



European
Commission



CASP2022

Coordinated Activities
on the Safety of Products



Goods and products
sold at street markets



Final
Report

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List of abbreviations

ABBREVIATION	DESCRIPTION
CASP	Coordinated Activities on the Safety of Products
DG JUST	Directorate-General for Justice and Consumers of the European Commission
EC	European Commission
EEA	European Economic Area
EO	Economic operator
EU	European Union
HA	Horizontal activity
IM	Intermediate meeting
KoM	Kick-off meeting
MS	Member State(s)
MSA	Market surveillance authority
OMS	Online market surveillance
Safety Gate	EU rapid alert system for dangerous non-food products

Executive summary

Objectives

The Coordinated Activities for the Safety of Products (CASP) 2022 project aims at enhancing the safety of products in the European Single Market through collaboration among all market surveillance authorities in the European Union and European Economic Area.

The CASP 2022 Goods and products sold at street markets horizontal activity is centred around two focal points:

- providing **guidance to economic operators selling hand-made products**;
- developing **guidance for MSAs in relation to the inspection of products sold at street markets** –
 - o to facilitate a common understanding of good market surveillance practices,
 - o to assist effective cross-border surveillance,
 - o to ensure a consistent approach to surveillance.

Outcomes

1. Infographics to raise awareness among small / home-based manufacturers and sellers.

Infographics containing key messages for manufacturers/importers and product distributors to signpost existing national and EU rules on product compliance.

2. Guidance document on how to conduct controls.

A general toolkit, for MSAs and street market authorities, providing a set of tools and hands-on practical advice for MSAs on how to conduct street market controls.

Conclusions and recommendations

Market surveillance needs to be aware of the growing number of products from small, home-based manufacturers sold through street markets and online platforms. It is crucial for market surveillance to find ways to effectively monitor and regulate these products; including accurately differentiating between home-made and large-scale manufactured goods and identifying all actors in the supply chain. A list of recommendations was compiled throughout the street markets activity.

For consumers

- Stay informed about the potential risks of products sold on street markets or on their online equivalents.

For economic operators

- Be compliant and ensure you are fully aware of the relevant EU legislation before placing products on the market.
- Ensure traceability by making sure your products bear a type, batch, serial or model number, or another element allowing their identification.
- Remember you have a legal obligation to report serious product risks to all concerned MSAs.
- Collaborate with the authorities and other actors in the supply chain (manufacturers/importers/distributors).

For national authorities

- Work closely with other authorities (i.e. market and police authorities, customs). Establish a system of cooperation and continuous information exchange to increase market surveillance efficiency and make the best use of scarce resources.
- Allow for self-regulation. The market should be incentivised to regulate itself.

1. Street markets activity overview

1.1. Introduction and main objectives

Street markets are widespread across Europe and have low entry barriers, making them a popular choice for small, home-based manufacturers. This often leads to economic operators being unaware of their responsibilities and obligations and makes it difficult for MSAs both to provide them with guidance and to control product safety.

Over the past few years, online versions of traditional street markets have begun to appear. While many physical street markets in Europe were briefly shut down during the COVID-19 pandemic to reduce public gatherings, their online equivalents flourished.

This horizontal activity, therefore, focused on the creation of a more universal way of conducting controls and on the promotion of overall awareness related to products being sold at street markets. The specific objectives of the activity are set out below.

- Joint development of a set of **key messages** to be conveyed to economic operators (i.e. manufacturers/importers and distributors).
- Identification of the main challenges market surveillance authorities encounter and co-development of a coordinated **approach to conducting controls on products**, including instructions on how to act on the intelligence collected.
- Development of voluntary surveillance and enforcement **guidance** aiming to help the market to self-regulate and assist both MSAs and market authorities.
- Promotion of **communication** among market surveillance authorities and other authorities (i.e. street market authorities, customs, police authorities).

1.2. Overview of participating market surveillance authorities

Four MSAs from four Member States participated in the Street markets activity, as illustrated in the table below.

