

Safety Gate 2021 results

Modelling cooperation for health and safety of consumers in the European Union



and Consumers



EUROPEAN COMMISSION

Directorate-General for Justice and Consumers Directorate Consumers Unit E.4 Product Safety and Rapid Alert System E-mail: JUST-RAPEX@ec.europa.eu

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Commissioner's foreword

Every day, new products are developed and designed to respond to consumers' needs and interests. Integrating new technologies, such as new interactive functions, interconnection through the internet (Internet of Things -IoT) or the use of artificial intelligence into products, is becoming a widespread phenomenon. This creativity comes with excitement for many, but also with reluctance for some, who fear for the potential downside of this new environment for consumers. The world is rapidly evolving, and so is the world of consumer rights.

Over the last two years, in spite of the pandemic, this trend has continued. Many manufacturers have gone the extra mile to protect consumers, as the winners of the <u>EU Product Safety Award</u> have shown. An example is TerrainQ Solutions in Germany to whom I had the privilege to personally hand on both the 2021 Gold Award and Public's Award for their work in better identifying and removing dangerous products that find their way onto online marketplaces.

National authorities responsible for market surveillance, on their side, are vigilant and cooperate to stop dangerous products on all fronts, carrying out controls on the market, testing products sold both online and offline and making inspections at borders.

In all these processes, cooperation is key. The European Commission provides the setting for a continuous flow of information within the EU, between national market surveillance authorities through the EU Safety Gate, but also globally, with major product safety international stakeholders and partners. Joining forces and keeping the communication channels open is crucial to fight against dangerous products and to protect consumers.

As a consumer myself, I am pleased to witness the success of this exemplary cooperation that mirrors the benefit of the European Union in a global context. I feel better protected. I am confident you are too.

D. Reynders



Didier Reynders, EU Commissioner for Justice

1. Safety Gate: What's in a name?

The free movement of goods is a fundamental right in the single market. This entails the obligation on all economic operators in the supply chain (producers, retailers, etc.) and online marketplaces to comply with specific rules and legislation that ensure the products they offer are safe. National authorities responsible for market surveillance monitor the respect of this obligation and, when necessary, take measures to ban or restrict the sale of the dangerous products detected, stop them at the border or order the recall of the dangerous products. If a measure is taken in one of the countries in the single market, it is crucial that this information is shared with all other countries, so that these measures can also be taken on their markets.

This exchange of information kicked off informally in 2001 and became legally required after the adoption of the *General Product Safety directive*. The Directive set up the Rapid Alert System for non-food dangerous products, the website for which is currently called *Safety Gate*.

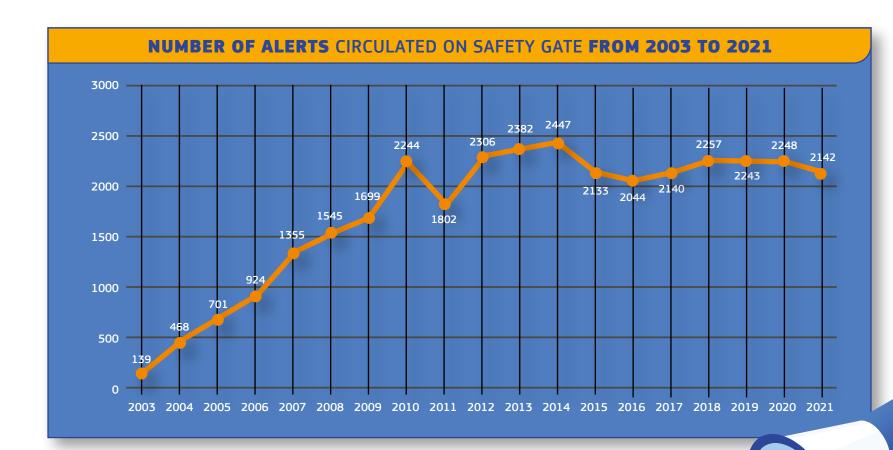
This Rapid Alert System enables national authorities in **30 countries** to share information on measures taken against dangerous products (EU countries plus Iceland, Liechtenstein and Norway).

