EN

European Commission

# CASP2021

## Coordinated Activities on the Safety of Products

## Final Report

Justice and Consumers

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# List of abbreviations

| ABBREVIATION | DESCRIPTION |
|---|---|
| **CASP** | Coordinated Activities on the Safety of Products |
| **Contractor** | EY–PRACSIS |
| **DG JUST** | Directorate-General for Justice and Consumers of the European Commission |
| **EEA** | European Economic Area |
| **EISMEA** | European Innovation Council and SMEs Executive Agency |
| **EO** | Economic operator |
| **EN** | European Standard |
| **EU** | European Union |
| **HA** | Horizontal activity |
| **LED** | Light-emitting diode |
| **MSA** | Market surveillance authority |
| **OMS** | Online market surveillance |
| **PPE** | Personal protective equipment |
| **PSA** | Product-specific activity |
| **PSA 1** | Toys from non-EU web shops |
| **PSA 2** | Electric toys |
| **PSA 3** | Reclined cradles and baby swings |
| **PSA 4** | E-cigarettes and liquids |
| **PSA 5** | Personal protective equipment |
| **RA** | Risk assessment |
| **RAM** | Risk assessment and management |
| **RoHS2** | Restriction of Hazardous Substances Directive (2011/65/EU) |

# Executive summary

## Overview of CASP 2021 and its activities

### General description

The Coordinated Activities on the Safety of Products (CASP) projects enable all market surveillance authorities (MSAs) from European Union (EU) / European Economic Area (EEA) countries to cooperate in reinforcing the safety of products placed on the European Single Market.

The objective of the CASP project is to ensure a safe Single Market by equipping MSAs with the necessary tools to jointly test products placed on the market, determine their risks, and draw up common positions and procedures. Additionally, CASP aims at facilitating discussions and establishing a meaningful exchange of ideas to develop common approaches, methodologies, practical tools, and guidelines. CASP also contributes to creating greater awareness about product safety among economic operators (EOs) and consumers through an active communication strategy about its activities and results.

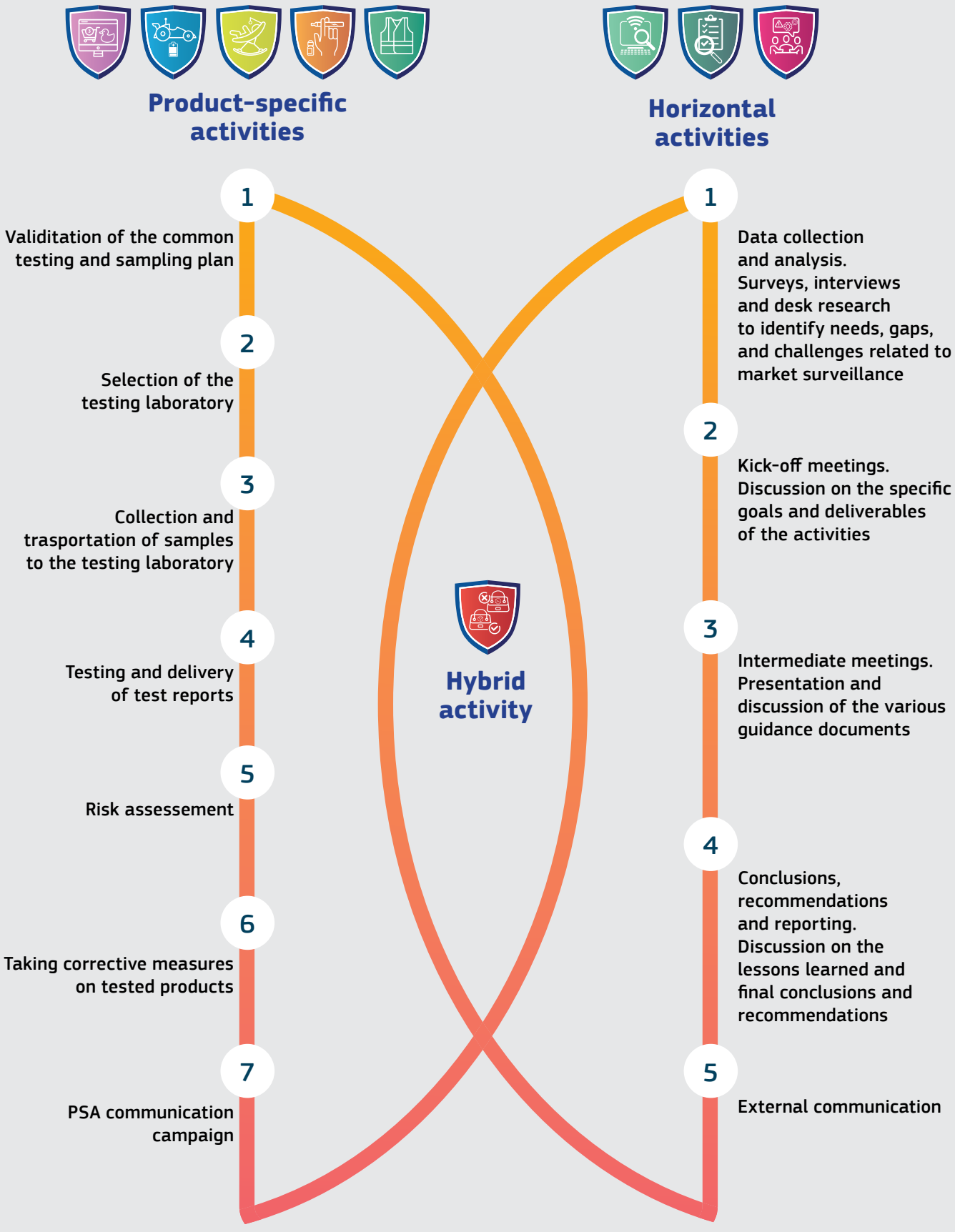
### Description of the PSAs, HAs and the hybrid activity

The CASP projects bring the MSAs to jointly work together according to their priorities. Every year, CASP consists of different activities, grouped as product-specific activities (PSAs) and horizontal activities (HAs). The tasks performed by the MSAs in these two types of activities vary considerably. CASP 2021 consists of five PSAs, three HAs and one hybrid activity.

For the PSAs, the MSAs jointly test different types of products placed on the Single Market in accredited laboratories, determine the risks they may present, and draw up common positions and procedures. Under the HAs, CASP aims at facilitating discussions and sharing knowledge to develop common methodologies, practical tools, and guidelines to further harmonise common approaches. In CASP 2021, a new type of activity was introduced, the hybrid activity, enabling test results to be used for building and deepening horizontal knowledge.

| PSAs | HYBRID ACTIVITY | HAs |
|---|---|---|
| 1. Toys from non-EU web shops<br>2. Electric toys<br>3. Reclined cradles and baby swings<br>4. E-cigarettes and liquids<br>5. Personal protective equipment (PPE) | 1. Dangerous counterfeit products | 1. Online market surveillance (OMS)<br>2. Risk assessment and management (RAM)<br>3. Crisis preparedness and management |

Figure 1 - **Overview of the activities of CASP 2021**



# Main results and conclusions of CASP 2021

## Highlights and main results of the PSAs

Combining the five CASP 2021 PSAs, 627 samples were collected by participating MSAs following a harmonised sampling methodology defined for each product category. The sampling was carried out on the basis of a pre-selection by each of the MSAs, in line with the peculiarities of each market.

For each PSA, the samples were tested in a single accredited testing laboratory using a common testing plan.

The test results of all the activities under CASP 2021 are based on the testing of the specific products sampled by experienced MSAs. MSAs usually take samples following a risk-based approach. Given that not all EU / EEA authorities participate in any given activity, the final results do not provide a statistically solid picture of the European Single Market. Corrective measures taken on tested samples focus on removing products that pose a risk to the health and safety of consumers.

The graph below illustrates the overall test results for each PSA.

Figure 2
**Total number of samples tested (N=627)**

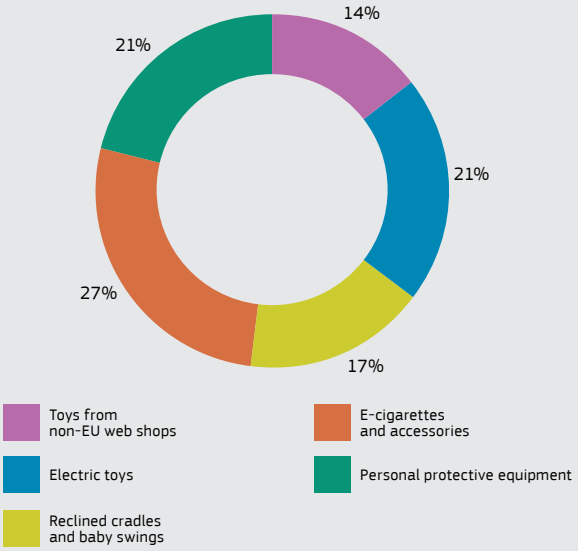
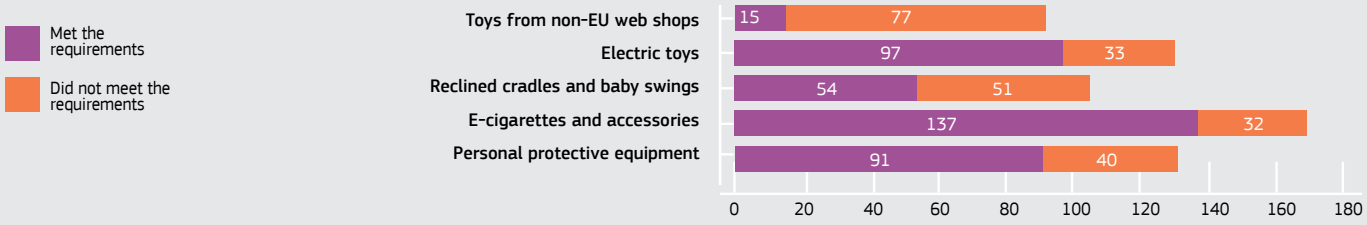



Figure 3 **- Overall test results**




MSAs performed risk assessments (RAs) for each sample that did not meet the defined requirements in order to identify and quantify the risks for consumers, this included a determination of the severity of a potential injury that the user could suffer, and the probability of such injuries occurring. Joint risk assessment exercises are an essential part of the activity during the meetings, enabling MSAs to elaborate common approaches and discuss challenging cases. MSAs also had the opportunity to report and exchange views on corrective measures taken.

Figure 4
**Risk level of the samples that did not meet at least one requirement (N=449)**

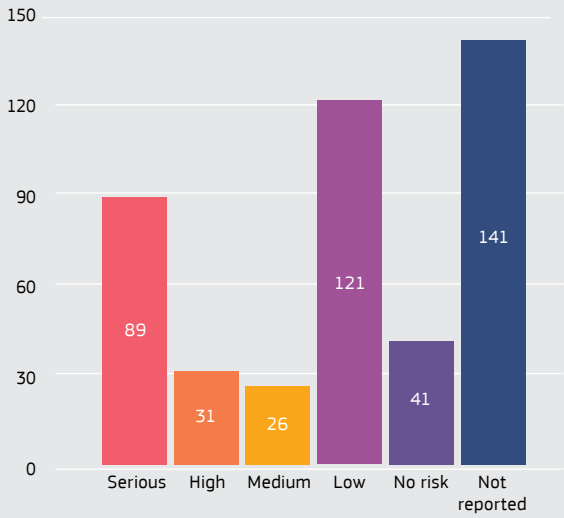
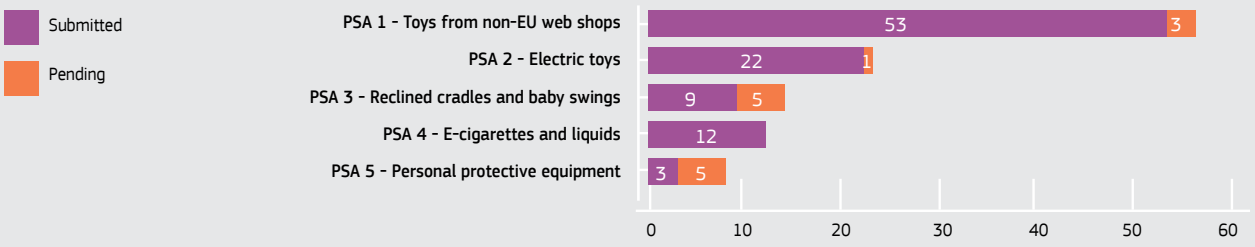


