



European  
Commission



# CASP2021

Coordinated Activities  
on the Safety of Products



Crisis  
preparedness and  
management



Final  
Report

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## List of abbreviations

ABBREVIATION	DESCRIPTION
AdCos	Administrative Cooperation Groups
CASP	Coordinated Activities on the Safety of Products
CSN	Consumer Safety Network
DG JUST	Directorate-General for Justice and Consumers
EC	European Commission
EEA	European Economic Area
EISMEA	European Innovation Council and SMEs Executive Agency
EU	European Union
KoM	Kick-off meeting
MSA	Market surveillance authority
PPE	Personal protective equipment
Safety Gate	Rapid alert system for dangerous non-food products

# Executive summary

## Objective

The Coordinated Activities for 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 CASP 2021 Crisis preparedness and management horizontal activity (HA) focused on identifying the main elements that MSAs should consider to keep the EU Single Market safe in exceptional and crisis situations such as the one experienced with the COVID-19 pandemic.

More specifically, the activity had the following objectives:

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

## Outcomes

The participating MSAs, the Directorate-General for Justice and Consumers (DG JUST), the project team and the technical expert for this activity co-developed a guidance document that contains a list of the relevant elements to prepare for a crisis in order to keep the EU Single Market safe in exceptional situations. Furthermore, an overview of the activities performed by the MSAs during the COVID-19 crisis was prepared based on the experiences and lessons learned shared by the participating MSAs.

### Guidance document.

The guidance document contains a crisis preparedness and management approach focusing on four main phases: preparedness, pre-crisis, crisis response and post-crisis. The main elements that MSAs should consider in each phase, as well as a list of recommendations, based on findings were delineated in the document. Three case studies were used to assess the adequacy of, and validate, the crisis preparedness and management approach.

### COVID-19 MSA activities.

One-to-one interviews were conducted with the MSAs in order to collect feedback on the activities they conducted and the challenges they faced during the COVID-19 pandemic. The experiences shared by the MSAs and the lessons they learned were compiled in the 'COVID-19 MSA activities' deliverable.

## Conclusions and recommendations

The term crisis is very subjective as what might represent a crisis to one organisation may not appear as such to another. Therefore, it is important that each organisation develops a strategy that best suits its structure, mission and vision. However, the common denominator for all organisations, including MSAs, is the **need to develop a crisis plan** (including a stakeholder engagement plan and a communications strategy) **and a business continuity plan** in order to be prepared for a potential crisis so they can manage it efficiently if it occurs.

Based on the discussions during the meetings of the activity, a number of recommendations were formulated.

### For MSAs

- Facilitate the early detection of incidents.
- Ensure smooth communications and cooperation with other MSAs, the European Commission (EC) and other stakeholders. Findings and knowledge should be exchanged not only among MSAs, but also with scientists and researchers, in order to provide scientific evidence when risk assessment needs to be performed or measures need to be adopted.
- Draw on any lessons learned and request feedback from stakeholders, other MSAs and the EC at the end of a crisis.

### For European authorities

- Assist the MSAs with the interpretation and implementation of the relevant legislation.

### For consumers and economic operators

- Report any issue or incident to the relevant MSA to help them identify potential threats.



# 1. Overview of the activity

## 1.1 Introduction and objectives

Bearing in mind the challenges faced by the MSAs during the COVID-19 pandemic, crisis preparedness and timely response to exceptional and crisis situations were considered as key elements to keep the EU Single Market safe. Having a crisis plan, including a communication strategy, and a business continuity plan in place were identified as essential elements to better prepare for and manage a crisis. However, these have to be bespoke to each organisation. Therefore, the aim of the activity was to develop an approach, which represents a skeleton that needs to be further elaborated by each MSA based on their specific needs and values.

The main objectives of the activity were:

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

Both the preparedness and management elements were taken into account when developing the activity.