Every day national authorities send new alerts through the system. A dedicated team in the European Commission circulates them through the network on a daily basis and publishes a summary of the alert information on the *public website*. The alerts are immediately machine-translated from English to the official languages of the participating countries. The Commission also publishes *a weekly report* with the latest alerts received. Anyone can *subscribe* to receive this weekly review by email in any of the language versions and according to their preferred criteria.

The information in the alerts enables all national authorities to trace the same dangerous product in their own markets. If they find it on their market, they also take measures against the product. These follow-up measures are then also circulated in the system. The countries that have taken measures against that same product in their own market are indicated on each alert published on the Safety Gate website. The measures taken may affect a smaller or larger number of dangerous products.

The current Safety Gate is the result of a process that started 20 years ago and has grown and developed to protect consumers better every year. The circulated alerts include consumer products and products for professional use (but do not include pharmaceuticals, medical devices and food or feed). The products concerned by the measures taken can pose a wide range of risks, including choking, strangulation, damage to hearing or sight, or hazards caused by chemicals. The measures reported can also have been taken against products that pose a security risk or risks to the environment.

The Commission works closely with national authorities, including customs, to boost their capacities, and steer cooperation between them, in order to make sure that the necessary measures on unsafe products are promptly reported in the Safety Gate system.



64

182

158

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554

212

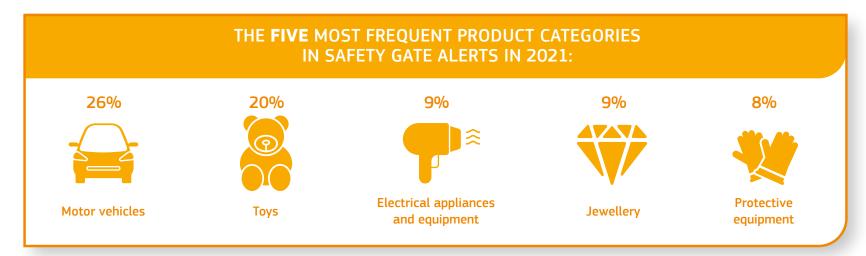
2. Alerts in 2021: what is good to know

In 2021 the number of alerts remained around the level of the previous 5 years, despite the exit of the UK from the European Union, and consequently of the rapid alert system network. This shows the dedication of all participating countries to continue upholding the safety of EU consumers.

In total **2142 alerts** were circulated in 2021. Almost 26% of them were notified by German national authorities, most of them on motor vehicles.

NUMBER OF ALERTS ON SAFETY GATE IN 2021 BY NOTIFYING COUNTRY In 2021, for the first time, the "**motor vehicles**" category registered the highest number of alerts in the system, followed by "toys". The category "electrical appliances and equipment" is the third most notified category.

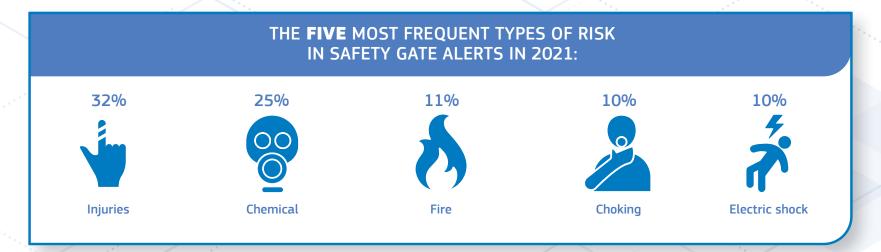
To note also that alerts concerning the category "protective equipment" were still very prominent in 2021, due to national authorities still being very attentive to products linked to COVID-19 (mostly protective masks).





The most frequently signalled type of risk on the alerts in 2021 was the risk covering general **injuries** (generally linked with motor vehicles alerts).

The second most signalled risk was the one caused by different kinds of chemicals, such as phthalates detected in plastic, or by lead in metals or by nickel in various materials. To note also that up to 15% of the alerts signalled more than one risk.



It is also worth mentioning that in 2021, as in 2020, the type of risk "health risk /other" was still very often mentioned in the alerts. This type of risk is mostly linked to the alerts signalling dangerous products related to COVID-19, which accounted for 6% of the total of the alerts in 2021. This shows that

national authorities have still been controlling this kind of product closely and found that many of them did not comply with the safety requirements.