Table 1 - **Summary of corrective measures taken per PSA**

| Corrective measures taken | PSA 1 | PSA 2 | PSA 3 | PSA 4 | PSA 5 | Total |
|---|---|---|---|---|---|---|
| Recall of the product from end users | | 5 | 1 | 1 | 5 | 12 |
| Withdrawal of the product from the market | | 26 | 12 | 15 | 13 | 66 |
| Ban on the sale of the product | | | | 4 | | 4 |
| Destruction of the product | | | | 1 | | 1 |
| Stop of sales | | | 4 | 1 | 14 | 19 |
| Removal of the product listing by the online market place / web shop | 74 | 1 | | | 6 | 81 |
| Temporary ban on the supply of the product | 1 | | 2 | | 1 | 4 |
| Import rejected at the border | | | | | | 0 |
| Sanctions against the EO | | | | 1 | | 1 |
| Request sent to the EO to change/improve the product | | 3 | 12 | 4 | | 19 |
| Request send to the EO to mark the product with appropriate warnings | | 26 | 14 | 33 | | 73 |
| Warning consumers of the risks | | | | | | 0 |
| Informing the responsible MSA | | 3 | | 13 | | 16 |
| Other | 1 | | | 6 | 9 | 16 |
| **Total** | **76** | **64** | **45** | **79** | **48** | **312** |

Figure 5 **- Safety Gate notifications made based on the CASP 2021 test results**



# Highlights and main results of the HAs

The HAs allowed MSAs to discuss the challenges associated with various topics of common interest for market surveillance, exchange views and best practices, and prepare viable solutions to common challenges. The guidelines, manuals and guides elaborated in these activities aim at increasing the effectiveness of the market surveillance operations of all EU/EEA MSAs, and are also shared with those who have not participated in the activities.

The table below summarises the main outputs of the CASP 2021 HAs.

| HAS | OUTPUTS |
|---|---|
| **OMS** | • OMS guidance document<br>• List of web shops for the e-surveillance webcrawler tool<br>• High-level process for collecting web shops to be fed into the web crawler tool |
| **RAM** | • Guidance document on risk assessment challenges and the tools to overcome them<br>• Guidance document on the management of identified risks |
| **Crisis preparedness and management** | • Guidance document<br>• Overview of activities carried out by MSAs during the COVID-19 crisis |

# Highlights and main results of the hybrid activity

The first hybrid coordinated activity on counterfeit dangerous products brought many **challenges and lessons learned**. The **guidance document** for MSAs was developed over the course of the activity and contains the identified challenges, suggested approaches to address them as well as the lessons learned for dealing with counterfeit products (particularly helmets for pedal cyclists and for users of skateboards and roller skates, in line with the scope of the activity).

Five types of counterfeit helmets were sampled for testing[1]. The test results show that all of the samples did not meet at least one of the requirements of the relevant standard regarding the key safety parameters of the helmets. MSAs performed risk assessment for each sample that did not meet the defined requirements to identify and quantify the risks for consumers. Three samples were found to pose a serious risk to consumers and some MSAs requested the removal of the product listing by the online market place / web shops.

[1] Due to challenges faced by the MSAs during the sampling process, a limited number of samples could be collected for testing. Amongst others, these challenges were related to seasonality, mystery shopping and the samples' delivery process.

# Recommendations

The following recommendations are based on the discussions held among MSAs during the project and the general outcomes of the activities. The complete version of these recommendations can be found at the end of this report and the specific recommendations of each activity are available in the dedicated activity reports.

## For consumers

- **Monitor Safety Gate.** The Safety Gate system should be regularly monitored as it contains relevant information on products with safety issues that have been recalled and banned.
- **Warnings, markings and instructions.** Pay particular attention to the warnings and markings that accompany the products.
- **Buy products from trustworthy retail channels.** Buy your products from reliable retailers that can help you deal with any problem or safety issue related to your purchase.

## For economic operators (EOs)

- **Be aware of your obligations under the applicable legislation.** Economic operators are responsible for the safety of the products they place on the European Single Market. Before placing any product on the market, be aware of all the applicable legal requirements.
- **Warnings, markings, and instructions.** Pay particular attention to the warnings, markings and instructions that accompany any product as they provide essential information on the product and on its safe use.
- **Report incidents to the competent authority.** When a product presents a safety risk, EOs have a legal duty to immediately inform the competent national authority of the Member State in which the product has been made available.
- **Recalls.** Clearly communicate with consumers on how they will receive information on possible recall actions.

## For European and national authorities

- **Keep the relevant sectors under surveillance.** Test results from the testing campaigns conducted in all the PSAs of the CASP 2021 project showed that certain sectors should be kept under surveillance by the MSAs.
- **Cooperation between MSAs and customs.** MSAs should closely cooperate with customs in order to prevent unsafe products from entering the EU market.
- **Engage in the development and improvement of standards.** The MSAs and the European Commission should engage with the relevant committees from the European standardisation organisations in order to contribute to the development or improvement of standards.

# 1. CASP 2021 project

## 1.1 Description of CASP 2021 and its activities

### General description

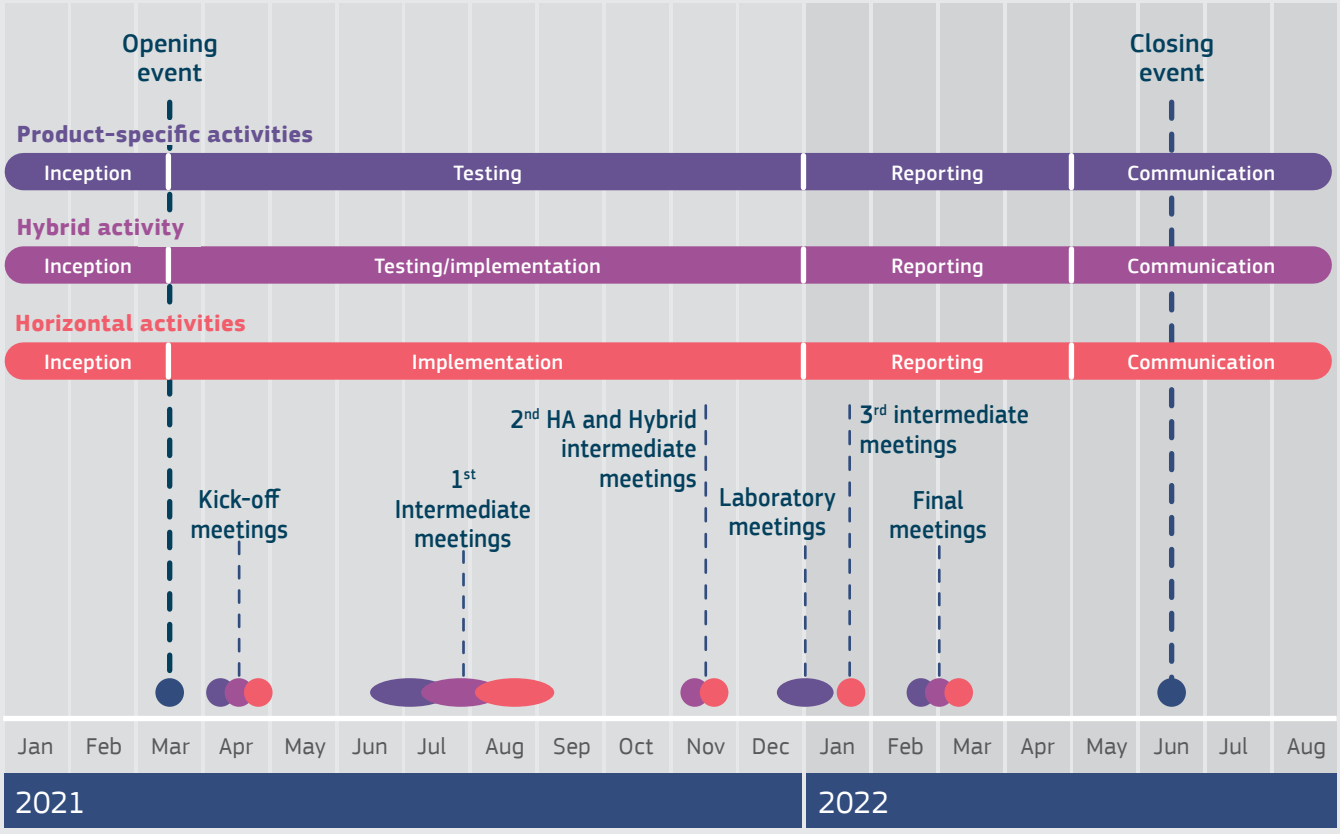
CASP 2021 represents the third edition of the CASP annual projects. The CASP 2021 project consists of three types of activities:

- Product testing campaign, called product-specific activities, **PSAs** that focus on testing samples of the identified product categories by adopting common testing and sampling criteria;
- Knowledge-sharing and discussion fora to develop and improve existing methodologies and common approaches for different aspects of market surveillance – horizontal activities, **HAs**;
- a **hybrid** activity, consisting of knowledge-sharing and horizontal discussions on the challenges presented by suspected dangerous counterfeit products as well as sampling and testing a selection of counterfeit products with potential safety issues for consumers.

Before the launch of the CASP 2021 project, the Directorate-General for Justice and Consumers of the European Commission (DG JUST) coordinated a priority-setting exercise to gather input from the Member States regarding the choice of products and areas to be included in the coordinated activities. The MSAs selected the following five PSAs, three HAs and hybrid activity for the CASP 2021 project:

| PSAS | HYBRID ACTIVITY | HAS |
|---|---|---|
| Toys from non-EU web shops<br>Electric toys<br>Reclined cradles and baby swings<br>E-cigarettes and liquids<br>Personal protective equipment | Dangerous counterfeit products | Online market surveillance<br>Risk assessment and management<br>Crisis preparedness and management |

Figure 6 - **Timeline of the activities of the CASP 2021 project**



# 1.2 Participating MSAs

A total of 38 authorities from 19 different EU/EEA Member States participated in the CASP 2021 project.

| COUNTRY | MSA/CUSTOMS AUTHORITY | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| **Austria** | Federal Ministry of social affairs, health, care and consumer protection Austrian Agency for Health and Food Safety | | x | | | | | | | |
| | Federal Ministry of Social Affairs, Health, Care and Consumer Protection, Unit III/A/2 - product safety | | | x | | | x | | | |
| | Customs Authority Austria | | | | | | x | | | |
| **Belgium** | Federal Public Service Health, Food Chain Safety & Environment - Federal Environment Inspectorate | x | | | x | | | x | | |
| | Federal Public Service Economy - Directorate General Quality and Safety | x | | x | x | x | | x | x | x |
| | Federal Public Service Economy Directorate-general Economic Inspection Anti-counterfeit unit | | | | | | x | | | |
| | Federal Public Service Finance - Customs authority | | | | | | x | | | |
| **Bulgaria** | State Agency for Metrological and Technical Surveillance | | | | | | | x | x | |
| | Commission for Consumer Protection | | | x | x | | | | | |
| **Croatia** | State Inspectorate | | x | x | x | x | | | | |
| **Cyprus** | Consumer Protection Service | | x | x | | | | | | |
| | Department of Labour Inspection | | | | | x | | | | x |
| **Czechia** | Czech Trade Inspection Authority | x | | x | | x | | x | x | |
| | Ministry of Industry and Trade | | | | | | | x | x | x |
| **Denmark** | Danish Safety Technology Authority | | | x | | | | | | |
| **Finland** | Finnish Safety and Chemicals Agency | | x | | | x | x | | | x |
| | National Supervisory Authority for Welfare and Health | | | | x | | | | | |
| **France** | Directorate-General for Consumer Competition and Fraud Enforcement | | x | x | | | | x | | |
| | Directorate-General of Customs and Indirect Taxes | | x | x | | | | | | |
| **Germany** | District Government of Düsseldorf | | | | | x | | | | |
| | Government of Upper Bavaria - Trade Inspection Office | | | | | x | | | x | |
| | Regional Council Tübingen. Dept.11 // Market Surveillance | | | | | | | x | | |
| | District Government of Münster | | | | | | | x | | |
| | Trade Inspection Office of the State of Bremen | | | | | | | x | x | |
| | Government of Middle Franconia - Trade Inspection Office | | | | | | | | | x |
| **Iceland** | The Housing and Construction Authority | | x | x | x | x | x | x | x | x |
| | Skatturinn - Iceland Revenue and Customs | | | | | | x | | | |
| **Ireland** | Competition and Consumer Protection Commission | x | x | x | | | x | x | x | x |
| **Latvia** | Consumer Rights Protection Centre | | | | | | x | x | | x |
| | State Revenue Service of Latvia - Customs Board | | | | | | x | | | |
| **Lithuania** | State Consumer Rights Protection Authority | | | | x | x | x | x | x | |
| | Customs of the Republic of Lithuania | | | | | | x | | | |
| **Luxembourg** | Market Surveillance Department | x | x | | | | | | | x |
| **Malta** | Malta Competition and Consumer Affairs Authority | x | x | x | | | | x | x | x |
| **Norway** | Norwegian Directorate for civil protection | | x | | | x | | x | | |
| **Portugal** | Consumer Directorate-General | | | x | | | | | | |
| **Sweden** | The Swedish Chemicals Agency | x | x | | | | | | | |
| | Swedish National Electrical Safety Board | | x | | x | | x | | | |

# 2. Product-specific activities

## 2.1 Toys from non-EU web shops

The activity focused on plastic toys and toys with plastic parts for children above and below 36 months. The toys were sampled exclusively online from non-EU online sellers.

