



SAFER PRODUCTS FOR ALL 2022 RESULTS

> DG Justice and Consumers

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FOREWORD

2022 was yet another challenging year. With the progressive easing of covid-19 related restrictions, consumers went back to former habits of shopping, entertainment, and hobbies. Retailers and manufacturers strived to recover from economic disruption and enhance consumer trust. The tragedy of the unprovoked war of aggression against Ukraine also spilled more burden on already strained supply chains, and worsened a looming inflation, with dramatic impact for consumers.

Although the specific economic climate had an influence on Safety Gate results in 2022, it never interrupted the activity of any of the actors involved. Testing and inspections carried on and national authorities responsible for market surveillance continued their tireless work to keep dangerous products out of reach of consumers. More than ever, they resorted to new technologies and tools such as the **e-surveillance web crawler** to trace dangerous products identified in the rapid alert system that were still for sale online. Thanks to the good cooperation in the context of the **Product Safety Pledge**, the takedown of these dangerous products by online platforms signatories was swift and efficient.

This year was also a milestone towards exploring new horizons in product safety with the 2022 edition of the **International Product Safety Week**, which attracted 640 participants from 73 countries. Among all its impactful



Didier Reynders, EU Commissioner for Justice

messages, it is worth highlighting the important role younger generations play in improving awareness about product safety. Young product safety ambassadors at global level are helping us in this task.

Last but not least, with the upcoming **General Product Safety Regulation**, which will replace the General Product Safety Directive by end 2024, we are reaching for an even higher level of product safety for all consumers, whatever their age, habits and vulnerabilities.

1. SAFETY GATE: MORE THAN A SIMPLE EXCHANGE OF INFORMATION

The free movement of goods is an important achievement that has improved the lives of all citizens in the European Single market. A fair single market involves common agreed rules applicable to all economic players operating in it.

All producers, distributors, retailers and online marketplaces have the important responsibility to keep our market safe. They work to ensure their products have the necessary quality and comply with the health and safety requirements imposed on any product placed on the market.

National authorities responsible for market surveillance monitor the respect of the rules by economic operators. When this is not the case, they take measures to ban or restrict the sale of the dangerous products detected, stop them at the border or order their recall. When a national authority in one of the countries in the single market takes a measure against a dangerous product, it is crucial that this information be shared with all other national authorities in the other countries, so that action can be effectively taken by the authorities on our single market. This is the role of the Safety Gate system.

Alert number: A12/00388/23

Published on 23/02/2023

Risk type

Notifyin



Print

The braking effect of the front braking system is insufficient, increasing the risk of an accident. The headlight is not mechanically fixed correctly, proper visibility is not ensured and there is a risk of blinding other road users. Moreover, the charger is not sufficiently resistant to shocks in the AC power cords, increasing the risk of fire. Furthermore, where there is a voltage of more than 60 V DC in the battery connectors, protection against direct contact with live parts is not provided, increasing the risk of electric shock.

The product does not comply with the Regulation on the approval and market surveillance of two- or three wheel vehicles and quadricycles.

Category	Motor vehicles
Product	Electric scooter

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Every day, national authorities from **30 countries** (EU Member States, Iceland, Liechtenstein and Norway) enter information in the system about measures taken against dangerous products found on their market. The information, in the form of **alerts**, is immediately visible to all the other authorities, who can then inspect their own markets and take measures themselves, if needed. National authorities also introduce information about these additional measures and/or any other useful information in the form of a **follow-up** linked to the corresponding alert. The measures taken may affect but are not limited to small batches of a product identified as posing risks for consumers.

On average, about 100 new alerts and follow-ups are circulated through the system every day. A dedicated team in the European Commission checks their accuracy and circulates them through the network. Summaries of these alerts are also published on the <u>public website</u> of the system and **machine-translated** into the official languages of all countries in the single market. Since 2022, translations are also provided in Ukrainian, and as from 2023, this is also the case for Arabic. Moreover, the European Commission publishes a <u>weekly reports</u> with the latest alerts received. Anyone can <u>subscribe</u> to receive this weekly review by email in any of the language versions and according to their preferred criteria. Over the years, the Safety Gate system has been complemented with a series of other modules and tools. This is to further improve its quality and efficiency and to facilitate and further speed up exchanges between the European Commission and national authorities, as well as to exchange best practice. One of its current priorities is to provide interoperability solutions to allow for automatic exchanges of information between the rapid alert system and other enforcement and information systems used by the different authorities, consumer and trade associations and industry. This will help both industry and authorities to swiftly react when information on an unsafe product detected on the market becomes available.



