at both parts of the meeting were wide ranging and covered such issues as:

- The collection of samples from the market in the participating Member States;
- The methodology to be employed in the testing of samples - full compliance testing or “sudden death testing”;
- The range of test laboratories that should be invited to tender for the testing of fireworks;
- The transport of samples;
- Whether the scope of the project should include the market surveillance of fireworks at the principal ports of entry to the EU and how links might be established with the customs authorities at these ports;
- The potential links with the work of the ADCO group.

The minutes from the kick-off meeting are annexed as deliverable D5.2F.

Second Project Meeting

The second project meeting took place on 12 September 2012 in Brussels.

The meeting started with a discussion and agreement of the following topics:

- Scope of the project;
- Tip sheet to be used by inspectors undertaking inspections in a shop to collect samples;
- Report form;
- Call for tenders document;
- Overview of the applicable safety requirements per firework type and type of non-conformity.

The participants also reviewed the communications plan and the work plan for the project and discussed a number of other issues that needed to be addressed at this stage, e.g. the tendering process, and the dissemination of results from the market surveillance activities.

The minutes from the meeting are annexed as deliverable D6.1F.

Third Project Meeting

The third project meeting took place on 22 November 2012 in Brussels, Belgium.

The project group discussed the safety requirements to be assessed in the laboratory testing and had a lengthy discussion of the call for tender and the responses received. The group agreed to continue the discussions with two of the three laboratories that had submitted quotations.

Furthermore, the group had a look at a provisional allocation of the budget between test costs and transport costs. (Transport costs are to very high for fireworks because it is considered to be dangerous goods that can only be transported under special provisions.)

The group began to look at how to sample fireworks and commented a “tip sheet” intended to be used by the market surveillance officers during inspections in shops.

Finally those representatives that also attended the ADCO meetings reported back for the benefit of the entire project group.

The minutes from the meeting are annexed as deliverable D6.2F.

Fourth project meeting

The fourth project meeting was held at the offices of The Malta Consumer Affairs and Competition Authority on 14 March 2013.

A report was presented at the meeting by the Test Lab Review Team concerning their visits to the two laboratories that had been short-listed. The review team had met the staff and inspected the facilities at the two laboratories and was satisfied that both of them would be able to conduct the requested tests. It was agreed to appoint both laboratories, and contracts were signed prior to the fourth project meeting. The participants also agreed on a sampling plan that described the number of fireworks to be collected by each country and where they would be tested. The plan was to sample approximately 150 fireworks; 11 items of each - 10 for test at the laboratory and 1 for inspection of markings and labels by the Member State authority.

The members also agreed to complete two forms for each product inspected: One form for use when sampling products in the premises of economic operators, and one form for use when inspecting the markings and labels on a firework. Short guidelines for the completion of the two forms were prepared so as to help the market surveillance officials to fill them in.

The minutes from the meeting are annexed as deliverable D6.3F.

Fifth project meeting

The fifth project meeting took place 12 September 2013 at the premises of one of the selected tests laboratories, AIDICO in Valencia, Spain.

The group started by reviewing the progress with the testing. It was noted that the samples from two of the participants had still not been tested.

The participants also discussed an overview of the results of the tests and shared their thoughts on follow-up actions including risk assessment of non-compliant fireworks. It was agreed to establish a small working group that should develop guidance material on how Member States could follow-up on non-compliant fireworks. The group reviewed the cost of transporting and testing samples and noted that the transport costs were about as high as the test costs.

The group discussed a proposal to conduct of a second series of tests. It was agreed not to do so for budgetary reasons and because the Activity had already accomplished far more than anticipated in the original plans. Instead, the group recommended that a follow-up project on fireworks be included in the proposal for Joint Action 2014.

Finally, the group discussed cooperation with customs and agreed on a draft guide for review of the markings and labels on fireworks.

The minutes from the meeting are annexed as deliverable D6.4F.

Sixth project meeting

The sixth project meeting took place 28 November 2013 at the offices of FOD Economy in Gent, Belgium.

The main topic of the meeting was an analysis of the test results as well as the results from the examination of markings and labels. This topic also featured a discussion of likely follow up actions as well as risk assessment of non-compliant fireworks.

The group agreed to propose that DG SANCO would conduct a 1-day seminar for all EU Member States on the application of the Risk Assessment Guidelines to fireworks.

The meeting also featured a continuation of the discussion of the guide on inspections of markings and labels on fireworks. Two versions had been prepared, one that covered the marking and labelling requirements specified in the old directive (2007/23/EC) and a second one that specified the more onerous and complex requirements specified in the recast directive (2013/29/EU). The intention was to make both papers available to both economic operators and to market surveillance staff via PROSAFE's website following the end of JA2011 in April 2014.

Finally the participants shared information about how to dispose of illegal or non-compliant fireworks.

The minutes from the meeting are annexed as deliverable D6.5F.

2.4.4 Tendering Process for Test Laboratories

Initially, it was agreed to invite the five government test laboratories from Belgium, Denmark, Norway, the Netherlands and the United Kingdom to tender for the laboratory testing. This was found to be appropriate as all these laboratories were known to have a strong, formal link to the government department with responsibility for the safety of pyrotechnic articles in the Member State concerned. Unfortunately, all five laboratories declined the invitation to tender.

It was then agreed to invite the thirteen Notified Body laboratories to tender. The Notified Bodies issue certificates of conformity for fireworks so they are commercially involved in the business. However, each CE marked firework contains information stating which Notified Body has awarded its certificate, so it is possible to avoid potential conflicts of interest by ensuring that a firework is tested by another Notified Body than the one that issued the certificate of conformity. Therefore the project group decided that it needed to contract two laboratories to do the testing.

By the closing date submissions had been received from 4 laboratories:

- NB 0080 - INERIS, France;
- NB 0163 - LOM, Spain; Subsequently, LOM withdrew from the tendering process.
- NB 1170 - AIDICO, Spain, and
- NB 1809 - INCD INSEMEX, Romania.

The invitation to tender is annexed as deliverable D9.2F. An overview of the responses is annexed as deliverable D9.3F.

The three remaining submissions were reviewed using the agreed evaluation criteria. It was resolved by correspondence amongst the members of the project group that the two preferred submissions were from AIDICO and INCD INSEMEX. It was agreed at the third project meeting that a small group of key persons from the project group should visit the two laboratories to meet the staff who would be involved with the testing of the PROSAFE fireworks and to inspect the facilities at each laboratory.

Following the visit to AIDICO in mid-December 2012 and to INSEMEX in mid-January 2013 it was agreed with the members of the project group, that these two laboratories should be appointed. Contracts with the two laboratories were signed in February 2013. The contracts are annexed as deliverable D9.4F.

2.4.5 Selecting Products, Sampling

Following a review of the risks associated with the 31 types of firework that are detailed in the standard EN 15947-2:2010 [11] it was decided that the Activity should focus on the five types of fireworks that are shown in table 14. These types of firework were considered to be the most hazardous to members of the public if they were not manufactured in accordance with the requirements of EN 15947 [10] - [13]. Moreover, the presumption was that by focussing on a limited range of different types of firework, a more representative picture of the non-compliances presented by these products could be obtained than if all 31 types of firework were tested. It was thought that these five types of firework would be available in the bulk of the participating Member States.

The participants found that it was important to include a firework from category 1, although this type of firework probably poses a lower risk to consumers than firework in categories 2 and 3. Including a category 1 firework in the market surveillance scheme would ensure that the project covered all the categories of consumer fireworks specified in Directive 2007/23/EC [15].

Type of fireworks	Category	Remark	Main risk
Fountains	1		Material ejected by a fountain could cause burns to bystanders in the domestic setting.
Batteries and combinations	2	Small batteries and combinations, preferably those in which its height is greater than any dimension of its base, including the diagonal measurement	Such batteries and combinations are particularly prone to lose their stability when ignited and, as a consequence, pose a serious risk to consumers.
Rockets	2	Small rockets, preferably those without a stick to stabilise the flight	Very likely to be unstable during their flight and, again, present a serious risk to bystanders and also to property.
Flash bangers	2 and 3		Likely to cause 2 nd or 3 rd degree burns. In some cases their noise level could be in excess of the safety requirements.

Type of fireworks	Category	Remark	Main risk
Roman candles	2 and 3		If their height of deflection is too low they may cause eye or ear injury, or burn damage to the skin.

Table 14: Overview of the types of fireworks selected for sampling. The table also presents the main risks associated with these types

At the third project meeting it was agreed that the participating Member States should aim to collect the quantities of CE marked products from their domestic market that is shown in table 15.

It was agreed that products made in conformity with national standards without a CE mark should not be included in the market surveillance exercise. It was also agreed that the participating Member States would not be asked to sample any specified quantity of the five types of firework that have been selected for testing as their availability depends principally on the stocks being carried by economic operators in the country concerned.

In order to secure the necessary number of items of each sample (11) the market surveillance staff generally collected their samples from the premises of wholesalers, rather than shops.

Members were aware that a number of websites offer fireworks for purchase by members of the public. In many cases it is not clear in which jurisdiction the economic operator is based, if the fireworks on the market are CE marked, or whether they have been tested to another standard. In view of the difficulties of accessing this market it was decided not to purchase any products via the internet. Members were also conscious that if they had purchased products via the internet, they would probably have infringed national legislation concerning the transmission of potentially explosive articles by post or by other means of transport.

Participant	Number of samples ...	
	... planned	... sampled
Belgium	25	15
Bulgaria	8	8
Denmark	20	33
Malta	5	6
The Netherlands	20	20
Norway	15	8
Poland	25	24
Portugal	10	4
Slovenia	15	15
Sweden	10	5
Totals	153	138

Table 15: Overview of planned and actual allocation of samples by Member State

The agreed division of samples over the two test laboratories implied that the samples from Belgium the Netherlands and Portugal would be tested by AIDICO, whereas those from Bulgaria, Denmark, Malta, Norway, Poland, Slovenia and Sweden would be tested by INSEMEX.

The resulting sampling plan showing each Member State which products to sample is annexed as deliverable D8.1F. A guidance document with best practice for undertaking market surveillance on fireworks is annexed as deliverable D8.2F.

2.4.6 Testing

The testing of the fireworks was divided into two processes: The authority that had sampled the firework would examine the marking and labelling of the firework, whereas one of the two accredited test laboratories would test the physical properties of the fireworks.

The participants agreed that 11 items would be collected for each firework that is sampled. One item would be retained by the market surveillance authority for examination of the marking according to Directive 2007/23/EC [15] and EN 15947-3 [11]. The other ten items would be sent to the test laboratory.

It was also agreed that fireworks would not be tested for conformity to all the requirements detailed at EN 15947-5 [13], but only to those listed in table 16. They were carefully selected as they were found to represent “major” or “critical” non-conformities, i.e. potentially presenting a serious risk for the consumers. The test criteria are described further in the Annex 2, deliverable D9.1F.

The participants decided to record the relevant details concerning each firework sampled during the market surveillance exercise on two specially prepared forms:

- Form 1 would be used when the firework was collected at the premises of an economic operator. The form would identify the firework, the economic operator, and the body that had issued the “Certificate of Conformity”.
- Form 2 would be used by market surveillance staff concerned to establish whether the markings and labels on the product were in conformity with the requirements of the directive and EN 15947-3 [11].

Notes for the guidance of staff when completing each form were also prepared.

A copy of Form 1 would be sent to the test laboratory when the market surveillance authority sent the product for testing and also to the Activity Coordinator so he could keep track of the testing being undertaken during the course of the project.

Once the laboratory had completed its test, it would send a copy of the test report for each product to the Activity Leader, the Activity Coordinator and the market surveillance authority that supplied the firework for testing. Representatives from the remaining participating Member States could have access to the report on request to the Activity Coordinator.

Clause	Requirement	Level of non-conformity
4.1.1	Construction materials - General requirements	Critical
4.1.2	Construction materials - Specific requirements	Critical
4.3	Elements in batteries and combinations	Major
6.2	Protection of initial fuse and reserve fuse (if applicable)	Major
6.3	Attachment of means of ignition	Major
6.4.1	Ignition of initial fuse and reserve fuse (if applicable)	Major
6.4.1	Duration of initial fuse and reserve fuse (if applicable)	Major
7.1.2.1	Integrity - General requirements	Major
7.1.2.2	Integrity - Specific requirements	Major
7.1.3	Stabilisation of flight	Critical
7.2.2	Functioning	Major
7.2.3	Angle of ascent or flight	Critical
7.2.5	Stability during functioning	Critical
7.2.6	Height of explosion	Major
7.2.7	Sound pressure level	Major
7.2.8	Explosion and other failures	Critical
7.2.11	Project debris	Major

Table 16: Test requirements to be applied to the fireworks tested in the Joint Action.

2.4.7 Results

At least 48 visits were made by market surveillance staff in the participating Member States to the premises of economic operators in order to collect samples of fireworks. This activity was conducted throughout 2013.

Some Member States, particularly Poland, experienced problems in transporting these samples from their regional offices to the premises of their representative on the Activity Group. The reason for this is that strict national legislation often applies regarding the transport of fireworks from one part of a country to another and suitably qualified and equipped carriers are not readily available.

Table 17 below show the actual number of samples collected distributed on the five agreed types.

Participant	Planned number of samples	Number of samples collected from the market					Total
		Cat 1 Fountains	Cat 2 Batteries & combinations	Cat 2 Rockets	Cat 2/3 Flash Bangers	Cat 2/3 Roman candles	
Belgium	25	4	8	1	0	2	15
Bulgaria	8	0	4	1	1	2	8
Denmark	20	1	17	13	0	2	33
Malta	5	2	1	0	2	1	6
The Netherlands	20	6	5	4	0	5	20
Norway	15	0	8	0	0	0	8
Poland	25	1	10	5	4	4	24
Portugal	10	3	0	1	0	0	4

Slovenia	15	0	9	5	0	1	15
Sweden	10	0	1	3	0	1	5
Totals	153	17	63	33	7	18	138
Shares		12%	46%	24%	5%	13%	100%

Table 17: Overview of number of products sampled by the Member States divided on the five agreed types of fireworks.

The testing of the fireworks was divided between the authority that had sampled the fireworks and the test laboratories. The market surveillance authority would examine the marking and labelling and one of the two laboratories would test the physical properties of the fireworks. The result of the tests is shown in table 18. The table shows that 66 of the 138 fireworks or 48% failed the laboratory test, the examination of the marking or both.

Participant	Number of products ...			
	... sampled	... failing laboratory test	... failing markings requirements	... not complying, total
Belgium	15	8	4	10
Bulgaria	8	5	0	5
Denmark	33	4	0	4
Malta	6	5	6	6
The Netherlands	20	12	0	12
Norway	8	4	0	4
Poland	24	7	2	8
Portugal	4	3	0	3
Slovenia	15	6	7	9
Sweden	5	1	5	5
TOTALS	138	55	24	66

Table 18: Overview of the results of the testing and examination of fireworks in the Joint Action

Table 18 shows that a total of 48% of the products failed either the physical testing requirements, and/or the marking requirements.

The number of non-conformities relating to the various physical tests detailed in EN 15947-5 [13] is shown at table 19.

Clause	Requirement	Severity	Number of non-conformities
4.1.1	Construction materials, general requirements	Critical	0
4.1.2	Construction materials, specific requirements	Critical	0
4.3	Elements in batteries and combinations	Major	0
6.2	Protection of initial fuse and reserve fuse	Major	5
6.3	Attachment of means of ignition	Major	5
6.4.1	Ignition of initial fuse and reserve fuse	Major	15
7.1.2.1	Integrity - General requirements	Major	1
7.1.2.2	Integrity - Specific requirements	Major	0
7.1.3	Stabilisation of flight	Critical	0
7.2.2	Functioning	Major	20
7.2.3	Angle of ascent or flight	Major	2
7.2.5	Stability during functioning	Critical	12
7.2.6	Height of explosion	Major	7
7.2.7	Sound pressure level	Major	22
7.2.8	Explosion and other failures	Critical	4
7.2.11	Project debris	Major	10
7.3.2	Plastics body	Major	0
Total			55

Table 19: Number of non-conformities concerning the physical tests conducted on products

Table 19 shows that amongst the physical tests the most common non-compliances were failure to meet EN 15947-5 [13] on the following requirements:

- Clause 6.4.1 - relating to the ignition of the fuse
- Clause 7.2.2 - relating to its ability to function properly
- Clause 7.2.5 - relating the firework flying in a stable manner
- Clause 7.2.7 - relating to its meeting the sound pressure requirements
- Clause 7.2.11 - relating to the projection of debris within the prescribed distance.

The number of non-conformities concerning markings and labels are shown at table 20.

Requirement	Number of non-conformities
Language on the product or its packaging	6
Conformity marking	7
Labelling and printing	8
Deterioration	2
Inadvertent ignition	4
Instructions for safe handling, storage and use	6
Method of ignition	3
Minimum age for sale of product	7
Minimum safe distance	4
Name and address of manufacturer	5
Net equivalent content	3
Relevant category	8
Specific labelling requirements for batteries and combinations	5
Type of firework, category and registration number	9
Year of production	7
Additional safety information	8
Instructions for the use of the firework	3
Information on the primary and secondary packaging	1

Table 20: Number of non-conformities concerning the markings and labels on the fireworks; These figures exclude information relating to the Portuguese samples.

The market surveillance authorities in the participating Member States reviewed the results of those products that have been shown to be non-conforming and conducted a risk assessment in accordance with the provisions of Decision 2010/15/EU [2]. The subsequent enforcement activity by each regulatory authority is summarised below:

- Belgium
In the case of seven products the distributor was informed in writing of the non-compliance(s) and informed of the options open to them. They were given the opportunity to object to the test report and retest the product at another NANDO test laboratory, or to recall the product and provide proof of the recall.
In the case of one non-compliant product, no further action was taken.
- Bulgaria
In the case of three products, they were withdrawn from sale. Two of these products were the subject of a RAPEX notification (A12/0774/13 and A12/0776/13). In the case of two products, the economic operator was issued with a caution.
- Denmark
No further action was taken by the market surveillance authority in any of the four cases.
- Malta
In all six cases of non-conformity, discussions with the economic operator took place.
- The Netherlands
In four cases, the non-conforming products were withdrawn from the market; in six cases, the economic operator was sent a caution.
- Norway
In three cases, the economic operator was asked to conduct further sound pressure level tests on his product and in one case, the non-conformity was assessed as being non-critical.
- Poland
Four cases ended with a voluntary withdrawal of the product from the market; in three cases, the importer was issued with a caution; in two cases, the discussions with the economic operator were still in progress at the end of the Joint Action.
- Portugal
No information of any actions.
- Slovenia
In five cases, the product was withdrawn from the market; in three cases, there was a meeting with the economic operator who subsequently corrected the irregularity.
- Sweden
In two cases, the product was banned from sale until it had been marked with the manufacturer's name and address; in one case, the product was banned from sale until it had been fitted with the correct fuse; in one case, products manufactured in 2011 were banned from sale and in one case, no further action was taken.

2.4.8 Conclusions

The proportion of CE marked fireworks that failed to meet the relevant requirements was a matter of considerable concern and discussions with the distributors of these products were still on-going at the end of the Joint Action.

The Activity Group were also concerned about the number of fireworks that failed to ignite. Members commented that, although this is rated only as a major non-conformity, it is of particular concern in the domestic setting. Fireworks are almost invariably ignited during the hours of darkness and often when the person in charge of the display is inebriated. On occasion, the person in charge will be tempted to reignite the product after it has failed to fire properly. Should rapid ignition occur at this stage, this could result in the firework causing severe burns to the bystander.