Table 1 - Participating MSAs

COUNTRY	MSA
Belgium	Federal Public Service Economy – Directorate-General for Quality and Safety
Czechia	Ministry of Industry and Trade
Germany	Government of Middle Franconia – Trade Inspectorate
Ireland	Competition and Consumer Protection Commission



2. Main activities and outcomes

2.1. Scoping of the activity

At the kick-off meeting, the Street markets activity's scope was determined, based on two key pillars, as shown in the table below.

PILLAR	CONTENT
1) Providing guidance to economic operators selling hand-made products	<ul style="list-style-type: none"> • Focusing on key messages compiled by the MSAs to be conveyed to manufacturers, importers and distributors • Developing comprehensive advice on existing rules and obligations • Translation of messages into appropriate format
2) Controlling the market of hand-made products	<ul style="list-style-type: none"> • Defining street markets and their digital equivalents • Developing a common approach to facilitate MSAs' work in this field • Sharing available online market surveillance tools

The activity looked at how to ensure that relevant information is shared across the EU / EEA; how authorities ought to approach physical street markets and how to follow up with effective enforcement measures – and what evidence must be produced by economic operators at the request of an MSA.

The deliverables of the activity were determined:

- a **CASP 2022 guidance document on how to conduct controls on street markets;**
- **two infographics for raising awareness: one addressed to small/home-based manufacturers and one for distributors**

Additional elements were defined:

- the organisation of a **joint session with the online market surveillance horizontal activity** on the available tools helping the MSAs participating in the Street markets activity to tackle challenges related to the digital equivalents of street markets (i.e. small online web shops or platforms targeting European consumers);
- the involvement of **external stakeholders** to share best practices (interest groups, organisations representing small manufacturers, online platforms, etc.);
- developing **voluntary guidance**, based on the idea of market self-regulation.