- 1. Crisis preparedness.** This refers to the practice of preparing for incidents that may hinder business continuity and lead to a crisis in order to minimise the associated damage and disruption and get an organisation back to its usual business activities as quickly as possible. It includes anticipating threats, developing a strategy and a plan, completing risk assessments, identifying stakeholders, defining a communications plan, and, finally, validating the crisis plan and training for its execution.
- 2. Crisis management.** A crisis should be identified in a timely manner, the plan to limit its severity and duration should be executed and lessons should be learned from the experience to prevent it occurring again, if possible. One of the main challenges in the crisis management process is turning the crisis into an opportunity.

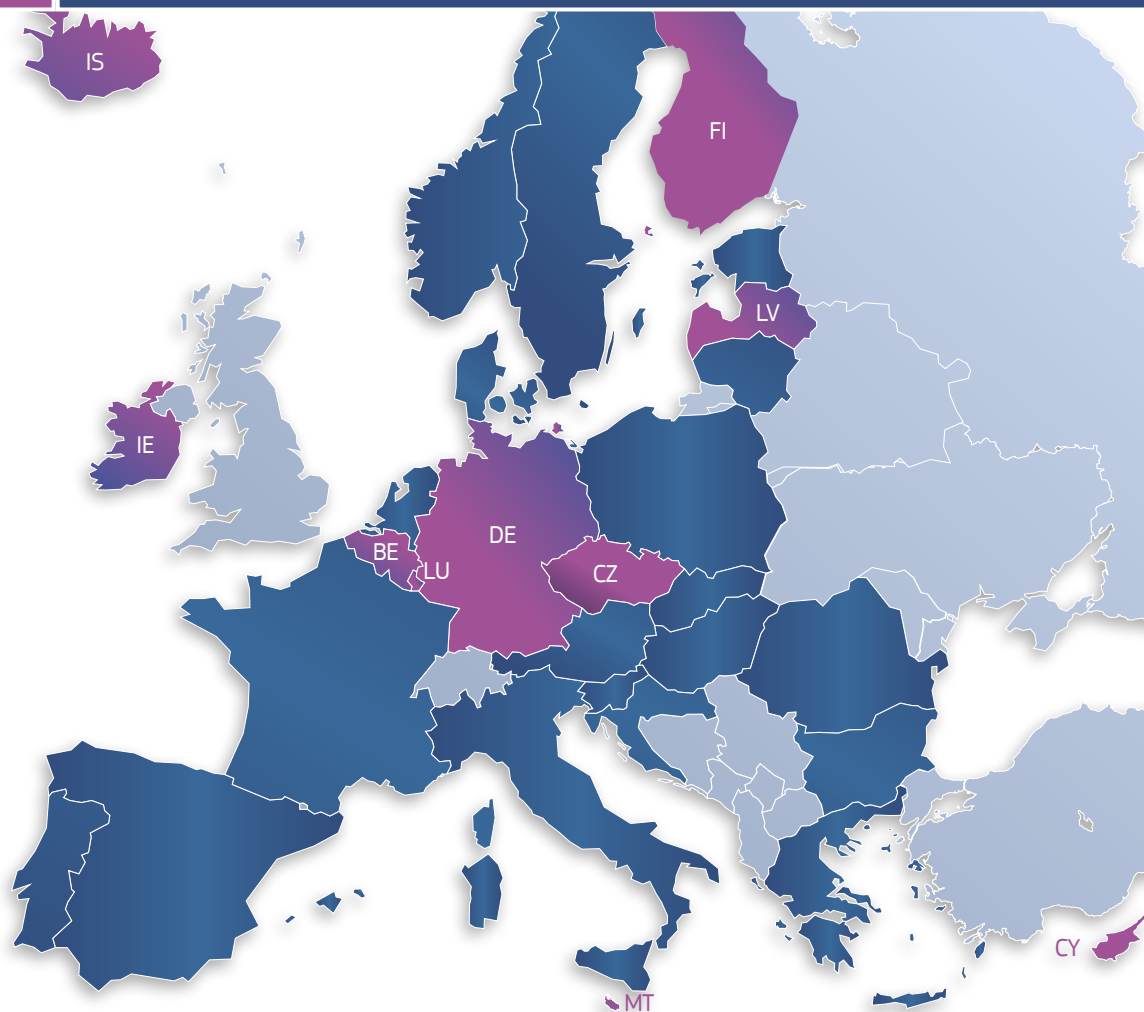


## 1.2 Overview of participating MSAs

A total of 12 MSAs from nine EU countries and 1 EEA country participated in the crisis preparedness and management activity, as illustrated in the image below.