### Testing criteria

A selection of clauses from the following two standards, and the requirements set out in the REACH Regulation, were included in the testing plan:

- European Standard (EN) 71-1:2014+A1:2018 Safety of toys – Part 1: Mechanical and physical properties;
- EN71-3:2019 Safety of toys – Part 3: Migration of certain elements;
- Regulation (EC) 1907/2006 – REACH (for cadmium, phthalates and polycyclic-aromatic hydrocarbons).

### Test results

A total of 99 samples were initially purchased by the MSAs. However, 7 samples were out of scope considering that they were eventually classified as floating seats[2]. The test results of these samples are not presented in this section.

Only 15 out of the 92 toys (16%) tested by the laboratory met the requirements of the standards included in the testing plan. The remaining 77 samples (84%) did not meet at least one of the requirements.

The mechanical tests revealed that a larger number of samples did not meet the requirements (84%) than the chemical tests (21%). The main chemical issue identified was related to phthalates. In total, 20% of the samples (18) did not meet the requirements on phthalates.

All the samples (except one) did not meet the requirements on warnings, markings and instructions in the checks performed by the MSAs. In total, 61% of the samples did not have a CE Mark or the CE Mark was incorrect.

### Measures taken

Based on the test results, the MSAs performed RAs and decided which corrective measures had to be taken, as illustrated in the images below.

Figure 7 - **Overall test results (N=92)**

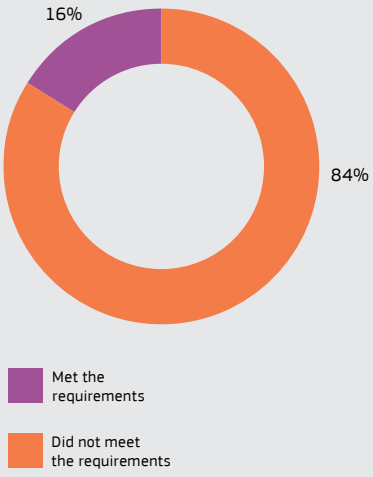
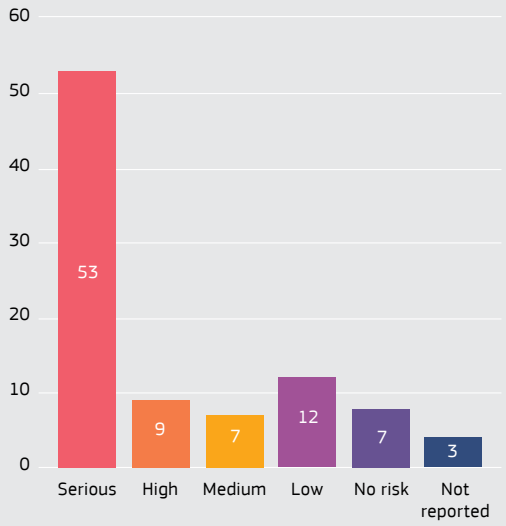
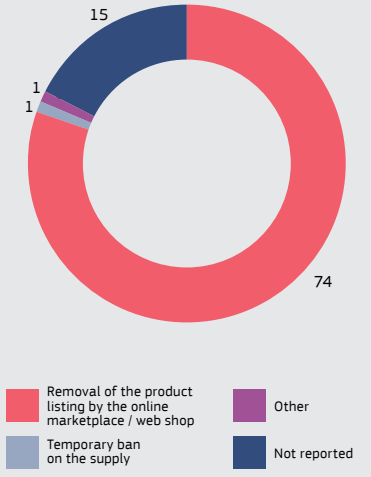



Figure 8 - **RA outcomes and measures taken for samples tested within this PSA**

**Risk level of the samples that did not meet the requirements (N=91)**




**Measures taken for samples that did not meet the requirements (N=91)**




53 products were subject to Safety Gate notifications and notifications for another 3 products are pending.

[2] These products were marketed and designed in such way that made it easy to confuse them with toys. However, these products, although incorrectly labelled and thus marketed as toys, fall under the definition of floating seats indicated in the Commission's Guidance document No 7 on the application of the Directive on the safety of toys – Toys used in and on the water (DocsRoom - European Commission (europa.eu)). They were "bathing rings that have an integrated seat with two holes for a child's legs to hang freely in water". These products were, therefore, not covered by the Toy Safety Directive but by the General Product Safety Directive as learning devices.

# 2.2 Electric toys

The activity focused on toys that have at least one function dependent on electricity and, more specifically, on the following four product categories: electric toys with button cells / other cells, electric ride-on toys, electric toys with lasers / other lights, remote-control toys.

## Testing criteria

The following were included in the testing plan:

- a selection of clauses from EN62115:2005+A12:2015 – Electric toys;
- clause 5.1 on small parts of EN71-1:2014+A1:2018 – Safety of toys – Mechanical and physical properties;
- the Restriction of Hazardous Substances Directive (2011/65/EU) (RoHS2) for lead and cadmium content;
- Regulation (EC) 1907/2006 – REACH (for the phthalates content of soft plastic).

## Test results

A total of 97 out of the 130 (75%) samples tested by the laboratory met the requirements defined in the final testing plan, as shown in the chart below. The remaining 33 samples (25%) did not meet at least one of the requirements.

Of the samples tested according to RoHS2, 43% did not meet the relevant requirements. The excessive presence of the hazardous substances of lead and cadmium poses an environmental risk when the electric toy product is recycled.

Regarding the electrical and mechanical safety tests, the number of failures was limited, even though some hazards were identified regarding easy access to button / coin cell batteries, light-emitting diode (LED) lights and toys that can be used by the child while being plugged into the mains.

The remote-control toys product category presented the largest number of samples that did not meet at least one of the relevant requirements (36%), followed by electric toys with button cells / other cells (33%).

In total, 52% of the samples did not meet at least one of the requirements on warnings, markings and instructions in the checks performed by the MSAs.

## Measures taken

Based on the test results, the MSAs performed risk assessment and decided which corrective measures had to be taken, as illustrated in the images below.

Figure 9
**Overall test results (N=130)**

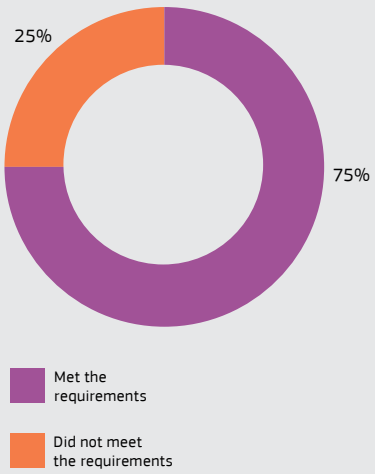
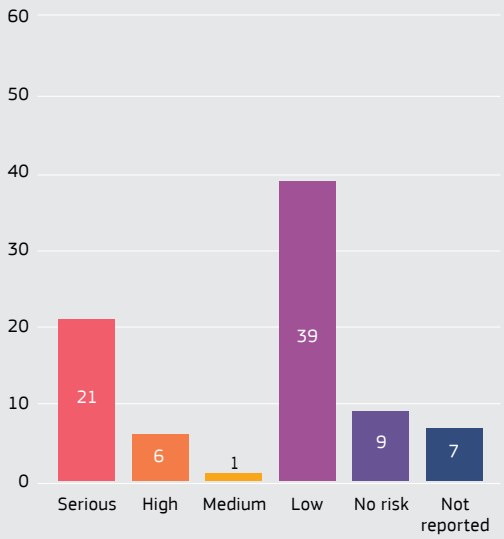
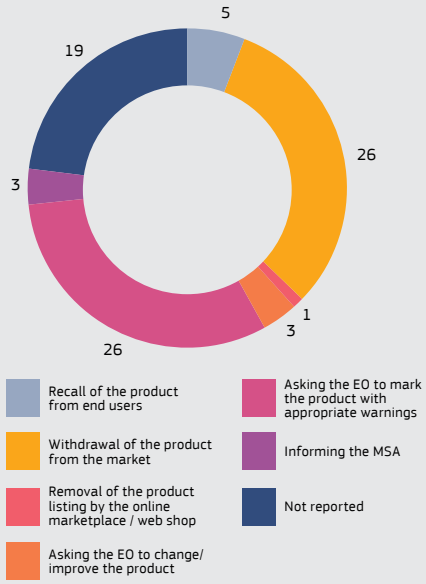



Figure 10 - **RA outcomes and measures taken for samples tested within this PSA**

**Risk level of the samples that did not meet the requirements (N=83)**




**Measures taken for samples that did not meet the requirements (N=83)**




Following the actions triggered by the joint testing campaign, 22 products were subject to Safety Gate notifications and a notification for another product is pending.

# 2.3 Reclined cradles and baby swings

The activity focused on two product categories: reclined cradles and baby swings.

## Testing criteria

A selection of clauses from the following two ENs were included in the testing plans:

- EN 12790:2009 – Child use and care articles – Reclined cradles;
- EN 16232:2013+A1:2018 – Child use and care articles – Infant swings.

Both chemical and mechanical tests were performed by the laboratory.

## Test results

A total of 54 out of the 105 (51%) samples tested by the laboratory met the requirements defined in the final testing plans, as shown in the chart below. The remaining 51 samples (49%) did not meet at least one of the requirements.

The mechanical tests revealed a much larger number of failures (48%) than the chemical tests (2%). The baby swing product category had a much higher failure rate (68%) than the reclined cradles (38%).

Regarding the reclined cradles, the highest failure rate (16%) was related to clause 5.10 on the angle and height of the seat, posing the risk of spine damage, followed by clause 5.16 on slippage (10%), posing the risk of the reclined cradle falling and causing injuries to an infant.

Regarding the baby swings, the highest failure rate (49%) was related to clause 8.4 on hazards due to a child falling, followed by clause 8.4.1 on angles (46%) and 8.4.2 on restraint systems (8%). The concern is that a child may slip out of the baby swing and sustain an injury (bruises and/or fractures). Two baby swings did not meet the requirements of the chemical tests.

In total, 49% of the samples did not meet the requirements of the warnings, markings and instructions checks performed by the MSAs.

## Measures taken

Based on the test results, the MSAs performed RAs and decided which corrective measures had to be taken, as illustrated in the images below.