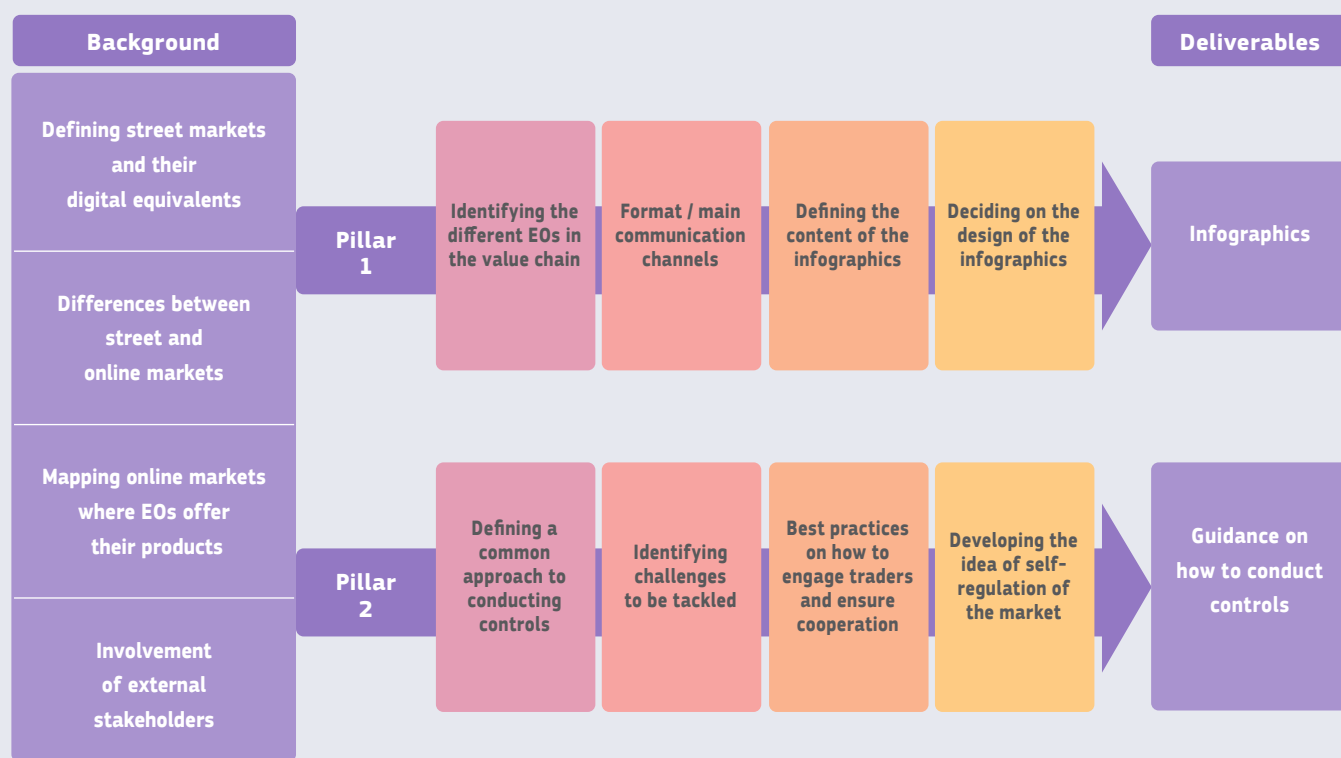


2.2. Working approach

The Street markets activity was organised around two main deliverables in order to provide guidance to MSAs and increase the consistency of market surveillance actions.

The figure hereunder depicts the rationale of the two-pillared working approach of this activity.

Figure 1 - Rationale of the activity



As a starting point, a number of elements that were useful to the development of the two key deliverables were explored. After **defining** physical street markets and their digital equivalents, the **differences** between the brick-and-mortar and online versions of street markets were identified. MSAs also compiled a list of **key parties organising street markets** in their countries, including physical street market organisers as well as specialised websites selling hand-crafted products. Furthermore, Etsy, a key **stakeholder** for the Street markets activity was identified, approved by DG JUST, and invited to the activity's meetings for thought exchange, the increase of common understanding and to learn what self-regulation can entail.

The infographics aiming at awareness raising among small/home-based manufacturers and among organisers of street markets were developed in collaboration with communication experts. They shared the following working approach:

1. identifying the target audience;
2. deciding on the format and communication channels;
3. selecting and fine-tuning a number of messages to be conveyed;
4. designing the infographics.

The guidance document on how to conduct controls on products sold at street markets was developed following three main steps:

1. identification of challenges encountered when performing controls and choosing the main three challenges;
2. collecting relevant best practices;
3. compiling a toolbox that reflects good practices in relation to the market surveillance of physical street markets.

Through discussions and meetings held throughout the activity, and by repeatedly using the Wiki platform to progress on the deliverables in between meetings, the two deliverables were further refined. The expert and the project team thus ensured that the MSAs were consistently involved in the process to jointly develop the various deliverables.

2.3. Identification of solutions, development of tools and deliverables

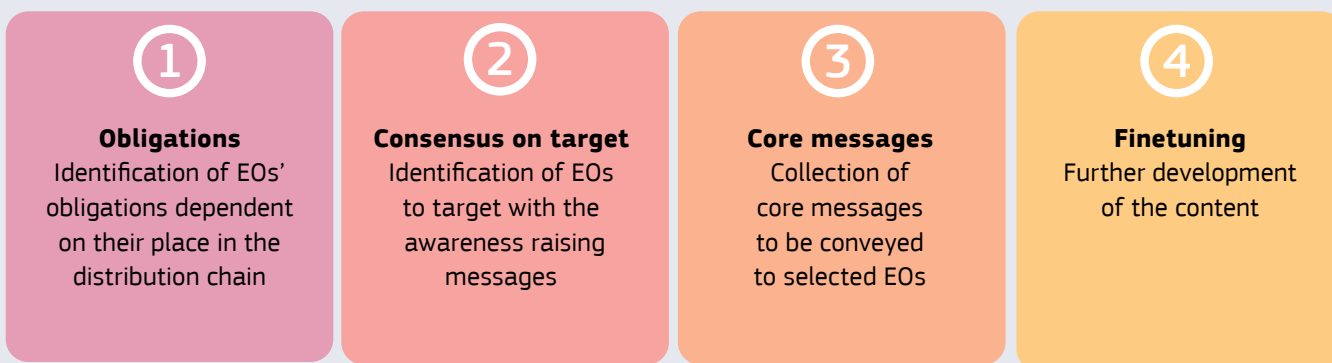
Infographics raising awareness among small/home-based manufacturers and sellers