Alert number: A12/01598/21

Published on 26/11/2021 in web report Report-2021-47

Print

Most recent alerts







Risk type Health risk / other

Notifying country Germany

Alert number A12/01598/21

The particle/filter retention of the material is insufficient (measured values: as low as 45%), and the mask does not properly adapt to the face. Consequently, the product does not fulfil the health and safety requirements; thus, even if combined with other recommended measures, it may not properly protect.

The product does not comply with the Personal Protective Equipment (PPE) Regulation and with the relevant European standard EN 149.

Category Protective equipment

Product Particle filter mask

26

3. Follow-ups in 2021:preserving the integrity of the Internal Market for consumers

Circulating the information on Safety Gate is important. It is also crucial to know if the information circulated has helped, in any way, improving national authorities' capacity to trace the dangerous products in their own markets. This to make sure that appropriate and harmonised measures are taken everywhere on the same dangerous products.

In total 4965 follow-up notices were circulated in Safety Gate. All Member States have followed up the alerts regularly and additionally exchanged information on this. In 80% of the follow-ups, the information included additional measures taken in their own countries.

NUMBER OF
FOLLOW-UPS ON SAFETY
GATE IN 2021
BY REACTING COUNTRY

4. Working all together for product safety

a. The Coordinated Activities on the Safety of Products

The <u>coordinated activities on the safety of products (CASP)</u> provide national authorities responsible for market surveillance the necessary tools and resources to jointly test products and agree on common positions and procedures. CASP also enables market surveillance authorities to share knowledge and best practices and provides a forum for discussion in an ever-changing and creative market. For each activity year, several product related activities are organised, as well as other more transversal "horizontal" discussions, resulting in useful guidance documents for the authorities' use.

The CASP replaced the previous setting of joint market surveillance activities, providing a more flexible and holistic approach.

<u>CASP 2019</u> was the first edition of the project. In this edition, the activity providing for the testing of slime toys attracted the largest number of participants. Authorities from 29 countries worked together in this activity.

<u>CASP 2020</u> had a strong focus on online product safety, a source of growing challenges to national authorities. In the sub-project <u>CASP Online</u> tested products were exclusively sampled online, and authorities could benefit from the rich exchange of practices and experiences in that field. In this

context, there was also an occasion for cooperation with the Canadian authorities, which enabled a widening of the horizons for allying forces against dangerous products sold online. Also during CASP2020, a special priority activity focused on <u>COVID related</u> products, which counted with the participation of members from 23 countries.

This well-functioning cooperation tool is not stopping here. *CASP 2021* broadens the horizons even further towards new territories. Apart from a new set of product-focused activities, a new pilot activity will deal with the link between counterfeit and dangerous products, and workshops will be organised for the national authorities to improve the tracing of dangerous products online. Moreover, stakeholders from other jurisdictions, such as Canada and South Korea, contributed to the discussions on online market surveillance practices.

b. Addressing the challenge of dangerous products offered online

Online sales have steadily increased over the last 20 years and in 2020, according to *Eurostat*, 71% of consumers shopped online, often buying new technology products.

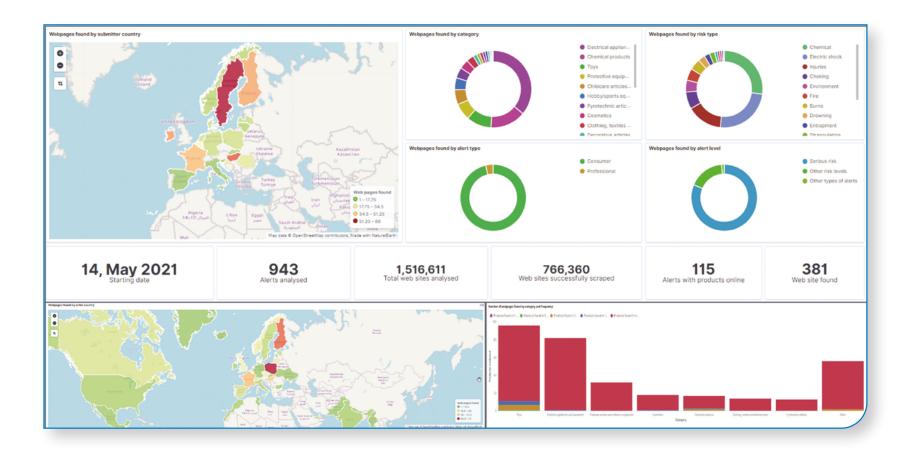
In 2018, the European Commission set up a non-legislative voluntary cooperation initiative allowing online marketplaces to go for the extra mile for product safety - the *Product Safety Pledge*. The 11 current signatories of the Product Safety Pledge continue their efforts and cooperation with national authorities in order to swiftly and efficiently take out any dangerous products detected on their platforms.