Figure 11
**Overall test results (N=105)**

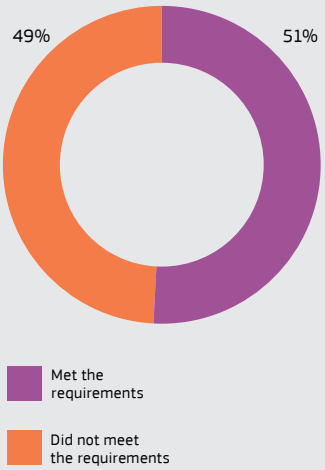
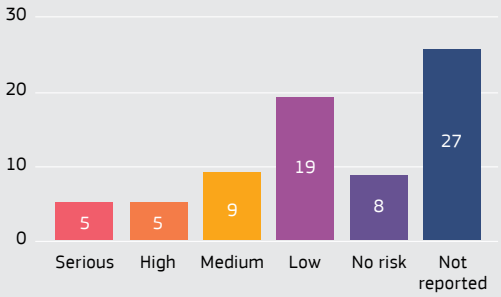
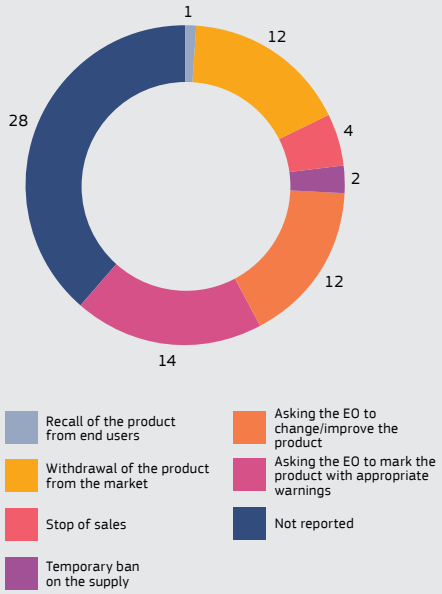



Figure 12 - **RA outcomes and measures taken for samples tested within this PSA**

**Risk level of the samples that did not meet the requirements (N=73)**




**Measures taken for samples that did not meet the requirements (N=73)**




Following the actions triggered by the joint testing campaign, 9 products were subject to Safety Gate notifications and notifications for another 5 products are pending.

# 2.4 E-cigarettes and liquids

The activity focused on e-cigarette devices (single-use e-cigarettes, rechargeable e-cigarette devices of different sizes) and e-liquids with and without nicotine.

## Testing criteria

The testing plan for this activity was based on the requirements of the standards ISO 20714:2019, CEN/TS 17287:2019, and ISO 13127:2012 as well as criteria established in additional tests. The plan included assessments to verify the:

- chemical composition of the e-liquid, including the nicotine content;
- functionality and functional safety of the e-cigarette devices;
- child resistance and resistance to leakage (particularly during refilling) of the electronic cigarette devices;
- constituents of the aerosols used.

## Test results

A total of 137 out of the 169 samples (81%) tested by the laboratory met all the requirements defined in the final testing plan, as shown in the chart below. The remaining 32 samples (19%) did not meet at least one of the requirements. A much larger number of samples of e-cigarette devices did not meet the relevant requirements (60%) compared to e-liquids (8%).

The main issues for e-cigarette devices were related to the re-closable child-resistant packaging system of the devices, their resistance to breakage and the systems they use to protect from leakage from the liquid reservoirs. Several products did not meet multiple requirements regarding the containment of the e-liquid.

For e-liquids, out of the 132 samples tested, the majority of samples that did not meet the requirements (7 out of 10) had issues related to the presence of diacetyl, a food additive used to provide a buttery flavour. Two samples of e-liquid that did not meet the requirements had issues related to the presence of aldehydes, which are usually considered toxic and could potentially harm the users.

More than half of the products (54%) assessed had incorrect or absent warnings, markings and instructions.

## Measures taken

Based on the test results, the MSAs performed risk assessment and decided which corrective measures had to be taken, as illustrated in the images below.

Figure 13
**Overall test results (N=169)**

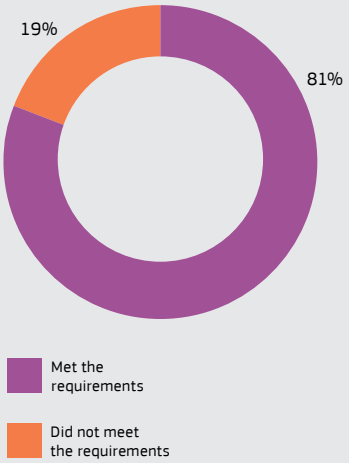
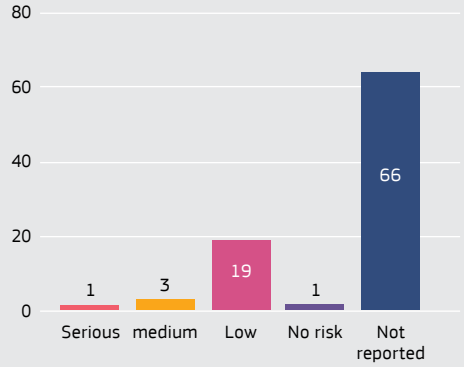
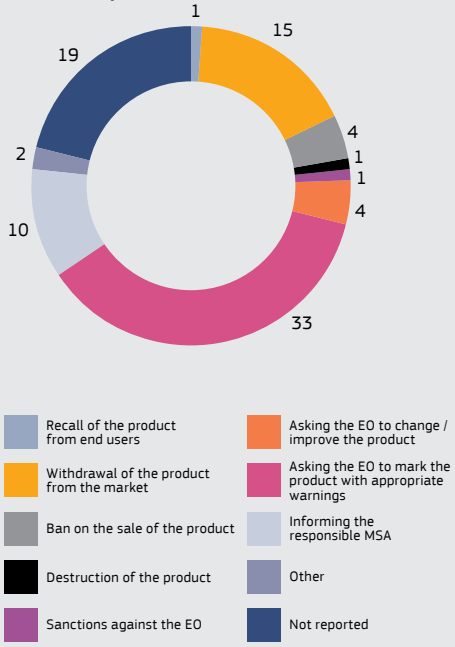



Figure 14 - **RA outcomes and measures taken for samples tested within this PSA**

**Risk level of the samples that did not meet the requirements (N=90)**




**Measures taken for samples that did not meet the requirements (N=90)**




Following the actions triggered by the joint testing campaign, 12 products were subject to Safety Gate notifications.

# 2.5 Personal protective equipment

The activity focused on four product categories:
1. helmets for pedal cyclists and for users of skateboards or roller skates (for both adults and children);
2. children's helmets for recreational activities in environments which have proven risks of head injuries in combination with risk of strangulation;
3. visibility accessories for non-professional use with and without LED lights;
4. visibility clothing for non-professional use.

## Testing criteria

A selection of clauses from the following ENs were included in the testing plans:

- EN1078:2012+A1:2021 – Helmets for pedal cyclists and for users of skateboards and roller skates and lateral/rotational tests;
- EN1080:2013 – Impact protection helmets for young children and lateral/rotational tests;
- EN13356:2001 – Visibility accessories for non-professional use - Test methods and requirements and LED tests (luminance and colour of LED light);
- EN1150:1999 – Visibility clothing for non-professional use.

## Test results

A total of 91 out of the 131 samples (69%) tested by the laboratory met all the requirements defined in the final testing plan, as shown in the graph below. The remaining 40 samples (31%) did not meet at least one of the requirements.

The product category with the most samples that did not meet at least one requirement was visibility clothing (61%), followed by visibility accessories (32%) and helmets for pedal cyclists and users of skateboards or roller skates (23%). Both of the two samples of children's helmets for recreational activities in environments which have proven risks of head injuries in combination with risk of strangulation met all the relevant requirements of the standard. All the 14 visibility accessories with LED lights that were tested met the relevant requirements.

In total, 85% of the samples did not meet the requirements on warnings, markings and instructions in the checks performed by the MSAs.

## Measures taken

Based on the test results, the MSAs performed risk assessment and decided which corrective measures had to be taken, as illustrated in the images below.

Figure 15
**Overall test results (N=131)**

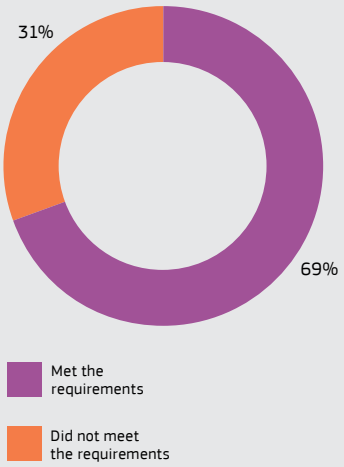
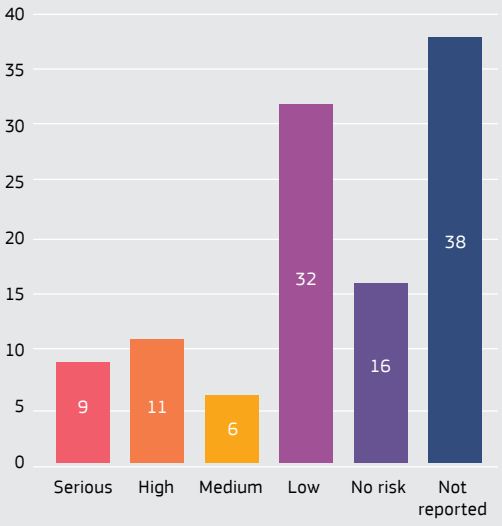
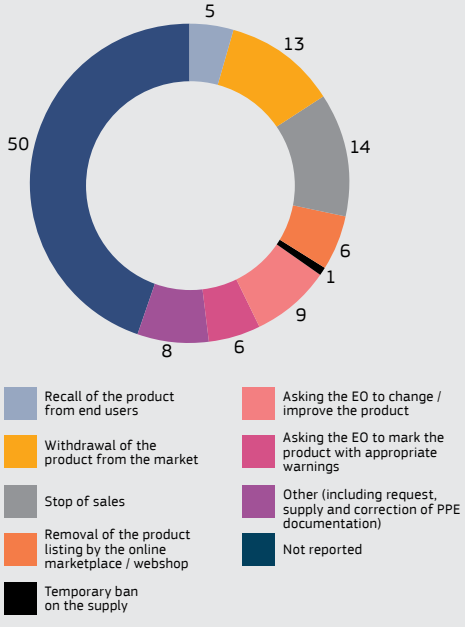



Figure 16 - **RA outcomes and measures taken for samples tested within this PSA**

**Risk level of the samples that did not meet the requirements (N=112)**




**Measures taken for samples that did not meet the requirements (N=112)**




Following the actions triggered by the joint testing campaign, 3 products were subject to Safety Gate notifications and notifications for another 5 products are pending.

# 3. Hybrid activity

## 3.1 Testing of dangerous counterfeit products

### Product scope

The activity aimed at sampling and testing a selection of confirmed counterfeit products posing potential safety issues. The selection of the product category to be tested was agreed upon at the beginning of the activity by taking into account various concerns of the participants. One of the aims was to sample counterfeit **helmets for bicyclists and for users of skateboards or roller skates** in order to be able to compare the test results with the results from the activity focusing on authentic helmets for biking, skateboarding and roller skating (CASP 2021 – PSA5) that was being conducted at the same time.

### Test criteria

The counterfeit helmets for bicyclists and for users of skateboards or roller skates were tested against **EN1078:2012+A1:2021** (shock absorbing capacity, strength, effectiveness, lateral/rotational tests).

The testing of the sampled counterfeits was performed according to the same criteria, in the same laboratory that had been selected to test the helmets collected for PSA 5.

### Test results

Notwithstanding the small sample size, the test results show a **100% failure rate**. Every counterfeit helmet failed significant safety provisions in EN1078:2012+A1:2021 – often against more than one safety performance clause. The technical expert and the MSAs concluded that counterfeit helmets pose a real risk to consumers' safety in high-risk traffic situations.

### Measures taken

Based on the test results, the MSAs performed risk assessment and decided which corrective measures had to be taken, as illustrated in the images below.

Figure 17
**Overall test results (N=5)**

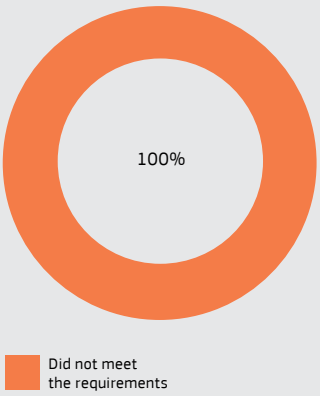
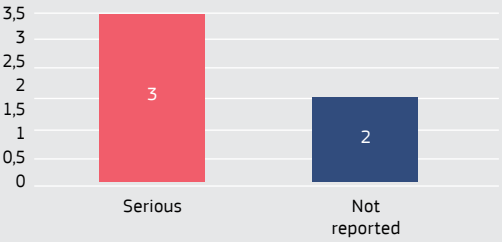
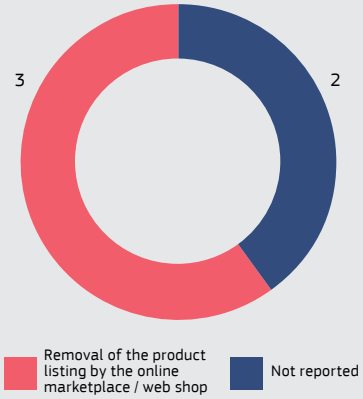



Figure 18 - **RA outcomes and measures taken for samples tested within this activity**

**Risk level of the samples that did not meet the requirements (N=5)**




**Measures taken for samples that did not meet the requirements (N=5)**




Following the actions triggered by the joint testing campaign, 1 product was notified in Safety Gate.