All the fireworks were sampled from the market during 2013 and, in many cases were residual stock from the festivities over the New Year period 2013. Members of the Activity Group are concerned at the ease with which unlabelled fireworks can be re-branded for sale at a later date, or in another location. This is a matter of considerable concern to the market surveillance authorities and makes their task more difficult than when conducting surveillance on other consumer products which are not so easily re-branded.

2.4.9 Involvement of Customs

As the all fireworks tested during the course of the Joint Action were collected from the premises of economic operators, there was no need to involve border control authorities in this Joint Action. However, Member States reported that over 95% of the fireworks were made in the China or the Far East and therefore they would have been imported, at some stage, though one of the ports in the EU or Norway.

The JA2011 Workshop held on 14 and 15 May 2013 focussed on links with the customs authorities. During the second day of the Workshop, the Activity Leader and the Activity Coordinator met with customs

officers from a number of Member States to discuss how the Fireworks Activity could facilitate the work of customs officers. It was recognised that it would be impracticable for customs authorities to physically test fireworks at the border, but that it would be possible for them to review the markings and labels on a fireworks and its packaging. This would enable them to establish quickly whether, prima facie, the product is in conformity with the marking and labelling requirements of Directive 2007/23/EC [15] and EN 15947-3 [11].

The outcome of the discussion was that the above-mentioned Form 2 and its Guidelines were extended to encompass all 31 types of firework listed at EN 15947-2 and not just the five types of firework targeted in this Joint Action. This extended version was found to be of use to customs authorities when conducting a visual examination of fireworks to, prima facie, check whether they were compliant.

Since a market surveillance form for fireworks has not been prepared either by DG TAXUD, or by the ADCO- Pyrotechnic Articles, these documents should be a useful contribution to the resources available to customs staff when checking fireworks for compliance.

2.4.10 Other Liaisons

The Activity Group made a conscious effort to establish and maintain link with the ADCO group on Pyrotechnic Articles. The Activity Coordinator attended a number of meetings of the group starting with the one held in Brussels on 12 June 2012 (the first in the course of the Joint Action). At the first meeting he gave a presentation on the work of the Fireworks Activity. During the meeting it became apparent that the interests and areas of activity of the ADCO group and the Fireworks Activity overlapped considerably, and it was agreed that there could be considerable benefit to both organisations by their working closely together and sharing information, experience and expertise. It was agreed that both organisations should maintain a close liaison during the period for which the Fireworks Activity is in progress.

Further to this, the Activity Coordinator attended a seminar organised by AIDICO in Birmingham on 30 January 2013 concerning the CE marking of Pyrotechnic Articles. The seminar covered the following topics:

- The UK Regulations transposing the Pyrotechnic Directive into national legislation;
- The Guidance on the Regulations published by the UK Department for Business Innovation & Skills;
- The award of a Certificate of Conformity by a Notified Body;
- The testing of fireworks to the harmonised standards;
- The application of a Quality Management System developed by Pyrolab, Valencia, Spain for the specification, ordering, manufacture and testing of pyrotechnic articles.

The seminar was attended by circa 45 members of the UK pyrotechnics trade. They were introduced to the requirements of the directive and the harmonised standards. The UK has a derogation that allows fireworks to be placed on its domestic market in accordance with national standards until 2017.

It became apparent that this was the first occasion that many of those attending the seminar had come to grips with the new requirements.

2.4.11 Lessons Learned

The consensus among the participants is that the JA2011 Fireworks Activity did leave a very visible “footprint” in Europe. One of the main aims of the Activity was to build up knowledge in the authorities about enforcing the new directive on pyrotechnic articles. This was achieved.

At the start of the Joint Action, most of the market surveillance authorities knew very little about the fireworks market as it related to the new directive and the harmonised standards. Some Member States were very familiar with their domestic market and the application of the laws and the standards. In other Member States, the market surveillance staff seemed to have had little experience of conducting market surveillance activities in relation to this product group. This was foreseeable as the directive was quite new (from 2007) with a transposition date into national legislation of July 2010 and a requirement that all fireworks being placed on the market should conform to the directive by August 2017. Furthermore, the standard was new having only been approved by CEN in August 2010, a little more than a year before the start of the Joint Action. The ADCO group for pyrotechnic articles was also new having held their first meeting on 11 December 2011.

At the beginning of the Fireworks Activity in spring 2012, a very small proportion of the products on the domestic markets of the participating Member States were CE marked. Instead, most products were in conformity to national laws (often relating to explosives) or to national standards. Evidence of this was found at the “Autumn Fair 2012” held at the UK’s National Exhibition Centre in Birmingham where a number of the leading UK suppliers were marketing their products. All the economic operators were making their fireworks to the UK standard. When asked what about CE marked fireworks, the exhibitors

replied that they wouldn't start thinking about this issue until 2015 or 2016 when conformity to the EU requirements is imminent.

A similar situation was seen as regards test laboratories. The Joint Action was able to identify 5 government sponsored test laboratories and 13 NANDO laboratories listed under the provisions of Directive 2007/23/EC [15]. However, when they were asked to quote for the testing in the Joint Action all 5 government laboratories and the majority of the NANDO laboratories declined, and only 4 quotes were received. (One laboratory even withdrew from the process promptly after having submitted their quote.) Moreover, the quotes indicated that the European market for testing was very fragmented and not well functioning with a price range between the most and least expensive quotes being a factor of 80. The group attempted to establish why so many laboratories had decided not to quote for the testing. It seemed that, in a number of cases, the laboratories didn't have the facilities for testing fireworks at their EU base and that they had sub-contracted the job of issuing certificates of conformity to laboratories based in China. It was also noted by the participants who visited INSEMEX's premises in Romania to review the laboratory that some of the testing equipment looked new and unused. It was apparent that test laboratories were seeing a new market emerge as a consequence of the introduction of the Pyrotechnic Directive and that they were just beginning to get to grips with how to meet their customer's requirements.

One of the very important (and visible) impacts of the Fireworks Activity has been the development of a number of best practices on market surveillance on fireworks. Obviously, this expertise has been built up in the participating authorities, but efforts have been done to inform other Member States. These efforts include presentations at the ADCO group and presentations at the PROSAFE events that have been organised over the course of the Joint Action.

One example of such issue that had to have particular attention during the course of the Action was transport of fireworks. Fireworks are considered dangerous goods so special provisions apply when they are transported. As an example, it is forbidden to send fireworks with ordinary mail, and if larger quantities are to be transported by car, it must carry a special marking and the driver must have additional qualifications. Some of the participants had difficulties in finding a suitably qualified and equipped carrier to undertake the transport of the samples to the test laboratory. This situation was resolved by one of the laboratories being able to find a number of carriers. Another authority experienced considerable difficulties in transiting their samples by road through a third country to the test laboratory. This problem had to be resolved by bringing test staff from the laboratory to the authority, identify an appropriate test site in the Member State concerned and undertake the testing there instead of at the laboratory.

Further to the best practices that are very specific for market surveillance of fireworks, a number of more generic best practices applicable to all PROSAFE Joint Actions were identified:

- Organisation of a pre-meeting between the project management for the Activity and the project management for the Joint Action
Prior to the kick off meeting, a meeting was held between the Project Leader, the Activity Coordinator and the Coordinating Consultant for JA2011 to discuss the strategy that would be adopted during the early months of the Activity and to agree the content of the agenda for the kick off and first project meetings. PROSAFE had not previously conducted an action on fireworks, so it was recognised that new issues and problems were likely to arise during the course of the Activity. The pre-meeting provided the opportunity to explore how the Fireworks Activity would be managed and to consider how any difficulties that were likely to arise during the first phases would be handled.
- Planning of action
It is important to establish a common base for all the participants before the start of the Activity. Some of the elements that were identified as being useful in the context of the Fireworks Activity were:
 - It was important that all participants had copies of the relevant Directive and safety standards to hand before the first meeting. The cost of standards published by some of the national standards organisations is very high, and it is recommended that the cost of purchasing the relevant standards for PROSAFE should be included in the budget for the Joint Action.
 - As a first step in determining the nature of the concerns amongst Member States relating to fireworks it was decided to review the RAPEX notifications relating to pyrotechnic articles since the RAPEX scheme was started in 2005. A report was presented at the first meeting.
 - In order to gain a shared understanding of the nature of the fireworks market in each participating Member State all participants were asked to complete a questionnaire concerning the fireworks market in their country prior to the first meeting.

- Risk assessment
From the very beginning of the Fireworks Activity, it was recognised that the testing budget only allowed for the testing of a very limited range of products. There were ten Member States that participated in the Activity, and the CEN standard provided for 31 different types of fireworks. In order to “cut the issue down to size” the members of the Activity Group undertook a risk assessment concerning each type of firework specified in EN 15947-2 [11]. The result was that five types of fireworks were selected to be targeted by the Activity. These were fireworks that were likely to be available in all the participating Member States as well as those that were considered to be of high risk to consumers.
- The “lead countries” in the project
During the first two project meetings it became clear that certain participating Member States already had considerable experience in the selection and testing of fireworks being placed on their domestic market, whereas for other Member States the testing of fireworks would be a comparatively new undertaking.
The experience of these lead countries proved to be particularly useful in developing the strategy, policies and project plan to be adopted during the course of the project.
- Establish and maintain links to the relevant ADCO group
The link with the ADCO group proved to be a valuable link as it enabled the comparatively recently formed ADCO group for this product sector to be informed of progress concerning the Joint Action and avoided any duplication of work between the two organisations.
The necessary efforts are small. The Activity Coordinator attended three meetings of the ADCO group during 2012-13 to inform about progress concerning the Joint Action.
- Selecting laboratories to be invited to tender
In this particular sector it was recognised that five of the participating Member States had government sponsored laboratories that tested fireworks. The participants thought that these laboratories would be fully independent from commercial interests so they might be able to offer a better service than the commercial laboratories recognised under the NANDO scheme. (However, it turned out none of these laboratories were able to offer this service to the PROSAFE project.)
It is recommended that in future Joint Actions that the possibility of using government sponsored laboratories should be explored, particularly for those products in which there are only a limited number of NANDO test laboratories available.
- Visit by experts to assess the viability of the short-listed test laboratories
As this was the first occasion on which PROSAFE and the Member States involved in the project had tested pyrotechnic articles there was comparatively little experience amongst the participants as to whether the short-listed test laboratories would be able to undertake the testing of the samples collected during the course of the Joint Action. Therefore, a visit was arranged to the two test laboratories that were short-listed as potential contractors to inspect their facilities and to meet the staff who would be involved in the testing. These visits were very useful and helped ensure in a very cost effective way that the testing of the products proceeded smoothly.

To conclude, it is recommended that the momentum that has been created by the JA2011 Fireworks Activity be continued by including this topic in the JA 2014 proposal. The fireworks market is changing rapidly, and from 2014 onwards the proportion of fireworks that will be CE marked will increase rapidly. In addition new types of firework are coming onto the market, each with its own particular hazards. The market needs continued regulation by a large number of market surveillance authorities if the provisions of the recast Directive 2013/29/EU [16] and the standards EN 15947 [10] - [13] are to be implemented. Today, the impression is that all Member States including those involved in the ADCO group and those involved in JA2011 are still feeling their way in relation to the implementation of the directive and the standard.

2.5 Product Activity on Battery Chargers

Planned deliverables from the Joint Action - all completed

- D5.1BC Planning of activities, detailed approach to market surveillance activities for battery chargers
- D5.2BC Kick-off and planning meeting, memo from meeting
- D6.1BC Minutes of 2nd project meeting
- D6.2BC Minutes of 3rd project meeting
- D6.3BC Minutes of 4th project meeting

- D6.4BC Minutes of 5th project meeting
- D6.5BC Minutes of 6th project meeting
- D7BC Guidelines to Member States on exchange of information
- D8.1BC Sampling schemes
- D8.2BC Guidelines for market surveillance on battery chargers
- D9.1BC Development of test criteria
- D9.2BC Call for tender
- D9.3BC Overview of responses to call for tender
- D9.4BC Contract with laboratory
- D10BC Market surveillance activities
- D11BC Follow-up activities

2.5.1 Participants

The following 8 Member States participated in the Battery Chargers Activity: Bulgaria, the Czech Republic, Malta, the Netherlands, Norway, Portugal, Slovenia and Sweden. Furthermore, Luxembourg participated out of the financial scheme.

The Czech representative led the Activity from the beginning until he left his authority for a new job at the end of 2012. He was replaced by the Swedish representative.

2.5.2 Planning of the Activity

In February 2012, the Activity Coordinator attended the JA2011 kick-off and planning workshop that served as the launch event for the entire Joint Action. He also attended the kick-off management team meeting and training session.

The Activity Coordinator prepared a presentation for the kick off meeting that introduced the objectives of the programme for the Battery Chargers Activity, the range of safety problems associated with battery chargers and outlined the range of tasks anticipated in the Grant Agreement.

A Gantt chart with the project plan is annexed as deliverable D5.1BC.

2.5.3 Meetings

Kick-off Meeting

The kick-off meeting was held in Brussels on 14 May 2012.

The meeting presented the scope of the Battery Chargers Activity and provided an opportunity for input from the European Commission and from the participants. This identified a number of issues that should be taken into account in the planning of the Activity.

The discussion at the meeting focused on the main risks that may arise from unsafe battery chargers: Voltage associated risks (electrocution), risks associated to temperatures of accessible surfaces and risks associated to fire. Due to the technical complexity of the type of products it was impossible to draw up a detailed risk profile at the meeting. It was decided to do so at later stage when further intelligence has been gathered.

During the meeting the approach to the discussion with stakeholders and the possible ways to identify them was also discussed.

The minutes from the meeting are annexed as deliverable D5.2BC.

Second Project Meeting

The second project meeting was a two-day meeting held from 19 to 20 September 2012 in Brussels. Stakeholders were invited for the afternoon of the first day.

The main purpose of the discussion with the stakeholders was to discuss their views and needs, their perception of the main deliverables, and their input to which types of products that should be selected by the participants and which standards to be applied for the verification.

The participants agreed that the Activity would concentrate on battery chargers that are designed for the recharging of removable batteries and power supply units that are designed to be connected to and charge a device (e.g. mobile phones, mp3 players, etc.).

The meeting also included an analysis of RAPEX notifications on the products in case. The participants noted that all the products notified were power supply units and that the country of origin in all cases except one was China. The analysis also confirmed that the most common problems concerned marking

and instructions, electric strengths, flammability, creepage distances and clearances, and problems on the supply plug.

A representative from DG TAXUD informed that they had developed checklists and instructions to be used by Customs for the verification of power supply units. These documents could be used as a reference for the development of similar documents in the Joint Action.

The liaisons with LVD ADCO were also discussed and the participants noted that several members of the Battery Chargers Activity Group also participated in LVD ADCO.

The minutes from the meeting are annexed as deliverable D6.1BC.

Third Project Meeting

The third project meeting was held on 10 January 2013 in Brussels.

The participants discussed a document with instructions for inspection. This document listed the scopes and clauses from the relevant safety standards. The participants also discussed an “atlas” with pictures of the products that are subjected to the battery Chargers Activity.

Finally, the participants discussed a checklist for power supply units and battery chargers. It was noted that LVD ADCO was preparing checklists to support the activities of Customs. However, it was agreed that these documents did not overlap with the checklists of the Joint Action, but it was decided that the convenor of the LVD ADCO group that is preparing their checklists would attend the future meetings in the Battery charger Activity to facilitate a mutual exchange of information.

The draft call for tenders for the laboratories was also discussed.

The minutes from the meeting are annexed as deliverable D6.2BC.

Fourth Project Meeting

The fourth project meeting was held on 26 March 2013 in Brussels.

The main topic on the meeting was the selection of the laboratory for the testing of the samples.

The participants also confirmed the tests that were to be carried out on the selected samples.

Further to this, the participants updated each other on the progress with the inspections activities and their experiences with filling in the checklists and performing the inspections.

The Activity Leader informed the participants about a market surveillance action recently held in Sweden that concentrated on USB chargers. It had revealed a significant number of unsafe products so the participants agreed to include a significant number of USB chargers in the testing.

The minutes from the meeting are annexed as deliverable D6.3BC.

Fifth Project Meeting

The fifth project meeting was held 15 November 2013 in the premises of the selected test laboratory Bureau Veritas Consumer Products Services in Warrington, United Kingdom.

The participants discussed an overview of the information from all the checklists from the participants based on a spreadsheet prepared by the Activity Coordinator. The Conclusion was that the progress was satisfying regarding the number of inspections performed and products covered. The participants noted that the number of samples (200+) would give a very good overview of the situation in the participating Member States.

The meeting also featured an analysis of the test results and a discussion with the laboratory experts of the results and problems encountered during the tests. The participants had a number of comments and it was agreed that the laboratory would revise the test reports accordingly.

Finally, the participants discussed risk assessment and agreed to prepare basic risk assessments for the most common risks presented by non-compliant battery chargers.

The minutes from the meeting are annexed as deliverable D6.4BC.

Sixth Project Meeting

The sixth project meeting was held 8 January 2014 in Brussels.

The participants started by analysing the results of the laboratory tests and the “desktop examinations” undertaken by the inspectors. The participants expressed some concerns on the quality of the test reports delivered by the laboratory that did not fully comply with the requirements of ISO/IEC 17025. It was agreed to contact the laboratory and the relevant accreditation body to discuss this issue.

Next, the participants discussed risk assessments for the main risks revealed by the tests. A number of model risk assessments were prepared at the meeting for the most common risks presented by battery chargers.

Finally, the participants had a discussion on likely enforcement actions against products presenting high or serious risk and they discussed the Battery Charger Activity’s input to the JA2011 final workshop.

The minutes from the meeting are annexed as deliverable D6.5BC.

2.5.4 Tendering Process for Test Laboratories

A call for tender was circulated in February 2013 to more than 40 laboratories.

The letter to the laboratories is annexed as deliverable D9.2BC.

Twelve laboratories reacted by submitting a quotation. The Activity Coordinator prepared a table with the replies including the significant information from all the 12 quotations. It provided an objective basis for the selection process. It was circulated to all participants before the fourth meeting.

The overview of the replies is annexed as deliverable D9.3BC

The participants discussed the overview at the fourth meeting and agreed that supplementary information was required from some of the laboratories to allow a decision to be taken. Questions were circulated and answers were received and evaluated. After this final round of comments Bureau Veritas Consumer Products Services from Warrington in United Kingdom was selected to do the tests.

The participants also discussed specific requirements to be mentioned in the contract with the laboratory and agreed that the laboratory should focus on certain important tests from the relevant safety standards. The standards and the safety requirements would be mentioned in the contract. The testing would comprise two items of each product.

The laboratories that were not selected were informed of the outcome of the tender process by the Activity Coordinator via email.

The contract with the laboratory is annexed as deliverable D9.4BC

2.5.5 Selecting the Products, Sampling

The participants discussed sampling and agreed that the inspections should comprise at least 200 products. It was also agreed that each member of the Activity should inspect a minimum of 25 products by checklists. Based on the available budget and the estimated test unit test costs from the laboratory, it was estimated that approximately 40 of these products would be tested at the laboratory.

The participants discussed sampling criteria and agreed that good indicators for potentially unsafe products that should be sent to the laboratory for testing were:

- No marking.
- Absence of instructions for use.
- No packaging with indications for use.
- No CE Declaration of Conformity
- Technical file not available.

It was agreed that each participant should select 3 - 4 power supply units and 1 - 2 battery chargers. The participants should sample at least 2 items of each model for the tests.

The sampling criteria are described in further detail in deliverable D8.1BC.

Later on, when the call for tender for testing had been completed, it turned out that the selected laboratory offered a significantly lower unit cost for the testing than foreseen in the budget. Therefore, it was agreed to increase the number of samples to be tested to at least 60 different products and to include USB chargers in the sampling programme. This meant that each participant should sample at least 3 - 4 power supply units, 1 - 2 battery chargers and 3 - 4 USB chargers.

