

# Joint Action 2013 GPSD

Joint Market Surveillance Action co-funded by the European Union  
Agreement No: 2013 82 01

## Progress Report on Method Development Activities

Covering the period 1 January - 31 December 2014



Co-funded by  
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## Disclaimer

This report arises from the Joint Market Surveillance Action on GPSD Products - JA2013, which received funding from the European Union in the framework of the "Programme of Community Action in the field of Consumer Policy (2007-2013)".

The report reflects only the views of the author. *The Consumers, Health and Food Executive Agency (Chafea)* cannot be held responsible for any use, which may be made of the information contained therein.

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## Executive Summary

This report presents the results from the method development activities undertaken in “Joint Market Surveillance Action on GPSD Products - JA2013” supported financially by the European Union under Grant Agreement No. 2013 82 01. The Joint Action is carried out by PROSAFE and 25 market surveillance authorities from 20 countries plus a few more countries that participate in parts of the Joint Action outside the financial scheme.

The purpose of the Joint Action is to coordinate market surveillance activities targeting childcare articles (more precisely cots including travel cots), toys, chemicals in clothing, children’s kick scooters and smoke detectors. In addition, the Joint Action also comprises so-called method development activities that aim to develop methods to support the European market surveillance authorities.

The main achievements in 2014 from the method development activities are the following:

- Risk Assessment

The most important product from the Risk Assessment group is the risk assessment templates (compilations of injury scenarios for potential (major) non-conformities in a given product).

Three templates (for wheeled child conveyances, children’s high chairs and telescopic ladders) have been finalised, and work is in progress for a number of further products. They will be uploaded to PROSAFE’s website as they are finalised.

Another very important product is the annual Risk Assessment Seminar. The 2014 seminar took place 6 November 2014 in Brussels and was attended by some 30 representatives from market surveillance authorities, businesses, the European Commission and different organisations.

- Continuous Improvement in Market Surveillance (CIMS)

Two reviews were undertaken in 2014. The participants studied best practices as applied by the Swedish Electrical National Safety Board, SNESB in Sweden and TSI in the United Kingdom.

This year’s approach was new. In the past, CIMS reviews were always initiated by an authority that called upon a group of experts to review their practices and suggest improvements. This year, the CIMS group identified two authorities with potentially interesting practices and organised a study visit to extract knowledge for the benefit of the PROSAFE community. This approach worked very well and it has given PROSAFE another tool in the CIMS tool box.

- E-learning

The activity has developed an e-learning module on toys. It gives an introduction to the Toy Safety Directive and its safety requirements, presents two case studies, and provides practical guidance to market surveillance inspectors.

- The Annual Market Surveillance Workshop 2014

This year’s workshop focused on the progress with the implementation of the European Commission’s multi-annual plan: “20 actions for safer and compliant products for Europe”.

It took place 4 and 5 November 2014 in Brussels.

- Quality Management

A quality plan has been developed in JA2013 with the intention to implement it in all of PROSAFE’s Joint Actions. It provides detailed guidance to the consultants supporting the activities for instance by laying down quite specific requirements for the contents and presentation of the deliverables.

- The Rapid Advice Forum

During 2014, 17 questions were posted to the Rapid Advice Forum.

All questions except two received at least 2 replies in less than 2 weeks, which is the target for the Forum. Each question received on average 5,2 replies.

The average response time was 2,4 calendar days.

- The PROSAFE Knowledge Base

PROSAFE developed a new website during JA2013 to answer a strong wish from its members for easier access to all knowledge possessed by PROSAFE.

The new website provides the user with numerous short-cuts directly to the pages with the contents. Furthermore, the website features a “Members only” section enabling storage of information with restricted access.

## Introduction

This is the method development progress report from the Joint Market Surveillance Action on GPSD Products - JA2013. It presents the results achieved during 2014 in the method development activities:

- Risk Assessment;
- Continuous Improvement in Market Surveillance (CIMS);
- E-learning;
- The Annual Market Surveillance Workshop 2014;
- Quality Management;
- The Rapid Advice Forum;
- The PROSAFE Knowledge Base.

The progress and the main achievements in these activities are described in chapters 2 to 8 of this report. Chapter 1 gives background information about the entire Joint Action and chapter 9 describes the lessons learned from these activities in 2014.

The Joint Action received funding from the European Union in the framework of the "Programme of Community action in the field of Consumer policy (2007-2013)".

## 1 Project Description

This chapter presents a summary of the project description for Joint Action 2013. The full description can be found in the Grant Agreement [1].

### 1.1 Joint Action 2013

The Joint Action is named "Joint Market Surveillance Action on GPSD Products - JA2013". It is commonly referred to as JA2013 or Joint Action 2013.

The European Union supports the Joint Action financially under Grant Agreement No. 2013 82 01 in the framework of the "Programme of Community action in the field of Consumer policy (2007-2013)"

The application for the Joint Action is signed by PROSAFE and 25 market surveillance authorities from 20 countries (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Germany, Greece, Iceland, Latvia, Lithuania, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Spain, Sweden and the United Kingdom). Furthermore, Turkey participates in parts of the Joint Action as a collaborating partner outside the financial scheme.

The applicant body that also takes overall responsibility for the Joint Action is PROSAFE.

The general objectives of the Joint Action are to continue to create conditions whereby Member States could cooperate successfully on market surveillance activities and to co-ordinate a number of product activities exposing the results of the activities to the largest number of Member States national authorities possible.

The Joint Action 2013 is comprised of three groups of activities:

- Method development activities purporting to develop methodologies and infrastructure that will support the market surveillance work in the Member States.
- Product activities (vertical activities) purporting to increase the safety with a specific product or product category.
- Horizontal activities that are common to all (or most) of the product activities where PROSAFE wants to have a consistent approach.

The product activities of JA2013 targets five groups of products:

- Childcare Articles (cots including travel cots);
- Toys;
- Chemicals in clothing;
- Children's kick scooters;
- Smoke detectors.

Joint Action 2013 applies a 12/26 months scheme for its activities in line with what has previously been

successfully applied for Joint Action 2011 and Joint Action 2012. The idea is to run the method development activities for 12 months and to run the product activities for 26 months. This reflects that the method development activities are core activities that ideally should continue uninterrupted from year to year while the product activities have a project like nature and require longer time (24 - 28 months) to plan and implement for a particular product group.

This scheme is to be applied year after year to PROSAFE's Joint Actions as shown in figure 1.

| 2012                                 | 2013                                 | 2014                                 | 2015                                 |
|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| Lighters                             |                                      |                                      |                                      |
| JA2010                               |                                      |                                      |                                      |
| JA2011 Method Development Activities | JA2012 Method Development Activities | JA2013 Method Development Activities | JA2014 Method Development Activities |
| JA2011 Product Activities            |                                      |                                      |                                      |
|                                      | JA2012 Product Activities            |                                      |                                      |
|                                      |                                      | JA2013 Product Activities            |                                      |
|                                      |                                      |                                      | JA2014 Prod...                       |

Figure 1: Illustration of the scheme applied in PROSAFE Joint Actions

This approach means that all method-development activities can run continuously and maintain the acquired expertise at the same time without overlapping in the financial administration of these activities. For JA2013 this means that all the method development activities within the scope of the Action formally finish on 31 December 2014, whereas the product activities end on 29 February 2016.