Table 1 - Participating MSAs

COUNTRY	MSA
Belgium	Federal Public Service Economy – Directorate-General for Quality and Safety
	Federal Public Service Finance - Customs authority
Cyprus	Department of Labour Inspection
Czechia	Ministry of Industry and Trade
Finland	Finnish Safety and Chemicals Agency
Germany	Ministry for the Environment, Climate and Energy
	Government of Middle Franconia - Trade Inspection Office
Iceland	Housing and Construction Authority
Ireland	Competition and Consumer Protection Commission
Latvia	Consumer Rights Protection Centre
Luxembourg	Market Surveillance Department
Malta	Malta Competition and Consumer Affairs Authority



## 2. Main activities and outcomes

### 2.1 Scoping of the activity

A crisis is a situation that hinders an organisation's business continuity. Crises can be very diverse in nature and, therefore, in the preliminary phase of the project it was important to identify the different types of crisis that MSAs can encounter. A crisis from an MSA perspective can have different aspects.

- **Generic.** A generic aspect of a crisis is likely to affect multiple types of institutions or organisations in a similar way. For example, a cyber-attack would have a similar impact on an MSA and a private company, even though the response strategy might vary depending on, for example, the size of the organisation. Mitigating the generic aspects of a crisis affects multiple types of institutions or organisations in a similar way.

- **MSA-specific business:** A crisis can be linked to, or affect, one (or more) of the daily activities performed by an MSA. For example, an MSA might face a crisis if several laboratories are not available to test products notified by consumers in a specific timeframe.
- **Specifically product related:** A crisis can be related to a specific product (category), for example if a product suddenly becomes essential and the demand increases exponentially.

The participating MSAs decided not to deal with the generic aspects of crises in this activity, but to focus specifically on the aspects that may affect the daily activities of MSAs or that are related to specific products.

### 2.2 Working approach

In order to draw on the lessons learned from previous crises and provide further guidance to MSAs on how to prepare for and manage a crisis, two deliverables were developed:

- a guidance document for MSAs describing the main elements to consider in order to keep the EU Single Market safe in exceptional and crisis situations;
- an overview of the activities conducted by MSAs during the COVID-19 crisis to ensure that the products marketed in the fight against the pandemic were safe.