During the first Annual Digital Consumer event on 25 November 2021, the European Commission discussed with stakeholders the possibilities for extending this successful cooperation mechanism to other areas, such as the general sustainability of the products offered and raising the quality of recalls of products sold on these platforms.



The Safety Gate was adapted to include a new type of measure, which applies to the case when either a signatory of the Product Safety Pledge or any other retail website has removed the listings of the dangerous product from their website. 8% of the alerts circulated on Safety Gate in 2021 included at least that type of measure. Also 2% of the follow-ups circulated reported this type of measure.

Moreover, the European Commission has launched a new tool for national authorities, which will give them extra strength to trace online offers of dangerous products already signalled in Safety Gate. The **e-surveillance web crawler** identifies and automatically lists any of such offer, allowing enforcement authorities to track down the provider and order the effective withdrawal of the sales of such products.



c. Improving legislation to further enhance product safety

In June 2021 the Commission adopted a proposal for a new General Product Safety Regulation (GPSR).

The GPSR mainly aims to provide a safety net that ensures that all products or risks not regulated by other EU legislation are safe. More concretely, it also aims to improve the following areas:

- ensuring products are safe, both now and in the future, and whatever technology is used in the product. It will also take into account the specific features that the new technologies bring to consumer products, such as the evolving nature of products or interconnectivity.
- giving consumers better protection, whether buying online or offline, by levelling the product safety conditions for products sold online and offline and by fixing specific product safety requirements for online marketplaces.
- creating the obligation to always have an economic operator responsible in the EU for each non-harmonised product placed on the EU market, to help national authorities take corrective actions against dangerous products, whatever their country of origin, and also to ensure consumers to always have a contact in the EU in the event of any safety issues with a product.

- further specifying concrete obligations for product recalls to make them more effective and avoid that dangerous products stay in consumer's hands.
- improving communication channels between consumers and all concerned services to allow consumers to have a more important role in the safety of products and a better follow-up of consumer complaints regarding product safety and of accidents reported.
- better accounting for the vulnerabilities of certain categories of consumers, such as children, for example by addressing safety issues related to food imitating and child-appealing products.
- strengthening responsibilities across the supply chain, to offer equal conditions for businesses active in the EU, regardless of the sales channel (online or offline) and the product's place of origin, thus creating a level-playing field for all business targeting and selling products to EU consumers.

In parallel, regular work was also done on developing of new and revised European **standards** to guide manufacturers with technical solutions and testing methods. In 2021, for example, the European Committee for Standardisation (CEN) started developing of a new European standard to provide horizontal requirements for chemicals in childcare articles. The revision of the European standard for "changing units" has also started, so that it includes the accessories, not covered by the current standard, and to update the requirements according to the state of the art. The safety of these products is essential due to their widespread use during the first months of life of children, exactly when they are most vulnerable.

Additionally, the European standard setting the safety specifications for cords and drawstrings is under revision to reflect new and evolving fashion style on clothing for children and to cover cords in the lower leg area or emerging in the head area, for example.



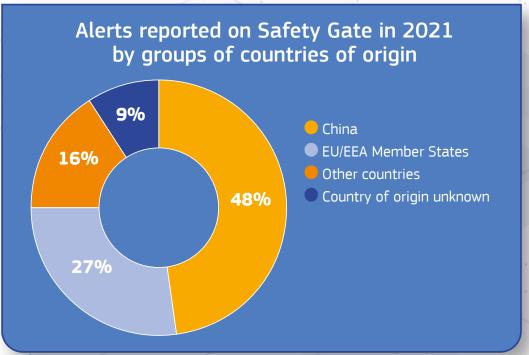
d. Working with international partners to spread product safety globally

With increasing global supply chains and rapid digitalisation of consumer markets, *international cooperation on product safety* becomes ever more important to protect consumers in the EU and worldwide.