The distribution of the samples over the participants is shown in table 21.

Country	Number of samples
Bulgaria	8
Czech Republic	10
Luxembourg	1
Malta	8
Netherlands	8
Norway	11
Slovenia	7
Sweden	18
Portugal	6
Total	77

Table 21: The final number of samples sent for laboratory testing divided on the participants

All samples were sent directly to the test laboratory from each of the authorities.

2.5.6 Testing

The participants discussed which tests the laboratory should test and agreed on the requirements listed in table 22. The table specifies the requirements for each of the types of products that are examined in the Activity and lists the relevant clauses in the harmonised standards.

The test criteria are described in further detail in deliverable D9.1BC.

The tests were carried out in September-October 2013. 77 samples were tested.

37 samples passed the tests without problems, 11 samples failed the test, whilst for 29 samples the results were considered to be on a borderline. Borderline means that a final decision cannot be taken on the results as alternative test methods are given in the relevant standard (in particular concerning tests according to EN 60950 [17]), but the alternative methods could not be applied due to lack of samples, or time, or specific information only obtainable from the manufacturer.

Test requirement (clause) for each product type	Power supply units for IT equipment	Battery chargers	Power supply units for audio, video and similar equipment	Power supply units for toys	Switch mode power supplies
Standard	EN 60950-1:2006 [17]	EN 60335-2-29:2004 [18]	EN 60065:2002 [19]	EN 61558-2-7:2007 [20]	EN 61558-2-16:2009 [21]
Electric requirements					
Electrical insulation	2.9		8	9.1	9.1
The insulation between parts		22.26			
Clearances, creepage distances and solid insulation	2.10	29	13	26	26
Touch current and protective conductor current	5.1		9.1.1.1	18.5	18.5
Leakage current		16,2			
Electric strength	5.2	16.3	10.3	18.3	18.3
Construction requirements					
Mechanical strength	4.2		9.1.7 & 12.1.4	16	16
Reliability of connections for live conductors to PCB	3.1.9		15.3.2	23.1	23.1
Direct plug-in equipment	4.3.6		15.4.1	19.15	19.15
Drop test (battery chargers, other than built-in battery chargers, mass not exceeding 5 kg)		21.101			
Appliance provided with pins: no undue strain on socket outlets		22.3			
Thermal requirements					
Resistance to fire: glow wire	4.7	30	20	27.3.1	27.3.1
Resistance to fire: needle flame test	4.7	30	20		

Table 22: Overview of test criteria for battery chargers and power supply units

2.5.7 Results

The first task undertaken by the participants was a round of inspections of battery chargers and power supply units in their national markets. This was done using the checklist that had been developed by the group. The number of models inspected is shown in table 23. The number is divided over the participating countries.

Country	Number of models inspected	Number of models tested
Bulgaria	27	8
Czech Republic	54	10
Luxembourg	20	1
Malta	8	8
Netherlands	26	8
Norway	24	11
Slovenia	26	7
Sweden	17	18
Portugal	33	6
Total	235	77

Table 23: Number of models inspected compared to number of models tested.

The inspections resulted in 77 models being selected for further testing at the accredited laboratory. The selection was done because the inspection indicated that the product might fail the laboratory test. The results of the testing are shown in figure 12 for the 5 product types. The figure identifies each type by the applicable standard:

- EN 60335-2-29, battery chargers [18]
- EN 60950-1, power supply units for IT equipment [17]
- EN 61558-2-16, switch mode power supplies [21]
- EN 61558-2-7, power supply units for toys [20]

Plus the combination of EN 60950-1 and EN 61558-2-16 that applies to switch mode power units for IT equipment.

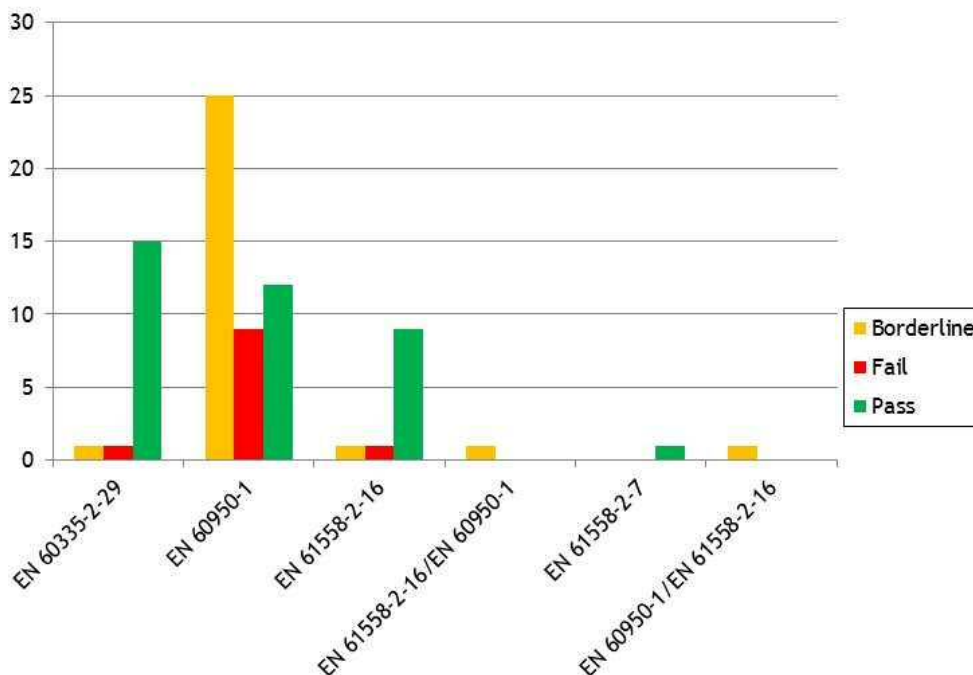


Figure 12: Overview of results from laboratory tests

The figure shows that 10 of the tested products failed to meet the safety requirements and that a further 29 products were “borderline cases”, i.e. cases where the standard allowed the laboratory to choose from several options for verification of the compliance. These cases could only be resolved after a discussion with the economic operator to collect the information about the selected option from him. It was impossible to finish this process before the end of the Joint Action.

The Activity Group analysed the risks associated with the most common non-compliances and found that the most predominant risk is that the user will suffer an electric shock. It can be caused by a number of different non-compliances:

- Insufficient insulation or creepage or clearance distances.
- Dimensional non-compliances, e.g. insufficient thickness of sleeves on pins on electric plugs.
- Low mechanical resistance that causes the product to break open so electric parts become accessible.

Furthermore, insufficient or lacking instructions for use, or instructions for use in the wrong language may make the use of the product unsafe for the consumer.

The group analysed the non-compliant products to find the associated risk levels. The result is shown in figure 13. (Please note that this figure includes all non-compliant products, including those that were tested at the laboratory and those that were examined by the inspectors.)

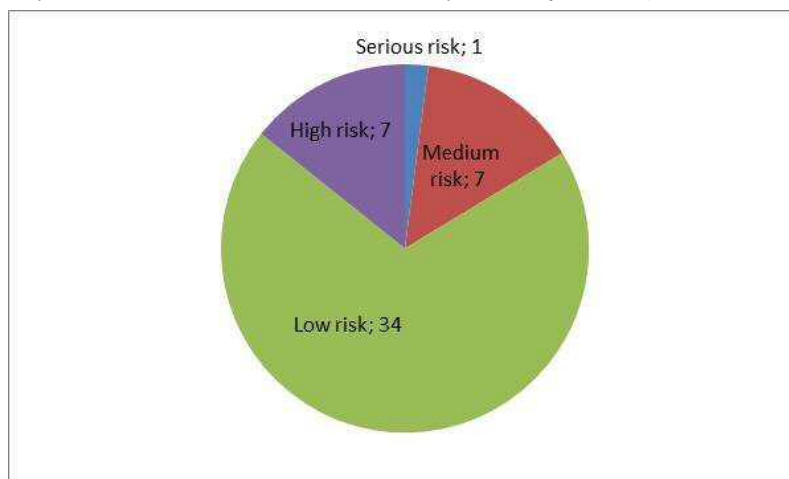


Figure 13: Risk associated with the non-compliances identified in the tests and inspections.

The group concluded, based on the risk assessment, that the risks for consumers caused by these products are low. Only one product posed a serious risk and less than 10% of the products that were checked posed high or serious risks.

The last step in the market surveillance task was that the participants had to decide on appropriate actions to be taken against the unsafe products. The specific measures depended upon the results of the risk assessment and an analysis of the administrative procedures. Regarding the “borderline cases”, the participants needed to contact the economic operator acquiring more information about their approach to the tests. If the authority received no answers within a given time, it would proceed based on the available information.

The outcome was that the following enforcement actions were taken:

- 1 product was recalled.
- 12 were removed.
- 4 products were removed and destroyed (in total more than 100 items were destroyed).
- In 39 cases economic operators were invited to take action and give feed-back to the authority.

2.5.8 Conclusions

The Battery Charger Activity was expected to give significant information on the number of unsafe battery chargers on the European market. This aim was accomplished as it was detected that most of the products inspected and tested were compliant to the standards or didn't show significant risks.

It was noted that the selection of tests for checking battery chargers required special attention on what standards to apply, as the group found some overlapping between standards (e.g. for battery chargers for IT equipment or audio or video players). This means that several standards could be applied to the same type of battery charger.

The selection of tests should also consider time and costs constraints. Some tests can be very expensive. It should also take into account that some information (e.g. technical details on PCBs schematics, insulation materials, etc.) that are essential for a complete analysis of the products can only be obtained from the manufacturer.

2.5.9 Involvement of Customs

The Battery Charger Activity did not engage particularly with customs. This was agreed to avoid interfering with the on-going discussions between LVD ADCO and DG TAXUD who were developing

checklists and guidance material to be used for border control of battery chargers and power supplies. The Battery Charger Activity provided input and comments to this material.

2.5.10 Other Liaisons

The most important liaison for the Battery Charger Activity is the cooperation with the LVD ADCO group. Several participants in the Activity are also members of LVD ADCO. In particular, the representative from Luxembourg acted as liaison between LVD ADCO and the Activity group.

Moreover, the participants collected information on other previous activities performed on battery chargers in other Member States, most notably the Baltic Sea project. This information was collected and analysed.

2.5.11 Lessons Learned

The Battery Chargers Activity noted an issue regarding the standards that apply to testing of battery chargers. The issue is that some of the standards (in particular EN 60950 [17]) propose more options to verify compliance for a given safety requirement. In most cases, the choice depends on the information from the manufacturer. This complicates market surveillance and in particular the testing and introduces an uncertainty in the testing as this information is not available to the market surveillance authorities so it cannot be forwarded to the laboratory.

The Activity Group found that it was necessary to have a complete overview on the characteristics of the contracted test laboratory and its capabilities. Such an overview requires more information to be collected than what is acquired during the call for tender. It is recommended that all future Joint Actions allow for a pre-audit of the laboratory before it is contracted to confirm the information from the tender.

The group also finds that it would be very useful to develop a generic test report template to be used in all future PROSAFE Joint Actions. Such a standardised test report would harmonise the way the results of the tests were presented and make the analysis of the data easier and more consistent. It would also ensure that all required information and test results are properly collected.

2.6 Product Activity on Lawn mowers

Planned deliverables from the Joint Action - all completed

- D5.1LM Planning of activities, detailed approach to market surveillance activities for lawn mowers
- D5.2LM Kick-off and planning meeting, memo from meeting
- D6.1LM 2nd project meeting, minutes from meeting
- D6.2LM 3rd project meeting, minutes from meeting
- D6.3LM 4th project meeting, minutes from meeting
- D6.4LM 5th project meeting, minutes from meeting
- D6.5LM 6th project meeting, minutes from meeting
- D7LM Guidelines to Member States on how to exchange information
- D8.1LM Sampling schemes
- D8.2LM Checklist and guidelines on capturing good practice for undertaking market surveillance on lawn mowers
- D9.1LM Development of test criteria
- D9.2LM Letter to the test laboratories requesting them to submit an expression of interest
- D9.3LM Joint testing, overview of the responses to the call for tender
- D9.4LM Joint testing, contract with laboratory
- D10LM Market surveillance activities
- D11LM Follow-up activities

2.6.1 Participants

The following 8 Member States participated directly in the Lawn Mowers Activity: the Czech Republic, Denmark, France, Latvia, the Netherlands, Norway, Portugal and Romania.

2.6.2 Planning of Activities

In February 2012, the Activity Leader and the Activity Coordinator both attended the Launch Meeting for JA2011, which served as a launch event for those involved in coordinating and managing the Joint Action and its Activities, i.e. the JA Project Leader, the Activity Leaders, the Activity Coordinators, etc.

The Activity Leader and Coordinator prepared presentations for the Launch Meeting, which introduced the objectives of the Lawn Mower Activity, the range of safety problems associated with lawn mowers and the activities anticipated in the Grant Agreement.

A detailed Gantt chart was drawn up as required by Deliverable 5.1LM in the Grant Agreement.

2.6.3 Meetings

Kick-off Meeting

The kick-off meeting for the Activity was held in Brussels on 19 April 2012.

The meeting presented the scope of the Activity and provided an opportunity for input from participants and interested parties.

In the meeting, the Lawn Mower Activity was introduced, the purpose and scope of it was clarified, and the formal requirements of the Member States were discussed. Accident statistics on lawn mowers were examined, and the lawn mower market in the EU was discussed. The meeting helped shed light on a number of issues that should be taken into account in the planning of the Lawn Mower Activity.

A representative from DG SANCO attended and made a speech. Furthermore, a representative from ANEC and representatives from the European Garden Machinery Federation (EGMF) attended. Both of these organisations discussed their comments and recommendations for the Activity. CEN/CENELEC apologised for not being able to attend.

The minutes from the meeting are annexed as deliverable D5.2LM.

Second Project Meeting

The second project meeting was held from 10 to 11 July 2012 at the offices of the Danish Working Environment Authority in Copenhagen, Denmark.

The main topics included a discussion of the market research activities on the lawn mower situations carried out by the participating Member States, risk analysis and the approach to market interventions as adopted by the members of the Machinery ADCO. The meeting also featured a discussion of the sampling and test programme. The minutes from the meeting are annexed as deliverable D6.1LM.

Third Project Meeting

The third project meeting was held on 13 September 2012 in Brussels.

The participants discussed the possible test programme in light of the comments made by stakeholders and participants. It was agreed that ride-on lawn mowers were not going to be tested at the laboratory but rather inspected by the participating authorities.

Part of the meeting was spent on a visit to the Demo Vert exhibition in Brussels. This visit featured demonstrations of a number of lawn mowers. The participants reconvened after the visit and finalised their discussion of the test programme in the Activity.

The participants finally revisited the project plan and agreed that the overall timing and activity plan remained unchanged. The minutes from the meeting are annexed as deliverable D6.2LM.

Fourth project meeting

The fourth project meeting was held on 7 February 2013 in Brussels.

This was a particularly important meeting because decisions regarding choice of test laboratory, ways to maximise testing effectiveness within the available budget, agreement on which Member States would provide which samples for testing and the approach for conducting some form of market inspections on ride-on lawn mowers all were made.

The minutes from the meeting are annexed as deliverable D6.3LM.

Fifth project group meeting

The fifth project meeting was held 5 and 6 September 2013 in the premises of the test laboratory SIQ in Ljubljana, Slovenia.

The meeting was divided into a closed part of the meeting restricted to market surveillance participants only and a part that was open for representatives from SIQ.

During the open part representatives from SIQ gave detailed presentations of the non-conformity results for each lawn mower. The laboratory also commented the difficulties of assessing the safety of robotic lawnmowers as no EN standard had been developed for this type of product. The laboratory had used IEC 60335-2-107:2012 [22] for the assessment and noted certain limitations. For example, some of the tests were required to be applied within very specific limits. If the same tests were applied in slightly different ways that mimicked more typical actions by a consumer, then some models would have been found to be non-compliant. It was agreed to feed that information back to DG ENTR and CEN/CENELEC.

During the closed part of the meeting, the Member State participants discussed the test results and appropriate enforcement actions. These discussions included a risk assessment of robotic lawnmowers using the RAPEX risk assessment tool.

The minutes from the meeting are annexed as deliverable D6.4LM.

Sixth project group meeting

The sixth project meeting was held 9 January 2014 in Brussels. Two representatives from the Turkish market surveillance authority attended as observers.

The participants discussed a review of errors made by the test laboratory that had necessitated a re-issue of test reports on a small number of samples. The participants confirmed that SIQ retained the confidence of the participants.

The meeting featured a discussion of the follow-up actions that the participants had taken. This included a discussion of what version of a standard that should be applied to products, the most recent version or older ones provided that they had not been formally withdrawn.

The participants also reported back on their inspections of a number of ride-on lawn mowers by use of the agreed inspection template. The results were compared to those from a Turkish test of ride-on lawnmowers.

Finally, the participants discussed the contribution for the final report and the final conference.

The minutes from the meeting are annexed as deliverable D6.5LM.

2.6.4 Tendering Process for Test Laboratories

The tendering process for the Lawn Mower Activity was similar to that of the other activities; a number of laboratories were invited to submit quotations for the testing of the products selected by the participants. However, there was one important difference in the process. The group realised that lawn mowers are mechanically complex products falling under up to four Directives, and informal indications were that a conventional testing program would require a budget exceeding €3.000 per model. This would result in a testing programme that would not be representative of the products in the market, so a different, more cost effective solution, was to be found. The participants wanted to focus on finding non-compliances rather than spending the budget on tests likely to yield a compliant verdict. The legal requirement is for products to comply with the essential (safety) requirements within the directives, and not with the standards. Therefore it was agreed to employ a Notified Body to check compliance with the directive(s). It should use its expert judgements and avoid conducting certain tests if it could visually establish that the particular product seemed to comply in a particular aspect. This way the laboratory would only conduct those tests that were necessary to find the unsafe non-compliances with the applicable directive(s). Such an approach would also imply that testing could stop once a serious non-compliance had been identified if it provided enough evidence for the authority to take measures. Consequently, the laboratories were invited to describe in their quotation how they would apply such an approach and what requirements they would focus on in their inspections.

The letter to the laboratories is annexed as deliverable D9.2LM.

The letter was sent to 19 test laboratories 11 December 2012. Six of them replied back by submitting a quotation. The Activity Coordinator prepared an overview of the responses for discussion by the participants. The overview is annexed as deliverable D9.3LM.

The conclusion of the evaluation of the responses was that there were two potential test laboratories worthy of detailed consideration. These two laboratories were visited and inspected by the Activity Leader and the Activity Coordinator to ensure that they were actually able to carry out the tests to a quality sufficient for market surveillance (and any subsequent legal action) purposes. The inspections also enabled checking that the laboratories had an effective plan for evaluating the lawn mowers to the four applicable Directives:

- The Machinery Directive 2006/42/EC [23];
- The Low Voltage Directive 2006/95/EC [24];
- The directive for noise emission in the environment by equipment for use outdoors 2000/14/EC [25];
- The Electromagnetic Compatibility Directive 2004/108/EC [26].

The conclusion of the visits to the laboratories was that there was almost no difference between the two laboratories - both appeared to be a good choice. At the end, the participants agreed to use the Slovene laboratory SIQ.

SIQ was informed and provided with a draft contract to review. The contract included the following main provisions among others:

- Samples would go to the laboratory by 15 May 2013.

- The laboratory should inspect and evaluate 25 models to the 4 applicable directives.
- The laboratory should supply an interim report to the Activity Coordinator.
- The final report should be delivered 31 July 2013.
- The laboratory should be prepared to host the fifth meeting of the Lawn Mowers Group

The contract was finalised and signed on 19 March 2013. It is annexed as deliverable D9.4LM.