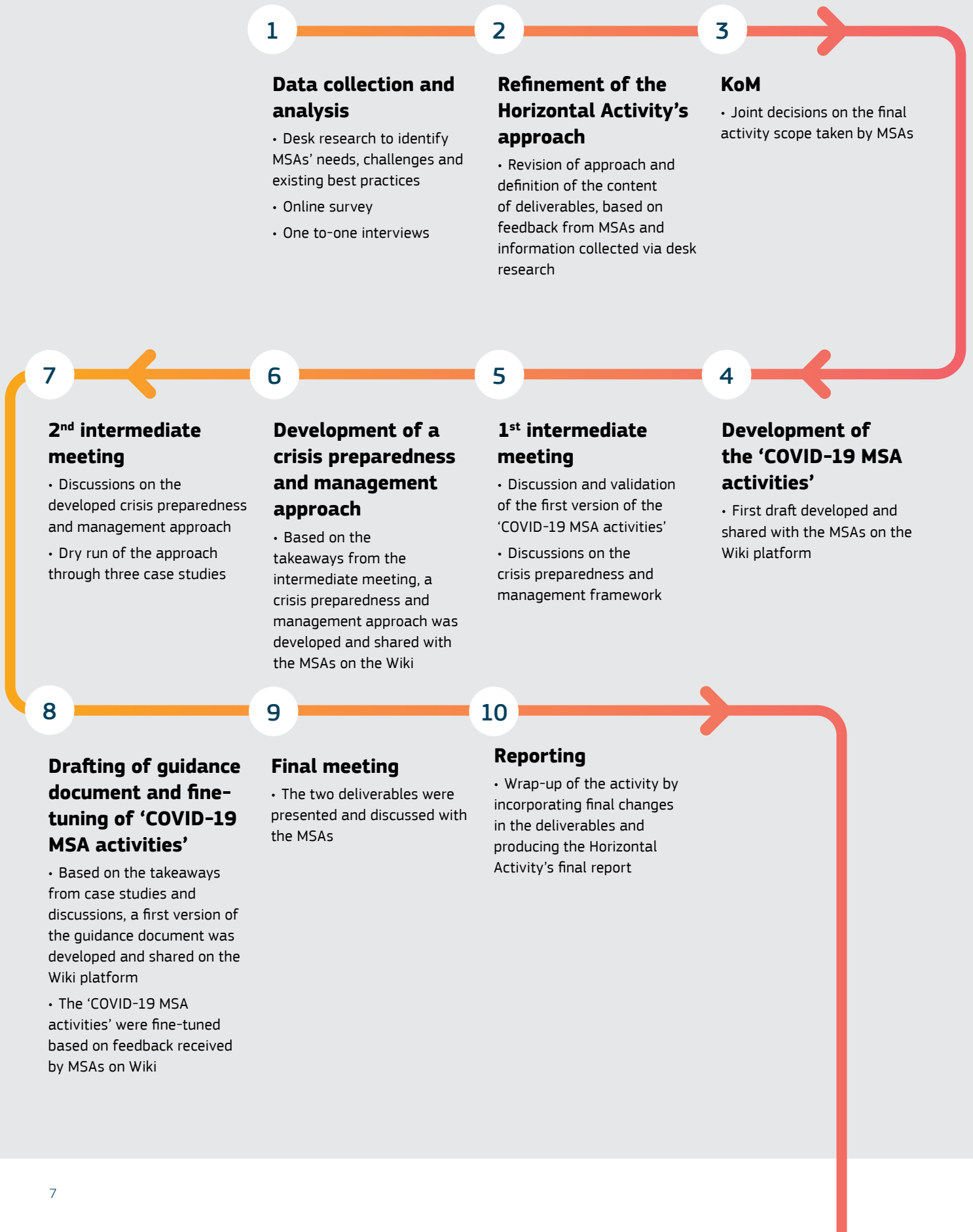
The development of the two deliverables took place in close cooperation with the MSAs, and the approach adopted was validated throughout the whole activity (both during the meetings and through the Wiki platform).

During the inception phase of the project, the focus was on gathering as much information as possible from the MSAs. This objective was achieved by inviting all the participating MSAs to complete an online survey and by organising one-to-one interviews with them to focus on their specific challenges and experiences.

The kick-off meeting (KoM) was used to scope the activity and agree on the main priorities and challenges to tackle. Based on the discussions and conclusions defined during the KoM, the project team started developing a crisis management approach. The approach was further discussed and developed together with the participating MSAs throughout the activity. The intermediate meetings represented key milestones where approaches and deliverables were approved. Conclusive discussions took place during the final meeting (which was the last opportunity for the MSAs to share their feedback in person). However, feedback and comments from the MSAs were also collected through the Wiki platform after the final meeting in order to ensure that the deliverables were as thorough and exhaustive as possible.



Figure 1 - Phases of the working approach





## 2.2.1 Development of the guidance document

The guidance document includes and describes the elements needed to keep the EU Single Market safe in exceptional and crisis situations. 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.

Four main phases were identified and each of them was developed in detail:

- 1) preparedness;
- 2) pre-crisis;
- 3) crisis response;
- 4) post-crisis.

Figure 2 - Phases of the crisis preparedness and management approach



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 the MSAs and the EC can further improve this process. The theoretical approach was applied and validated through three case studies (real life examples identified and experienced by participating MSAs).

- Case study 1. The COVID-19 crisis and, more specifically, the exponential increase of the demand for personal protective equipment (PPE) and other related products.
- Case study 2. A fireworks crisis on New Year's Eve provided an example of an out-of-hours crisis. An MSA was informed, the day before New Year's Eve, that 300 defective products were present on their market. They needed to urgently warn consumers and inform them not to use the products.
- Case study 3. A gas appliances crisis was an example of a crisis with an unknown cause. Complaints were received by an MSA about gas leaks related to gas appliances that were commonly sold on the market and widely available both to the catering industry and for domestic use. The standard tests performed did not show evidence of any defects, so it was complicated for the MSAs and the other authorities involved to identify the source of the issue.