## 1.2 The Method Development Activities

The purpose of the method development activities is to develop methods to support the market surveillance work in the product activities (and subsequently in the Member States' future market surveillance activities).

The method development activities are:

- Risk Assessment  
The purpose of this activity is to harmonise the results of the authorities' risk assessment processes. The activity focuses on the products targeted by JA2013, but it also explores risk assessment methods more generally. The main deliverables are risk assessment templates for the 5 product groups targeted by JA2013 and the organisation of the Risk Assessment Seminar 2014.
- Continuous Improvement in Market Surveillance (CIMS)  
The purpose of this activity is to facilitate the exchange of experiences and best practices between authorities. The activity organises two "CIMS reviews" annually where a "CIMS review team" visits a

Member State authority to study and discuss their market surveillance practices. This results in ideas for improvement with the visited authority and observations on best practices for the review team.

- E-learning

The purpose of this activity is to develop one e-learning module every year for PROSAFE's e-learning portal. The module will address issues where PROSAFE's members have identified the need for further training. In JA2013, the e-learning project group developed a module on toys safety.

- Organisation of the Annual Market Surveillance Workshop 2014

The purpose is to provide a platform once a year for discussing emerging or general issues of relevance for the market surveillance community.

- Quality Management

The purpose is to monitor and maintain the agreed quality in the work and the deliverables produced by the participants in the Joint Action.

- The Rapid Advice Forum

The purpose is to provide a platform, where market surveillance officials can obtain informal advice from colleagues on market surveillance issues.

- The PROSAFE Knowledge Base

The purpose is to extract and file information on PROSAFE's activities including best practices, guidelines, checklists and other tools in an IT tool and to make this information available to PROSAFE's members for future use.

The Project Leader for JA2013 is Gunnar Wold from DSB in Norway. He is also the Task Leader for the method development activities except for the following three activities:

- Risk assessment that is led by Matthias Honnacker from STMUV, Germany;
- Continuous improvement of market surveillance (CIMS) that is led by Michael Cassar from MCCA, Malta;
- E-learning that is led by Corine Postma from NVWA, Netherlands.

The Task Leaders are supported by Bruce Farquhar, Torben Rahbek, Noel Toledo and Ioana Zlotila.

## 2 Risk Assessment

### 2.1 Participants

The following 12 Member States participate in the Risk Assessment Activity: Belgium, Bulgaria, the Czech Republic, Germany, Denmark, Greece, Iceland, Lithuania, Malta, the Netherlands, Norway, Portugal, Romania and Slovakia. In addition, Turkey participates outside the financial scheme.

### 2.2 Risk Assessment Templates

The main focus for the Risk Assessment Working Group is to develop tools to help risk assessors in the EU carry out risk assessments of a better quality and more in line with risk assessments from their colleagues. Thus, the most important (and most tangible) product from the group is risk assessment templates for a number of products. A risk assessment template can be described as a compilation of injury scenarios, one for each potential (major) non-conformity in the product that describes how a non-conformity may injure a consumer. The template may or may not provide guidance on estimation of probabilities, but it will in general not lay down values.

The idea is that the risk assessor will assess the risk of a given product by applying the template as follows:

- Open the relevant risk assessment template.
- Delete those scenarios in the template that concern non-compliances that were not identified in the product under assessment.
- Check that the remaining scenarios apply to the case.
- Estimate the probabilities.

- Check that the overall result seems reasonable.
- Report the risk assessment.

Using such templates will harmonise the risk assessments as people will all work from the same scenario, thus leaving less room for individual assessments.

The intention is to publish the templates on PROSAFE's website as they are finalised. They will be published in the public area so everyone can access and use them.

Three templates were ready at the end of the year: Template for wheeled child conveyances, for children's high chairs and for telescopic ladders. They related to products targeted by JA2011 and JA2012. Furthermore, work is on-going on templates for a number of further products, e.g. lawnmowers, fireworks, baby bathing aids, battery chargers, cords and drawstrings in children's clothing, CO alarms, cots, kick scooters, toys and smoke alarms. The risk assessment templates will be uploaded to PROSAFE's website once finalised.

The intention is to develop such templates for all products that have been targeted by PROSAFE Joint Actions except for products where the main risk is chemical. Several chemical risks cannot be assessed with the method from the Risk Assessment Guidelines [2] but has to have to be assessed with other specialised methods. The working group is considering how to develop tools to support the risk assessors in this matter.

## 2.3 Risk Assessment Seminar 2014

The Risk Assessment Seminar 2014 took place 6 November 2014 the day after the Third European Market Surveillance Workshop (see chapter 5). Some 30 representatives from market surveillance authorities, businesses, the European Commission and different organisations were in attendance.

The seminar was opened by the Project Leader of JA2013, Gunnar Wold. He emphasised that PROSAFE wants to harmonise risk assessment as much as possible to decrease the uncertainty for the economic operators and to support the market surveillance authorities.

He was followed by the leader of the risk assessment activity, Matthias Honnacker, who gave an overview of PROSAFE's risk assessment activities. He also stressed that the overall purpose was to bring the knowledge to "the people on the floor". His presentation was followed by a presentation from Eurosafe's general secretary, Wim Rogmans. He shared some perspectives on injury data collection in Europe. The most recent initiative is the demonstration project JAMIE. Its ambition was to engage 22 countries in injury data reporting in 2015 on either a minimum dataset or a fuller dataset. In 2013, 26 countries were delivering data, approximately 20 of which delivered the full dataset. Anyone can access data from the minimum dataset via a webpage.

After these presentations, the seminar turned to more practical exercises. The first one was an exercise in using the risk assessment templates. The consultant who supports the risk assessment group, Torben Rahbek, explained how the template worked. The participants were invited to discuss its usability. This discussion generated a lot of useful input for the further work: One proposal was that the work in the risk assessment group in JA2014 should be closely linked to the product activities of the Joint Action. Moreover, the participants came up with a "wish list" for product groups where risk assessment templates should be developed.

This discussion was followed by a practical exercise dealing with a stroller with inadequate brakes. The participants carried out the risk assessment using the relevant risk assessment template. This exercise also spawned a fruitful discussion with many good comments that would be assessed by the risk assessment group with the view to revise the templates.

The last session of the day gave the participants an outlook to the developments in risk assessment. First, Giuseppina Bitondo from the European Commission, DG ENTR, presented the progress with the revised Risk Assessment Methodology (RAM) that purports to extend the scope of the risk assessment method beyond consumer products that present a health or safety risk to the consumer. She was followed by Hans de Beurs from Philips who presented his thoughts about risk assessment as seen from a European manufacturer's perspective. He argued that society should adopt another approach to safety to go beyond precaution, where any risk analysis should fully consider the impact of a given measure on innovation and society.