Infographics were developed to be shared with manufacturers, importers and distributors to signpost existing national and EC rules on product safety and compliance. The infographics **were designed to assist and support microbusinesses and those producing handcrafted items when navigating EU product safety rules**. The objective is to ensure that these businesses know where to find the right information and the resources they

need to comply with all relevant rules, thereby helping them to operate smoothly and successfully in the market. With clear, concise, and easily accessible information, the infographics will assist with promoting product safety and compliance and reducing the risk of penalties for these businesses.

A four-pillar approach was taken to develop the content of the infographics.

Figure 2 - Development of the infographic content



After deciding on the key obligations, the activity's participants decided on the specific economic operators to be targeted (sellers in street markets) and collected a number of messages to convey, during meetings and through the use of digital collaboration tools such as Mural¹ and consultations launched on the Wiki platform. After a decision had been made on the core messages, the content was further developed by adding specific details, important definitions and relevant links. Furthermore, Etsy (a third-party marketplace enabling home-based manufacturers to sell online) also provided feedback on the messages developed.

In parallel with the content of the infographics, the design was also jointly developed by the participating authorities. Before the first intermediate meeting, the MSAs were presented with a number of design references on the Wiki so they could select the preferred format and visuals for the infographics. By the meeting, three different design approaches and principles were shortlisted:

- *House style* – based on a checklist principle, avoiding overcrowding and too many icons;
- *Alternative style 1* – content developed in horizontal sections supported by linear icons alluding to the content;
- *Alternative style 2* – content organised in blocks, each with its own reference icon.

Following the collection of the MSAs' feedback, MSAs agreed to proceed with the development of two revised options, which were presented during IM2. Finally, MSAs discussed those approaches that were conveying all the information collected throughout the activity without overburdening the infographics, and added two elements:

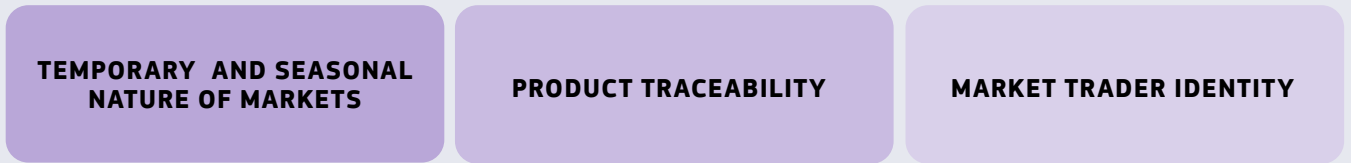
- a QR code leading to further information on a different webpage;
- the possibility to hover over specific topics on the infographics, leading to the display of additional information ('pop-ups').

¹ Mural is a digital workspace for visual collaboration, where all the participants can edit a digital whiteboard together in real time.

The guidance document on the inspection of physical street markets

The guidance or 'toolkit' was developed based on the three main challenges regarding controls on products sold at street markets identified by the MSAs during the KoM (see figure below).

Figure 3 - Main challenges



It provides general best practices for effective surveillance and is a useful reference tool that can be **used by all MSAs, regardless of their specific competence or expertise.**

A set of principles for the toolkit's development was agreed during the two intermediate meetings:

- *it shall not contain sector-specific nor over-detailed legislative content, but provide MSAs with hints, tips and best practices;*
- *the content should be specifically related to product safety;*
- *guidance may be sought from existing national good practices from other areas of regulatory compliance, such as the protection of intellectual property rights;*
- *the guidelines are to be drafted in a modular format to assist the selection of text by the street market authorities or by the MSAs when engaging with economic operators.*

The proposed toolkit proposes a harmonised approach for controls on products sold at street markets:

1. During the **planning phase**, a decision on the appropriate lead investigative authority must be taken, an operational order may need to be prepared and circulated to co-regulators before starting the market surveillance, addressing the areas of concern before attendance on site. Market surveillance interventions should be focussed on street markets with the highest number of product hazards in terms of safety and the amount of stock exposed for supply.
2. In the **operational phase**, samples to be tested must be chosen based on a 'zero tolerance approach': product safety legislation requires the compliance of every product placed on the market. While it is the MSAs' responsibility to establish evidence if a product is non-compliant, it is the economic operator's responsibility to prove the extent of the non-compliance.
3. The **reporting/recording phase** encompasses good housekeeping from the start in relation to enforcement tasks and the timely completion of the MSAs' national internal enforcement logs after each street market inspection.