# 3.2 Horizontal aspects of dangerous counterfeit products

Within the scope of the activity, the MSAs identified the main **challenges** that MSAs face in relation to suspected dangerous counterfeit products and developed **approaches to address them**. Among these challenges are: identifying counterfeit goods, selecting the right product, establishing partnerships and mystery shopping.

Furthermore, as it was the first time that a CASP project conducted a joint European activity on the safety of goods recognised as counterfeit, there were many lessons learned, which were incorporated into an **optimum process for a joint European action on unsafe counterfeit goods**. The activity's outputs include a process map, the definition of the process's main steps, roles and responsibilities, and advice for MSAs that wish to lead joint actions in the future.

Figure 19 - **Overview of the MSAs' challenges in relation to suspected dangerous counterfeit goods**


# 4. Horizontal activities

## 4.1 Online market surveillance

The activity's objective was integrating online market surveillance into the daily work of MSAs and providing guidance and tools to enable effective monitoring and thus protect consumers from dangerous products sold online.

### Context

The rapid growth of e-commerce in recent years and the COVID-19 pandemic, which accelerated this development, have led to a significant increase in the online sales of illegal goods. This poses safety risks for consumers and creates new challenges for MSAs. Authorities need to adapt their traditional market surveillance strategies to the digital age in order to ensure continued consumer protection. The activity's objective was to establish a common approach, thereby achieving better alignment and greater consistency at a European level.

### Objectives

Continuing the work already performed in previous OMS activities, the two main pillars in 2021 were further improving MSAs' OMS operations and learning to use the European Commission's new e-surveillance webcrawler tool.
The following main objectives were focused on:

- promoting the use of the European Commission's e-surveillance tool;
- creating a step-by-step guide on how to perform OMS;
- improving cross-border collaboration between EU and non-EU MSAs;
- tackling the drop-shipping phenomenon and its associated challenges.

### Processes

The OMS HA provided a platform for MSAs to focus on online market surveillance. Following a ranking of challenges during the kick-off meeting, it was decided to focus on the top three aspects highlighted as being the most important in order to improve the effectiveness of OMS operations (how to perform OMS, cross-border collaboration and drop-shipping). Through the use of the Wiki platform, the collection of feedback between, and brainstorming exercises during the meetings, the MSAs collaboratively developed tools and strategies to tackle the identified challenges.

### Outputs

The CASP 2021 OMS HA had three main outputs.

| GUIDANCE DOCUMENT | E-SURVEILLANCE WEB CRAWLER TOOL WORKSHOP | HIGH-LEVEL PROCESS FOR COLLECTING WEB SHOPS |
|---|---|---|
| It is divided into three parts (how to perform online market surveillance, drop-shipping and cross-border collaboration) and contains tools and guidelines co-developed by the participating MSAs:<br>• a high-level process map on how to perform online inspections;<br>• an MSA drop-shipping kit containing advice on how to handle sellers using the drop-shipping model;<br>• a cooperation and communication mechanism to overcome limitations on individual enforcement powers imposed by national borders. | The MSAs attended a workshop on the European Commission's new e-surveillance tool and were trained on how to use it effectively to identify dangerous products sold online. | A process was developed to ensure that the most relevant web shops in each Member State are listed and included in the European Commission's e-surveillance tool. |

# 4.2 Risk assessment and management

The CASP 2021 RAM HA focused on further harmonising and increasing consistency in the risk assessment and risk management of non-food consumer products across EU/EEA MSAs by exchanging views and best practices.

## Context

According to the General Product Safety Directive (2001/95/EC), a product must be safe when it is used under reasonably foreseeable conditions over the entire lifetime of the product. Therefore, when assessing whether a product poses a risk, the assessment should be based on the harmonised and reproducible risk assessment principles laid down in Decision (EU) 2019/417 (RAPEX Guidelines). To protect the health and safety of consumers, MSAs take corrective risk management actions based on the test results and risk assessment. Robust risk assessment is key to taking the most appropriate and effective corrective measures in order to mitigate the risk of injury and protect consumers.

## Objectives

Building on previous CASP activities, the RAM HA sought to harmonise the risk assessment and risk management of non-food consumer products. The specific objectives of the activity included:

- mapping risks and areas that are challenging to assess and manage for MSAs;
- sharing strategies and tools to overcome these challenges through a series of case-solving workshops;
- preparing guidance documents on RA and risk management that offer advice on identifying injury scenarios, estimating risk probabilities, and deciding on suitable corrective actions.

## Processes

The RAM HA provided an important forum for participating MSAs to discuss challenges and exchange knowledge related to RAM. The MSAs, together with the expert, solved a series of case studies on risk assessment and risk management that were chosen to demonstrate the challenging hazard groups the MSAs had identified during the kick-off meeting. Based on the MSAs' feedback and the discussions during the case-solving workshops, guidelines were drafted to support MSAs with tools and strategies that can be used to overcome common challenges in the risk assessment and risk management of dangerous products.

## Outputs

In order to provide further guidance to MSAs and increase the consistency of risk assessment and risk management actions, the RAM HA was organised around three main outputs.

| CASE-SOLVING WORKSHOPS | GUIDANCE DOCUMENT ON RISK ASSESSMENT | GUIDANCE DOCUMENT ON RISK MANAGEMENT |
|---|---|---|
| During two case-solving workshops MSAs discussed both RA and risk management challenges based on a selection of case studies. | A guidance document on common RA challenges and tools and strategies to overcome them was developed to provide MSAs with guidance on how to develop injury scenarios, estimate probabilities and determine risk outcomes. | A second guidance document on risk management was prepared, providing MSA with tools and strategies to overcome risk management challenges and decide on corrective measures. |

# 4.3 Crisis preparedness and management

The CASP 2021 Crisis preparedness and management HA focused on identifying the main elements that MSAs should consider to keep the EU Single Market safe in exceptional and crisis situations.

## Context

Bearing in mind the challenges faced by the MSAs during the COVID-19 pandemic, crisis preparedness, and the timely response to and management of exceptional and crisis situations were considered as key elements in terms of keeping the EU Single Market safe. Having a crisis plan (which includes a communication strategy and a business continuity plan) in place was identified as an essential element in terms of better preparing for and managing a crisis. However, it has to be tailored to each organisation. Therefore, the objective of the activity was to develop an approach, that can be customised by each MSA based on their specific needs and values.

## Objectives

The objectives of this activity were:

- sharing approaches and best practices adopted by MSAs during the COVID-19 pandemic;
- exchanging views and experiences on how to address challenges arising in crisis situations;
- developing a common strategy on how to prepare for and how to successfully manage future crisis situations.

## Processes

The Crisis preparedness and management HA provided an important forum for participating MSAs to discuss challenges and exchange knowledge. Each MSA was initially interviewed by the technical expert and the project team to collect information on their individual experiences on how they managed previous crises and how they would prepare for future ones. Based on the MSAs' feedback and the discussions during the activity meetings, guidelines were drafted to support MSAs with tools and strategies that can be used by each of them to develop their own crisis preparedness and management plans. Furthermore, during activity meetings, participating MSAs jointly formulated a list of recommendations and best practices that can be valuable for all MSAs when preparing for and effectively managing future crisis situations.crisis preparedness and management plans. Furthermore, during activity meetings, participating MSAs jointly formulated a list of recommendations and best practices that can be valuable for all MSAs when preparing for and effectively managing future crisis situations.

## Outputs

| GUIDANCE DOCUMENT | COVID-19 MSA ACTIVITIES |
|---|---|
| The document illustrates the approach developed with the participating MSAs on how to better prepare for a crisis and how to manage it when it occurs. The guidance document contains a list of tips and best practices for MSAs to consider when developing their own crisis plans. Furthermore, it includes a section on how to manage a pan-European crisis, what tools are available to MSAs for communicating and cooperating at an EU level, and recommendations on how to further improve this process. The approach was demonstrated through case studies by MSAs that had previous experiences in crisis management. | The objective of this document was to summarise the main challenges faced by MSAs and their approaches to crisis preparedness and management during the COVID-19 pandemic. The report includes lessons learned by the MSAs and the best practices collected. |

# 5. Conclusions

## 5.1 Main outcomes

A total of 38 authorities from 19 different EU/EEA Member States combined their market surveillance efforts to reinforce the safety of products placed on the European market and:

- sampled 627 products from five different categories and five counterfeit helmets in their respective markets and sent them for testing in accredited laboratories located in the EU;
- analysed the outcomes of the tests, jointly assessed the risks revealed by the tests, and decided which corrective measures had to be taken on non-compliant products that had been found to pose risks to consumers;
- submitted 99 notifications to Safety Gate;
- co-developed five guidance documents and three reports addressing the key horizontal topics of market surveillance.

The insights collected through the CASP 2021 activities on product testing and market surveillance-related topics are valuable not only for MSAs, they are also directly relevant to consumers and economic operators.

This report provided an overview of all the activities and the results of CASP 2021. Further detailed information can be found in the separate activity reports. Furthermore, a comprehensive communications toolkit has been produced in all EU languages plus Norwegian and Icelandic. All public materials and reports are available on the dedicated CASP website (*https://ec.europa.eu/safety-gate/#/screen/pages/casp*).

## 5.2 General conclusions and lessons learned

### Product specific activities

The priority-setting exercise performed before the launch of the project successfully identified product categories that demand further attention in terms of market surveillance in the European market. A total of 233 out of the 627 products tested did not meet at least one of the requirements identified in the testing plans. Among those, 89 products were assessed as posing serious risks, 31 were high risk, 25 medium risk and 123 low risk. The MSAs have taken the necessary measures based on the risk assessment performed, and a total of 99 products were subject to Safety Gate notifications so the relevant information could be shared with other MSAs, consumers and economic operators[3]. Five counterfeit products were tested and found dangerous.

### Hybrid and horizontal activities

The HAs were successful at developing specific tools and guidelines for the MSAs as a result of exchanges of ideas, experiences, and best practices.