The exchange of information about non-food dangerous products kicked off informally in 2001 and became compulsory after the adoption of the <u>General Product Safety</u> <u>Directive</u>. The Directive set up the Rapid Alert System for non-food dangerous products, currently called <u>Safety Gate</u>. The General Product Safety Regulation adopts it as the new official name of the EU rapid alert system for dangerous nonfood products. The alerts concern consumer products and products for professional use (but do not include pharmaceuticals, medical devices, food or animal feedstuffs). The types of risk taken into account include risks to human health and safety, going from choking, strangulation and damage to hearing or sight to hazards caused by chemicals. The system also includes measures taken against products that pose a security risk or risks to the environment.



A. ALERTS IN 2022: CHANGE OF GEAR

In 2022, the number of alerts validated on Safety Gate remained around the level of the previous 5 years. However, there were major changes in the number of alerts notified per country. German alerts dropped by more than 22%, as did those form Portugal, triggered most likely by a general drop in the motor vehicle industry sales. Both these countries are historically the countries that filed the highest number of alerts on motor vehicles.

On the other hand, countries that historically were less active in lodging notifications such as Austria, Czechia, Latvia and Norway more than doubled the number of their alerts. In total, **2,117 alerts** were validated in **2022**.



2 44

18

430

38

202

136

43

139

162

182



The number of alerts for the category "motor vehicles" dropped from 26% in 2021 to 16% of the total of alerts. The category "toys" is again first in number of alerts validated in 2022.

Significant changes also in the other categories reflect the focus of enforcement authorities on cosmetic products

and clothing. Moreover, there was a drop on protective equipment, from 8% in 2021 to 4% in 2022. This drop reflects the smaller presence on the market of products employed to protect consumers against COVID-19. However, this percentage shows that national authorities remained vigilant on these products.



5 MOST FREQUENT PRODUCT CATEGORIES OF SAFETY GATE ALERTS **IN 2022,** COMPARED TO **2021** The drop in "motor vehicle" alerts also has an effect in the types of risk most frequently signalled in the alerts in 2022. The risk of **injuries**, generally linked with "motor vehicle" alerts, dropped from 32% in 2021 to 21% in 2022. The rise of risks linked to **chemicals** in the products is related to the

increase of alerts for cosmetic products. Indeed national authorities focussed controls and reported several kinds of perfume and creams with recently banned chemical substances, such as butylphenyl methylpropional (BMHCA) and hydroxyisohexyl 3-cyclohexene carboxaldehyde (HICC).



5 MOST FREQUENT TYPES OF RISK IN SAFETY GATE ALERTS IN 2022 COMPARED TO 2021

B. FOLLOW-UPS IN 2022: A BOUNCE BACK

A large proportion of follow-ups on Safety Gate report on additional measures following the recall of a motor vehicle. This is because once a motor vehicle is recalled in one country, the network of distributors react immediately to that information and recalls are organised in all the other countries where the vehicle was sold. It is therefore not a surprise that in 2022, with the drop in the share of alerts related to motor vehicles, the number of follow-ups dropped as well.

The largest share of follow-ups in 2022 is still related to measures taken on motor vehicles, although less than in previous years (85% in 2021, 80% in 2022). The proportion of follow-ups related to alerts on measures taken against products of other categories has therefore increased: the category "toys" raised from 4% to 6%.

In total **3,932** follow-up notices were circulated in Safety Gate. All Member States have followed up the alerts regularly and additionally exchanged information on this. There were large differences in the number of follow-ups submitted by each country compared to previous years. In 84% of the follow-ups, the information included additional measures taken in their own countries, which shows that although there were fewer follow-ups in 2022, the follow-up on the alert resulted more often in an additional measure.



FOLLOW-UPS ON SAFETY GATE IN 2022 BY REACTING COUNTRY, COMPARED TO 2021





2. MAKING SURE PRODUCT SAFETY IS INDEED FOR ALL

A. THE GPSD WILL BECOME GPSR

At the end of 2022, EU lawmakers reached a political agreement on the new General Product Safety Regulation, which will replace the General Product Safety Directive dating from 2001. This new Regulation provides significant improvements to the current framework, and responds, among other issues, to the challenges posed by new technologies and the growth of online sales.

It will also ensure a better enforcement of the rules and even more efficient market surveillance, as well as improve recalls of dangerous products. The Commission's proposal also specifically addresses the challenges of online sales, including sales via online marketplaces.



B. COORDINATED ACTIVITIES ON THE SAFETY OF PRODUCTS

The <u>Coordinated Activities on the Safety of Products (CASP)</u>, financed by the EU Consumer budget, provide the national authorities responsible for market surveillance with a specific framework and funding to jointly test products and agree on common positions and procedures, and to share knowledge and best practice. CASP is also a forum for discussion in an ever-changing European context.