This document also encourages self-regulation of the markets by providing examples of compulsory and voluntary (self)regulation schemes for economic operators. Lastly, the document addresses the digital equivalents of street markets and proposes tools that can support controls on online (street) markets.



3. Conclusions and recommendations

3.1. General conclusions

Market surveillance plays a crucial role in ensuring that products sold to consumers are safe and comply with existing EU health and safety requirements. During the COVID-19 pandemic, there was a significant rise in the sale of products made by small, home-based manufacturers through online platforms. After the pandemic, these economic operators also started conducting their business via physical street markets. These products often pose a challenge for market surveillance due to their dispersed nature and the difficulties experienced in tracking and regulating them.

However, it is important for market surveillance authorities to find ways to effectively monitor and control these products to ensure the safety of products sold to consumers.

The key outcomes of this activity were the compilation of core messages for economic operators and the development of infographics to be distributed to relevant stakeholders.

Furthermore, a toolkit providing guidance to market surveillance authorities on how to conduct controls on products sold at street markets aims at improving market surveillance operations on street markets in the EU and EEA. Nevertheless, pursuing a voluntary approach to allow the street markets to self-regulate should be encouraged through active communication between authorities.

3.2. Recommendations

For consumers

- **Stay informed about the potential risks of products sold on street markets or on their online equivalents.** Consumers should be aware that purchasing products in such markets may not be as secure as traditional retail shopping. Consumers should be vigilant and frequently check Safety Gate to look for notifications from EU/EEA MSAs about dangerous products.

For economic operators

- **Be compliant.** Ensure you are fully aware of the relevant EU legislation and make sure the product is safe and complies with the relevant EU requirements before placing it on the market. Collect and keep documents to prove that your product is safe.
- **Ensure traceability.** Make sure your products bear a type, batch, serial or model number, or other element allowing their identification. Providing the unique identification markings is crucial. Remember to indicate your name, registered trade name or registered trademark and the postal address at which you can be contacted. A postcode will not suffice as proof of address.
- **Remember you have a legal obligation to report serious product risks to all concerned authorities.** You must have the ability to receive and act on complaints received from consumers and from the distribution chain. You must take the appropriate corrective measures. You must notify the appropriate authorities for the country where the product is sold.
- **Collaborate with the authorities and other actors in the supply chain** (i.e. manufacturers/importers/distributors). You should collaborate with the market surveillance authorities and with the other economic operators involved and the authorities to implement the appropriate measure (e.g. product recall, reworking, relabelling).

For national authorities

- **Market surveillance authorities should work closely with other authorities.** In order to facilitate enforcement, it is important for market surveillance authorities to work closely with other relevant authorities, such as street market authorities, police, and customs agencies to be more effective to use resources more efficiently.
- **The market can help to regulate itself.** By creating an environment in which the market has the opportunity and incentive to regulate itself, market surveillance authorities can become less reliant on direct intervention and enforcement solely. By working together and leveraging the strengths of both the public and private sectors, MSAs and the market can help to create a fair, transparent and well-functioning marketplace for all.