As always, the seminar ended with a risk assessment marketplace. Participants could stay and discuss five cases with participants from the risk assessment group. The five cases dealt with a wall chaser, a fire blanket, two high chairs with different non-compliances and a dining table with insufficient mechanical strength.



| TIME  | N°  | SUBJECT   |
|-------|-----|---|
| 9:00  |     | Registration of participants, coffee  |
| 9:30  | 1.  | Opening of Workshop <ul style="list-style-type: none"> <li>Opening remarks</li> <li>Introduction to the agenda</li> </ul>   |
|       |     | The Risk Assessment Landscape   |
| 9:45  | 2.  | Overview of PROSAFE's risk assessment activities  |
| 10:00 | 3.  | Overview of other risk assessment activities <ul style="list-style-type: none"> <li>OECD Working Party</li> <li>Eurosafe</li> <li>Customs and risk assessment, DG TAXUD risk assessment group</li> </ul>  |
| 11:00 | -   | Coffee break  |
|       |     | Making Risk Assessment Work in Practice   |
| 11:30 | 4.  | Risk assessment templates, introduction and how to use  |
| 12:00 | 5.  | Discussion of risk assessment templates in small groups <ul style="list-style-type: none"> <li>Have you previously used these templates? What is your experience?</li> <li>Are they useful?</li> <li>Are there any risks related to their use?</li> <li>Other comments?</li> </ul>      |
| 12:45 | -   | Lunch   |
| 13:30 | 6.  | Practical exercise using risk assessment templates  |
|       |     | Risk assessment - other perspectives  |
| 15:00 | 7.  | Where does risk assessment go in the future, and where do we want it to go? <ul style="list-style-type: none"> <li>The RAM risk assessment methodology</li> <li>Business and risk assessment</li> <li>Thoughts from the participants</li> </ul>   |
| 16:00 | 8.  | Conclusion, opening of risk assessment marketplace  |
|       | -   | Coffee break  |
|       |     | Risk Assessment Marketplace   |
|       | 9.  | During the risk assessment marketplace, participants will be able to move between different tables where different product safety cases will be presented. They may compare their own views with those of the owner of the case and other participants. Lively discussions are welcome! |
| 17:30 | 10. | The close of the Marketplace  |

Figure 2: Agenda for Risk Assessment Seminar 2014

## 2.4 Meetings

The risk assessment meetings form a very important part of the activity. The meetings serve several purposes: The participants and the invited stakeholders (representatives from the European Commission) update each other on current developments in the risk assessment landscape, and the participants discuss various theoretical issues for instance related to the risk assessment guideline maintained by the group.

On top of this, the meetings also feature a long session where the participants discuss risk assessment templates for a number of products, first and foremost the products being targeted by JA2013, but other products from previous Joint Actions are also on the work list.

The group met twice in 2014, the first meeting was held on 12 and 13 March, and the second meeting was held 25 and 26 September 2014. Both meetings were very well attended.

## 2.5 Liaisons

The Risk Assessment team has maintained close liaisons with the European Commission, DG JUST (formerly DG SANCO), DG GROW (formerly DG ENTR) and DG TAXUD. Representatives from these three departments have been invited to all meetings and events and have attended the parts of the meetings they found particular interest in.

## 3 Continuous Improvement in Market Surveillance (CIMS)

### 3.1 Participants

The following 8 Member States participate in the CIMS activity: Bulgaria, Greece, Latvia, Lithuania, Iceland, Malta, Slovakia, Sweden and the UK.

### 3.2 Planning of CIMS Reviews

One of the main deliverables within JA2013 was to perform two CIMS reviews in 2014 as part of the method development activities.

To develop a new kind of CIMS review, the participating authorities agreed that the CIMS Review Team would visit two host authorities to identify best practices within those particular authorities. Moreover, each of those authorities taking actively part in the particular CIMS Review Team would be obliged to also give input about their own system and best practices in the topics being reviewed.

Two appropriate market surveillance bodies were identified: SNESB (the Swedish Electrical National Safety Board) in Sweden and TSI in the UK. The CIMS Review in Sweden was scheduled for 3 and 4 June 2014. The review in the UK was scheduled for 16 and 17 July 2014.

The next task was to identify those being interested in participating in the two reviews. Table 1 below shows how the participants divided over the reviews.

| Member State | 3 - 4 June<br>Sweden | 16 - 17 July<br>United Kingdom |
|--------------|----------------------|--------------------------------|
| Bulgaria     | -                    | Yes                            |
| Greece       | Yes                  | -                              |
| Latvia       | Yes                  | Yes                            |
| Lithuania    | Yes                  | Yes                            |
| Iceland      | -                    | Yes                            |
| Malta        | Yes                  | Yes                            |
| Slovakia     | Yes                  | -                              |
| Sweden       | Host                 | Yes                            |
| UK           | Yes                  | Host                           |

Table 1: The participants in the two CIMS reviews in JA2013

### 3.3 The CIMS Review at SNESB, Sweden

SNESB is the Swedish Electrical National Safety Board. The authority is highly specialised in the area of LVD and EMC and therefore the CIMS Review Team visited SNESB to focus on best practices applied in the area of LVD.

The CIMS Review was held over two days at the SNESB's offices in Kristinehamn, Sweden.

The main areas that were focused upon for this review were:

- Overall functions of the organisation and systems employed.
- Information Registry Systems with particular attention to SNESB's Registry Data System
- Checklists and procedures related to inspections.
- The use of screening tools.
- Internet sales.
- Participation in standardisation.
- Risk assessment, accident investigation and enforcement with a focus on the activities undertaken to ensure proportionate measures.
- Training, e-learning and exchange of officials at European level.

Some of the best practices and points of interest observed during the review were:

- All 8 staff involved in product safety within SNESB are electrical engineers with quite a lot of expertise and experience.