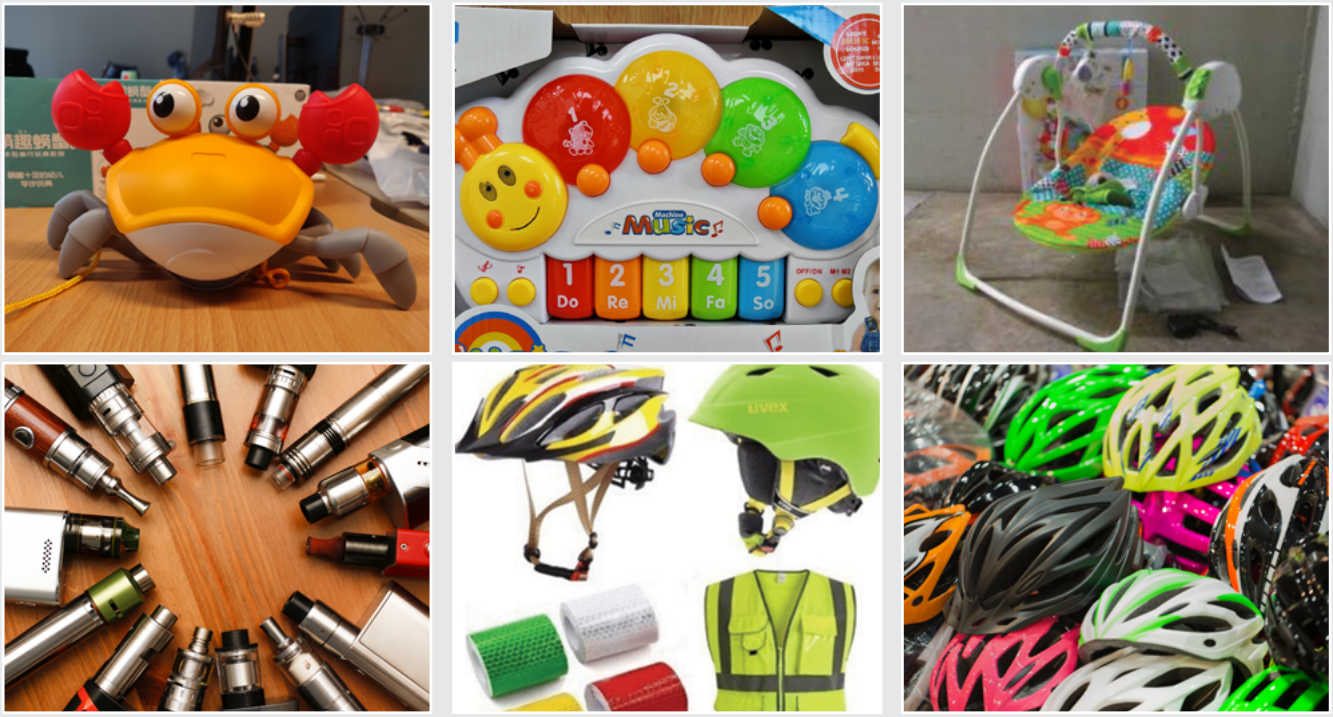
- The first coordinated activity on **dangerous counterfeit products** brought many challenges and lessons learned. Among these challenges were identifying counterfeit goods, selecting the right product, and defining the cooperation possibilities of the relevant actors, such as different authorities and rights holders involved. Among the lessons learned is that MSAs participating in a coordinated European action on potentially dangerous counterfeit goods need to be competent, all the way from sampling to submitting Safety Gate notifications. The lessons learned have been incorporated in an optimum process for coordinated European activities on dangerous counterfeit goods, which is part of a guidance document developed for the MSAs.
- **Online market surveillance** is a fundamental part of the MSAs' market surveillance activities and requires adapting to emerging challenges to ensure the effectiveness of MSA operations and thus the safety of products placed on the European Single Market. Through the OMS HA, the MSAs were able to identify and discuss three associated challenges (namely how to perform OMS, drop-shipping and cross-border collaboration), establish a collection of existing best practices and jointly develop a set of tools to effectively address them. Additionally, the MSAs were introduced to the European Commission's e-surveillance webcrawler tool and can use it to facilitate and automate tasks and improve their overall OMS operations even further.
- Robust risk assessment are key to taking the most appropriate and effective action to protect the health and safety of consumers. The RAM HA provided an important forum to discuss challenges and best practices related to **risk assessment and risk management**. The guidance documents include injury scenarios and risk probabilities for a set of case studies discussed during the activity and provide tools and strategies for performing RAs and developing appropriate and effective risk management actions. The combination of guidance and real-life case studies allowed MSAs to apply the newly acquired concepts and tools in practice to help with the assessment and management of similar risks in the future.
- Preparing for incidents that may hinder business continuity and lead to a crisis is key to minimising the associated damage and disruption and getting an organisation back to its usual business activities as quickly as possible. One of the lessons learned in the **crisis management** activity was the importance of developing a crisis plan (which includes a communication strategy and a stakeholder engagement plan) during the preparedness phase in order to be able to swiftly react to an incident and effectively manage a potential crisis.

[3] Reported results are based on the information available on 31 March 2021 (included). The category 'not reported' refers to cases where measures have not yet been determined.

## General lesson learned

The lessons learned of the project are summarised below:

- **Selection of the testing laboratories.** The early mapping of eligible testing laboratories enabled the Contractor to collect initial information regarding their accreditation, the fees they charge, and their logistical capabilities in terms of satisfying the requirements of CASP testing campaigns. MSAs were able to select (by voting) the testing laboratories for the PSAs on the basis of the information collected and presented by the Contractor.
- **Joint risk assessment exercises.** The performance of the risk assessment exercises on products sampled under the PSAs and hybrid activity were unique hands-on opportunities to harmonise the practices used by the different MSAs responsible for conducting market surveillance activities on products that did not meet the testing requirements.
- **The right mix of digital and offline interactions.** Due to COVID-19, CASP 2021 had to be fully organised via digital means. Using digital tools like the Wiki, Zoom, Mural and Slido, MSAs were able to jointly develop the project documents, interact on a regular basis and take decisions on various aspects of the activities. More representatives per MSA could participate in project meetings and exchange more views on important product safety issues. However, whenever possible, physical meetings are still recommended for main events to further enable discussions and networking activities among participants.



# 5.3 Recommendations

## For consumers

- **Monitor Safety Gate.** The Safety Gate website should be regularly monitored as it contains relevant information on recalled and banned products. Any safety issue identified should always be reported to the competent authority.
- **Warnings, markings and instructions.** Pay particular attention to the warnings and markings that accompany the products. Read the instructions carefully to ensure the safe use of the product. These should be available in the national language of the country of sale.
- **Buy products from trustworthy retail channels.** Buy your products from reliable retailers that can help you deal with any problem or safety issue related to your purchase. Consumers should exercise caution when buying from online marketplaces, especially if the sellers are not located in the EU. Consumer associations and testing campaigns can provide reliable product reviews.

## For EOs

**Be aware of your obligations under the applicable legislation.** Economic operators are responsible for the safety of the products they place on the European Single Market. Before placing any product on the market, be aware of all the applicable legal requirements. European and international standards provide reliable technical solutions that manufacturers can follow during the design and production of a product to demonstrate their compliance with any mandatory legal requirements.

**Warnings, markings and instructions.** Pay particular attention to the warnings, markings and instructions that accompany any product as they provide essential information on the product and on its safe use. These should be clear, exhaustive and available in the national language of the country of sale. Information, such as the name and address of the manufacturer or importer and the details of the contact person in the EU, ensures that the product is easily identified and traced.

**Report incidents to the competent authority.** When a product presents a safety risk, economic operators have a legal duty to immediately inform the competent national authority of the Member State in which the product has been made available.

**Recalls.** Clearly communicate with consumers on how they will receive information on possible recall actions. Make recall notices clear and accessible, and cooperate with MSAs to effectively manage the recall. Regularly monitor the impact of a recall and adjust the strategy accordingly.

## For European and national authorities

**Keep the relevant sectors under surveillance. T**he results of the testing campaigns conducted in all the testing activities of the CASP 2021 project showed that certain sectors should be kept under surveillance by the MSAs. Regular tests and documentary checks can reduce the amount of unsafe products on the market.

**Cooperation between market surveillance authorities and customs.** Market surveillance authorities should closely cooperate with customs in order to prevent unsafe products from entering the EU.

**Engage in the development and improvement of standards.** The MSAs and the European Commission should engage with the relevant committees from the European standardisation organisations and with other stakeholders involved in regulatory work in order to contribute to the development and improvement of standards. The results of tests conducted by individual MSAs or during coordinated activities can prove to be useful for standardisation work.

# Annex

## Report on notifications submitted to Safety Gate as a result of CASP 2021

## Introduction

MSAs sampled 627 products from five different product categories and five counterfeit helmets in their respective markets on the basis of a pre-selection by each of the MSAs, in line with the peculiarities of each market and sent them for testing in accredited laboratories located in the EU.

This report provides a visual summary of:

- Products tested;
- Products that did not meet the requirements set in the testing plans;
- Types and levels of risks ;
- Products notified in Safety Gate;
- Products to be notified in Safety Gate.

### Product-specific activities

A total of 233 out of the 627 products tested did not meet at least one of the requirements identified in the testing plans. Among those, 89 products were assessed as posing serious risks, 31 high risk, 25 medium risk, and 123 low risk. The MSAs have taken the necessary measures based on the risk assessment performed, and a total of 99 products were subject to Safety Gate notifications so the relevant information could be shared with other MSAs, consumers, and economic operators[1].

### Hybrid activity

Five counterfeit products were tested and found dangerous.

Figure 1
**Products tested per activity (N=632)**

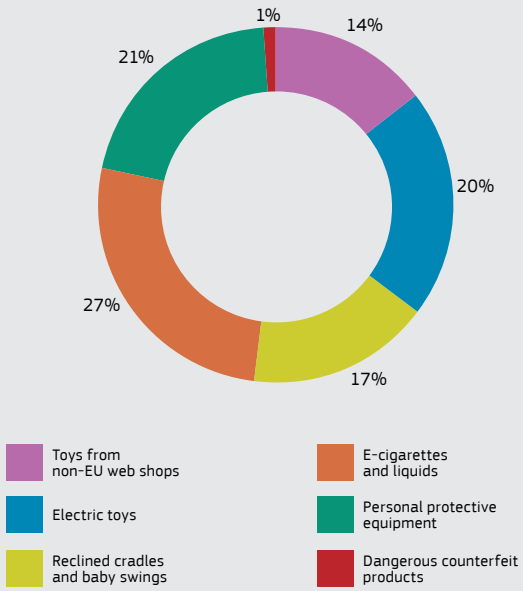
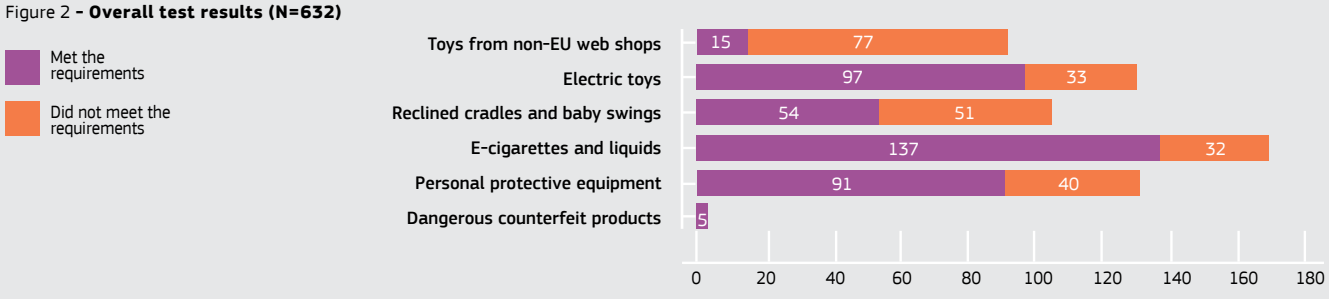



Figure 2 - **Overall test results (N=632)**




[1] Reported results are based on the information available on 31 March 2021 (included).

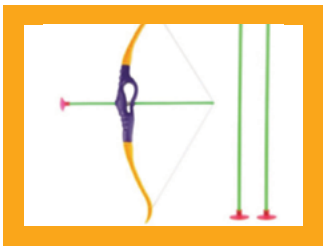
# Toys from non-EU web shops

## Product scope

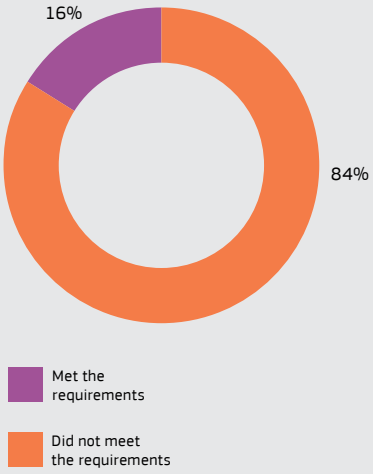
Plastic toys / toys with plastic parts for children under and above 36 months collected online from non-EU web shops.