1. What is CASP?

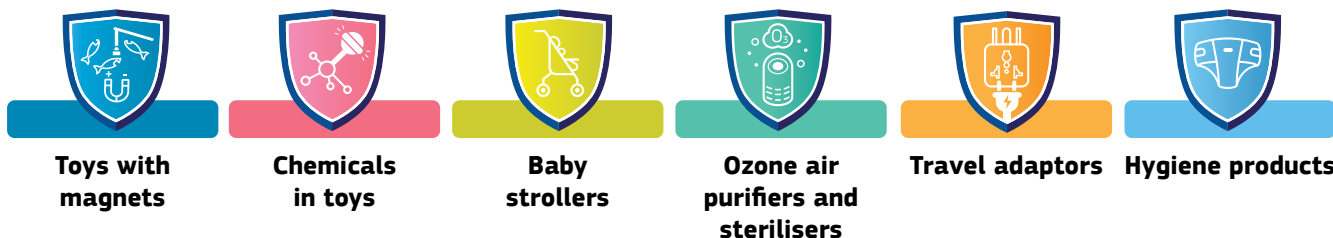
The Coordinated Activities on the Safety of Products (CASP) enable Market Surveillance Authorities from European Union / European Economic Area countries to cooperate and to reinforce the safety of products placed on the Single Market.

CASP 2022 includes four Horizontal activities and six Product specific activities

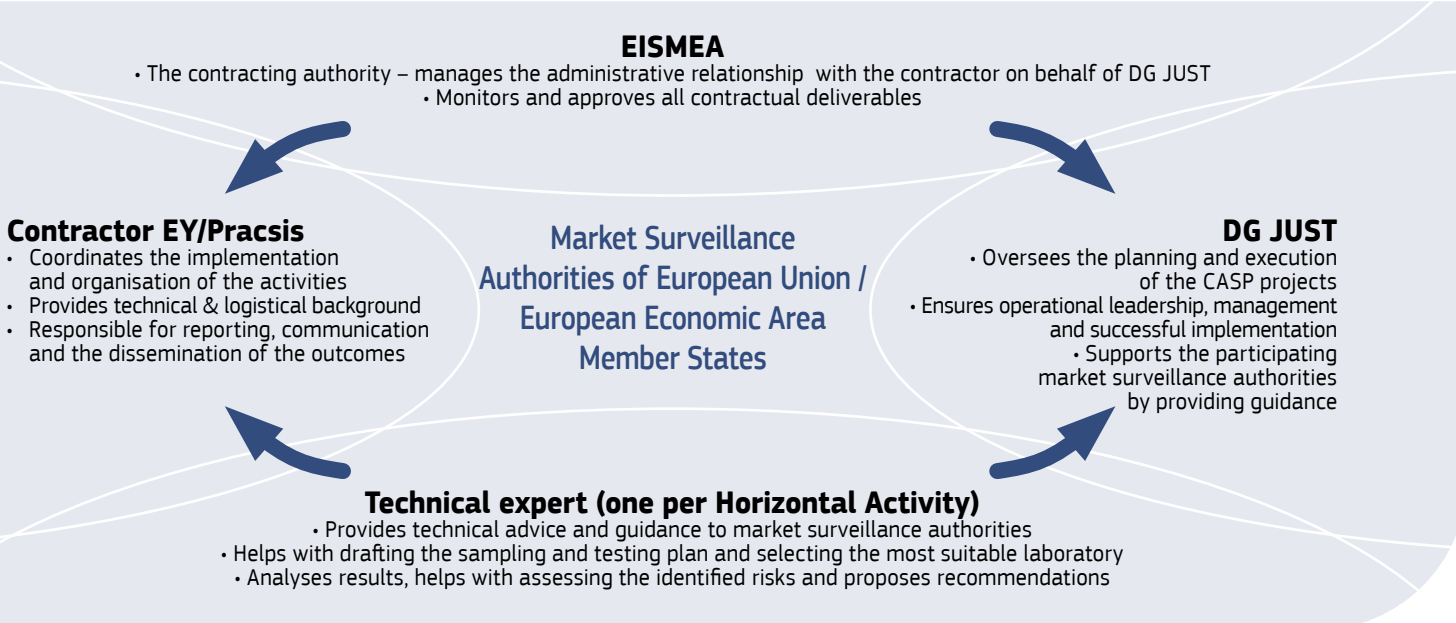
Horizontal activities provide a forum for market surveillance authorities to exchange ideas and best practices. Under the guidance of a technical expert, they develop common approaches, procedures and practical tools for market surveillance.