For each project cycle, representatives of national authorities participate actively in several product-specific activities and more general "horizontal" activities. As a result of these, guidance documents are set up which are useful for the authorities work. In particular in the product specific activities, the testing of products enables the participating authorities to act in a coordinated way against those found to pose risks to the health and safety of consumers, and to notify such cases at European level via Safety Gate.

CASP 2019 was the first year of coordinated activities with the new financing system. In that year, the activity providing for the testing of slime toys attracted the largest number of participants. CASP 2020 focused on online product safety related activities. CASP 2021, along with testing and more general activities, included a new pilot activity that dealt with the link between counterfeit and dangerous products. Moreover, as international cooperation is very important in the consumer product safety area, stakeholders from other jurisdictions, such as Canada and South Korea, contributed to the discussions on online market surveillance practices.

CASP 2022 has been continuing to prioritise market surveillance authorities' high demand for tackling challenges

linked to enforcement regarding online selling. The general discussions include topics around the use of blockchain, and explores working methods for the growing phenomenon of direct shipping from countries outside the EU. Testing campaigns were conducted among items such as baby strollers, travel adaptors and hygiene products. The final results will be communicated during the closing event, planned for the third quarter of 2023.



C. TRACKING DANGEROUS PRODUCTS FOR SALE ONLINE

The European Commission has also been exploring the possibilities to go beyond legal requirements with additional voluntary commitments. In 2018, the Commission set up a non-legislative voluntary cooperation mechanism with online marketplaces to improve the safety of products sold online - the <u>Product Safety Pledge</u>. The 11 current signatories of the Product Safety Pledge cooperate with national authorities to swiftly and efficiently take out any dangerous products detected on their platforms. They also made other commitments, including increasing trader education on product safety rules and the use of new technologies for detecting unsafe products.

To give concrete examples, the figures below, based on the latest monitoring report on the Pledge (covering the 6-month period December 2021 to May 2022) demonstrate well how this mechanism works:

98% of identified product listings were removed by the 11 signatories within

2 working days, based on governmental notices. This corresponds to the removal of

159,784 unsafe product listings based on

2,315 governmental notices. In addition, the Pledge mechanism has become an important cooperation avenue, as it is used more and more systematically both by authorities and signatory marketplaces to tackle emerging issues.

This instrument has served as an inspiration for authorities in other jurisdictions (such as the Australian Competition and Consumer Commission, the Korea Fair Trade Commission and Korea's Consumer Agency and Health Canada). The OECD Working Party on Consumer Product Safety has also adopted a *communiqué* on product safety pledges and a policy guidance document on consumer product safety pledges. Their objective is to encourage the development of further such pledges at domestic and regional levels and identify key commitments for inclusion in such pledges.

The success of the Product Safety Pledge encouraged the Commission to start discussions on how to widen this scheme during the Consumer Summit in February 2022.

The Commission also supported the launch of an innovative pilot project enhancing cooperation between consumer organisations and online marketplaces signatories of the Pledge. This pilot was announced November 2022 during the Annual Digital Consumer Event.

Furthermore, in 2022 the Commission launched a new tool to increase the capacity of national authorities to trace online offers of dangerous products that have already been signalled on Safety Gate. The <u>e-Surveillance webcrawler</u> identifies and automatically lists any of such offer, allowing enforcement authorities to track down the provider and order the effective withdrawal of the sales of such products. National authorities from all the countries participating in Safety Gate have access to this application and have been using it actively: approximately **95,000 searches** are performed every week, with up to **720 results**.

The application uses integrated keywords in 24 EU languages and performs image searches. This enables it to detect results with a very high level of accuracy. During the first 9 months of operation, the tool detected 5,068 online offers from **2,079 webshops** and online marketplaces concerning **499 Safety Gate alerts** of unsafe products that should be removed from sale. Developments on the system will continue throughout 2023 to further improve its user-friendliness and efficiency. These relate to increases in the search intervals and further interconnectivity between the eSurveillance webcrawler and Safety Gate, enabling the automatic creation of alerts and follow ups in Safety Gate from the webcrawler results. The Commission is also developing a module to improve direct communication with online sellers about offers detected on their platforms, as well as on a new platform to facilitate further exchanges of information at international level about dangerous products found on the market.



D. RAISING THE BAR FOR PRODUCT SAFETY WITH INTERNATIONAL PARTNERS

As product safety has no borders, <u>international cooperation</u> <u>on product safety</u> is essential to ensure consumers are protected wherever they are, in the EU and worldwide.