2.6.5 Selection of Products, Sampling

The Grant Agreement [1] identified that lawn mowers are amongst the most dangerous appliances found around the house. It described the types of hazard that are associated with these products and drew specific attention to robotic lawn mowers by stating “The Action will in particular deal with robotic lawn mowers”.

The participants were fully aware of this statement when they began their deliberations for how many of what types of lawn mower to test. Although participants wanted to place significant focus on these new types of lawn mowers, they finally decided that because their market share was so low compared to other more conventional lawn mowers that these too should be included in the test programme. See table 24.

Lawn mower type	Sales	Market share
Ride-on lawn mowers	425.000 units	6,3%
Petrol-fuelled walk-behind lawn mowers	2.735.000 units	41%
Electric walk-behind lawn mowers, corded	3.264.600 units	49%
Electric walk-behind lawn mowers, cordless (battery powered)	160.100 units	2,4%
Robotic lawn mowers	120.000 units	1,8%

Table 24: Current annual sales of lawn mowers estimated by EGMF (European Garden Machinery Federation)

The participants had agreed to test products representing the major product groups in the European market for powered lawn mowers, excluding ride-on types. (Ride-on types were handled separately without laboratory testing. See below).

The quotations from the applicant laboratories showed that the budget would enable the testing of 25 models. The samples were spread evenly on the 8 participating Member States meaning that they could supply 3 models each within the Joint Action budget, and they could supply more at their own cost. The samples were spread on 7 models of each of robotic, corded and petrol lawn mowers. The remaining 4 models were cordless (battery powered) types. This breakdown reflects the overall market breakdown except for robotics, where a disproportionately large number of models were taken as this was a growing market sector presenting new, and unknown, risks to consumers. The breakdown is shown in table 25.

Participant	Type of lawn mower				Total
	Robotic	Cordless (electric)	Corded (electric)	Petrol	
RO			1	2	3
CZ			3		3
DK	2	1			3
FR	2	1		1	4
NL	2	1			3
LV			2	1	3
PT		1		2	3
NO	1		1	1	3
Total	7	4	7	7	25

Table 25: The table shows the breakdown of the 25 samples across participating country and type of lawn mower

The table shows that 3 samples were submitted from each participant except France, who sent 4.

2.6.6 Testing

As explained in chapter 2.6.4, the participants wanted to focus the testing on finding non-compliances so they adopted a “sudden death” approach whereby the laboratory would focus on the tests that were necessary to establish whether the product was so unsafe that measures had to be taken against it.

The participants made their own arrangements to select and obtain the necessary samples for testing in accordance with table 25. Each participant was asked to inform the Activity Coordinator of the exact model they were planning to select so that he could ensure that no duplications occurred. The Activity Coordinator also maintained liaison between the laboratory and the participants to deal with any logistical issues arising including late delivery of a minority of samples whilst maintaining the agreed reporting date.

Besides the laboratory testing of lawn mowers, the participants also agreed to make an evaluation of ride-on lawn mowers. It became apparent at the early stages of the Activity that the budget would not be sufficient to include such an evaluation in the laboratory test programme. Instead, the participants agreed to undertake their own inspections of these lawn mowers. The participants agreed to examine between 1 and 4 ride-on mowers in each of their countries.

The Danish participant had previous experience of inspecting such products and prepared a checklist for his fellow participants to use. However, it was found to require too high a level of expertise for the inspectors to be able to use it. The draft document contained an annex that was regarded as providing a useful basis that could be developed into something more suited to the expertise of the participants. Further development was made by the Activity Coordinator and Activity Leader after the fourth meeting resulting in the development of a suitable checklist.

The checklist is annexed as deliverable D8.2LM.

2.6.7 Results

The laboratory testing was carried out early in summer 2013. The 25 lawn mowers were tested for the compliance to the following Directives (as applicable):

- The Machinery Directive [23] (and the Low Voltage Directive [24], as applicable).
- The Directive for noise emission in the environment by equipment for use outdoors [25].
- Electromagnetic Compatibility Directive [26].

During the testing, the laboratory was visited by the Activity Leader in order to monitor that the inspections, tests and evaluations were being carried out exactly as required. He was satisfied with the outcome of his inspection visit.

The laboratory provided test reports in July and August 2013. The reports were checked by the Activity Coordinator, who produced a summary of the results. The results were discussed in detail in a meeting between the market surveillance authorities and the laboratory experts in September 2013, and the tested lawn mowers were grouped into 3 categories:

- Compliant.
- Non-compliant with minor failures that could be dealt with through administrative actions (e.g. a need to improve markings or faults with the instructions).
- Non-compliant with significant failures in the design of the product resulting in potential risk to the user or bystander.

The resulting distribution on the 3 categories and the 4 tested types is shown in figure 14.

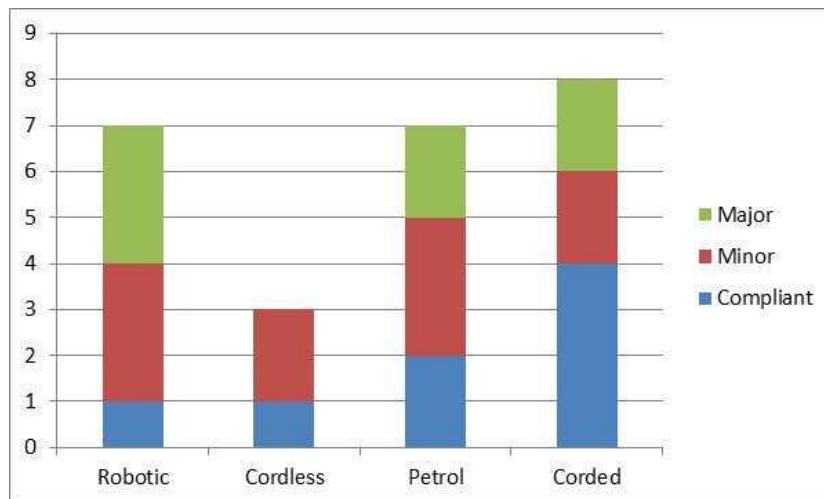


Figure 14: Comparison of the non-compliance found in the laboratory tests of lawn mowers

Figure 15 shows the overall distribution of non-compliances on the tested lawn mowers. The graph shows that 32% of the lawn mowers complied with the safety requirements, whereas 68% had minor or major non-compliances.

There was a wide range of reasons for non-compliance, though most of the minor non-compliances were due to a small number of individual instructions being missing or in some other way them being less than adequate. Some other minor non-compliances were due to errors in the Declaration of Conformity.

The major non-compliances were all due to failures of key clauses in the appropriate test standard. All could result in serious risk for the user or bystander. Perhaps the most significant of these was the failure of some manufacturers to extend the rear hood of their rotary mowers. This requirement is included in the current editions of published test standards but, in the case of electric lawnmowers, was not included in the earlier (2006) edition of the standard.

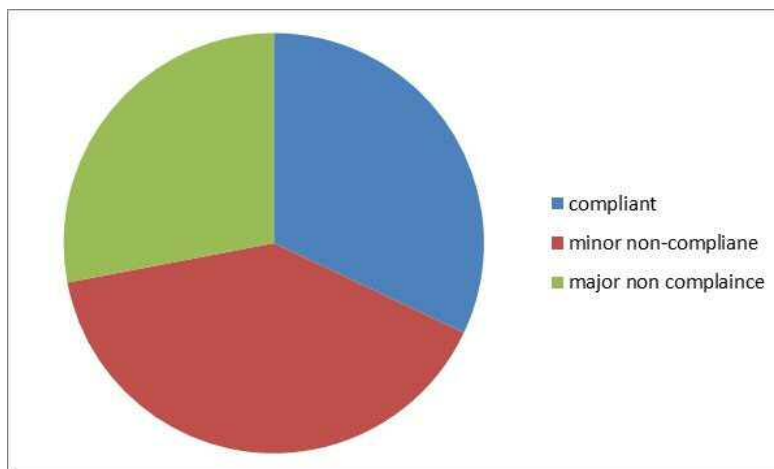


Figure 15: Percentage of lawnmowers complying with standards

Separately to this, each participating country conducted some inspections of ride-on lawnmowers available in their national market. These inspections were undertaken using a check-list that could be applied visually by somebody with minimal experience of inspecting ride-on lawnmowers.

A total of 17 ride-on lawnmowers were inspected with 6 of the 8 participating countries taking part in this Lawn Mowers Activity. The inspections were focussed upon the following:

- Identification of correct use of controls.
- Information for stability marking.
- Instructions for use.
- CE marking.
- Presence of the EC Declaration of Conformity with product

Due to the nature of the inspections undertaken, all non-conformities were in regard of missing information or, in the case of two models, because the language was not correct for the Member State where the product was being sold.

An overview of results is provided in figure 16. The figure shows that 6 of the 17 lawn mowers did not comply with the tested requirements.

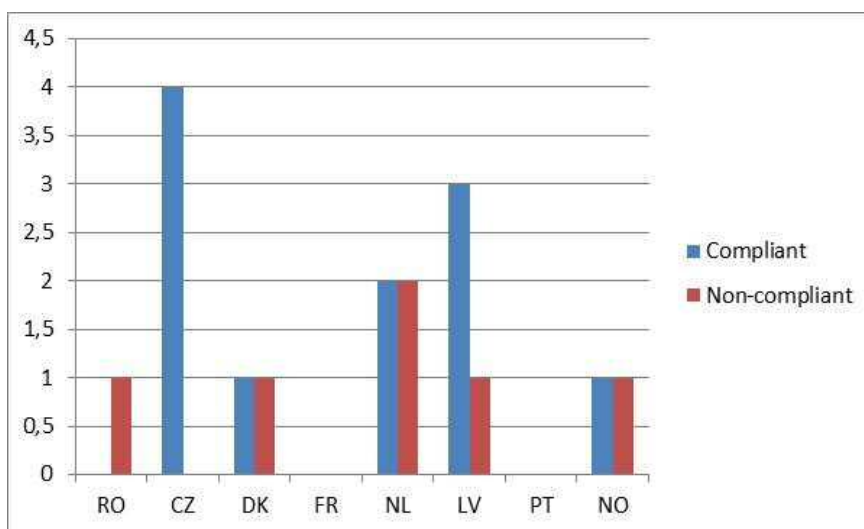


Figure 16: Inspection results of ride-on lawnmowers

At the end of the Activity, the Activity Coordinator prepared a list detailing the results of the 25 laboratory tests together with the classification of the non-compliances, listed as either minor (40% of those tested) or major/critical (28% of those tested). This list was circulated to the Member States and they were asked to send back statistics for the results of their activities. The results can be seen in table 26 below.

Reaction	Share
No action taken on information	29%
Manufacturer contacted	23%
Distributor contacted with a written warning	18%
No response from MS as to their proposed enforcement action (FR, RO)	18%
Lawnmower banned from sale	8%
RAPEX alert issued	8%

Table 26: Result of the Member States' follow up of results of laboratory tests

The analysis that provided the results given in this table understates the overall effect of the actions undertaken as it does not include any actions undertaken by FR or RO. Additionally, some actions included in the analysis above were not completed at the end of the Joint Action and may result in additional models being withdrawn from sale and additional RAPEX alerts.

2.6.8 Conclusions

The programme turned out to be too ambitious given the size of the EU market (circa 7 million items annual sales), the complexity of the market (at least 5 different types of lawn mowers), the technical complexity of the lawn mowers (a minimum of 3 Directives apply). A future programme would need to be strictly confined to just one type of lawn mower and/or have a substantially increased budget. For example, the cost of testing one lawn mower was comparable to the cost of purchasing the samples of robotic lawn mowers for the test. If the market surveillance authorities had requested PROSAFE funds to obtain these samples then there would have been no funding left for testing.

Regardless of the budgetary constraints, the program undertaken provided a useful, and perhaps unique, overview of the safety of lawn mowers on the EU market.

With the exception of robotic lawn mowers, this was regarded as a mature market with the hazards associated with such products expected to be well understood by manufacturers. Yet, a number of high risk products were found that complied with requirements in the relevant harmonised standard published in 2006, but did not comply with the later edition of that standard published in 2010. The manufacturers of such products strongly defended their right to continue to place such products on the market as the 2006 edition of the standard did not meet its Date of Withdrawal (of publication by national standards bodies) until September 2013 (samples were obtained earlier in 2013). Normally, the OJEU published the Date of Withdrawal of the superseded harmonised standard but no such date could be found in the OJEU. Expertise in the products to be closely examined in the Joint Action is necessary. The participants in the Lawn Mower Activity had limited expertise and benefitted from being able to access expertise from PROSAFE on risk assessment and from a member of the Machinery ADCO. The manufacturers' trade federation also organised a demonstration - all of these were very helpful.

The situation with robotic lawnmowers, for which there is no harmonised European standard, was particularly challenging. No test laboratory could be located that had any significant experience of testing these products and the only test standard was a recently published IEC standard. As the qualities of the test standard were unknown, the test laboratory was asked to work to the overarching requirements of the applicable Directives rather than the exact requirements of the IEC standard. This was intended to save costs and ensure that the tests focused on the most hazard aspects of the robots. However, the laboratory and the manufacturers too, focused on the detailed requirements in the IEC test standard and had difficulty in focusing on the broader picture of safety requirements.

The situation in regard of testing robotic lawnmowers (and the shortcomings found) was discussed with representatives of the manufacturer's trade federation who were visibly surprised by the expert briefing provided by EC representatives on their responsibility to design to the "state of the art" rather than what they know to be a deficient test standard. The need to develop a harmonised standard for robotics was recognized by all parties and arrangements have been made for the laboratory expert to brief the CEN Technical Committee currently developing such a standard.

The conclusions from the Activity are:

- Technically complex products need a substantially larger testing budget.
- Although standards are "voluntary" all actors (test laboratories and manufacturers) appear to "lock in" to using them and have difficulty in thinking beyond their exact requirements.
- That being the case, the absence of a suitable standard causes significant difficulties for all actors.
- The legal status of any applicable standards needs to be clarified before testing is undertaken. There can be substantial confusion for all actors when the old (to be superseded) standard overlaps with the new (state of the art) standard.

2.6.9 Involvement of Customs

No border control activities were undertaken for lawn mowers.

2.6.10 Other Liaisons

Lawn mowers, including electric lawn mowers, fall under the Machinery Directive and so arrangements were made for a member of the Machinery ADCO to attend the second project meeting. The purpose for this attendance was to provide participants with good practice guidance information on how to conduct a market surveillance action under the Machinery Directive. Three documents that form deliverable D8.2LM were provided to the participants by the MD ADCO representative.

Besides this liaison activity, the group did further engage with stakeholders, particularly the organisation representing European manufacturers and suppliers, the European Garden Machinery Federation (EGMF). This stakeholder provided European sales statistics on the breakdown of the European market by type of lawn mower to support the planning of the Activity and furthermore they provided detailed recommendations on the specific test clauses and standards that were applicable (in their view) to each lawn mower type. Additionally, they offered to provide practical demonstrations of lawn mower types in action.

This latter offer was followed up in conjunction with the third project meeting which was partially held in the grounds of the annual garden machinery trade exhibition Demo Vert in Brussels. At this exhibition, which took place out of doors in a grassed area, the EGMF arranged for the participants to receive a number of demonstrations of the safety features that are to be found on best practice examples of lawn mowers currently in the market.

Of particular interest were the demonstrations of the safety built into ride-on lawn mowers and robotic lawn mowers. The reason why ride-ons were of such interest was because the participants were considering excluding this type of lawn mower from their laboratory based test programme. They were

considering substituting instead, a simplified in-country inspection conducted by their own inspection staff. The interest in robotics was primarily driven by the lack of familiarity that most participants had with this type of lawn mower - a product type that has a unique array of additional safety related sensors to enable it to perform its role without the presence of a controlling user.

A representative of a second stakeholder group, the consumer group ANEC, joined the participants for the demonstration part of the meeting.

2.6.11 Lessons Learned

One generic observation is that the Lawn Mowers Activity ran largely independently of the other Activities that also formed part of the Joint Action 2011. The most obvious benefits of combining several Activities into one Joint Action clearly was a reduction in reporting burden and the opportunity for Activity Coordinators to share best (coordination) practice.

Besides this, it is possible to extract a couple of more specific lessons learned from the Lawn Mower Activity:

One important result was a number of observations to the applicable standard for robotic lawn mowers IEC 60335-2-107. The test laboratory decided to apply this standard in the absence of applicable harmonised European standards (EN's). However, the laboratory made the observation that some of the tests had to be undertaken under very specific conditions. If these conditions were changed slightly (in a way that even meant that the test better resembled a consumer's use of the lawn mower), it was found to affect the test result significantly. The participants and the laboratory experts agreed that these observations should be conveyed to the relevant CEN/CENELEC standardisation committee, and it was possible for PROSAFE to make money available for SIQ to attend a meeting in Brussels to explain their observations.

Some manufacturers were very challenging when they learned that an action was planned against their lawn mower. This was a situation that caused difficulties (a loss of confidence) for less experienced authorities - particularly in respect of whether or not an outdated test standard could still be applied in the marketplace. PROSAFE's Rapid Advice Forum was used to provide supplementary advice. This worked very well.

The applicable Directive for Lawnmowers is the Machinery Directive, yet many manufacturers are producers of electrical equipment and appear to be more familiar with the requirements of the Low Voltage Directive. There may be a benefit from DG ENTR providing a briefing to such manufacturers on the differences between these two Directives. This would enable manufacturers and suppliers to receive clarification on their responsibilities to supply products that meet the state of the art rather than the content of a superseded test standard.

2.7 Method Development Activity on Risk Assessment

Planned deliverables from the Joint Action - all completed

- D12.3 Programme and memo from Risk Assessment Seminar 2012.
- D12.4 Agenda and minutes from meetings in the risk assessment working group.

2.7.1 Participants

The following 12 Member States participated in the Risk Assessment Activity: The Czech Republic, Denmark, Germany, Ireland, Latvia, Lithuania, Malta, Norway, Romania, Slovenia, Sweden and the Netherlands. In addition, Iceland and Turkey participated outside the financial scheme.

2.7.2 Meetings

- Kick-off meeting
The risk assessment group had its kick-off meeting on 24 February 2012, in Brussels, immediately after the JA2011 launch meeting.
The purpose of the meeting was to guide the planning of the Activity. The Activity Leader gave a presentation of the risk assessment landscape including an overview of other tasks surrounding PROSAFE's Risk Assessment Activity, e.g. the work of the SOGS group and OECD. Afterwards, the participants shared ideas for the risk assessment work in JA2011
The agenda and the minutes from the meeting are included in the annexed deliverable D12.4.

- **First Project Meeting**
The group had its first project meeting on 10 and 11 May 2012 in Dortmund. The meeting included a discussion of the e-learning module on risk assessment, an exchange of ideas for the Risk Assessment Seminar 2012 and a long discussion of risk assessment cases.
The discussion of cases focussed on products being targeted by PROSAFE's Joint Actions, e.g. visibility clothing, laser pointers, lawn mowers, fireworks, battery chargers and childcare articles. The participants organised in small working groups that developed and discussed scenarios for the different products. After the meeting, these scenarios were shared with the groups working with the product.
The agenda and the minutes from the meeting are included in the annexed deliverable D12.4.
- **Second Project Meeting**
The second project meeting was held 5 and 6 September 2012 in Brussels. The meeting included a discussion of the progress with the e-learning module on risk assessment that was to be launched a few weeks later. The participants were also informed about a number of international initiatives on risk assessment such as the SOGS group and the OECD Working Party.
A large part of the meeting was allocated to a thorough discussion of the Risk Assessment Seminar 2012. It would form part of the International Product Safety Week where one day would be allocated to risk assessment. The group made a proposal for the overall structure of the event and the likely contributions from the group.
The rest of the meeting was devoted to discussion of cases, in particular products from JA2011 (lawn mowers, fireworks, bathing aids for children, wheeled child conveyances and battery chargers). The discussions also addressed the risk assessment method itself where the participants tried to achieve a better understanding of when to start and end an injury scenario and what to include in it.
The agenda and the minutes from the meeting are included in the annexed deliverable D12.4.