This deliverable was developed based on:

- **Interviews with MSAs.** The information shared during the interviews, especially regarding lessons learned and ways to better prepare for future crises, was taken into consideration for the development of the guidance document.
- **Feedback received during the activity meetings.** The priorities and interests that the MSAs expressed during the KoM and first intermediate meeting were taken into account when drafting the guidance document. During the second intermediate meeting, the project team presented the crisis preparedness and management approach that had been developed (based on the three case studies). During the final meeting, the final version of the document was presented and further feedback received from the MSAs was incorporated in the text.
- **Ad hoc Wiki consultations.** The project team launched Wiki consultations to collect feedback from the MSAs.



## 2.2.2 Development of the ‘COVID-19 MSA activities’ deliverable

The objective of the ‘COVID-19 MSA activities’ deliverable 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.

In order to understand the main challenges faced by the MSAs, and their experiences related to the COVID-19 crisis, the project team and technical expert collected information through:

- an **online survey** launched at the beginning of the project;
- **one-to-one interviews** organised with the MSAs to collect information on their individual experiences – 9 out of the 12 participating MSAs replied to the invitation sent by the project team and were interviewed;
- discussions during activity meetings.

The main challenge faced during the COVID-19 pandemic was ensuring that the products, such as PPE (face masks) and hand sanitisers, placed on the market were safe. Due to the unprecedented increase in demand for such products, a large number of economic operators tried to service it, even though they might not have been properly qualified or competent. This resulted in counterfeit and/or unsafe products being placed on the market. Some of the activities performed by the MSAs during the first year of the COVID-19 pandemic were:

- Information campaigns about the applicable requirements, and communications with economic operators in order to provide advice on their product issues. This could be challenging, as several MSAs did not have enough resources (and sometimes expertise) to deal with the increase of queries coming from economic operators.

- Communications with the public on pandemic-related products. One of the challenges was managing communications with the press. In times of crisis it is important to assign a spokesperson who is aware of what information should be shared and who can be the voice of the authority.
- Cooperation and communications with other authorities (e.g. customs) and other MSAs within the country and in other Member States. The differences in the national protocols adopted – for example in relation to certain types of PPE (sometimes produced according to a shortened test protocol) – created some challenges because they allowed products to be placed on the markets of some Member States but not others. However, coordinated activities, such as the CASP Corona 2020 project launched by DG JUST and the European Innovation Council and SMEs Executive Agency (EISMEA), played a key role in exchanging experiences and best practices with other MSAs on the most essential products during the pandemic.

A list of best practices and lessons learned was included in the deliverable.



# 3. Conclusions and recommendations

## 3.1 General conclusions

The Crisis preparedness and management activity provided an important forum for the MSAs. It allowed them to discuss the challenges faced during the COVID-19 crisis and to brainstorm on how to better prepare for possible future crises. These findings were collected in a report, which provided an overview of the MSAs' activities during the COVID-19 crisis, a summary of the information shared by the MSAs regarding these activities and a list of best practices identified during interviews with MSAs and activity meetings.

Furthermore, a crisis preparedness and management approach was developed in order to help the MSAs keep the EU Single Market safe in times of crisis. This approach represents the

core of the guidance document (which is aimed at providing guidelines and recommendations to the MSAs for when they are setting-up or fine-tuning their own tools, processes and crisis plans). What constitutes a crisis to one organisation may not be a crisis to another. Therefore, each MSA should develop an ad hoc crisis plan that best suits its organisation, processes and culture. However, some of the common elements to explore in order to better prepare for or manage a crisis were agreed with the participating MSAs and delineated in the guidance document.

## 3.2 Lessons learned

In the one-to-one interviews, the MSAs were asked to share the lessons they had learned when managing the COVID-19 crisis. The feedback shared by the MSAs was further discussed during the intermediate meetings. Some of the main lessons learned by the MSAs (that can be applied when improving strategies for and approaches to the management of future crises) are listed below.