- SNESB publishes all sales bans on the website adopting a "name and shame" approach. Therefore the also show who are the economic operators. The aim is to show that the authority is trying to create a level playing field.
- Practically all authorities involved in this CIMS Review participate in LVD ADCO. It is seen to be a very good forum for discussing problems and issues being raised by the authorities.
- Problems are still being experienced concerning European entry points. There needs to be more efforts at European level to ensure that products stopped by Customs at one entry point do not enter the market through another Member State.
- SNESB has a small test facility for undertaking preliminary screening of samples. The facility is equipped with multi-meters, heat thermometer guns, calipers and even EMC equipment. This reduces costs for the authority since it helps it to perform preliminary investigations before a decision is taken whether to proceed for testing or not.
- SNESB use what is called the Nordic Failure Code List. (Shown in annex F of the book "Best Practice Techniques in Market Surveillance" [3].) The list has 3 technical and 3 administrative levels. It helps identify the level of risk with a non-compliant (LVD) product in a simple and clear fashion. It also improves the consistency and proportionality in actions taken.
- The two laboratories contracted to perform testing also perform this classification of non-compliances according to the Nordic Failure Code List to assist the authority get an independent review of the level of possible risk in the samples being tested.
- Emphasis is given on participating in standardisation in order to further learn technical issues related to LVD and for each inspector to become an expert in his field. This is a long term process and it may take several years before an inspector is fully proficient in this area and able to actively participate in such technical meetings. However, it means that the inspectors get in tune with all aspects related to the standard and any changes or updates being made. Inspectors typically join at least one standardisation committee. They join both the national and the European (or international) committee. It is seen to be important that the market surveillance inspectors are able to read the standards and have extensive experience and expertise in relation to the standards.
- SNESB has a training box with miscellaneous tricky non-conforming products. It is used for training new employees within the authority to help them identify what the problems are with the different non-compliant products.
- The training also includes that new inspectors can visit the laboratory and see how testing is being performed. This is part of the contractual agreement between the laboratory and SNESB. It ensures that inspectors can monitor testing of the samples the authority has sent to the laboratory.



*Figure 3: Discussions in the CIMS Review Team during the review in Sweden*

More information can be found in the CIMS Review Report, see chapter 3.5.

### 3.4 The CIMS Review at TSI, UK

The review involved a number of UK market surveillance organisations:

- TSI (the Trading Standards Institute);
- BIS (Department of Business, Innovation & Skills, UK);
- BRDO (Better Regulation delivery Office);
- The Trading Standards - Hampshire County Council;
- NTSeCT (National Trading Standards eCrime Team);
- NTSIT (National Trading Standards Intelligence Team);
- SPoC (the Single Point of Contact, UK) coordinated through the Trading Standards - Suffolk County Council.

The main objective of the review was to study and better understand how the UK market surveillance system works, in particular in the areas of national coordination, and to understand the roles that TSI, BIS and BRDO play in the overall coordination of the UK market surveillance as well as in the training of trading standards officers. In addition, the CIMS Review Team also studied border control and how e-crime and online sales are investigated and kept under surveillance.

The CIMS Review was held over two days in London. The first day was hosted by BIS at the Westminster Conference Centre. The second day was hosted by TSI at the London TSI offices.

The focus for this CIMS Review was on identifying best practices, common problems and recommended solutions in the following areas:

- Overall functions of the organisation and systems employed with particular reference to:
  - The role of NTSB (National Trading Standards Board).
  - The role of TSI and the importance of training.
  - The importance of the Trading Standards Officers within the UK.
  - The role of BIS.
  - BRDO within BIS.
- The UK Local Authority Perspective (Hampshire County Council).
- Border Coordination Controls, in particular the role of the SPoC.
- E-Crime & Internet Sales.

Figure 4 shows the complexity of the coordination responsibilities related to BIS.

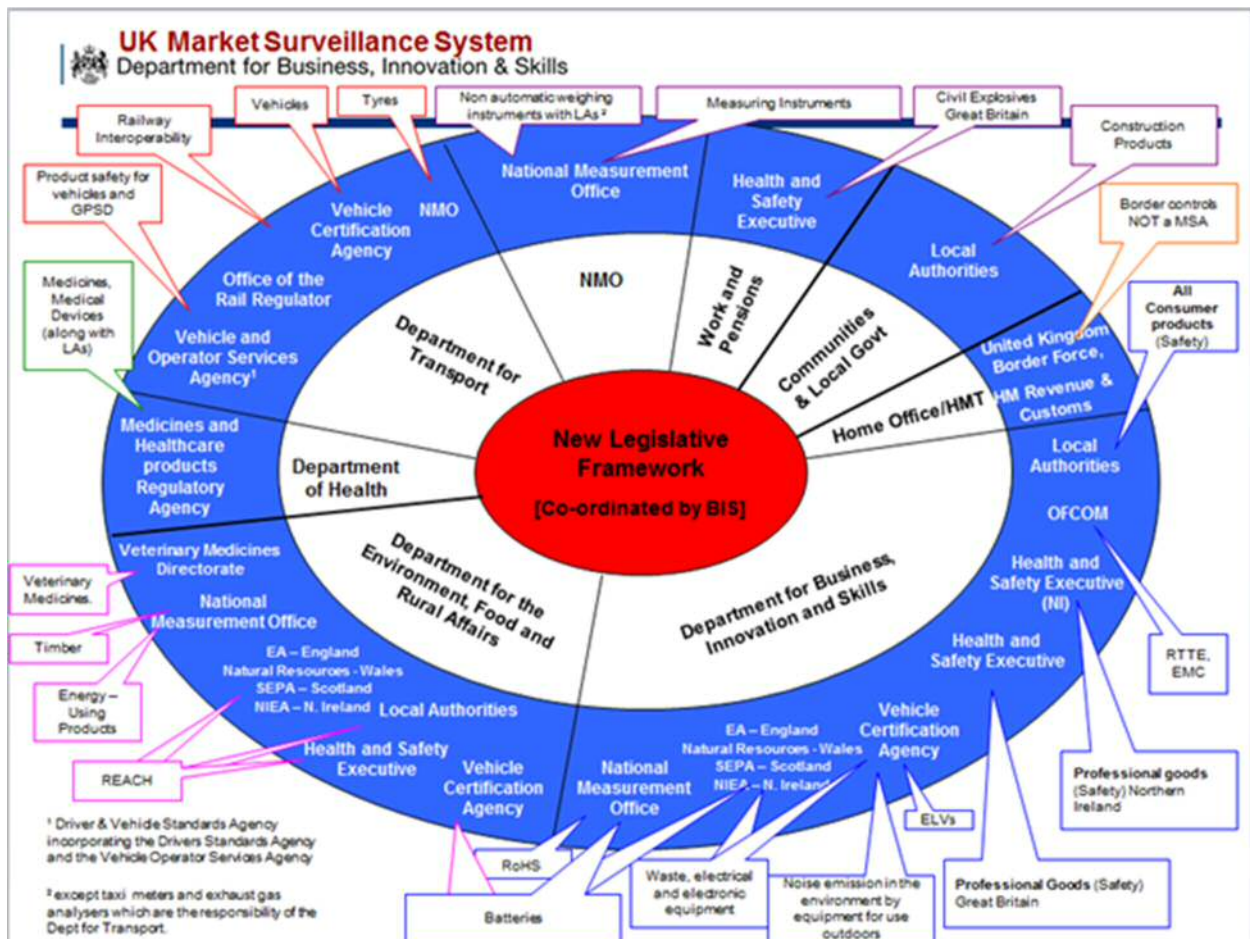


Figure 4: Overview of the BIS coordination responsibilities in the UK market surveillance

Some of the observed best practices and points of interest were:

- TSI seems to have a very good e-learning platform (TSI Academy) for trading standards officers that ensures a continuous update of information, a common base of knowledge and continual professional development to the inspectors.
- The UK has a system by which market surveillance officers are trained and certified competent for the job they execute through the Trading Standards Qualification Framework. It ensures a minimum level of competence amongst market surveillance officers as well as increased harmonization in measures taken across the country.
- A number of screening tools used by local authorities were discussed. Additionally, some simple guidance notes or gadgets are employed to assist UK inspectors to identify possible problems found in e.g. LVD products. This simple approach tends to bring effective results.
- Coordination at national level of the UK points of entry is found to be very beneficial and other market surveillance authorities and customs authorities can learn from the experiences achieved through SPoC.
- The UK authorities and the CIMS review team agreed that stronger cooperation is needed among all Member States in order to create a more effective border control.
- The UK System handling intelligence, e-crime and internet sales seems to be very well organised, highly focused and very advanced. A lot was learnt by the CIMS Review Team members in this area and the contacts established will help the market surveillance authorities if they have any difficulties or need assistance in this respect.
- An Intelligence-driven approach to investigations and market surveillance in relation to online sales and e-crime seems to be a very effective way to identify and target the small share of traders who are creating a detriment to product safety and to fair trading. The UK system with both NTSeCT and NTSIT and other related entities seems to be extremely well organised and focused in this respect.



Figure 5: Discussions in the CIMS Review Team during the presentations given in London.

More information can be found in the CIMS Review Report, see chapter 3.5.

Information can also be found in the September 2014 edition of TSI's magazine "TS Today" [4].

### 3.5 CIMS Review Reports

Reports from each of the two reviews have been produced. They are available for market surveillance authorities only. Interested authorities can obtain a copy from the PROSAFE Secretariat.

## 4 E-learning Module on Toys

### 4.1 Participants

Seven Member States participate in the E-learning Activity: Bulgaria, the Czech Republic, Greece, Lithuania, Netherlands, Portugal and Romania.

The Activity is undertaken in close liaison with the Toys Activity. The Activity Leader for the Toys Activity participates in the e-learning meetings to ensure the highest possible level of interaction between the two working groups.

### 4.2 Development Process

The main objective for 2014 was to develop an e-learning module on the Toy Safety Directive.

The scripts and final content were developed by around end of July 2014. External stakeholders were given an opportunity to comment on the contents, before the contractor started developing the actual module. Following an intensive dialogue with the contractor, the final version of the Toys E-Learning Module was delivered by end of 2014.

Figure 6 shows a screenshot taken from the final module and shows the overall structure of the toys e-learning module. It is divided into three main parts:

- The first part gives an introduction to the Toy Safety Directive, the safety requirements and the

roles and responsibilities of the economic operators.

- The second part presents two case studies. One is related to the chemical properties of toys. The other one discusses age-grading of toys.
- The third part provides practical guidance to market surveillance inspectors. The aim is to be as practical as possible and focus on contents of particular interest to inspectors.

Throughout the course, various questions are posed to the reader to ensure that the respective content is fully understood.

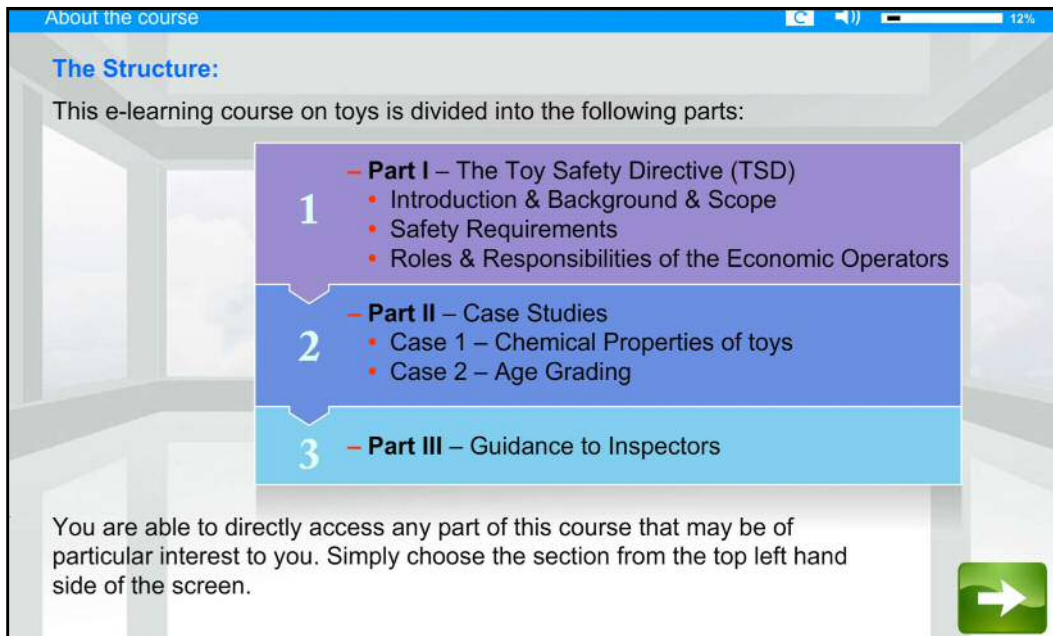


Figure 6: The overall structure of the toys e-learning module.

The complete e-learning module is quite large, probably the largest of the e-learning modules developed by PROSAFE until now. Still, the scope was limited to giving an overview of some of the most important elements related to the Toy Safety Directive.

Besides developing the toys module, the e-learning portal was further fine-tuned during 2014. Figure 7 shows the new design that meets the user.



Figure 7: The new design of the PROSAFE e-learning portal.

### 4.3 Launching of the E-Learning Module

PROSAFE together with the contractor are currently performing some final fine-tuning of the Toys E-Learning Module and the PROSAFE E-Learning Portal.

It is anticipated that the new module will be launched during the Final Conference of JA2012 11 February in Brussels.

## 5 European Market Surveillance Workshop

The Third European Market Surveillance Workshop took place 4 and 5 November 2014 in Brussels immediately before the annual risk assessment seminar 6 November. (See chapter 2.3.)

The intention behind the Annual Market Surveillance Workshops is to provide a platform to discuss crosscutting issues related to European Market Surveillance rather than presenting results from particular Joint Actions. This differentiates the Market Surveillance Workshops from those workshops and conferences held in the spring and the winter, where interim and final results of the Joint Actions are discussed. The Market Surveillance Workshops are held in the framework of the Joint Action launched in the same year. They represent a unique opportunity to discuss market surveillance issues more broadly to help leverage the lessons learnt and the best practice developed in the individual Joint Actions and thereby contribute to improved market surveillance throughout Europe.

The crosscutting nature of these workshops was emphasized this year with the workshop focused on the progress with the implementation of the European Commission's multi-annual plan for the surveillance of products in the EU: "20 actions for safer and complaint products for Europe". The workshop has provided the only opportunity to discuss publically the implementation of the plan.