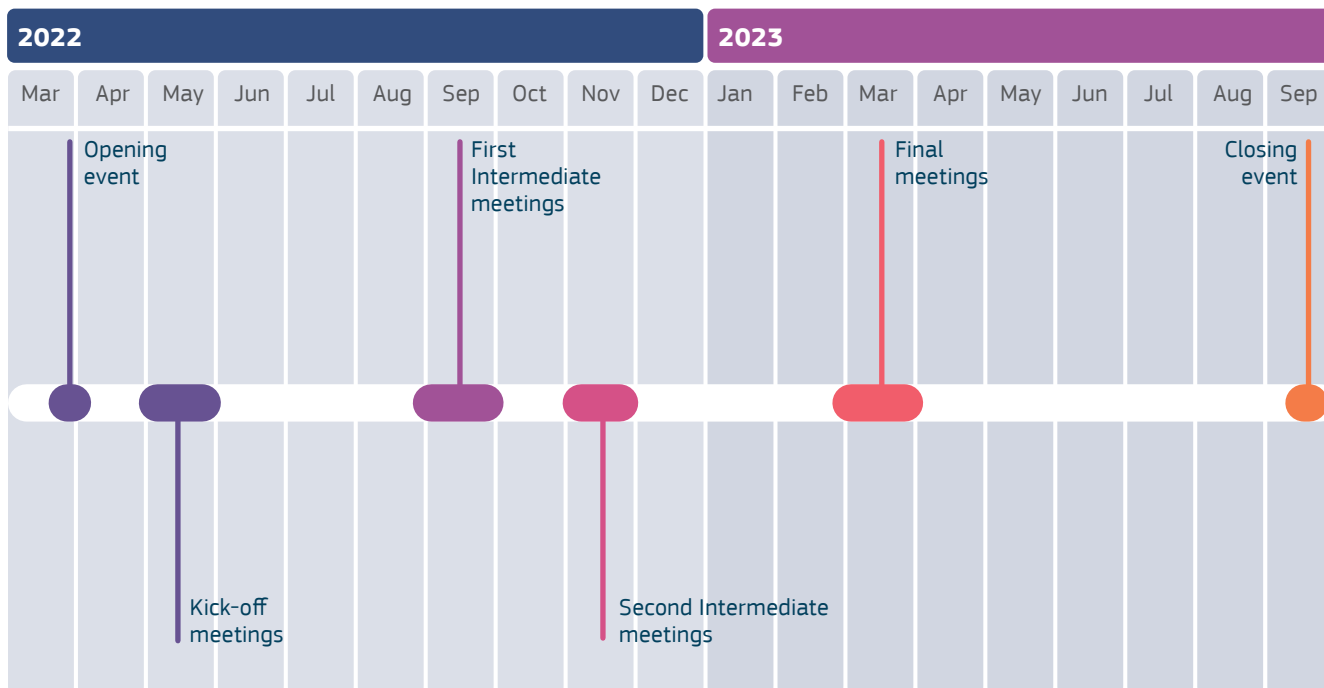
Product specific activities test different types of products that may pose a risk to consumers. The products are selected and collected by the market surveillance authorities involved and are examined using a commonly agreed testing plan.