In 2022, half of Safety Gate alerts concerned products of Chinese origin:

Since 2006, the Commission has been closely cooperating with the **Chinese authorities** responsible for product safety. These authorities follow up on Safety Gate notifications to ensure that appropriate corrective action is taken against dangerous products originating from China. A specific EU-China Safety Gate platform was created for this purpose. In addition, since 2019, a comprehensive information and training programme (SPEAC) has been strongly raising awareness among Chinese economic operators about the EU product safety requirements.



ALERTS VALIDATED ON SAFETY GATE IN 2022, BY GROUPS OF COUNTRIES OF ORIGIN OF THE DANGEROUS PRODUCTS An informal dialogue on consumer product safety with the U.S. Consumer Product Safety Commission (CPSC) was launched in April 2022 to further strengthen the longstanding excellent cooperation for the benefit of consumers on both sides of the Atlantic and globally. The first 8 months of strengthened cooperation have been a clear success, with a series of insightful regulatory exchanges and two successful joint webinars for Chinese operators under the SPEAC project. In addition, the Seventh High-Level EU-US-China Product Safety Summit took place in November 2022.

The European Commission also closely cooperates with Health Canada, based on the EU-Canada Comprehensive Economic and Trade Agreement (CETA). In addition to the regular exchange between EU Safety Gate/RAPEX and the Canadian RADAR database, both sides have been exchanging their experiences and best practice regarding online market surveillance and cooperating on awareness-raising activities. A joint social media campaign on safe online shopping by young people took place in August-September 2022.



On the multilateral front, the European Commission is actively participating in the work of the UN Working Group on Consumer Product Safety (under the United Nations Conference on Trade and Development, UNCTAD) and the OECD Working Party on Consumer Product Safety (WPCPS). In particular, Safety Gate is a major contributor to the OECD Global Recalls Portal, which brings together information about corrective measures on dangerous products, including product recalls that are issued around the world.

The Commission is also contributing to building the product safety community at international level. The 8th edition of the International Product Safety Week took place in November 2022 in Brussels. The conference brought together a record number of over 640 product safety professionals from 73 countries.

The theme of this edition was "New horizons for product safety". It featured forward-thinking sessions, ranging from the impact of gender on product safety to the safety of new technologies. And there was a joint workshop organised with UNCTAD on the role of youth and civil society in product safety. The week also hosted the International Symposium of the International Consumer Product Health and Safety Organization (ICPHSO).



3. THE SAFETY GATE WEBSITE

You can connect to the <u>Safety Gate website</u> in any of the languages of the EU, as well as Icelandic, Norwegian, Ukrainian and Arabic. The information on the alerts is updated daily following information received from the national authorities, who are responsible for the content of the alerts.

On the Safety Gate website you can:

- <u>search</u> for dangerous products using different criteria, open any of the alerts to see the details, and export the information as a PDF document or export your search results as an Excel table;
- <u>subscribe</u> to be regularly informed about the latest alerts, with your selected criteria, in the language of your choice;
- find information about General Product Safety Directive and the Regulation;
- find all the information about the CASP, the Product Safety Pledge and international cooperation on product safety;
- find details about related campaigns and events, including the **Product Safety Award**.





Participate and spread the word about Safety Gate

and play a role in improving product safety in your network, among colleagues and friends.

Safety Gate: the EU rapid alert system for dangerous non-food products Product safety International Awareness raising Legislation and Home Alerts v Contacts v and events Enforcement online cooperation Home > Safety Gate: the EU rapid alert system for dangerous non-food products What's new? SafetyGate 5 October 2022 Missed the latest International Product Safety Week? Catch up The Safety Gate system enables that information on measures taken against non-food dangerous here products is circulated quickly among the national authorities responsible for product safety in the Single Market countries. 03 March 2023 Every day, national authorities send alerts to the Safety Gate. Each alert contains information on the kind of product detected as dangerous, a description of the risk and the measures taken by the Check now what products are economic operator or ordered by the authority. Every alert is followed-up by the other authorities, dangerous, why, and what which take their own measures if they find the same product in their own national markets. measures have been taken. Other countries have the obligation to follow up this information and if they find the same product on their own markets, they have to share this information on Safety Gate as well. 25 April 2022 Safety Gate 2021 results: See annual report

4. ABOUT THIS REPORT

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

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

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

Contacts:

Contacts in the member countries

Contacts in the member countries for businesses

Key documents and tools:

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

Guidelines for the management of the rapid alert system on general product safety and its notification system

Risk Assessment Guidelines

Instructions for using the Business Gateway for producers and distributors

Product Safety Pledge

Documents concerning the revision of the General Product Safety Directive



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