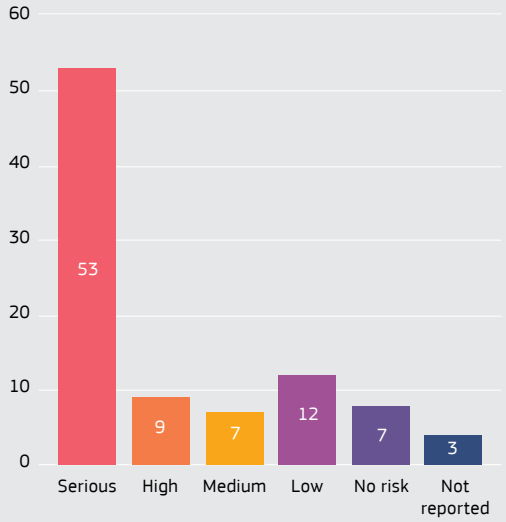


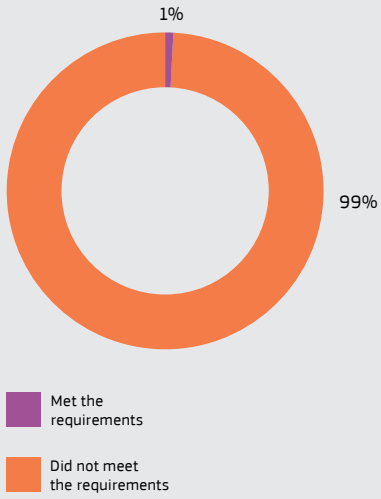
**Overall test results (N=92)**



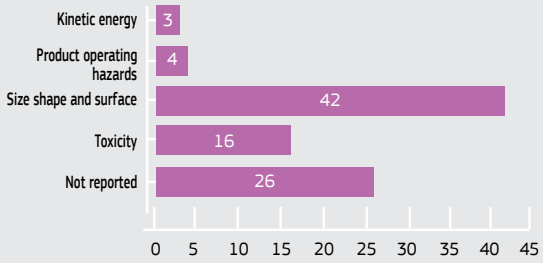

**Risk level of the samples that did not meet the requirements (N=91)**



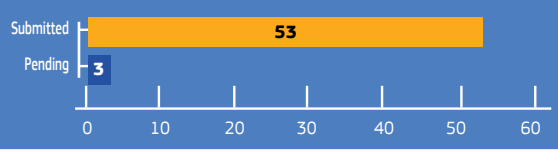

**Result of warnings, markings and instructions checks performed by MSAs (N=92)**



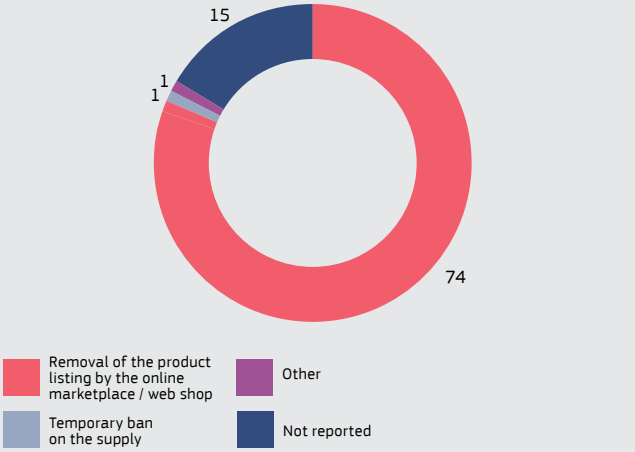

**Hazard group of the samples that did not meet the requirements (N=91)**




**Notifications on Safety Gate**




**Measures taken for samples that did not meet the requirements (N=91)**



CASP 2021

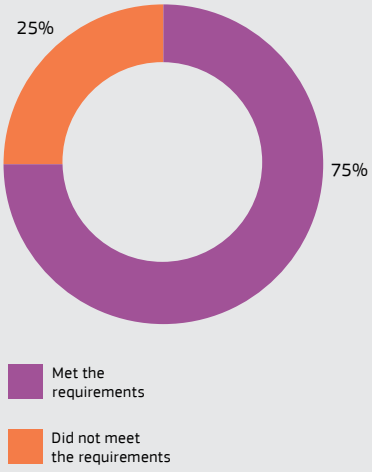
# Electric toys

## Product scope

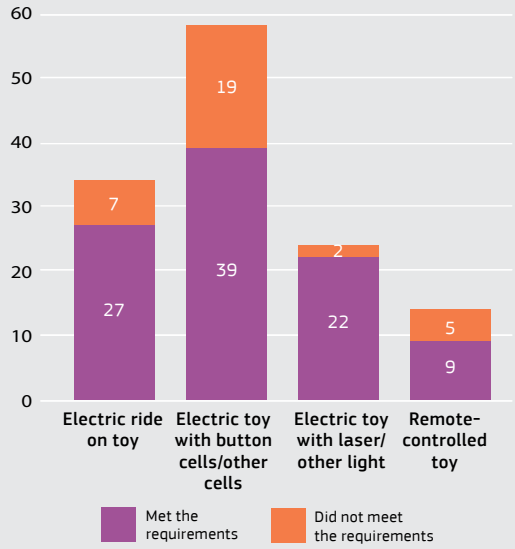
1. Electric toys with button cells / other cells
2. Electric ride-on toys
3. Electric toys with lasers / other lights
4. Remote-control toys



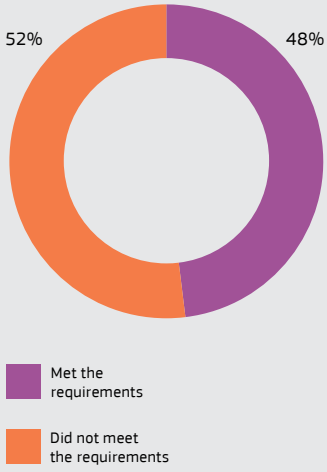

**Overall test results (N=130)**



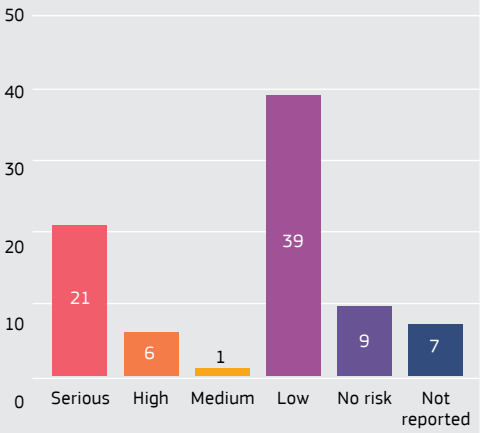

**Test results per product type (N=130)**



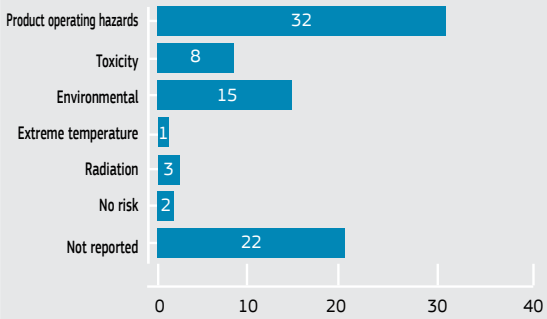

**Result of warnings, markings and instructions checks performed by MSAs (N=130)**



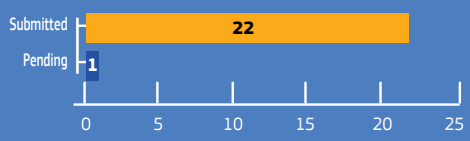

**Risk level of the samples that did not meet the requirements (N=83)**



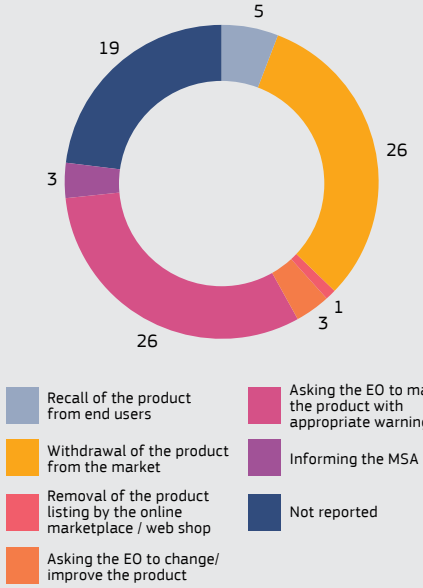

**Hazard group of the samples that did not meet the requirements (N=83)**




**Notifications on Safety Gate**




**Measures taken for samples that did not meet the requirements (N=83)**



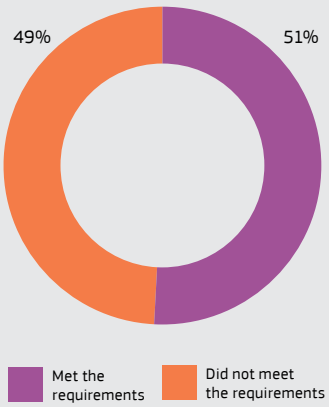
# Reclined cradles and baby swings

## Product scope

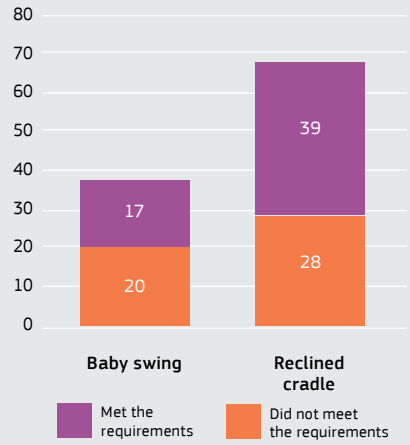
**Reclined cradles:** fixed or folding chairs for infants designed to accommodate a child in a reclined position.

**Baby swings:** products of similar form to a reclined cradle, with the ability of enhanced the swinging movement of the chair in a reclined position.

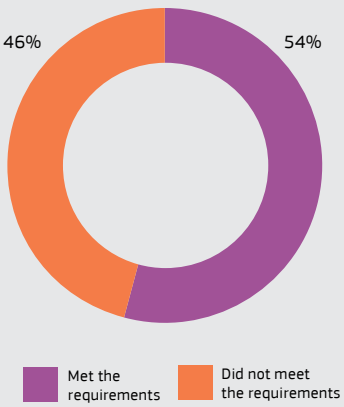
**Overall test results (N=105)**



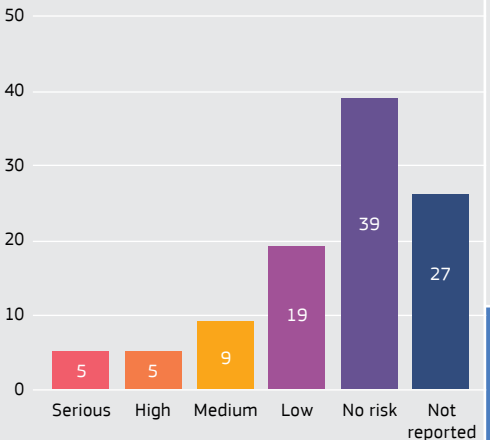

**Test results per product type (N=105)**



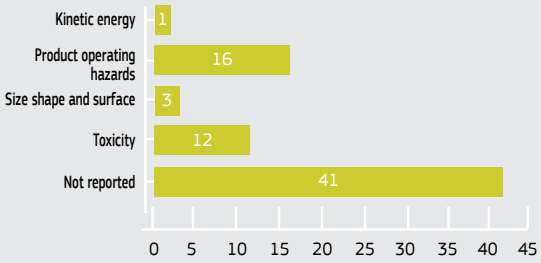

**Result of warnings, markings and instructions checks performed by MSAs (N=104[2])**



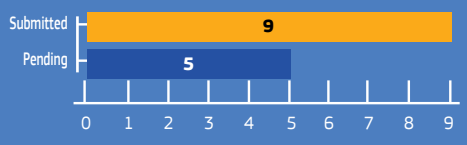

**Risk level of the samples that did not meet the requirements (N=73)**



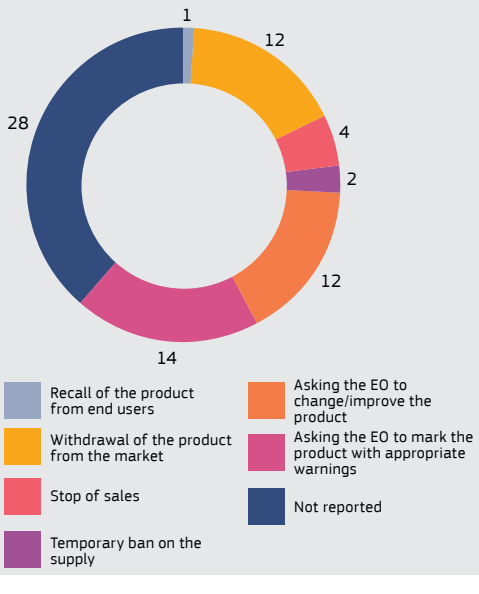

**Hazard group of the samples that did not meet the requirements (N=73)**




**Notifications on Safety Gate**




**Measures taken for samples that did not meet the requirements (N=73)**






[2] One sample was registered in the codification file as a baby swing, but it was also tested as a reclined cradle.