2.7.3 Risk Assessment Seminar 2012

The Risk Assessment Seminar 2012 took place on 15 October 2012 on the first day of the International Product Safety Week. The focus of the event was risk assessment in a market surveillance context and the seminar saw a number of presentations addressing this subject, including presentations of a CPSC risk assessment tool facilitating the identification of dangerous goods in the import control, the Canadian TRIAGE tool that promotes a consistent risk-based approach to priority-setting, the Australian product safety programs, and the European Injury Data Base.

The JA2011 risk assessment group paid a significant contribution to the Seminar. The Activity Leader introduced "the DELPHI method" for estimating probabilities. The idea in the method is that a number of experts repeatedly estimate the probability for a certain event. After each round, the interim result is shared with the experts that are asked to refine their estimates. After this presentation, the Activity Leader of the Food Imitation Product Activity under JA2010 presented a case study with a risk assessment of food-imitation products, and the Dutch representative in the Joint Action on lighters gave a presentation of the cooperation between customs and the market surveillance authorities in the Netherlands. Furthermore, the Project Leader of PROSAFE's Joint Action on China presented the progress with this Action.

The seminar ended with a risk assessment marketplace organised by the JA2011 risk assessment group where the participants could discuss a number of cases with the PROSAFE experts. The cases that were presented were:

- Towel hooks
- Combined gas and electrical heater
- High visibility clothing
- Battery chargers

Moreover, one group was discussing estimation of probability factors through the use of the "Delphi approach", as introduced previously during that day.

The agenda and the minutes from the seminar form the annexed deliverable D12.3.

2.8 Method Development Activity on Continuous Improvement of National Systems (CIMS)

Deliverables due by end of reporting period - completed

- D12.2 Reports from two CIMS reviews.

2.8.1 Introduction

The following 5 Member States participated in the CIMS review: Germany, Lithuania, Malta, Norway and the Netherlands.

2.8.2 Main Activities

The first task of the Activity was to identify interested market surveillance authorities to join a CIMS review. The market surveillance authorities in Bavaria, Germany and Lithuania volunteered and the first review was held in Bavaria, Germany 27 - 28 June 2012. The review team had the following members:

- The CIMS Activity Leader;
- The CIMS Activity Coordinator;
- A representative from The Netherlands acting as CIMS Review Leader;
- A representative from Malta;
- A representative from Lithuania.

The report from this review is annexed as the first document forming deliverable D12.2.

The second CIMS review was held in Lithuania 28 - 30 November 2012. The review team had the following members:

- The CIMS Activity Leader;
- The CIMS Activity Coordinator;
- A representative from Germany acting as CIMS Review Leader;
- A representative from Malta.

The report from this review is annexed as the second document forming deliverable D12.2.

These two CIMS reviews helped promote a closer cooperation and increased further cooperation between the market surveillance authorities. Additionally, the findings from the review would presumably lead to an increase in efficiency across market surveillance activities in all of Europe as public versions of the review reports were shared with market surveillance authorities through PROSAFE's knowledge base.

2.9 Method Development Activity on E-learning Module on Risk Assessment

Planned deliverables from the Joint Action - all completed

- D13.1 Memo with overview of components of RA module.
- D13.2 Contribution on the risk assessment e-learning module for MS workshop.
- D13.3 Risk Assessment Module.
- D13.4 Minutes from the e-learning working group meetings.

2.9.1 Introduction

Three Member States participated directly in the E-learning Activity: Germany, the Netherlands and the United Kingdom. Furthermore, the JA2011 Project Leader decided to involve himself. The whole Activity was undertaken in close liaison with the Risk Assessment Activity. The risk assessment group was updated regularly on the progress and asked for comments on documents produced by the E-learning Activity.

2.9.2 Meetings

The Activity had four meetings:

- A preliminary meeting during the JA2011 launch event 23 - 24 February 2012;
- Meetings with two potential contractors 28 March 2012;
- A half-day working group meeting in connection with the Risk Assessment meeting 10 May 2012;
- A meeting with the selected contractor 15 May 2012.

Agenda and minutes from the meetings 10 May and 15 May are annexed as deliverable D13.4.

2.9.3 Tendering Process

In February 2012 it was decided to issue a call for tender for the supply, development and delivery of a SCORM-compliant Learning Management System.

TSI from the UK informed that they expected to reply to the call for tender so it was agreed to exclude them from the adjudication process to avoid potential conflicts of interest. Instead, the JA2011 Project Leader and the Executive Director of PROSAFE joined.

The tender was sent to 7 companies and published on the PROSAFE website. Seven quotations were received within the deadline. They were analysed and two UK-based companies, E-learningWMB and Webanywhere that had submitted a joint bid were selected to deliver the service. The contract was signed during the second quarter of 2012. The contract comprised the transfer and update of the GSD module to the new platform and the development of a risk assessment module.

A number of documents linked to the tendering and adjudication process are annexed in Annex 3 as additional material produced by the Action:

- A document with the criteria for evaluation of the quotations on the e-learning module is annexed as document E13.a.
- A copy of the email sent to prospective bidders for the e-learning module is annexed as document E13.b.
- Three documents from the three steps in the evaluation of the quotations for the e-learning module form the annexed document E13.c.
- The final contractual agreement is annexed as document E13.d.

2.9.4 Development Process

A working group was set up to handle the development of the risk assessment module. The group consisted of participants from the E-learning Activity and the Risk Assessment Activity. All the work was frequently shared with the Risk Assessment Activity Group and other JA2011 participants to collect comments on the draft modules being developed.

The first tangible output from this work was a document with an outline of the risk assessment module. This text was later on reformatted to serve as input to the developers from E-learningWMB. The two documents form the annexed deliverable D13.1.

The launch of the new e-learning platform together with the revised GSD module and the new Risk Assessment modules took place during the Annual Market Surveillance Workshop on 6 November 2012.

The module forms deliverable D13.3. A document is annexed as deliverable D13.3 explaining how to access the module.

The overall feedback was very positive and the new e-learning platform generated a lot of interest from JA2011 participants but also from various other Market Surveillance authorities from outside the Joint Action and even from outside the PROSAFE community.

2.9.5 The Risk Assessment E-learning Module

The risk assessment e-learning module sits together with the other PROSAFE e-learning modules (at present only the GSD module) on PROSAFE's e-learning portal. It can be accessed on the internet address elearn.prosafe.org or via PROSAFE's website www.prosafe.org.

The welcome screen of the portal is shown on figure 17.



Figure 17: The welcome screen of PROSAFE e-learning portal

The user will have to register in a process that is much similar to what is known from websites like Facebook, LinkedIn, etc. The user must supply his name, an email address and brief information about his place of employment. After having completed this process, the user will receive an email with a password and further instructions on how to login to the system.

After having logged in, the user can select which module to go through. If the risk assessment module is selected, the user will see the screen shown in figure 18.



Figure 18: The introductory screen to the Risk Assessment module.

The module has been designed to encourage interaction and to give a lively impression. It employs means such as an avatar (an image of an actor standing in the front of the picture), voice-over (where text is read out to the user) and animations. The module also includes quizzes that allow the user to check how much was understood of what was just presented.

The training on risk assessment has four steps:

- An introduction to risk assessment;
- An explanation of the risk assessment procedure from the RAPEX guideline [2];
- A risk assessment for one of four cases undertaken by the user;
- A final explanation of various pitfalls.

A screenshot from the presentation of the main risks in one of the cases is shown in figure 19.

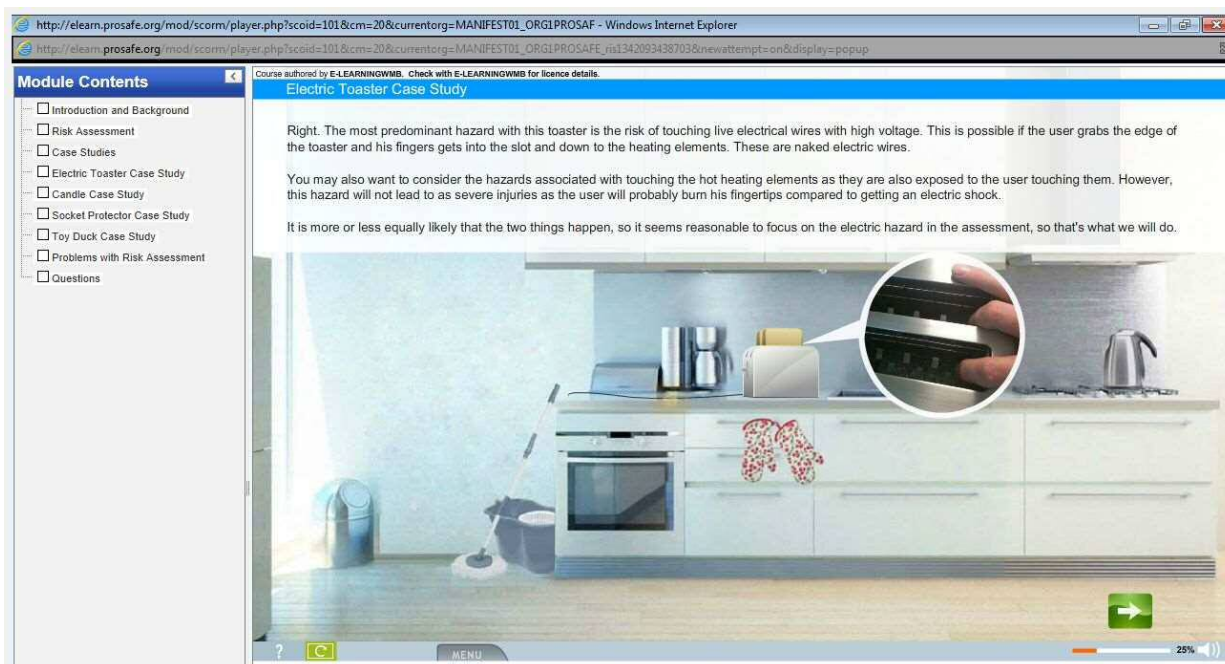


Figure 19: Screenshot from the e-learning module showing how the risks in a case study are presented to the user.

A user can go through the total module in 45 - 60 minutes.

2.9.6 Training of PROSAFE Staff

The PROSAFE Secretariat and the two Activity Coordinators supporting the e-learning and risk assessment activities had some basic training about the e-learning system to enable PROSAFE to do basic maintenance and developments of the system. Two short training sessions were given in Brussels by the IT contractors: one in October 2012 related to the administration of the e-learning platform and another one in December 2012 focusing on the software that is being used to develop the modules.

This enables PROSAFE staff to develop simple e-learning modules and upload them to the e-learning platform, which in turn means that PROSAFE has got another powerful tool in its toolbox to present information for other market surveillance officials, businesses or others. This will be explored further in the coming Joint Actions.

2.10 Method Development Activity on Protocol for the European Home Authority Principle - EHAP

Planned deliverables from the Joint Action - all completed

- D14.1 Memo describing the “Home Authority” principle.
- D14.2 Contribution on the e-learning ‘Key Principles’ module to a final conference.
- D14.3 Memo outlining the contents of a ‘Key Principle’ e-learning module.
- D14.4 Memo outlining the feasibility of a “Key Principle” e-learning module and a strategy on implementation of the key principles with special emphasis on the home authority principle. Included in deliverable D14.1.

2.10.1 Introduction

The following 11 Member States contributed at various levels to the Home Authority Activity: Belgium, Czech Republic, Denmark, France, Germany, Ireland, Malta, the Netherlands, Spain, Sweden and United Kingdom.

2.10.2 Main activities

The Activity Leader and his Activity Coordinator initiated the main discussions on the key principles on market surveillance and the “Home Authority Principle” in the beginning of 2012. This was done by drafting a policy document based on the key principles identified within the previous EMARS II Action. The main objectives of this document were to develop a description of the “Home Authority Principle” in a PROSAFE context and to develop an outline strategy for the implementation of a home authority principle. The participants met in June 2012 in London to have a further discussion on the document, in particular the following:

- The main aim is to improve effective communication and sharing of information between the Home Authority, the Enforcement Authorities and the involved economic operator.
- The Activity will focus on GPSD products keeping in mind that the principle could be extended to other product areas such as toys, LVD products and others.
- The principle shall not put additional responsibilities on any market surveillance authorities:
 - Home Authorities shall not be able to force market surveillance authorities in other Member States to take any kind of action;
 - Enforcement Authorities shall not be able to hand over any of their responsibilities to a Home Authority.
- The aim is not to establish uniform enforcement or uniform risk assessment. These activities will remain the sole responsibility of the individual market surveillance authorities.

It was also agreed to rename the initiative to the “European Home Authority Principle” or EHAP.

The document was revised after the meeting in London. It is annexed as deliverable D14.1.

A presentation was given during the Annual Market Surveillance Workshop in November 2012. The scheme was discussed with the participants directly involved in the Activity and with other JA2011 participants to increase the awareness of all participants and stakeholders present at the workshop. The presentation is annexed as deliverable D14.2.

Additionally, the Activity Group prepared a strategy for the implementation of a pilot scheme during the following years. The result formed deliverable D14.4 that is included in deliverable D14.1.

The information was also formatted into a document that could serve as a basis for the development of an e-learning module on the European Home Authority Principle. This document is annexed as deliverable D14.3.

2.11 Methods for Identification of Priorities

Planned deliverables from the Joint Action - all completed

- D15.1 Overview of priority setting for future market surveillance activities at the national and European level.
- D15.2 Compilation of an annual overview of planned market surveillance activities in the Member States.

2.11.1 Planning of the Activity

It was decided to undertake this Activity virtually with no formal meetings. Instead all Member States were consulted within the framework of the JA2011 events held during 2012, and the participants in the Childcare Articles Activity were specifically involved through the priority-setting task of that Activity.

The Grant Agreement identified the following activities purporting to examine and further develop methods for priority-setting:

- Developing a list of priorities for childcare articles as part of that Activity (please see chapter 2.3);
- Soliciting the international perspective and the European perspective during the events in October and November;
- Consolidation and further development of the method developed by PROSAFE for priority-setting.

2.11.2 Priority-Setting Exercise carried out in the Childcare Articles Activity

Priority-setting was a task identified to be undertaken within the framework of the Childcare Articles Activity. Childcare articles were proposed as a class of product realising that this is a significant product group covering many different products.

The first objective of the Activity was to draw up a medium to long-term list of priorities. It was envisaged that this would be based on a consideration of injury data, RAPEX notifications and input from interested parties. With respect to the timing of the future activity, due consideration was also given to the availability of standards and the development of new and revised standards in response to Commission mandates. The list developed was implemented with effect from the proposal for Joint Action JA2012.

This task resulted in the deliverable 5.OCCA as explained in further detail in chapter 2.3.

2.11.3 Collecting Other Input on Priority-Setting Methods

In order to facilitate the drafting of the two specific deliverables for this Activity, sessions dealing with different aspects of priority-setting were held during the Risk Assessment Seminar in October 2012 and during the European Market Surveillance Workshop in November 2012.

The Risk Assessment Seminar featured a significant international dimension with presentations from the USA, Canada and Australia. The seminar included presentations on the use of risk assessment in setting priorities for import controls and risk assessment of economic operators themselves to determine priorities for market surveillance further long the supply chain.

The European Market Surveillance Workshop in November turned the spotlight to priority-setting at the national level and to PROSAFE's own efforts to develop a priority-setting method.

The result of this work is described in the annexed deliverable D15.1.

In addition to the workshop presentations and discussions, important desk research was undertaken on the national market surveillance plans that DG ENTR is now collecting. PROSAFE was the first organisation to collate national market surveillance plans under the two EMARS projects. Later on, a formal obligation for the Member States to notify their plans to the European Commission was introduced under the Regulation 765/2008.

The observations from this study are presented in the annexed deliverable D15.2.

Further to the two deliverables identified in the Grant Agreement, some consideration were given in the deliverables to the implementation of the Product Safety and Market Surveillance Package and how it would impact on priority-setting for market surveillance activities in the future. It goes a long way to provide a formal framework for the activities PROSAFE currently promotes voluntarily through its Joint Actions.

2.12 Other Method Development Activities

2.12.1 Annual Market Surveillance Workshop

Planned deliverables from the Joint Action - all completed

- D16.1 Programme for the annual market surveillance workshop.
- D16.2 Memo from the annual market surveillance workshop.

The Annual Market Surveillance Workshop was held 6 - 7 November 2012 in Brussels. The first day was open to stakeholders, whereas the second day was restricted to market surveillance officials. The first day was attended by 35 participants from market surveillance authorities, industry, consumer organisations and other stakeholders. The second day was attended by 25 participants.

The workshop was titled "Innovations in Market Surveillance" and the aim was to encourage a discussion of the new initiatives on the European legislation as taken by the European Commission and put this in perspective by comparing and contrasting it to the activities undertaken in the PROSAFE led Joint Actions.

The open part of the workshop started with an overview of the progress with the Joint Actions including an update on the progress with the product activities in JA2010 and JA2011. This session also included a recap of the discussions of the PROSAFE event held 15 October during the International Product Safety Week in Brussels. Subsequently, presentations of innovations linked to the infrastructure in market surveillance were given, i.e. the multi-annual market surveillance programme and the new legal framework for market surveillance.

This was followed by presentations of innovations linked to collaboration. This session featured presentations of the European Home Authority Principle (EHAP) and the most recent progress with the

Joint Action on China. There were also presentations of the new risk assessment e-learning tool and the results of the 2012 CIMS reviews.

The workshop ended with two sessions describing different priority-setting initiatives. First, a presentation of the activities in JA2011 on priority-setting and other priority-setting work within PROSAFE. This was followed by a presentation of the way a large Member State (France) set its priorities for the next year(s). The day ended with a “marketplace” where the participants could discuss ideas for priorities for JA2013. The second day was kept for discussions of the preparations for Joint Action 2012 and the results of the JA2013 marketplace.

The agenda for the workshop is annexed as deliverable D16.1. A report from the workshop is annexed as deliverable D16.2.

2.12.2 Coordination of Joint Action 2011

Planned deliverables from the Joint Action - all completed

- D1.1 Planning of Joint Action, work plan for the Joint Action.
- D1.2 Kick-off and planning workshop for Joint Action, memo with conclusions from workshop.

This Activity partly overlaps with the coordination of other Joint Actions. Please also see chapter 2.14.6.

The planning of Joint Action was the first major action. A draft work plan for the Joint Action was prepared prior to the launch event 23 February. It was discussed during the launch and adjusted afterwards to accommodate the issues raised by the participants.

The work plan forms deliverable D1.1.

Afterwards the product activities have developed work plans for their particular Activity. Further details are found in the chapters 2.3.2, 2.4.2, 2.5.2 and 2.6.2.

The Joint Action was launched in two meetings, one for the project management group and one for the participants.

This is explained in detail in chapters 2.2.2 and 2.2.3 above.

2.12.3 Best Practices

No deliverables were planned for the Activity.

One of the coordinating consultants had the task to stay in touch with all other consultants to capture best practices that was developed during the activities. Such best practices would be included in PROSAFE’s knowledge base for future reference. One example of this taking place is the knowledge about transport of fireworks that was built up in the Fireworks Activity.

Likewise the consultants contacted the coordinating consultant to utilise existing best practices. One obvious example is the call for tender for laboratories to undertake the testing in the activities. This follows a standard procedure with templates for letters, contracts, etc.

2.12.4 Rapid Advice Forum

Deliverables due by end of reporting period - progress as planned

- D12.1 Statistics for the Rapid Advice Forum 2012.