The workshop heard of the progress that has been made across a range of the action items that address such issues as the poling of information, joint enforcement actions, exchange of officials, products sold on-line, compliance schemes operated by the Market Surveillance Authorities and controls of products entering the Union. PROSAFE presented its experience of these issues as gained through the Joint Actions and Member States had an opportunity to present some of their experiences and engage in discussion with the workshop participants and the Commission officials. Of particular note were presentations from the Netherlands on online sales and from France on a compliance scheme for economic operators. Much useful information was gleaned that will help inform the further implementation of the plan.

Another important focus of this year's workshop was the follow-up of the International Product Safety Week held in Brussels in June. The OECD secretariat attended the workshop and presented the activities of the OECD Working Party on Consumer safety. There was a fruitful discussion of closer collaboration between PROSAFE and the OECD in the future in particular with respect to joint market surveillance activities. There is considerable interest from outside Europe in collaborating on market surveillance. Ad hoc collaboration to date on products such as lighters, baby walkers, toys and ladders has demonstrated the value to the Member States and the implementation of the Joint Actions of such cooperation. The discussion during the Market Surveillance Workshop was very useful to explore how to make such collaboration more systematic and was able to build on a virtual symposium PROSAFE hosted by teleconference earlier in the year and of course the extensive discussion during International Product Safety Week.

In conclusion, it can be noted that the workshop was greatly appreciated by all participants. The focus on issues of a more strategic nature greatly complements the implementation of the individual Joint Actions and contributes to the very positive direction in which market surveillance in Europe is moving.

The agenda for the first day of the workshop (that hosted a session open to stakeholders) is shown in figure 8.



| Day One - Workshop Open Session   |    |   |
|---|----|---|
| TIME  | N° | SUBJECT   |
| 8:30  |    | Registration of participants, coffee  |
| 9:00  | 1. | Opening of Workshop <ul style="list-style-type: none"> <li>Opening remarks from PROSAFE Chairman and JA2013 Project Leader</li> </ul>   |
| 9:15  | 2. | Update on the implementation of JA2013 and PROSAFE's other Joint Actions<br>JA2013<br>JA2012<br>JA China 2  |
| 10:45   |    | Coffee break  |
| 11:15   | 3. | Follow-up of IPSW<br>Presentation of results of events<br>Open discussion on challenges and opportunities for closer collaboration both within Europe and internationally   |
| 11:45   | 4. | Briefing for afternoon session  |
| 12:00   | 5. | JA2014 and JA2015<br>Brief presentation of proposal for JA2014 and first thoughts on JA2015 followed by JA2014 and JA2015 marketplace which can continue over lunch   |
| 13:00   |    | Lunch   |
|   |    | Progress with the implementation of the Multi-Annual Market Surveillance Plan   |
| <i>NOTE - all of the agenda items in the afternoon will feature a presentation of progress from the European Commission and opportunity will be provided for input from PROSAFE and the workshop participants</i> |    |   |
| 14:00   | 6. | <b>EFFICIENCY AND EFFECTIVENESS GAINS WITHIN THE EU</b><br>Pooling of information stemming from investigations<br>Action 1: Facilitate the 'portability' of test reports in the Union<br>Action 2: Maximise the benefits of ICSMS<br>Action 3: Create synergies between GRAS-RAPEX and ICSMS<br>Action 4: Assess the cost/benefit of an EU accident/injury database (AIDB)<br><br><b>A CLOSER COOPERATION THROUGHOUT THE UNION</b><br>Joint enforcement actions<br>Action 9: Joint enforcement activities<br><br>Exchanges of officials<br>Action 10: Exchange of officials<br><br><b>IMPROVING SUPPLY CHAIN SUPERVISION</b><br>Products sold on-line<br>Action 12: Products sold on-line<br><br>Focus on the supply chain<br>Action 15: Compliance scheme operated by Market Surveillance Authorities<br>Looking further ahead at other categories of products |
| 15:00   |    | Coffee break  |
|   |    | <b>MORE AND BETTER CONTROLS ON PRODUCTS ENTERING THE UNION</b>  |
| 15:30   | 7. | Implementation of the Guidelines for import controls in the area of product safety and compliance and further coordination and cooperation<br>Action 17: Support for implementation of the Guidelines in the Member States<br>Action 18: Improve the efficiency of border safety and compliance controls<br>Action 19: Mapping the differences in dealing with safety and compliance controls for products entering the Union<br><br>A common risk approach to customs controls in the area of product safety and compliance<br>Update on Action 20: Development of a common risk approach to customs product safety and compliance controls  |
| 17:00   | 8. | Closing remarks by PROSAFE Chair  |

Figure 8: Agenda for the first (open session) day of the Third European Market Surveillance Workshop

## 6 Quality Management

### 6.1 The background

It has always been important to ensure the quality of the tasks and deliverables, but the need for quality management has grown steadily over the years.

From the beginning, policies and procedures were developed from best practices identified under the first EMARS project or other early PROSAFE Joint Actions. The product activities took these policies and procedures and applied them to the specific circumstances of their activities. Groups such as the PROSAFE Project Management Team or the Project Management Core Group then provided a platform for the discussion of any issues that were encountered in the practical implementation.

(The PROSAFE Project Management Team or the PPMT is the main body in PROSAFE for coordinating all of PROSAFE's activities including in particular the Joint Actions. The PPMT meets approximately bi-weekly on a teleconference except for summer holiday time plus events where the participants meet in person. The PPMT is composed of the Executive Director, the Project Leaders of the Joint Actions and the two consultants who provide assistance to the central coordination tasks. The PPMT provides assistance to the Executive Director and the Project Leaders in the discharge of their daily duties. The PPMT also provides a forum to which individual Joint Actions can address specific issues and concerns related to the day-to-day implementation of their projects. Finally, the PPMT plays a vital role in assuring the implementation of the Quality Plan.)

This approach was taken keeping in mind that it was considered important to strike a balance between allowing the product activities sufficient discretion to implement their work while on the other hand ensuring an adequate consistency in the activities undertaken and results obtained. On top of this it was found important to avoid over proscriptive supervision of the activities that would increase the resources needed for administration of the Joint Action unnecessarily.

Towards the end of JA2010 it became clear that some greater control was necessary and a first effort was made with the JA2010 final report. The deliverables and the contributions to the final report from the individual product activities were compared and edited to ensure a more consistent presentation of the results of the Joint Action. Part of this editing process included the drafting of more detailed guidance for the product activities not only as to the formatting of the documents but also as to their presentation and technical content.

This approach was taken further in JA2013 where a PROSAFE quality plan was developed with the intention to implement it in all of PROSAFE's Joint Actions. The aim of the plan is to ensure that PROSAFE operates in accordance with its charter leaving a professional impression and ensuring a uniform approach in all activities. The plan provides detailed guidance to the consultants supporting the product activities by e.g. laying down quite specific requirements for the technical content and presentation of deliverables and for the reporting obligations to be met under the agreement.

The quality plan applies to everyone involved in PROSAFE's Joint Actions. All Joint Actions are led by a Project Leader supported by a coordinating consultant. The product activities in the Actions are managed by an Activity Leader supported by a consultant.