**Promptness of response.** It is very important to take prompt decisions and react swiftly in order to mitigate the risks posed by a crisis. The better an organisation is prepared for a crisis, the swifter the response.

**Network.** It is important to strengthen both the internal (within the country) and external (other countries) networks of MSAs. The prompt establishment of working groups, such as CASP Corona 2020 or AdCos, helped to support the work of the MSAs in relation to the crisis. These initiatives facilitate communication and alignment with other MSAs and the EC, which can be challenging in times of crisis. As an example, several MSAs mentioned that they had difficulties in the interpretation of Recommendation (EU) 2020/403<sup>1</sup>. A better alignment with other MSAs and the EC on how to interpret the Recommendation, could have contributed to a more harmonised implementation of it.

**Domain expert.** If resources allow, it is useful to have domain experts within the MSA to focus on specific products. Requesting the services of an external expert can help when there are no internal resources that can provide expertise on a specific domain.

**Resilience.** Organisations, including MSAs, had to show a considerable amount of resilience and had to be capable to adapt to new and challenging situations. The MSAs mainly focused on online market surveillance because the shops were closed. However, many of the MSAs only developed the capacity to perform online market surveillance a couple of months before the outbreak of the crisis. An additional challenge was having to quickly establish an IT network that allowed people to work remotely. The improvements that were made as a result, show how it is possible to turn a crisis into an opportunity.

<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32020H0403&from=EN>

## 3.3 Recommendations

Based on the discussions during the meetings of the activity, a number of recommendations were formulated.

### For national authorities

**Detect incidents early.** If a crisis is detected at a very early stage, it is easier to address, and easier to mitigate its effects. For this reason, it is of utmost importance that the culture of the organisation allows for employees of all ranks to report any incident detected, even though it may not be having an immediately severe impact on the organisation. Regularly monitoring what is reported via the tools made available by the EC (Safety Gate, the Consumer Safety Network, AdCos) can help with detecting incidents reported by other stakeholders at an early stage. Making use of the tools developed by the EC is also effective for raising concerns on potential issues that could lead to a crisis.

**Crisis plan.** When a crisis occurs, it is too late to start developing a crisis plan. MSAs should develop their own crisis plan during the preparedness phase, when more time is available to prepare for events that have not yet happened. A crisis plan should also include a communications strategy and a stakeholder engagement plan.

#### Communications with other MSAs, EC and stakeholders.

- Liaison officers who are responsible for regularly communicating and exchanging relevant information with the EC and fellow MSAs should be appointed. These officers should also ensure that key information and findings are reported internally (within the MSA).
- Existing platforms, such as the Wiki spaces set up by DG JUST for CSN and RAPEX contact points to swiftly exchange sensitive and urgent information related to crises, should be used.
- Relevant stakeholders should be involved from the beginning; a list of stakeholders should be developed at an early stage.
- Findings and knowledge should be exchanged not only among MSAs, but also with scientists and researchers, in order to provide scientific evidence when risk assessment needs to be performed or measures need to be adopted.

#### Draw on lessons learned and request feedback.

At the end of any crisis, the approach adopted should be evaluated and a list of lessons learned should be drawn up. This should be taken into account when improving the crisis plan and the crisis preparedness and management strategy. Collecting feedback from other MSAs and the EC can be useful when evaluating the approach and identifying areas for improvement.

### For European authorities

**Legal framework.** Ad hoc Recommendations and other binding and non-binding acts are useful and necessary during a pan-European crisis as they contribute to giving Member States and MSAs a harmonised direction to follow. Make sure that the Recommendations are clear so the different actors using them interpret them in the same way. Releasing an accompanying guidance document on how to interpret a Recommendation could help to ensure that all parties implement it correctly.

### For consumers and economic operators

**Report issues or incidents.** Consumers and economic operators should report any safety issues experienced with a specific product to the relevant MSA<sup>2</sup>. This allows the MSA to verify whether an incident is a single episode or if it is likely to reoccur, and to evaluate the associated risks.

<sup>2</sup> Consumers can also report product defects on the Information and Communication System on Market Surveillance (ICSMS).