During 2012, six questions were handled via the Rapid Advice Forum. All questions were answered within the 2-week target deadline.

Besides the Rapid Advice Forum, PROSAFE also operates a Rapid Advice Forum for Lighters that only discusses questions concerning lighters. This Forum was established as a “spin-off” of the Rapid Advice Forum from the EMARS project. It handled 17 questions in 2012.

Full statistics can be found in the attached deliverable D12.1.

2.12.5 Knowledge Base

No deliverables were planned for the Activity.

The knowledge base gradually grew during JA2011 as best practices from the activities in the Action accumulated.

The biggest challenge with the knowledge base was to make the contents accessible for the PROSAFE members. During the Action it was only possible for the participants to acquire information through the coordinating consultant and the consultant responsible for the knowledge base. This is clearly not feasible and work started after JA2011 to find better solutions.

2.13 Horizontal Activity: Stakeholder Outreach and Other Communication Activities

Planned deliverables from the Joint Action - all completed

- D2.1 Planning of communication
- D2.2 Joint press release on start of Action
- D2.3 First workshop to disseminate results
- D2.4 Joint press release, first workshop
- D2.5 Memo with conclusions from the final workshop
- D2.6 Press release from final workshop
- D4.1 Planning of stakeholder outreach activities, plan for outreach activities
- D4.2 Memo with conclusions from stakeholder outreach activities

2.13.1 Outreach Activities

A number of activities have been undertaken during the Joint Action.

Interested parties were invited to participate in the JA2011 Launch Event in February 2012. To help them prepare their active participation in the launch event a memo for stakeholders was prepared as were information sheets for each of the individual activities. The open launch event gave an opportunity to the stakeholders to provide constructive input into the planning of the individual activities as well as the Joint Action as a whole.

Later on, stakeholders were invited to participate in the kick-off meetings of the individual product activities during spring 2012. In the autumn, stakeholders attended the Risk Assessment Seminar in October 2012 and the first day of the Market Surveillance Workshop in November 2012. Lastly, the final workshop in February 2014 was open for stakeholders.

All Activities were very open to participation from Member States and other countries outside the Joint Action. Turkey, Finland, Iceland and Bosnia-Herzegovina amongst others attended meetings in one or more of the Activities.

The Childcare Articles Activity took a very active approach in engaging all Member States by identifying “partner countries” to all participants. Each participant was given the responsibility for engaging with one or two (neighbouring) countries to inform them about the progress and to pick up any information relevant for the Activity.

The European Commission was the most important stakeholder for the Joint Action. Representatives from DG SANCO were invited to participate in all meetings in the Action. The same goes for DG TAXUD that participated in several of the kick-off meetings. The liaison with DG ENTR was undertaken in the 3 product activities that targeted products falling under sector-specific regulation (fireworks, battery chargers and lawn mowers).

It was planned to produce a plan for the outreach to stakeholders. However, it was soon recognised that there was a considerable overlap with the communications plan so it was decided to include the plan for stakeholder outreach (deliverable D4.1) in the communications and outreach plan (deliverable D2.1).

A memo with the conclusions of the stakeholder outreach activities is annexed as deliverable D4.2.

2.13.2 Communication

Briefing materials (memos and information sheets about the Joint Action as a whole and each of the individual activities) were produced.

A plan for communication activities was produced. A first draft was drawn up and circulated prior to the launch event and edited afterwards based on the comments received. The plan foresaw the following communication and outreach activities (based on the best practices identified by PROSAFE in previously undertaken Joint Actions):

- Publication of joint newsletters where the participants agree on key messages. They are translated by the participants and issued through those channels that each authority has found to be efficient.
- Organisation of common workshops to raise the awareness or to communicate the results.
- Publication of articles and news in the PROSAFE newsletter and in other media like newsletters from other organisations.
- Presentations at (international) conferences where participants from the Joint Action already participates.

- Depending upon the identified needs for each of the products it may be decided to produce training or information material for one or more products.
- Presentation of results obtained through the Joint Action to other European organisations (e.g. CEN/CENELEC, ANEC, Orgalime, etc.) for further considerations

The final communication plan is annexed as deliverable D2.1.

In accordance with the communication plan and the Grant Agreement, a first newsletter was issued to present the launch of the Joint Action and its activities. It was published in October 2012.

It is annexed as deliverable D2.2.

A second newsletter was issued in January 2014 to create awareness of the final conference by presenting the results from the Lawn Mower Activity. The newsletter was published a number of months later than foreseen in the Grant Agreement that foresaw its publishing immediately after the spring workshop in May 2013 (please see chapter 2.13.3). It was decided to delay the newsletter to enable its use as a pre-announcement of the final conference.

It is annexed as deliverable D2.4.

A final newsletter was issued in March 2014 after the final conference to present the final results of the Joint Action and its activities.

It is annexed as deliverable D2.6.

(The newsletter is referred to in the Grant Agreement and in the list of deliverables as a “press release”, but following discussions with the Consumers, Health and Food Executive Agency (Chafea) it was agreed that this name was misleading. In reality, PROSAFE publishes background information with news that the participating Member States pick up and translate so they can issue press releases or other kinds of information that will get through to their audience. Therefore it was agreed to rename such publications to “PROSAFE Newsletters”, a name that is well in line with the purely internal newsletters that are circulated to PROSAFE members ever so often to inform about progress with various activities.)

2.13.3 Joint Action 2011 Workshop, May 2013

The Joint Action organised a 2-day workshop 14 and 15 May in Brussels to discuss the progress with the activities. The first day of the workshop focussed on providing a general overview of PROSAFE’s activities and a detailed report of the outcome of the method development activities. Moreover, this day featured various presentations of developments in standardisation and exchange of information of dangerous products that could serve as input to the next years’ joint actions. The first part of the meeting was open to stakeholders. The agenda for the first day is shown on

DRAFT AGENDA		
Day 1: Joint Actions 2011 Workshop		
TIME	N°	SUBJECT
9:00	1.	Registration of participants, coffee
9:30	2.	Opening and welcome by JA 2011 project leader
9:45	3.	Update from the European Commission on the new market surveillance package and other legislative initiatives <ul style="list-style-type: none"> • The European Commission, DG ENTERPRISE • The European Commission, DG SANCO
10:30	4.	Update from PROSAFE on the progress with the Joint Actions <ul style="list-style-type: none"> • JA Lighters • JA 2010 • JA 2011 • JA 2012 • JA 2013 • JA China 1 • JA China 2
11:00		Coffee break
11:15	5.	Presentation of progress with method development activities: <ul style="list-style-type: none"> • Introduction and overview • European Lead Authority Scheme • Methods for priority-setting • E-learning • Risk assessment
12:45		Lunch break
13:30	6.	Input to Joint Action 2014: <ul style="list-style-type: none"> • "What's cooking in standardisation?", input from CEN • Focus areas in standardisation, input from ANEC
14:15	7.	End of open part of meeting
14:15		Coffee break
14:30	8.	Start of Closed Part of meeting by PROSAFE Chairman Input to Joint Action 2014 (continued): <ul style="list-style-type: none"> • Tour de table on developments in the Member countries and presentations of dangerous products
16:00	9.	End of JA2011 Workshop day 1

figure 20. The second day of the workshop focussed on the cooperation with customs. It is summarised in chapter 2.14.1.

Figure 20: The agenda for the first day of the 2-day Joint Action 2011 workshop in May 2013

The first day of the workshop was attended by some 35 attendees including stakeholders for the open part.

The workshop opened with an update from the European

on the new Market Surveillance Package and other legislative initiatives. The representative explained that the work had almost finalised; all comments had been evaluated and taken on board, the rapporteur had been appointed, a public hearing was expected 20 May and the IMCO committee would soon adopt a position. The intention was to have the regulation adopted before May 2014. He went on to discuss the European Market Surveillance Forum that shall coordinate market surveillance across the EU Member States. It will be supported by a secretariat that must possess the same expertise as PROSAFE. Obviously, the Commission hoped that PROSAFE would be able to support the Forum one way or the other so the further activities could build on the results achieved by PROSAFE.

This was followed by a presentation of an overview of PROSAFE's activities. The first Joint Action was the EMARS project that started in 2005 and since then PROSAFE has coordinated 19 Joint Actions targeting 26 products and involving all EU Member States and EFTA countries at least once. The total funding had been in the region of 10 million EUR and the reality had proven that such external funding was crucial for the continued success of these activities. The most recent Joint Action (JA2012) involved 31 authorities from 24 countries, which marked an "all times high" for PROSAFE.

The Joint Actions running at the time of the workshop were:

- Joint Action on Lighters. Finished in December 2012. Final report had been submitted.
- Joint Action 2010. The first omnibus action coordinated by PROSAFE. Finished at the end of April and had its final conference in February.
- Joint Action 2011. Targets 4 product groups: Childcare articles, lawn mowers, fireworks and battery chargers, and includes method development activities (risk assessment, e-learning, CIMS reviews, and investigation of a European Home Authority Principle).
- Joint Action 2012. Targets childcare articles, ladders, CO detectors, nanotechnology in cosmetics and cords & drawstrings in children's clothes. Is in the starting phase.
- Joint Action 2013. The pre-proposal was submitted in the beginning of May. Application is due end of June. It will most likely target childcare articles, toys, toy scooters, helmets for 2- or 3-wheeled vehicles, chemicals in children's clothing, lighting chains and LED lamps.
- Joint Action 2014. The discussion of priorities would start during the workshop.
- Joint Actions on China 1. Main purpose is to build relations to the Chinese authorities. Finishes in 2013.
- Joint Actions on China 2. Will start in July 2013.

This overview of PROSAFE's activities was followed by presentations of the outcome of the method development activities in Joint Action 2011:

- European Home Authority Principle

The basic idea behind this principle is that for a given case a market surveillance authorities will be either the "home authority" or an "enforcement authority". The home authority is the authority that belongs to the jurisdiction where the concerned producer rests. The enforcement authorities are the authorities in the jurisdictions where the product in case is sold. The home authority is expected to be the first contact point in communication with the economic operator and enforcement authorities must inform the home authority so it is kept fully updated on all actions being taken or about to be taken.

The Activity Group finds that the development of a practical European-level scheme must take place in small steps. The focus is on improving the communication channels and the sharing of information between the market surveillance community and the economic operators. The group

will explore the scope for some simple EHAP exercises in the product-specific activities in Joint Action 2012, e.g. developing a list of manufacturers and main importers of the particular products and sharing information about samples and enforcement actions being taken.

- Methods for priority-setting

The Activity Coordinator explained that the purpose of the Activity was to understand better different priority-setting mechanisms and one of the activities in 2012 had been to prompt discussions of the topic during the International Product Safety Week in October.

The study had shown that timing is a big issue in priority-setting. As an example, the agenda of this JA2011 workshop featured a first discussion of ideas for Joint Action 2014. The Action would however not start until January 2015 with the bulk part of the market surveillance work taking place in 2015-16, i.e. 2 - 3 years ahead in time. This long lead-time made it very difficult to handle emerging issues and to connect to national market surveillance programmes that have their specific timing.

The Activity Coordinator also mentioned that the Childcare Articles Activity in Joint Action 2011 had provided a case study on priority-setting. The group had discussed priorities and ended up with a list of proposals for childcare articles for Joint Action 2012 and Joint Action 2013. Building on this success, PROSAFE was now proposing a similar exercise on toys in Joint Action 2013.

- E-learning

PROSAFE's e-learning tool was presented and a few examples on how the system works were given. The system is open to everyone who will register. At the time of the workshop, some 167 people from 39 countries had registered and tried out the system. The participants were urged to try out the system themselves.

- Risk assessment

The Activity Coordinator started by presenting the group's on-going development and interpretation of the risk assessment method. One activity had been an examination of methods for improving the estimation of probabilities where a method called the DELPHI approach seemed promising. Another activity had dealt with improving the understanding of the RAPEX risk assessment method where the group had worked with a couple of questions. The answers would go into a short guideline. The group had also worked to maintain liaisons with the SOGS-MSG-RATF group that works to extend the scope of the risk assessment method beyond injuries to people to cover e.g. harm to domestic animals, environment, property, the welfare of society, etc.

The Activity Coordinator went on to inform that risk assessments had been carried out for a number of products including high visibility clothing, lawn mowers, fireworks, battery chargers, halogen uplights, cable reels, table top grills and laser pointers.

Finally, the group supported PROSAFE's Risk Assessment Seminar 2012 that was held 15 October as part of the International Product Safety Week.

The day ended with a number of presentations and discussions that gave input to Joint Action 2014.

The first presentation came from the European standardisation body, CEN and gave an overview of important standardisation activities on consumer products. The CEN representative pointed to a number of areas that could be of interest because of grey zones between different product groups that needed to be clarified. The representative also mentioned a number of products where CEN was awaiting mandates from the Commission and finally, she mentioned a number of new standards that had been released recently where it could be relevant to check their implementation on the European market.

This presentation was followed by a presentation from the European consumer organisation, ANEC that presented their focus areas in standardisation. One of their main focusses is child safety, so they have a huge interest in the safety of cots, baby walkers, reclined cradles and baby bottles. The ANEC representative was glad to see how well ANEC's priorities were in line with those of the Member States. The representative proposed a number of further suggestions for specific products to be targeted in future Joint Actions. Finally, she noted that there is a strong need for accident and injury data, and she also strongly recommended that Member State authorities should take active part in standardisation.

This marked the end of the open part of workshop. The stakeholders left and the PROSAFE members reconvened to discuss dangerous products encountered in their work in the past 6 months.

The agenda and the minutes from the meeting are annexed as deliverable D2.3.

2.14 Horizontal Activities

2.14.1 Co-operation with Customs

No deliverables were planned for the Activity.

Representatives of DG TAXUD participated during the launch event of the Joint Action, the Risk Assessment Seminar 2012 and the European Market Surveillance Workshop.

The scope for practical cooperation between market surveillance and customs in the joint actions coordinated by PROSAFE was explored in depth during the Joint Actions 2011 Workshop that was held 14 and 15 May 2013 in Brussels (chapter 2.13). The entire second day was dedicated to discussions between representatives from customs and representatives from market surveillance authorities as can be seen from the agenda (figure 21).

The second day of the workshop had the title “Customs and Market Surveillance together in Joint Actions” and customs from the countries that participate in the Joint Action were invited. The day was attended by some 20 Member State market surveillance officials and almost 10 customs officers or people representing the cooperation between customs and market surveillance in their country.

The workshop was structured with presentations in the morning of the progress with the product activities in the Joint Action. They were followed by presentations in the afternoon inspiring the discussions during the break-out sessions that ended the day.

DRAFT AGENDA

Day 2: Joint Actions 2011 Workshop Customs and Market Surveillance together in Joint Actions (Closed session)		
TIME	N°	SUBJECT
9:00	1.	Registration of participants, coffee
9:30	2.	Opening and welcome by JA 2011 project leader
	3.	Key note addresses <ul style="list-style-type: none"> • The European Commission, DG SANCO • The European Commission, DG TAXUD • EFTA
10:00	4.	Update from product activities in JA2011 <ul style="list-style-type: none"> • Battery chargers • Fireworks
11:00		Coffee break
11:30	5.	Update from product activities in JA2011 (continued). <ul style="list-style-type: none"> • Lawnmowers • Childcare articles
12:30		Lunch break
13:30	6.	Experiences with Cooperation between customs and market surveillance in Joint Actions. <ul style="list-style-type: none"> • Introduction by JA2011 project leader • The customs perspective, case • The market surveillance perspective, case • Seamless surveillance and safety at source, update from China activities • Introducing JA2012, scope for cooperation?
15:00	7.	Closing of meeting, opening of market place by JA2011 project leader
15:00		Coffee break
15:15	8.	Break out session to discuss the practical cooperation between customs and market surveillance officers. Each group will focus on one product from JA2011 and there will be a group to discuss how customs and market surveillance can cooperate in JA2012. <ul style="list-style-type: none"> • How to identify dangerous products. • Meet the people from the product activities. • Ask questions and exchange experiences.
17:00	9.	The marketplace closes

Figure 21: Agenda for the second day of the JA2011 workshop. The title of the day was “Customs and market Surveillance together in Joint Actions”

The day started with opening remarks from the JA2011 project leader followed by key note addresses from the European Commission and EFTA. Both key note speakers stressed the very important role that customs play in product safety. The new Market Surveillance Package will only increase this. The EFTA representative emphasised the importance of the cooperation between market surveillance and customs

and gave PROSAFE huge credit for pushing to get customs involved in the Joint Actions. He noted that it was important to see what actually would come to the customs people on the ground and he was hoping for something practical to come up. He suggested capturing the practical experiences on what happens when a potentially unsafe product is blocked by customs.

These two encouraging key note speeches were followed by presentations of the progress with the product activities in the Joint Action: Battery chargers, fireworks, lawn mowers and childcare articles. The presentations focussed on the actual progress and the links to customs.

The afternoon of the day started with a number of presentations of experiences with cooperation between customs and market surveillance authorities. The purpose was to inspire the participants to have a fruitful discussion at the end of the day of how to implement such a cooperation in practice.

The first presentation was an update from the European Commission, DG TAXUD on the on-going work with the new Market Surveillance Regulation as well as information about a large data collection study that will start gradually from 2013 - 2014. It was followed by a presentation from the JA2012 project leader that gave an overview of the Action and discussed where customs could play a role in the product activities of that Action.

After these presentations, all customs representatives were invited to present their cooperation with the market surveillance authority in their country. This gave rise to a very interesting exchange of information and practices applied by the different countries:

- One representative noted that fireworks created practical problems. Customs enforce the national bans in import of fireworks by consumers and may confiscate illegal imports. The problem arose because customs (in that country) were not allowed to store or transport fireworks.
- The cooperation in one country worked in the way that the market surveillance authority regularly sent a list of priority products to customs that set up the risk profiles. Customs used checklists to check the products and undertook a number of basic tests. If a product was “potentially interesting”, a photograph plus copies of the documents would be sent to the market surveillance authority that then decided what to do with the product. Only the market surveillance authority would test the product.
- Goods in transit present a problem because customs would only be notified about such goods when the transit ends. The product safety regulation does not apply to goods in transit and such goods are not under customs procedures. This is different from counterfeit goods, where customs could control goods in transit.
- One representative had good experience with placing market surveillance officers physically at customs’ premises. Such a person would be familiar with the checklists and would know the appropriate person to contact if a case had to be transferred from customs to market surveillance.
- One representative had experienced that certain products could be difficult to target via the customs codes, for instance children’s high chairs. In such cases, the risk profiles would use the TARIC codes and the name of the importer.
- One of the countries informed that they inspected 5 - 10% of all goods that arrived at the border. They divided the goods into three channels: a green stream that passed through, a red stream that was checked and a yellow stream where documentary checks were undertaken to determine if more needed to be done.

This session was followed by an update from PROSAFE’s China activities that explores the opportunities in “Seamless Surveillance” where market surveillance is carried out as if there were no borders and “Safety at Source” where product safety issues are solved by the manufacturer at the source of the problem. The Joint Action on China was studying the benefits of having a closer cooperation with the Chinese export control authorities. They already check a lot of the goods that leave China and it seemed interesting for the European authorities to use such intelligence to guide their import control.

The workshop ended with a marketplace with four breakout session where the participants discussed the practical cooperation between customs and market surveillance. Three of the groups focussed on battery chargers, lawn mowers and fireworks. The fourth group discussed Joint Action 2012 in general. The groups captured their ideas on flipcharts that were brought back to the room at the end of the session to allow all participants to see the ideas and comments from each other.

The general impression after the workshop was that it had been very fruitful and the initiative was worth repeating next year in Joint Action 2012.

The agenda and minutes from the workshop form deliverable D2.3.