These people have the following tasks and responsibilities:

- The Project Leader  
The Project Leader has the responsibility for the Joint Action, which includes following up on the budget and the progress of the activities, taking corrective action when necessary, following up on flaws in the administrative flow from the activities, producing interim and final reports from the Action in cooperation with the coordinating consultant, chairing workshops, conferences and other meetings of the Joint Action and cooperating and communicating with stakeholders and business.
- The coordinating consultant  
The coordinating consultant will support the Project Leader in the day-to-day coordination of Joint Action. This includes undertaking a number of practical tasks such as preparing meetings, drafting minutes from meetings, producing reports, etc.
- The Activity Leaders  
An Activity Leader is responsible for managing one of the (product) activities of a Joint Action. This includes tasks such as preparing the activity plan and time plan, chairing the project meetings, monitoring the progress and taking corrective action if necessary, communicating and cooperating with stakeholders linked to the activity and cooperating with customs.

- The consultants  
The consultants will support the Activity Leader in the day-to-day coordination of activity. This includes undertaking a number of practical tasks such as preparing meetings, drafting minutes from meetings, producing misc. documents for the activity, contributing to the Joint Action reports, etc.
- The participants  
The participants are identified in the Grant Agreement of the Joint Action. The participants are obliged to contribute to the Joint Action according to their commitment as stated in the Grant Agreement. This includes participating in activity meetings, studying and commenting documents from the activities, following up on recommendations on communication activities, etc.

## 6.2 The Implementation of Quality Plan JA2013

The quality plan developed under JA2013 is implemented in all of PROSAFE's Joint Actions. It focusses on the deliverables and supports a regular stocktaking where the quality of the deliverables is monitored. The quality plan instigates quarterly reporting based on a rolling report format used by the consultants for reporting from the activities. This allows a more regularly monitoring of the performance indicators and in particular a prompter dealing with any issues arising from (lack of) Member State participation. The approach is still based on "management by exception" but this is considered sufficient taking the nature of the foreseen issues into account.

The overview of the progress with the Joint Action is summarised in very short management progress summaries, which are presented and discussed during a PPMT call. They draw on the information from the rolling reports and the review of the deliverables. Deviations are highlighted and the main activities for the coming three months are identified. This also provides an opportunity for the consultants to raise any issues from the activities.

The management progress summary reports on the following information:

- Progress according to the work plan;
- List of deliverables produced and dates as compared to the work plan;
- Attendance at project meetings;
- Number of samples taken;
- Number of tests carried out.

This list of reporting requirements is in line with the performance indicators under Joint Action 2013 as stated in the Grant Agreement.

The quality plan draws on a comprehensive amount of templates and guidance material as well as best practices previously identified in the Joint Actions. One of the Coordinating Consultants is responsible for liaising with the other consultants to capture new best practices that are developed during the Activities. Such best practices will be included in PROSAFE's knowledge base for future reference.

## 7 Rapid Advice Forum

During 2014, 17 questions were posted to the Rapid Advice Forum.

All questions but one were answered. They received between 1 and 11 replies each. The average was 5,2 replies per question (excluding the question that wasn't answered).

The first reply to the questions arrived in between 0 and 4 days. The average response time was 2,4 days. All days are to be understood as "calendar days", not working days.

All questions except two received at least 2 replies in less than 2 weeks, which is the target for the Forum. One question was unanswered as mentioned above. Another question received only one reply. The answer came immediately and was very detailed. Apparently this scared others from reacting.

Seven of the questions concerned lighters and discussed the classification of lighters into novelty lighters or not. These questions also attracted the highest number of replies, on average 7 compared to 4,3 for the other questions. This confirms an old observation that the Rapid Advice Forum is best suited for simple questions (like for instance "Do you think this lighter is a novelty lighter?" or "Do you think this toys is intended for children below 3 years?").

## 8 PROSAFE Knowledge Base

PROSAFE is accumulating knowledge when carrying out its activities. The knowledge falls in three categories:

- A lot of general knowledge (research reports, reports from market surveillance activities and examples of best practices in market surveillance) was collected in a one-off process in 2006-07 as part of the first EMARS project.
- A lot of guidelines and checklists were collected from the participating Member States in 2010 as part of the EMARS 2 project.
- Checklists and other information is generated by subsequent PROSAFE Joint Actions.

One of the issues that has come through in the evaluations of the two EMARS projects was that the participants wanted to have an easier access to the knowledge captured by PROSAFE. Consequently, JA2013 comprised efforts to increase the usability of this knowledge base by developing a new PROSAFE website. The purpose was to improve the interaction by making the website more user-friendly and easier to use. It is still found on [www.prosafe.org](http://www.prosafe.org). Figure 9 shows the welcome page of the website.

The website has been designed to provide the user with many short-cuts from the “front page” directly to the pages with the contents. Moreover there are drop-down menus in the top menu line (below the logo) also giving direct access to a number of technical topics. There are also short-cuts to all Joint Actions on all pages on the website to ease the navigation and make it easier to find information. Horizontal activities such as risk assessment, e-Learning, CIMS and home authority principle have also been incorporated.

The welcome page also displays a “Latest news” item that presents news like for instance information on call for tenders. It allows interested parties to follow PROSAFE.



Figure 9: Welcome page on the new PROSAFE website ([www.prosafe.org](http://www.prosafe.org)).

The Knowledge Base has been integrated into the website. It has been redesigned to ease the access to the information. Figure 10 shows the entry to the Knowledge Base where the user can browse the Base by topic (product category, horizontal topic, directive or Joint Action), by category or by document name.