# 1. What is CASP?

The Coordinated Activities on the Safety of Products (CASP) enable Market Surveillance Authorities (MSAs) from EU/EEA countries to cooperate and to reinforce the safety of products placed on the Single Market.

**Horizontal activities (HAs)** provide a forum for MSAs to exchange ideas and best practices. Under the guidance of a technical expert, they develop common approaches, procedures and practical tools for market surveillance.

**Product-specific activities (PSAs)** test different types of products that may pose a risk to consumers. The products are selected and collected by the MSAs involved and are examined using a commonly agreed testing plan.







**Hybrid activities** facilitate horizontal discussions and conduct testing campaigns. The results are used to develop common approaches and methodologies.

**CASP 2021 includes three HAs, five PSAs and one hybrid activity. They were pre-selected by the participating MSAs through a consultation organised by DG JUST.**

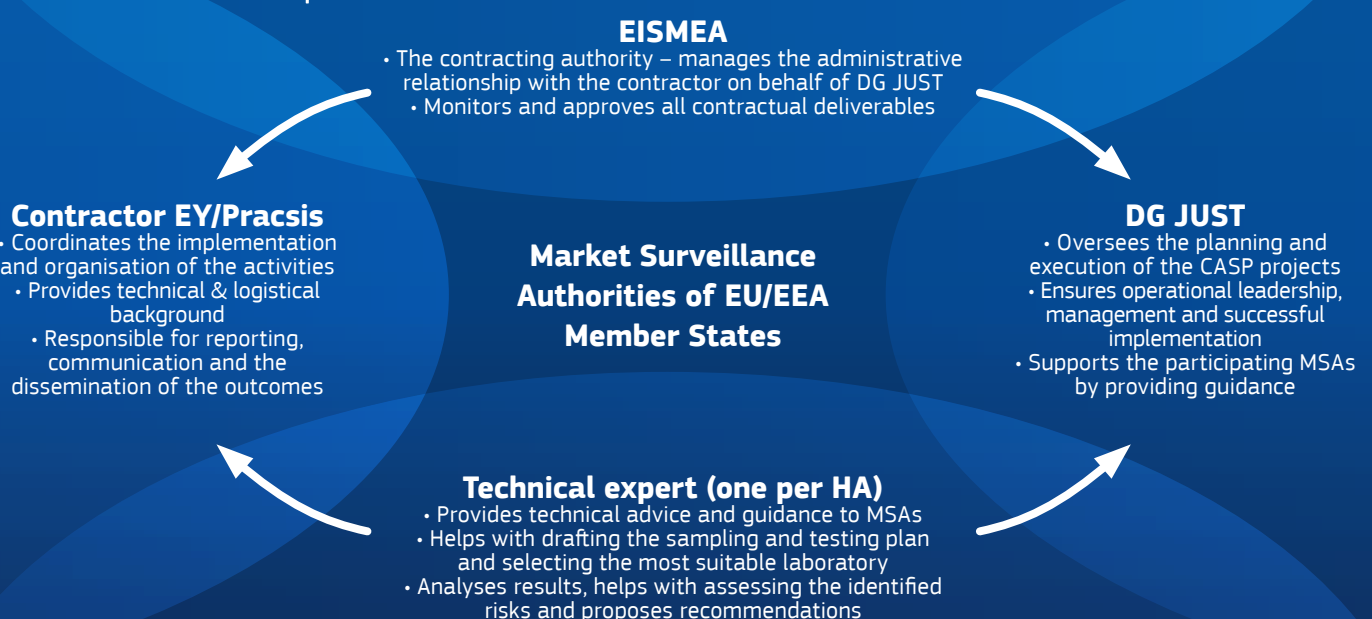
## Horizontal activities (HAs)

 <p>Online market surveillance</p>	 <p>Risk assessment and management</p>	 <p>Crisis preparedness and management</p>
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## Product-specific activities (PSAs)