2.14.2 Outreach to China

Planned deliverables from the Joint Action - all completed
D3.1 Planning of outreach activities, China, plan for outreach activities
D3.2 Memo with conclusions from activities

The outreach to China had to be coordinated with other PROSAFE Joint Actions, in particular the Joint Action on cooperation with the Chinese export control authority, AQSIQ (JA China) that provided a means of promoting a consistent approach across all of PROSAFE's product activities.

The success of the outreach activities very much depended upon the quality of the contacts that are made to the Chinese authorities and it was clearly the responsibility of JA China to establish such contacts. This process took longer time than expected and significant progress was not made until a cooperation agreement was signed with AQSIQ 25 October 2012. The signing marked the beginning of a week-long mission where JA China participants visited two export control inspection bodies (CIQs) to learn more about the Chinese export control system.

The next step was a visit from a number of Chinese experts to Europe in April 2013. The programme was set up to feature presentations of results from PROSAFE Joint Actions (including JA2011) to give examples of what knowledge was collected by the European authorities via the Actions and to boost a discussion with the Chinese authorities how they could utilise this knowledge in their interaction with the manufacturers in their territory. All Activity Coordinators were asked to deliver input to this event.

The information to the Coordinators is annexed as deliverable D3.1.

The visit was organised in the port of Rotterdam. The Chinese experts heard presentations of the European import control and market surveillance schemes as implemented by the Dutch authorities and short presentations from Germany, Poland and United Kingdom that outlined differences between their national systems and the Dutch system.

As previously mentioned, PROSAFE's Joint Actions and the various information and training material that had been produced for the benefit of businesses including Chinese manufacturers was also presented. The Chinese experts indicated that this was interesting and something to be explored further in the future.

A memo with the conclusions of the China outreach activities is annexed as deliverable D3.2.

2.14.3 International Co-operation

No deliverables were planned for the Activity.

Also in Ja2011, PROSAFE took a consistent approach to international outreach across all of its activities, and invitations to the events held within the framework of the Joint Action were extended to international colleagues. This effort was particularly successful where the PROSAFE events were held in conjunction with the International Product Safety Week 15 - 19 October in Brussels.

JA2011 contributed to the International Product Safety Week. The Risk Assessment Seminar 2012 was held Monday of that week. A fuller report can be found in chapter 2.7. Furthermore, risk assessment featured in the sessions of the ICPHSO meeting the two following days. Again, the JA2011 Risk Assessment Group paid a significant contribution by supplying cases for the discussions. In addition, one of the members of the risk assessment group made a presentation during the conference of the European risk assessment method.

Personal contacts were utilised to liaise with international authorities. Information on PROSAFE's activities were shared regularly with the informal international regulators forum, the ICPSO, the OECD Working party on consumer safety and with the global multi-stakeholder forum, ICPHSO. Information was provided through presentations and contributions to the newsletters of these groups, in particular the ICPHSO newsletter.

One of the success stories of the international cooperation was that Market Surveillance Agency of Bosnia-Herzegovina participated in the Childcare Articles Activity (outside the financial scheme). A representative from the Agency gave a presentation at the final conference where he reflected upon his experiences from participating. He gave the example that some of the checklists that are used today by the inspectorates in Bosnia-Herzegovina have been improved using the input from PROSAFE's Joint Actions.

2.14.4 Coordination of Dissemination and Use of Results by all Member States

Planned deliverables from the Joint Action - all completed

- D11CCA Memo with description of follow-up activities, childcare articles
- D11F Memo with description of follow-up activities, fireworks
- D11BC Memo with description of follow-up activities, battery chargers
- D11LM Memo with description of follow-up activities, lawn mowers

This Activity clearly demonstrates one of the big advantages of combining more activities into one large umbrella project. This setup means that all the Member States participating in the Joint Action have committed to following up on the results of all the product activities. This idea was introduced in JA2010 where it was one of the most important novel features.

In order to facilitate this information flow, core coordination task contact points were identified in each Member State. This was especially important when a Member State is not participating on a particular product activity.

The progress with the product activities was presented several times during the course of the Joint Action. During the final workshop in February 2014, the final results were presented and the Member States were reminded of their obligation to follow up on the results of all the product activities. This extends the already existing obligation that all Member States must follow up on any RAPEX notifications resulting from the Joint Action. The further added value of the Activity was to ensure that Member States were able to follow up on unsafe products that did not give rise to a RAPEX notification but still would be the subject of corrective action whether required by the authorities or undertaken voluntarily by the economic operators.

In order to facilitate the Member States to follow-up on the results, a letter was sent to them before the end of the Joint Action. The letter was accompanied by the detailed results of the product activities. The results were presented in a format that allowed the easy identification of the products concerned, the non-companies and any corrective action that was undertaken.

The overviews of the results from the four product activities form deliverable D11CCA, D11D, D11BC and D11LM.

2.14.5 Follow-up with Standards Organisations

No deliverables were planned for the Activity.

The Joint Action 2011 continued to liaise with the standardisation bodies in a number of ways.

- Representatives from CEN-CENELEC were invited to participate in the launch event, the workshops and the final conference of the Joint action.
- Representatives from the CEN-CENELEC secretariat as well as representatives from individual technical committees participated in meetings in the product activities.
- A project manager from CEN gave a presentation of new developments in standardisation at the JA2011 spring conference.

Besides this, the individual product activities made observations on the feasibility of the safety standards they applied in their work. These observations were fed back to the relevant technical committees or the European Commission, when appropriate. Four examples are:

- Childcare Articles Activity, wheeled child conveyances. The group made a number of observations on the European Standard EN 1888:2012. They concerned the need for having detailed requirements to the test report, clarification of which tests are applicable for different types of wheeled child conveyance, clarification of the method for measuring the length of pram bodies, inclusion of requirements to cover all hazards originating from moving parts, and better test method for the “bite test”, inter alia. The chair of the Activity Group was also a member of the CEN Technical Committee dealing with the standard so she conveyed the messages to the Committee.
- Childcare Articles Activity, baby bathtubs. No harmonised standard existed, so the group developed its own test requirements based on the safety requirements in the mandate from the European Commission, a national French standard and a number of harmonised European standards. The test requirements were applied and the group analysed their feasibility. The most important observation was that the main hazards presented by baby bathtubs are drowning hazards, hazards related to structural integrity, falling hazards and entrapment of fingers. The group also realised that it was impossible to remove the drowning hazard by design, so they found it extremely important that parents or carers can easily recognise the risks. Consequently, the most important warnings and instructions should be properly displayed on the baby bathtub. All information should make it very clear that close assistance of an adult is necessary to use the product safely. These observations

were shared with the representative from the European Commission and representatives from the relevant technical committee of CEN.

- Lawn Mowers Activity, robotic lawnmowers. No harmonised European standard existed. The only test standard was a recently published IEC standard. The test laboratory checked a number of robotic lawn mowers according to the detailed requirements in that standard and identified a number of shortcomings. The observations were discussed with representatives of the manufacturer's trade federation and all parties recognised the need to develop a harmonised standard for robotics reflecting state-of-the-art. As a consequence, arrangements were made for the laboratory expert to brief the CEN Technical Committee currently developing such a standard.
- Battery Chargers Activity. The group did not identify any areas that required specific actions to be taken. It was noted however that some of the standards (in particular EN 60950) allowed more than one option to verify the compliance for a given property. In most cases, the choice was found to depend upon information that was only available to the manufacturer because it required detailed knowledge about the design and the components used in the product. This made market surveillance testing more difficult and less certain because the necessary information was not available to the market surveillance organisations and thus couldn't be delivered to the laboratory.

More details can be found in chapters 2.3, 2.5 and 2.6.

2.14.6 Co-ordination with Other On-going and Future Joint Actions

Planned deliverables from the Joint Action - all completed

- D1.3 Minutes from project management group meetings
- D1.4 Minutes from project management teleconferences

This Activity partly overlaps with the coordination of JA2011. Please also see chapter 2.12.1.

The coordination of PROSAFE's activities is undertaken by the Project Management Group and during the PROSAFE Project Management Teleconferences (the "PPMT's").

The Project Management Group consists of the Project Leader and all consultants supporting the Joint Action. This group meets when necessary, normally once or twice a year, always in connection with other PROSAFE events to save travel costs. The purpose is to discuss and clear any issues regarding the short-term and long-term progress in the Joint Actions.

The Project Management Group had three meetings during the first 12 months of the Joint Action:

- 22 February 2012 together with the Activity Leaders. The purpose was to get a shared picture of JA2011 and to prepare the launch event the following day.
- 25 April 2012 together with all PROSAFE consultants. The purpose was to discuss best practices and practical obstacles encountered in the Joint Actions.
- 7 November 2012 together with all PROSAFE consultants to discuss and coordinate the activities in the Joint Actions managed by PROSAFE.

The minutes from these meetings are annexed as deliverable D1.3.

(The meetings in the Project Management Group held in 2013 are formally financed out of the JA2012 budget and will be reported under that Action.)

The focal point for the day-to-day co-ordination of all of PROSAFE's activities including first and foremost the Joint Actions is provided by the PROSAFE Projects Management Team, PPMT. It meets approximately bi-weekly and it is composed of the Executive Director, the Project Leaders of the framework Joint Actions (JA2010, JA2011, etc.) and the two coordinating consultants who provide assistance to the central coordination tasks.

The PPMT provides assistance to the Executive Director and the Project Leaders in the discharge of their daily duties. The PPMT also provides a forum to which individual Joint Actions or activities can address specific issues and concerns related to the day-to-day implementation of their projects.

In 2012, 17 such teleconferences have been conducted:

- 10 January 2012;
- 18 January 2012;
- 6 February 2012;
- 20 February 2012;
- 6 March 2012;
- 10 April 2012;
- 8 May 2012

- 21 May 2012;
- 5 June 2012;
- 28 June 2012;
- 21 August 2012;
- 11 September 2012;
- 25 September 2012;
- 9 October 2012;
- 25 October 2012;
- 23 November 2012;
- 12 December 2012.

Minutes from the teleconferences are annexed as deliverable D1.4.

(The teleconferences organised in 2013 are formally financed out of the JA2012 budget and will be reported under that Action.)

2.15 Closing Conference of Joint Action 2011

Planned deliverables from the Joint Action - all completed

- D2.5 Memo with conclusions from the final workshop

The final conference of JA2011 took place 19 February 2014 in Brussels. The agenda can be seen in figure 22. The main purpose of the conference was to inform about the results and findings of all the activities in the Joint Action. Some 50 Member State representatives and stakeholders attended the conference.

Draft Agenda - JA2011 Final Conference 19 February 2014		
TIME	N°	SUBJECT
9:30	1.	Registration of participants, coffee
10:00	2.	Opening of the final conference <ul style="list-style-type: none"> • Opening speech by JA2011 Project Leader • Remarks from the European Commission • Remarks from the European Free Trade Association
10:10	3.	Overview of the Joint Action and its results <ul style="list-style-type: none"> • Battery chargers • Child-care articles
11:00		Coffee break
11:30	4.	Overview of the Joint Action and its results (continued) <ul style="list-style-type: none"> • Fireworks • Lawn mowers
12:30		Lunch
13:30	5.	Overview of the Joint Action and its results (continued) <ul style="list-style-type: none"> • Horizontal activities (standardisation, customs, etc.) • Method development activities (risk assessment, CIMS, etc.) • PROSAFE's e-learning module
14:15	6.	What did we learn from Joint Action 2011 - plenary discussion <ul style="list-style-type: none"> • Building on previous best practice and developing a European Level Programme • Coordination with customs and collaboration with China • Further follow up of the product activities • ...
15:00	7.	Formal Closure of Conference by PROSAFE chairman
		Coffee Break
15:30	8.	Opening of JA2011 Marketplace
15:30 - 17:00	9.	Marketplace on lessons learnt and experiences from the Joint Action Meet the task leaders and the consultants and hear about the results. Have a closer look at the e-learning module. <ul style="list-style-type: none"> • Battery chargers • Child-care articles • Fireworks • Lawn mowers • PROSAFE's e-learning module

Figure 22: Agenda for final conference in Joint Action 2011.

The conference was opened by the Project Leader, and the head of unit in DG SANCO, gave an opening speech where she stressed the importance of the cooperation between the Member States and emphasised that the Commission would continue to encourage an even closer cooperation.

This was followed by a presentation with a brief overview of the Joint Action 2011 after which the floor was given to the Activity Leaders that gave detailed presentations of their activities, first the product activities:

- Battery chargers
- Childcare articles (wheeled child conveyances and baby bathtubs and their stands)
- Fireworks
- Lawn mowers

The presentations from the conference provide the details. They are uploaded to PROSAFE's website.

This was followed by presentations of the method development activities and the other horizontal activities. These presentations were shorter as they had already been reported thoroughly in the annual Market Surveillance Conference in 2012 and the workshop in April 2013. Emphasis was given to the presentations of the European Home Authority Principle, the Risk assessment activities, the CIMS Activity and in particular the new e-learning module that is one of the flagship deliverables from Joint Action

2011. the Activity Coordinator for the E-learning Activity presented PROSAFE's e-learning platform and explained how e-learning was one of the tools foreseen in PROSAFE's blended approach to training as described in the training strategy.

The last item on the agenda featured a discussion of lessons learned from the Joint Action. The discussion was facilitated by three brief presentations of the perspective of an observer market surveillance authority (Bosnia-Herzegovina), the perspective of a product-specific activity and the perspective of a Member State. All three speakers highlighted the sharing of Information as very beneficial as well as the development of best practices (checklists, guidelines, risk assessment, etc.) that was very useful for the participants. They also stressed that future Joint Actions should involve all Member States if possible, closer liaisons should be built with the ADCO groups and the use of ICSSM should be increased. One of the speakers also noted that he had experienced that economic operators reacted quicker when they were told that the measures imposed were based on an international action. They seemed to perceive them as „more important”.

A number of interesting remarks were raised during the subsequent discussion:

- It is important to promote the results from the Joint Actions.
- There is a huge need for practical guidelines, tips & tricks and similar stuff for the inspectors in the field. How to test products in the field? How to identify potentially dangerous products?
- It could be an idea to focus more on machinery. Many of these products carry a high risk.
- Priority-setting is important. An (even) more objective system should be developed.
- It is important to find out how PROSAFE actions can address emerging safety problems with products before they turn into safety issues in the Member States.
- It was noted that the inspectors select those products for testing that are most likely to fail. This causes a bias in the results that must be mentioned whenever results are published.

The conference ended with a marketplace where the participants could discuss with the Activity Leaders and the Activity Coordinators for battery chargers, childcare articles, fireworks and lawnmowers or have a closer look at PROSAFE's e-learning module.

The agenda and minutes from the conference are annexed as deliverable D2.5.

2.16 Broader Impact of the Joint Action 2011

JA2011 accounted for a significant share of PROSAFE's activities in 2012, 2013 and 2014. However, the funding regime requires PROSAFE to submit a new proposal each year to ensure the continuity of its activities and to help foster the development of a true multi-annual European level market surveillance programme.

Accordingly PROSAFE developed a proposal for JA2012 and signed a Grant Agreement in December 2012. The products identified in the Joint Action were childcare articles, nanotechnology & cosmetics, cords & drawstrings in children's clothes, ladders and CO & smoke detectors. Method development and horizontal activities are also planned to pick up the results from JA2011. 30 market surveillance authorities from 21 Member States and 2 EFTA/EEA countries signed up. This was a new record for a PROSAFE Joint Action.

The year after, PROSAFE developed a proposal for JA2013 and signed a Grant Agreement in December. The products targeted by JA2013 were childcare articles (cots), chemicals in clothing, toys, children's kick scooters and smoke detectors. Again, method development and horizontal activities were planned to pick up the results from JA2011 and JA2012. 24 market surveillance authorities from 20 Member States and EFTA/EEA countries signed up.

Finally, preparations for a Joint Action 2014 with a similar overall lay-out had started. A number of product groups have been identified and the Member States were asked to submit indications of interest. The result was that 34 authorities from 26 countries were interested in participating. This demonstrated once again the relevance of PROSAFE's activities and the commitment the Member States have to European level activities.

2.17 Differences between the Work Programme and the Activities Actually Undertaken

The Joint Action undertook all the activities that were foreseen in the work programme from the Grant Agreement [1]. Some of the activities shifted a few months forward or backwards in time, as can be foreseen for a project of this size. These shifts did in no way hamper the success of the Joint Action.

3 Results of the Joint Action

3.1 Introduction

The progress of JA2011 is measured in a number of ways. The most obvious way arises from the examination of the work programme and the state of implementation of the various activities identified therein. This is undertaken in chapter 2.

The success of the (product) activities will be measured with the following indicators:

- Progress according to the detailed work plan.
- The number of Member States that attend the meetings in the Activity.
- The timely production of deliverables.
- Level of contact with relevant ADCO groups.
- Number of samples taken.
- Number of inspections carried out.
- Number of tested childcare articles.
- Number of tested fireworks.
- Number of tested battery chargers.
- Number of tested lawn mowers.

3.2 Results from Activities

3.2.1 Progress According to the Detailed Work Plan

One of the indicators that were monitored during the course of the Joint Action was the progress according to the work plan.

This monitoring showed that the progress in Joint Action by and large was according to the detailed work plan with a number of deviances due to activities that shifted back or forth compared to what was planned. This is expectable in a project having the size of this Joint Action.

However, as stated in chapter 2.17 all envisaged activities had been undertaken when the Joint Action ended.

3.2.2 The Number of Member States that Attend the Meetings in the Activity

The objective is that at least 80% of the Member States on average attend the meetings and that no Member State is absent for more than 2 consecutive meetings.

The Activity meetings are listed in table 27 below together with an indication of which participants didn't attend and the percentage of attendees.

The table shows that the overall picture of the attendance in the activities is satisfactory. The presence in any one of the four product activities as well as the core coordination tasks is above the target of 80% attendance on average. The table shows that there are some deviances relating to some of the method development activities or to small working groups with few meetings where just one absence for just one meeting will impact heavily on the result. The absence in the method development activities is probably due to the fact that the enrolment of the participants was much less strict than for the product activities where the participants were asked to sign up and formally commit. The procedure has been tightened in the subsequent Actions.

The second objective - that no member was absent for more than 2 consecutive meetings - caused issues during the Action (core coordination tasks, lawn mowers activity, risk assessment). In all such cases, the issue was addressed by the project management that took contact to the relevant national coordinator for the Action.

Activity	Participants	Meetings	Not attending	% Attendance
Coordination (launch, market surveillance conference 2012, closing conference)	BE, BG, CZ, DK, FR, DE, IE, LV, LT, MT, NL, NO, PL, PT, RO, SI, ES, SE, UK	23 Feb 2012	LV, PL, PT, ES	79%
		6-7 Nov 2012	IE, PT, RO, SI	79%
		14-15 May 2013	NL, PT, SI, ES	79%
		19 Feb 2014	PT	95%
		Average		83%
Risk Assessment	CZ, DK, DE, IE, LV, LT, MT, NO, RO, SI, SE, NL	24 Feb 2012	LV, RO, SI	75%
		10-11 May 2012	LV, SI	83%
		5-6 Sep 2012	LV, LT, SI	75%
		Average		78%
Continuous Improvement of Market surveillance (CIMS)	DE, LT, NO, NL, MT	(not applicable)	(not applicable)	(not applicable)
E-learning module on risk assessment	DE, NL, UK	10 May 2012	UK	67%
Protocol for the "Home authority" principle	BE, CZ, DK, FR, DE, IE, MT, NL, ES, SE, UK	6 Jun 2012	FR, DE, ES	73%
Childcare articles	BG, CZ, DK, FR, DE, LT, NL, PT, RO, ES, SE, UK	29 Mar 2012	ES	92%
		19-20 Jun 2012	(none)	100%
		8 Nov 2012	(none)	100%
		20 Mar 2013	(none)	100%
		10-11 Sep 2013	(none)	100%
		4 Dec 2013	(none)	100%
		Average		99%
Fireworks	BE, BG, DK, MT, NL, NO, PL, PT, SI, SE	25 May 2012	(none)	100%
		12 Sep 2012	PT	90%
		22 Nov 2012	(none)	100%
		14 Mar 2013	PT, SI	80%
		12 Sep 2013	(none)	100%
		28 Nov 2013	NL, PT	80%
Average		92%		
Battery chargers	BG, CZ, MT, NL, NO, PT, SI, SE	14 May 2012	MT, PT	75%
		19-20 Sep 2012	PT	88%
		10 Jan 2013	CZ, MT	75%
		26 Mar 2013	CZ, MT, PT	63%
		15 Nov 2013	(none)	100%
		8 Jan 2014	PT	88%
Average		81%		
Lawn mowers	DK, FR, LV, NL, NO, PT, RO	19 Apr 2012	PT	86%
		10-11 Jul 2012	FR, PT	71%
		13 Sep 2012	NL, PT	71%
		7 Feb 2013	(none)	100%
		5-6 Sep 2013	(none)	100%
		9 January 2014	FR	86%
Average		86%		

Table 27: Overview of meetings and attendance

3.2.3 The Timely Production of Deliverables

The objective is that all deliverables are produced according to the plan.