In 2021, almost half of Safety Gate alerts concerned products of Chinese origin:

Since 2006, the European Commission has been closely cooperating with the **Chinese authorities** responsible for market surveillance. These authorities trace Chinese producers and exporters of dangerous products and ensure that appropriate corrective action is taken. A specific EU-China Safety Gate platform was created for this purpose. In addition, since 2020, a comprehensive information and training programme (SPEAC) has been raising awareness among Chinese economic operators about the EU product safety requirements.

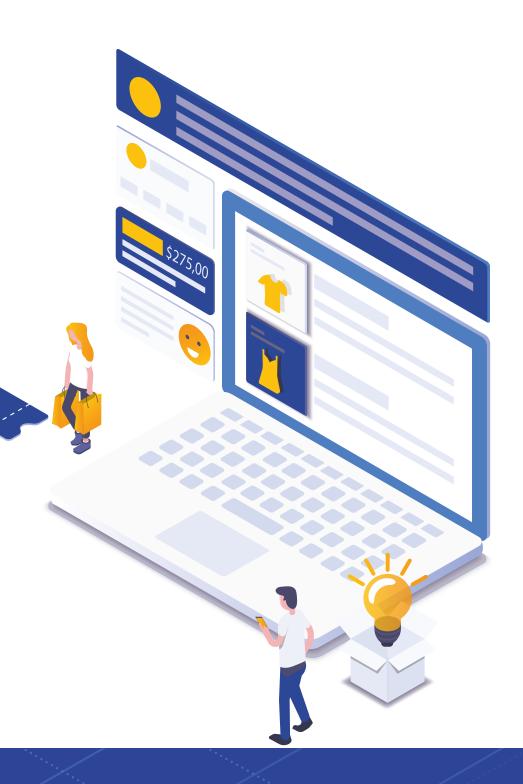
Regular information exchange is also ongoing between Safety Gate and the Canadian RADAR system, in the frame of an administrative arrangement based on the <u>CETA Agreement</u>. In 2021, the European Commission and the <u>Canadian authorities</u> carried out a successful pilot coordinated market surveillance activity on heavy metals in <u>children's jewellery</u> as well as a joint communication campaign on children's <u>water safety</u>.



The European Commission also cooperates closely with the UN Conference on Trade and Development (UNCTAD) to support countries wishing to develop or strengthen their product safety frameworks. A second joint workshop on "Building effective consumer product safety frameworks together" took place in November 2021.

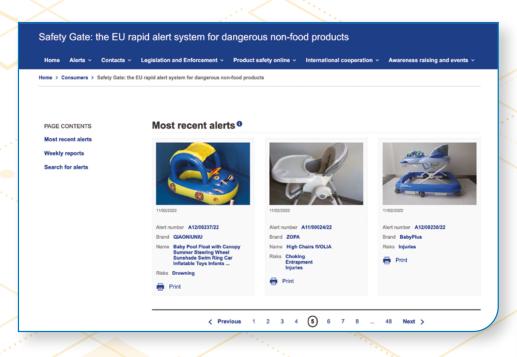
The European Commission is also actively participating in the work of the OECD Working Party on Consumer Product Safety (WPCPS). In 2021, the WPCPS coordinated an online product safety sweep, with regulators around the world carrying out simultaneous online investigations and looking for banned and recalled products, inadequate labelling and products that do not meet voluntary or mandatory safety requirements

Safety Gate is also a major contributor to the OECD global recalls portal, which brings together information about corrective measures on dangerous products, including product recalls, that are issued around the world.

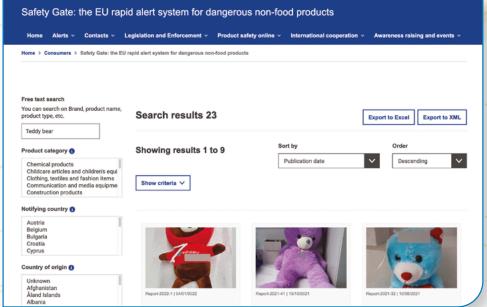


5. The Safety Gate website

On the <u>Safety Gate website</u> you can easily navigate to search for information about alerts or specific dangerous products traced and on product safety legislation. You can also find there all the information about the CASP activities, international cooperation on product safety and related information campaigns and events.