Roles and responsibilities



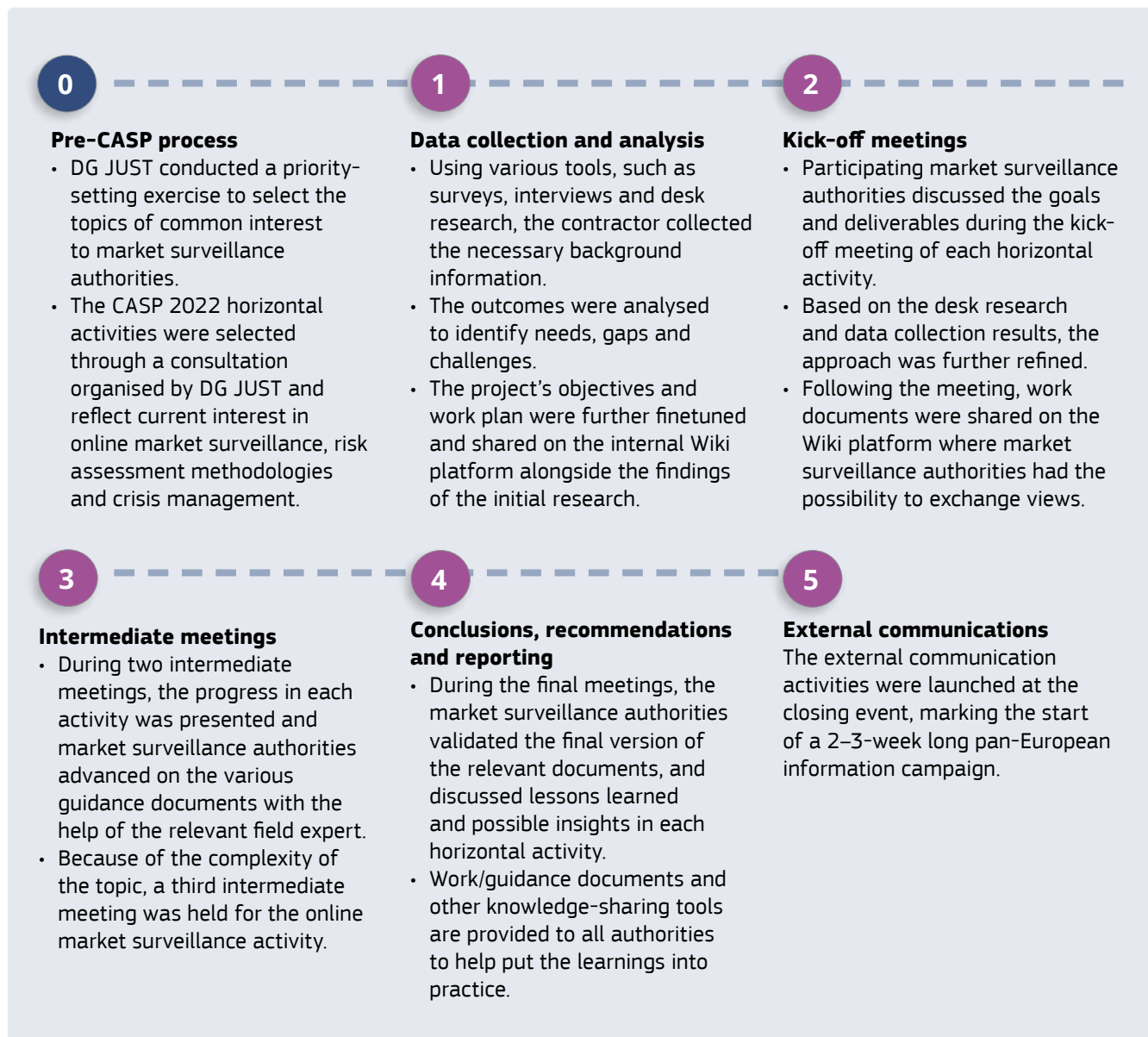
2. Horizontal Activities work plan



Development of communications plan.		Communication activities (internal communication on Wiki, preparation of external communication materials).	
INCEPTION	FIELDWORK	REPORTING	EXTERNAL COMMS
Desk research	Further research on topics defined during the kick-off meetings	Final meetings – presenting final outcomes	Launch of the communications campaign
Drawing initial conclusions	Final validation of activities’ approaches	Validation and discussion of lessons learned	
Finetuning objectives	Conducting intermediate meetings, integrating inputs	Drafting of final reports	
Kick-off meetings – refining approaches	Finalisation of work/guidance documents and production of knowledge sharing tools	Dissemination	Assessing the impact



3. Overview of the Horizontal Activities approach



Tools

Final reports are produced for each horizontal activity and for the CASP 2022 project as a whole. They are available in all official EU languages plus Norwegian and Icelandic and have been disseminated to all market surveillance authorities.

Channels

The communication material is disseminated using:

- [The EC CASP website](#)
- Market surveillance authorities national communication channels
- Relevant press and other stakeholders

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