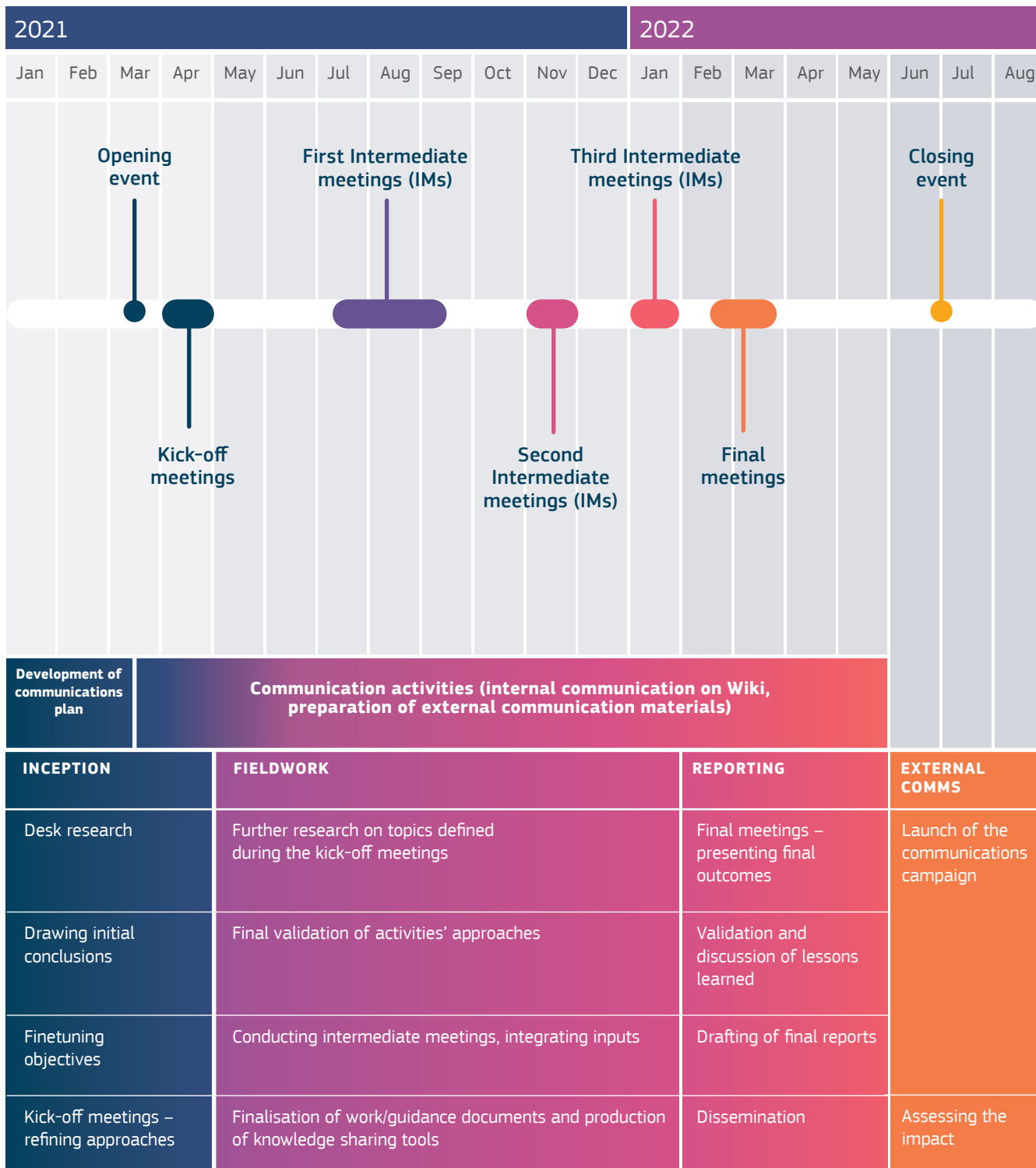
 <p>Toys from non-EU webshops</p>	 <p>Electric toys</p>	 <p>Reclined cradles and baby swings</p>
 <p>E-cigarettes and liquids</p>	 <p>Personal protective equipment</p>	<p><b>Hybrid activity</b></p>  <p>Dangerous counterfeit products</p>

## Roles and responsibilities





# 2. HA work plan



# 3. Overview of the HA approach



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