You can use the search engine to look for dangerous products using different criteria and in any official EU language. You can then open any of the alerts to see the details, and export it as a PDF if needed. You can also export your search results as an excel table.



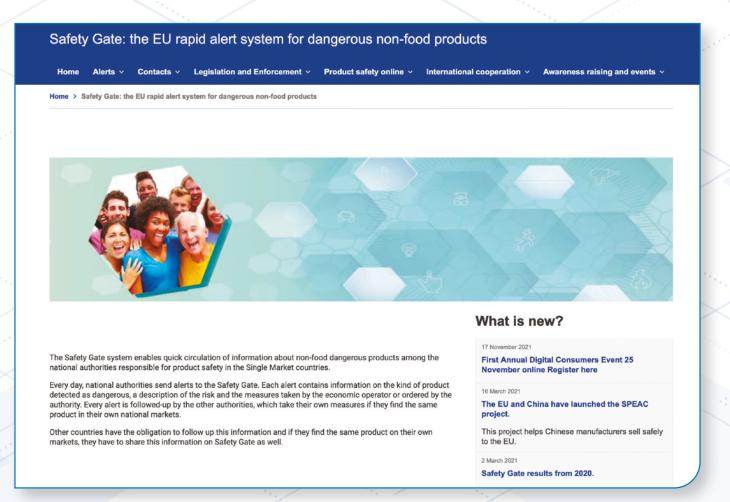


If you want to be regularly informed about the latest alerts, you can easily <u>subscribe</u> in any of the EU languages, and select your favourite criteria. You will then receive every Friday a link to the latest report of alerts. If you select specific criteria, you will only receive an email if there are alerts matching these criteria.

Safety Gate: the EU rapid alert system for dangerous non-food products Legislation and Enforcement V Product safety online V International cooperation > Awareness raising and events v Home > Consumers > Safety Gate: the EU rapid alert system for dangerous non-food products Subscription to receive weekly reports by email Please insert below your email address and the language in which you wish to receive the full weekly list of most recently published alerts and click on "submit". You will then receive a message in your mailbox with a link to click in order to activate the subscription Email address * Language * Choose your language Personalise V

Participate and **spread the word** about Safety Gate - and play a role in improving product safety in your network, among colleagues and friends.

You can find out more about Safety Gate and product safetyrelated events and communication campaigns on this webpage:



6. About this report

The data in this report relates to information received from national authorities on measures taken against dangerous non-food products. This information includes several risks that they have identified mainly to consumers' health and safety but also to the environment and risks related to professional products (not normally available to consumers). The report also takes into account data related to information exchanged among member countries that is not published on the Safety Gate website.

This report presents statistics on the rapid alert system and in no way represents a comprehensive picture of all dangerous products on the single market. Neither does it give an overview of all market surveillance efforts undertaken by the EU/EEA national authorities.

Due to the dynamic nature of the system, data may change depending on when it was extracted from the system.



CONTACTS

Contacts in the member countries:

https://ec.europa.eu/safety/consumers/consumers_safety_gate/menu/documents/Safety_Gate_contacts.pdf

Contacts in the member countries for businesses:

https://ec.europa.eu/safety/consumers/consumers_safety_gate/menu/documents/Business_Gateway_contacts.pdf



KEY DOCUMENTS AND TOOLS:

Directive 2001/95/EC on general product safety (GPSD)

https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32001L0095

Guidelines for the management of the rapid alert system on general product safety and its notification system https://eur-lex.europa.eu/eli/dec/2019/417/oj

Risk Assessment Guidelines

https://ec.europa.eu/rag/#/screen/home

Instructions for using the Business Gateway for producers and distributors

https://ec.europa.eu/safety/consumers/consumers_safety_gate/home/documents/BusinessGatewayUserManual.pdf

Product Safety Pledge

https://ec.europa.eu/info/business-economy-euro/product-safety-and-requirements/product-safety/product-safety-pledge_en

Documents concerning the revision of the General Product Safety Directive

https://ec.europa.eu/info/business-economy-euro/product-safety-and-requirements/product-safety/consumer-product-safety en#the-revision-of-the-general-product-safety-directive