Table 28 presents some basic statistics related to this objective.

Statistics for deliverables	
Total number of deliverables produced	104
Deliverables produced within or before deadline	46
Delayed deliverables	58
Average delay (only delayed deliverables)	116,0 days

Table 28: Statistics for production of deliverables

In total 104 deliverables were planned in the Joint Action.

The statistics show that 46 of these were produced before the deadline stipulated in the Grant Agreement. Another 58 deliverables were produced after the deadline.

The average delay for the delayed deliverables was 116,0 days or almost 4 months.

This didn't cause concerns for the project management:

- Firstly, it is expectable that deadlines would shift during such a large and long project.
- Secondly, several of the delays are caused by postponement of product activities. The initial project plan was laid out so that all product activities had their final project meeting in summer 2013. However, all the Activities decided to spread their meetings more and have their final meeting closer to the final conference to allow a thorough discussion of the end results among the participants.
- Thirdly, several of the activities shifted the production of some of the documents to a later time to produce them close to the point where they were actually needed.

The overall picture was that these delays of some of the deliverables in no way influenced the success of the Joint Action.

3.2.4 Level of Contact with Relevant ADCO Groups

The objective was that each Activity at least presented the Joint Action for the relevant ADCO group at the beginning and at the end of the Activity.

Table 29 lists the contacts between the product activities and the corresponding ADCO groups. For the Childcare Articles Activity there is no ADCO group. Instead the Activity liaised with the GPSD Committee and the Consumer Safety Network.

The table shows that strong liaisons were established with all ADCO groups. Not all groups presented their Activity to the ADCO group but this was a conscious decision in all cases.

Activity	ADCO group	Presentation		Comment
Childcare articles	GPSD Committee Consumer Safety Network (CSN)	Beginning	Included in general presentation of JA2011	It was offered to present the findings for the GPSD committee and the CSN. Both groups however were happy with the information included in a general presentation on JA2011. Moreover, most of the meetings in the Childcare Activity were attended by the Commission representative, who is also a Member of the CSN.
		End	Presentation proposed for autumn meeting	
Fireworks	ADCO Group on Pyrotechnic Articles	Beginning	21 June 2012	Plus presentation of the progress at meeting 5 March 2013.
		End	10 October 2013	
Battery chargers	LVD ADCO	Beginning	(none)	The Luxembourg chairman of LVD ADCO participated in the Battery Charger Activity (outside the financial scheme). Further liaison was ensured by those members of the Activity Group who are also members of LVD ADCO.
		End	Presentation proposed for autumn meeting	
Lawn mowers	Machinery ADCO	Beginning	11 and 12 July 2012	The Activity group maintained a good cooperation with the Machinery ADCO throughout the activity. A member of the Machinery ADCO attended the 2 nd project meeting and delivered a significant input on good practice for market surveillance on lawn mowers.
		End	(none)	

Table 29: Liaisons between the product activities and the relevant ADCO group

3.2.5 Number of Samples Taken

The objective was that the number of samples taken corresponded to the sampling plan agreed by each Activity.

The number of samples taken is shown in table 30.

Activity	No. of budgeted tests	Number of samples taken	Comment
Childcare articles	100	48 wheeled child conveyances 45 baby bath tubs	Another 3 wheeled child conveyances were sampled by a market surveillance authority following the Activity outside the financial scheme.
Fireworks	30	135	Eleven items were sampled for each model.
Battery chargers	40	77	Two items were sampled for each model.
Lawn mowers	25	25	

Table 30: Number of samples taken in the product activities

3.2.6 Number of Inspections Carried Out

The following inspections were carried out:

- 160 inspections of wheeled child conveyances.
- 48 visits to economic operators to sample the fireworks
- 266 inspections of baby bath tubs.
- 235 inspections of battery chargers
- 17 inspections of ride-on lawnmowers

3.2.7 Number of Tested Childcare Articles

The objective was that the number of tests corresponded to the plan agreed by the Activity.

It was planned to test 100 childcare articles. 48 wheeled child conveyances were tested (plus 3 from an authority outside the financial scheme of the Joint Action). 43 baby bath tubs were tested.

This means that 91 (+3) childcare articles in total were tested. This corresponds well with the plans.

3.2.8 Number of Tested Fireworks

The objective was that the number of tests corresponded to the plan agreed by the Activity. It was planned to test 30 products. The Joint Action tested 135 products which largely exceeded the number of tests foreseen in the budget.

The reason was that an analysis of the market showed that testing only 30 products would be insufficient to obtain a realistic view as to whether CE marked fireworks across the EU were in conformity with the legal requirements. By opting to test the 135 products the Activity Group considered that they would be able to obtain a much better picture as to whether the relevant requirements were being satisfied. Even then, the group recognised that they were still only scratching the surface of the issue as only 5 of the 31 defined types of firework were being assessed.

It was possible to accommodate this huge increase within the budget because the call for tender for laboratory testing showed that the quotes varied very considerably from one laboratory to another. (The highest quote was almost 100 times higher than the lowest quote.) The lowest quote turned out to deliver adequate quality, which meant that the savings allowed the Activity to test more fireworks.

3.2.9 Number of Tested Battery Chargers

The objective was that the number of tests corresponded to the plan agreed by the Activity.

It was planned to test 40 battery chargers, but the fact that the selected laboratory offered prices significantly lower than anticipated in the budget made it possible to test 77 models of battery chargers

The participants sampled 154 items that were sent for testing. This increase compared to the budget was chosen to ensure an appropriate coverage of the three different product categories in case (power supply units, battery chargers and USB chargers) keeping a reasonable geographic coverage.

3.2.10 Number of Tested Lawn mowers

The objective was that the number of tests corresponded to the plan agreed by the Activity. It was planned to test 25 lawn mowers. All 25 models that were sampled from the market were tested, so the number corresponds to the plan agreed by the Activity.

The quotations from the test laboratories showed that the number of products to be tested was limited by the available budget. The Activity Group reduced the scope of the testing to those test requirements with the most significant impact on the safety of the lawn mower to limit the costs

3.3 Differences between Foreseen Results and Those Actually Achieved

Table 31 below summarises the differences between the results foreseen in the work programme in the Grant Agreement [1] with those actually achieved in the Joint Action.

Progress Indicator and Foreseen Result	Result Actually Achieved
Progress according to the detailed work plan	Minor deviance During the Joint Action it was decided to deviate from the initial project plan and spread the meetings of all product activities over a longer time period than planned and to have their final meeting closer to the final conference to allow a thorough discussion of the end results among the participants. This did not hamper the success of the project.
The number of Member States that attend the meetings in the Activity <ul style="list-style-type: none"> An average of at least 80% of the participants attended the meetings. No Member State was absent more than 2 consecutive meetings. 	Minor deviance Three activities saw an average attendance below 80%. However, the concerned activities had only one meeting or concerned a group of only 3 members, so one single absence influenced the average dramatically. All product activities were attended by more than 80% of the participants on average. Deviance Three Member States were absent for 3 meetings (in the Risk Assessment Activity and the Lawn Mowers Activity). The issue in the Risk Assessment Activity was analysed and found to relate to sloppy procedures for enrolling participants. The procedures have been improved in later Joint Actions. Action was taken in the Lawn Mowers Activity and the issue was resolved.
The timely production of deliverables <ul style="list-style-type: none"> All deliverables produced according to the plan. 	Deviance 58 of the deliverables were produced after the deadline. The average delay was 116,0 days or 2½ months. The delay did not influence the success of the Joint Action.
Level of contact with relevant ADCO groups <ul style="list-style-type: none"> Joint Action presented at the beginning of the Activity Joint Action presented at the end of the Activity 	In progress Strong contacts have been established to all ADCO groups. Not applicable Presentation to take place towards end of 2013 or early 2014.
Number of samples taken <ul style="list-style-type: none"> Number of samples corresponds to sampling plan. 	According to plan A total of 393 items have been sampled from the market.
Number of inspections carried out	According to plan A total of 661 inspections have been carried out.
Number of tested childcare articles <ul style="list-style-type: none"> Number of tests corresponds to plan. 	According to plan 48 wheeled child conveyances and 43 baby bath tubs have been tested. (Budget: 100 childcare articles.)
Number of tested fireworks <ul style="list-style-type: none"> Number of tests corresponds to plan. 	Deviance - more fireworks tested than planned 135 fireworks have been tested. (Budget: 30 fireworks.)
Number of tested battery chargers <ul style="list-style-type: none"> Number of tests corresponds to plan. 	Deviance - more battery chargers tested than planned 77 different makes of battery chargers have been tested. (Budget: 40 battery chargers.)
Number of tested lawn mowers <ul style="list-style-type: none"> Number of tests corresponds to plan. 	According to plan 25 lawn mowers have been tested. (Budget: 25 lawn mowers)

Table 31: Overview of results and deliverables foreseen in the working program and those achieved

The table confirms that the Joint Action produced the intended results.

4 Budget and Expenses

This chapter contains the main financial information of this Joint Action.

Table 32 presents an overview of the expenses compared to the budget. To simplify the reading round figures in euros are used. A short explanation of the budget lines is found below the table.

Item	Text	Budget (€)	Expenses (€)
	Direct costs		
1.a	Staff, non-officials	268.080	281.180
1.b	Staff, Member State officials	775.533	731.044
2	Travel and subsistence	362.454	280.722
3	Equipment	0	0
4	Subcontracting	875.266	774.259
5	Miscellaneous	46.748	27.852
	Total direct costs	2.328.081	2.095.059
	Indirect costs		
6	Flat rate 7%	162.966	146.654
	Total expenditure	2.491.047	2.241.713
	Revenue		
7	Resources from the participants	791.113	745.597
8	Amount of EU support requested	1.699.934	1.496.116
	Total revenue	2.491.047	2.241.713

Table 32: Comparison of the budget and total expenses of JA2011

Note: explanation of budget lines

Item:	Budget line:	Explanation:
1.a.	Staff, non-officials	Costs for administrative and financial staff of private bodies and PROSAFE management.
1.b	Staff, Member State officials	Equivalent costs of the time spent by the staff of the participating Member States.
2	Travel and subsistence	Costs of the Member States' participants' travels to meetings of the Joint Action
3	Equipment	Not applicable.
4	Subcontracting	Costs of testing, consultants and communication
5	Miscellaneous	Costs of external audits, travel and subsistence costs for customs representatives
6	Flat rate 7%	Costs indirectly connected with the Joint Action. Calculated as 7% of total direct costs.
7	Resources from the participants	The Member States' contribution to the Joint Action equals the costs of the Member States' participants.
8	Amount of EU support requested	Requested contribution from the European Commission.

5 Participation in the Joint Action

Table 33 below shows the planned and actual involvement of each of the participating organisations in the Joint Action.

Member State	Participants		Contribution			
	Name	Acronym	Budget (days)	Result (days)	Difference (days)	(%)
BE	FPS Economy, SME's, Self-employed and Energy, Directorate General of Quality and Safety	FPS Economy	100	85	-15	-15
BG	Commission for Consumer Protection	CCP	134	134	0	0
BG	State Agency for Metrological and Technical Surveillance	SAMTS	186	195	9	5
CZ	Czech Trade Inspection under the Ministry of Industry and Trade	CTI	302	328	26	9
DE	Bavarian State Ministry for Environment and Consumer Protection	STMUV	164	154	-10	-7
DK	Danish Ministry of the Environment - Danish Environmental Protection Agency	EPA	0	0	0	0
DK	Danish Safety Technology Authority	SIK	228	256	28	12
DK	Danish Working Environment Authority	DWEA	105	133	28	27
FR	Direction Générale de la Concurrence de la Consommation et de la Repression des Fraudes	DGCCRF	220	192	-28	-13
IE	National Consumer Agency	NCA	55	56,5	1,5	3
LT	State Non-Food Products Inspectorate under the Ministry of Economy	VNMPI	125	129	4	3
LV	Consumer Rights Protection Centre	CRPC	100	107	7	7
MT	Malta Competition and Consumer Affairs Authority	MCCAA	195	225	30	15
NL	Netherlands Food and Consumer Product Safety Authority	NVWA	245	174	-71	-39
NL	Human Environment and Transport Inspectorate	ILT	52	38	-14	-27
NO	Directorate for Civil Protection and Emergency Planning	DSB	265	269	4	2
PO	Office of Competition and Consumer Protection	UOKIK	100	95	-5	-5
PT	Food and Economic Safety Authority	ASAE	127	14,5	-112,5	-89
PT	Directorate General for Consumers	DGC	154	159	5	3
RO	National Authority for Consumers' Protection	ANCP	236	240	4	2
ES	Agency for Consumer Affairs, Food Safety and Nutrition	AECOSAN	135	133	-2	-1
SE	Swedish Consumer Authority	SCA	150	164	14	10
SE	Swedish Civil Contingencies Agency	SCCA	100	94	-6	-6
SE	Swedish National Electrical Safety Board	SNESB	36	39	3	8
SI	Inspectorate of Republic of Slovenia of Interior	IRSI	55	56	1	2
SI	Market Inspectorate of the Republic of Slovenia	MIRS	75	65	-10	-13
UK	Trading Standards Institute	TSI	0	26	26	-
UK	Trading Standards South East (Milton-Keynes Council)	TSSE	100	104	4	4
Total			3744	3670	-74	-1,976

Table 33: Days contributed by the individual authorities to the Joint Action

The number of days in the budget is the result of a standardised estimate. In that stage of preparation of the Joint Action, it is impossible to take national differences into account. Differences between authorities at that stage originate from the number of activities they join.

During the implementation of the Joint Action, the differences became manifest. They can be caused by:

- Differences in the size of the national markets of a certain group of products.
- Differences in the market surveillance authorities' experience or knowledge of the market of a certain group of products.
- Differences in legal procedures or work procedures between Member States.

This can lead to differences in the number of days the authorities need to fulfil the same tasks. Moreover, differences will arise during the Joint Action because of the priority given to the work in each participating authority, availability of staff due to illness or other reasons, etc. All these factors influence the final number of days, which are registered based on the received time sheets.

Finally, errors could be caused by authorities or individuals underreporting, e.g. forgetting to send all time sheets to the PROSAFE Secretariat despite of all efforts done to remind the participants.

6 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. “Grant Agreement for an Action - Multiple Beneficiaries, Agreement Number 2011 82 01”. Grant Agreement 2011 82 01 - GPSD JA.
2. “Commission Decision 2010/15/EU of 16 December 2009 laying down guidelines for the management of the Community Rapid Information System ‘RAPEX’ established under Article 12 and of the notification procedure established under Article 11 of Directive 2001/95/EC (the General Product Safety Directive)”. Published in the Official Journal of the European Union L22/1.
3. EN 1888:2012, “Child care articles - Wheeled child conveyances - Safety requirements and test methods”.
4. “Commission Decision 2010/9/EU of 6 January 2010 on the safety requirements to be met by European standards for bath rings, bathing aids and bath tubs and stands for infants and young children pursuant to Directive 2001/95/EC of the European Parliament and of the Council”. Published in the Official Journal of the European Union L 3/23.
5. CEN/TR 13387:2004 “Child use and care articles - Safety guidelines”.
6. EN 12221-1:2008 “Changing units for domestic use - Part 1: Safety requirements”.
7. EN 1466 + A1: 2007 “Child care articles - Carry cots and stands - Safety requirements and test methods”.
8. XP S54-044, Mai 2003, “Baignoires pour enfants - Exigences de sécurité et méthodes d'essais”. French Experimental Standard. Available from AFNOR at www.boutique.afnor.org.
9. EN13018:2001 “Non-destructive testing - Visual testing - General principles”.
10. EN 15947-1:2010, “Pyrotechnic articles - Fireworks, Categories 1, 2, and 3 - Part 1: Terminology”.
11. EN 15947-2:2010, “Pyrotechnic articles - Fireworks, Categories 1, 2, and 3 - Part 2: Categories and types of firework”.
12. EN 15947-3:2010, “Pyrotechnic articles - Fireworks, Categories 1, 2, and 3 - Part 3: Minimum labelling requirements”.
13. EN 15947-4:2010, “Pyrotechnic articles - Fireworks, Categories 1, 2 and 3 - Part 4: Test methods”.
14. EN 15947-5:2010, “Pyrotechnic articles - Fireworks, Categories 1, 2, and 3 - Part 5: Requirements for construction and performance”.
15. “Directive 2007/23/EC of the European Parliament and of the Council of 23 May 2007 on the placing on the market of pyrotechnic articles”. Published in the Official Journal of the European Union L 154/1.
16. “Directive 2013/29/EU of the European Parliament and of the Council of 12 June 2013 on the harmonisation of the laws of the Member States relating to the making available on the market of pyrotechnic articles (recast)”. Published in the Official Journal of the European Union L 178/27.
17. EN 60950-1:2006, “Information technology equipment - Safety - Part 1: General requirements”.
18. EN 60335-2-29:2004, “Household and similar electrical appliances - Safety - Part 2-29: Particular requirements for battery chargers”.
19. EN 60065:2002, “Audio, video and similar electronic apparatus - Safety requirements”.
20. EN 61558-2-7:2007, “Safety of power transformers, power supplies, reactors and similar products - Part 2-7: Particular requirements and tests for transformers and power supplies for toys”.
21. EN 61558-2-16:2009, “Safety of transformers, reactors, power supply units and similar products for supply voltages up to 1.100 V - Part 2-16: Particular requirements and tests for switch mode power supply units and transformers for switch mode power supply units”.
22. IEC 60335-2-107:2012, “Household and similar electrical appliances - Safety - Part 2-107: Particular requirements for robotic battery powered electrical lawnmowers”. Available from IEC at webstore.iec.ch.
23. “Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (recast)”. (The “Machinery Directive”.) Published in the Official Journal of the European Union L 157/24.
24. “Directive 2006/95/EC of the European Parliament and of the Council of 12 December 2006 on the harmonisation of the laws of Member States relating to electrical equipment designed for use within certain voltage limits”. (The “LVD” or “Low Voltage Directive”.) Published in the Official Journal of the European Union L 374/10.
25. “Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors”. Published in the Official Journal of the European Union L 162/1.
26. “Directive 2004/108/EC of the European Parliament and of the Council of 15 December 2004 on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC”. (The “EMC Directive”.) Published in the Official Journal of the European Union L 390/24.

All standards can be obtained from the national standardisation bodies if nothing else is stated. An overview of these bodies can be found on the website of the European Committee for Standardisation, CEN at www.cen.eu.