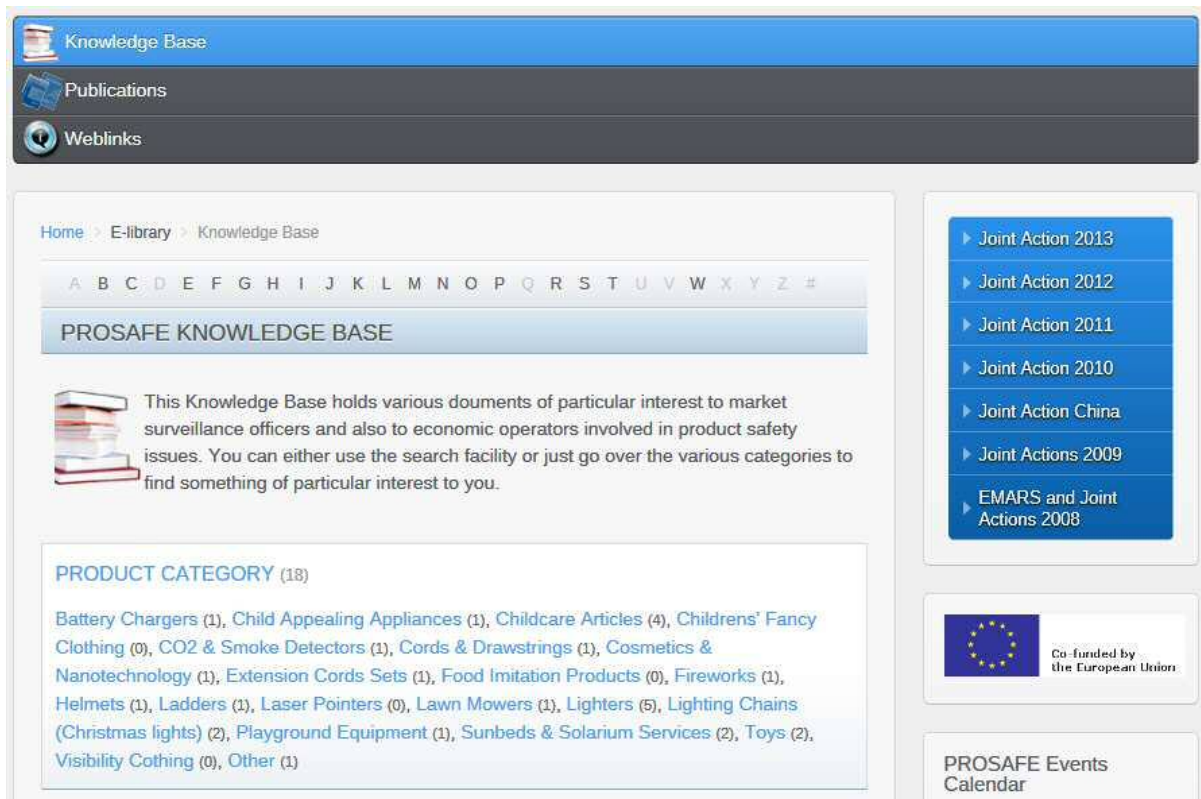


Figure 10: Introduction to the knowledge base on PROSAFE’s web site.

Confidentiality is an issue. Many of the documents in the Knowledge Base were not intended for the general public and should therefore be kept confidential. This issue has been solved by implementing a log-in system where only PROSAFE members have access.

The maintenance of the PROSAFE website is completely handled by the PROSAFE Secretariat.

The new website was presented at the PROSAFE conference 15 May 2014.

## 9 Conclusion, Lessons Learned

Obviously, the method development activities must be seen in conjunction with the Joint Action that they are part of so a true evaluation of the impact of the activities could be part of an evaluation of the complete Joint Action.

Still, it is possible to give a picture of the lessons learned from the individual method development activities:

- Risk Assessment

The work in the risk assessment activity has shown that it is difficult to achieve the desired close liaison between the risk assessment activity and the product activities.

Ideally, each product activity should tell the risk assessment group about the main non-compliances and risks associated with their product. The risk assessment group should then develop risk assessment templates for the product based on this input and send it back to the product activity group. Last, the product activity should test the templates and share their experiences with the risk assessment group.

In practice, this is difficult. Normally, the product activity groups are only ready to discuss risks for their products after their second or perhaps even third meeting, which would be towards the

end of the first year of the Joint Action when the risk assessment group is finishing its work. Moreover, the product activity group only needs the templates at their second-last meeting that would take place in the middle of the second year of the Joint Action. This means that their experiences have to be handled by the risk assessment group of the next year's Joint Action.

In reality, this constitutes more of a formal problem than a practical problem. The risk assessment group doesn't see a lot of replacement of members from one year to the next one so it is more or less the same group of people that will develop the templates and receive the experiences. The formal problem is that the Grant Agreement stipulates that any given year's Joint Action should develop templates for the products targeted by the same Joint Action without taking the multi-annual nature of the activities into account. It is being considered how this can be resolved in future Joint Actions.

- Continuous Improvement in Market Surveillance (CIMS)

This year's CIMS activity tested one important new aspect. Until Joint Action 2013, the CIMS reviews had been initiated by an authority that called upon a group of experts to review their practices with the aim to initiate improvements at the host authority.

This was done differently in JA2013. This time the group of experts identified two authorities with apparently interesting best practices and organised a study visit with the purpose to study their best practices and extract general knowledge for the benefit of the PROSAFE community. This approach worked very well and the conclusion was it has given PROSAFE one more tool in the CIMS tool box.

- E-learning

The e-learning activity proved that PROSAFE has developed a quite efficient method to transform knowledge generated in one activity (in this case the toys activity) into training material that can be uploaded to PROSAFE's e-learning platform.

It is anticipated that this use of the e-learning tool will increase in the future and e-learning modules will become one of the tools that PROSAFE can use to disseminate knowledge and best practices from its activities.

- Organisation of the Annual Market Surveillance Workshop 2014

The Annual Market Surveillance Workshop again proved to be the focal point for the European market surveillance community to discuss and reflect upon market surveillance issues of many different kinds. The continuous success of the workshop suggests that there is indeed a demand for such events.

- Quality Management

The introduction of a more firm quality management approach turned out to increase the exchange of best practices among the consultants in JA2013. The trigger being the introduction of templates that laid down rather detailed requirements for the layout and contents of all deliverables. The preparation of the templates gave rise to fruitful discussions among the consultants and the project management about what is necessary to include in the deliverables and how this information can be presented. These discussions indeed speeded up the sharing of best practices. However, one must also appreciate that it was a one-off gain. Now, this exchange has taken place and it is unlikely that the templates will cause a similar step change in subsequent joint actions.

- The Rapid Advice Forum

The Rapid Advice Forum continued to provide an efficient platform for market surveillance officers throughout Europe (and even across the world) to raise questions and get informal advice from their colleagues in other countries.

- The PROSAFE Knowledge Base

The launch of a new and more user-friendly PROSAFE website eased the user's access to the information from the Knowledge Base, and it gave the information providers in the Joint Action a clearer picture of where their information will end. It is supposed that this will increase the amount of information that will be made available for PROSAFE members in the future.

The introduction of a "members-only" zone will supposedly further amplify this trend.

## 10 Bibliography

All quotes and references in the text are stated with a number in brackets, e.g. [1]. The full list of references is given below.

1. "Grant Agreement for an Action - Multiple Beneficiaries, Agreement Number 2013 82 01". Grant Agreement 2013 82 01 - GPSD JA.
2. "Commission Decision 2010/15/EU of 16 December 2009 laying down guidelines for the management of the Community Rapid Information System 'RAPEX' established under Article 12 and of the notification procedure established under Article 11 of Directive 2001/95/EC (the General Product Safety Directive)". Published in the Official Journal of the European Union L22/1.
3. "Best Practice Techniques in Market Surveillance". Handbook in market surveillance prepared by PROSAFE as part of the EMARS project in 2006 - 08. Can be downloaded from [www.prosafe.org](http://www.prosafe.org).
4. "Meeting of Minds". Article in "TS Today", the Trading Standards magazine, September 2014. Available online at <http://portfolio.cpl.co.uk/TS-Today/201409/surveillance-cims-review/>