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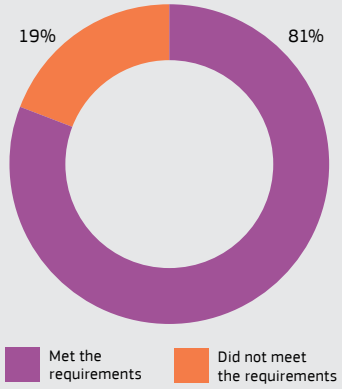
# E-cigarettes and liquids

## Product scope

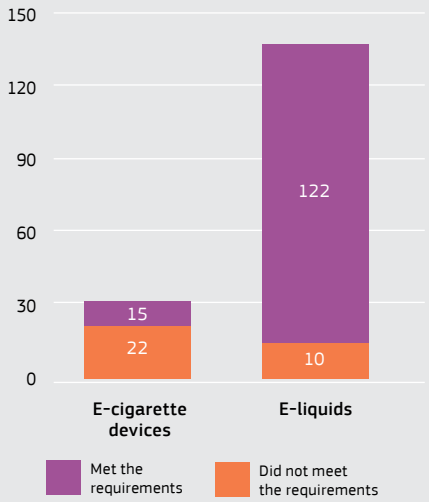
**E-cigarettes:** devices that heat a liquid to create an inhalable aerosol that simulates that of cigarettes. Various types of e-cigarettes were tested: single-use/disposable electronic cigarette, medium-sized e-cigs, pen-style rechargeable e-cigarette, tank-style, large-sized rechargeable e-cigarette, and vape pod systems.

**E-cigarette liquids:** contain several chemicals like nicotine, propylene glycol, glycerine, artificial flavourings, and others.

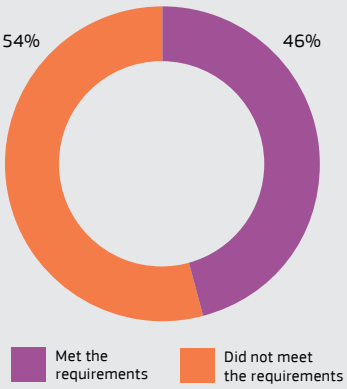
**Overall test results (N=169)**



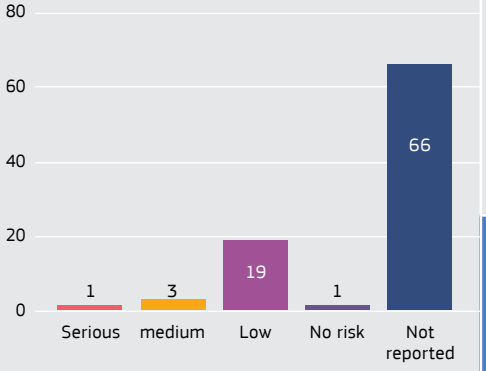

**Test results per product type (N=169)**



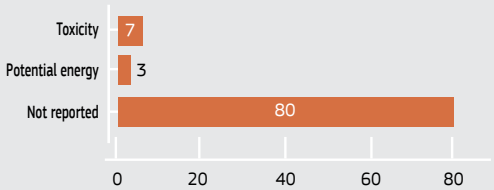

**Result of warnings, markings and instructions checks performed by MSAs (N=170[3])**




**Risk level of the samples that did not meet the requirements (N=90)**

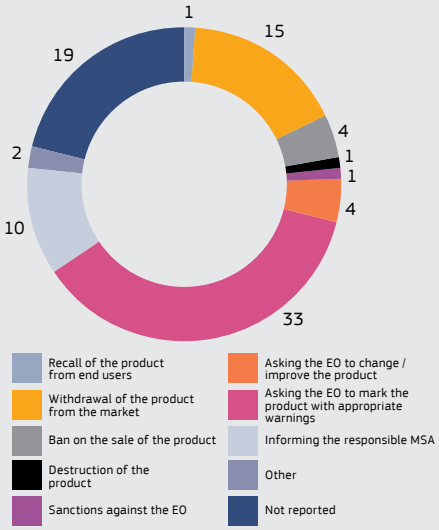



**Hazard group of the samples that did not meet the requirements (N=90)**




**Notifications on Safety Gate**


**Measures taken for samples that did not meet the requirements (N=90)**




[3] A total of 170 samples was collected by the MSAs and 169 were tested by the laboratory. The laboratory was unable to perform most of the tests on one sample of an e-cigarette device because the pods received were not compatible with the battery of the device.

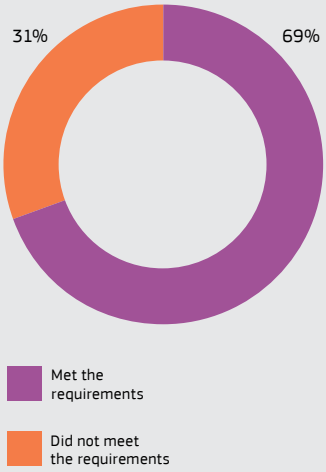
# Personal protective equipment

## Product scope

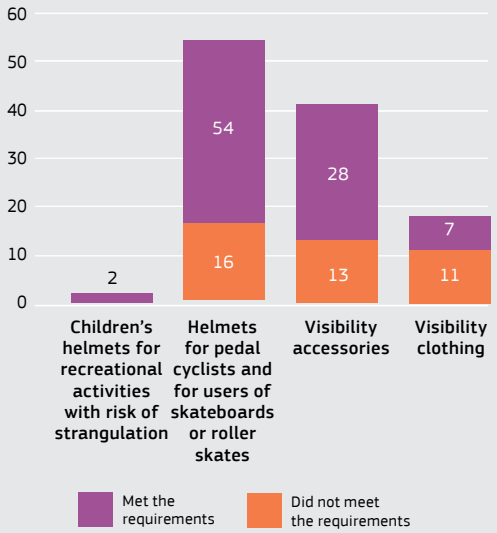
1. Helmets for pedal cyclists and for users of skateboards or roller skates (for both adults and children)
2. Children's helmets for recreational activities in environments which have proven risks of head injuries in combination with risk of strangulation
3. Visibility accessories for non-professional use with and without light-emitting diode (LED) lights
4. Visibility clothing for non-professional use



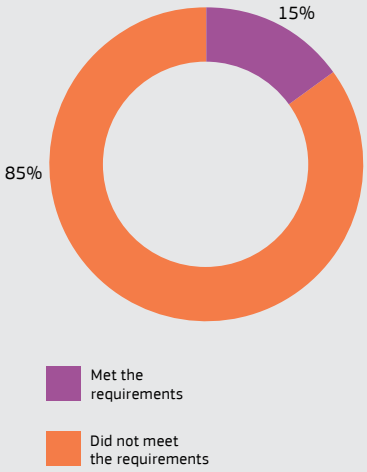

**Overall test results (N=131)**



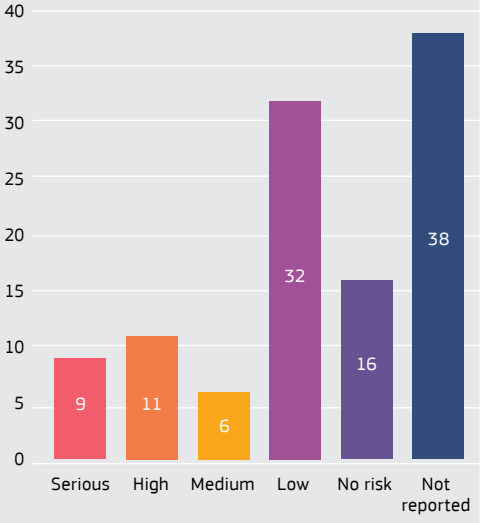

**Test results per product type (N=131)**



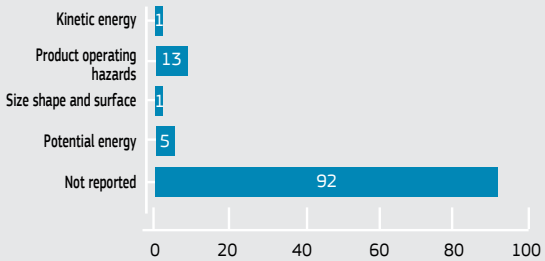

**Result of warnings, markings and instructions checks performed by MSAs (N=131)**



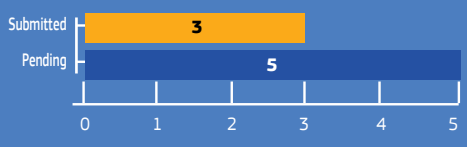

**Risk level of the samples that did not meet the requirements (N=112)**



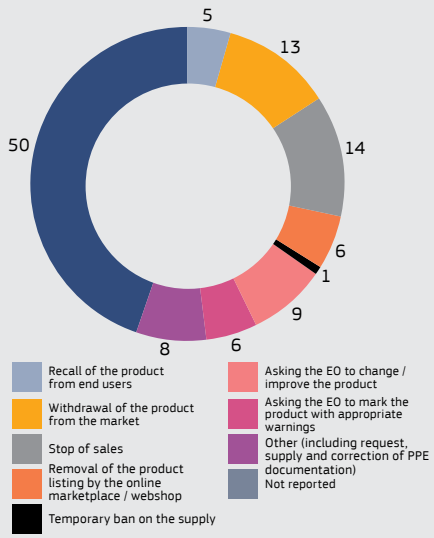

**Hazard group of the samples that did not meet the requirements (N=83)**




**Notifications on Safety Gate**




**Risk level of the samples that did not meet the requirements (N=112)**

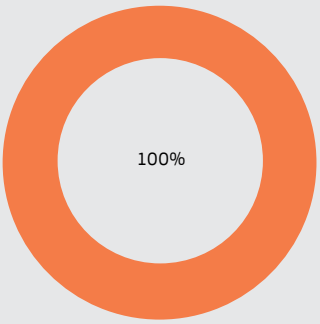


# Dangerous counterfeit products

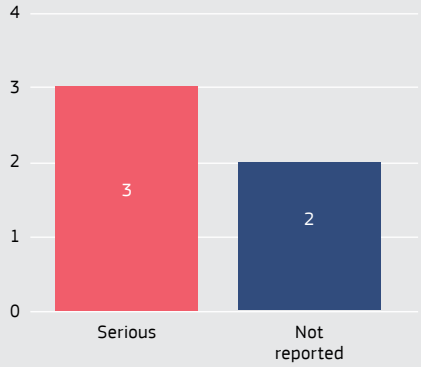
## Product scope

Counterfeit helmets for bicyclists and for users of skateboards or roller skates.

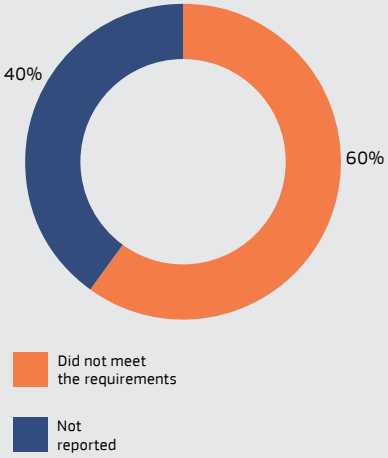
**Overall test results (N=5)**



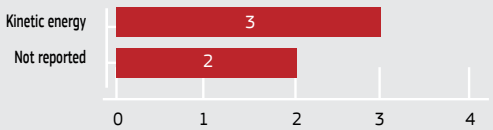

**Risk level of the samples that did not meet the requirements (N=5)**



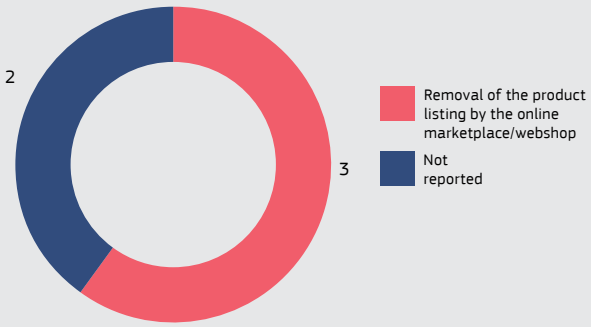

**Result of warnings, markings and instructions checks performed by MSAs (N=5)**




**Risk type of the samples that did not meet the requirements (N=5)**




**Measures taken for samples that did not meet the requirements (N=5)**




**Notifications on Safety Gate**

**1 product** was subject to Safety Gate notification.

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

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