

PROSAFE

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JAHARP2020-3

LAYMAN'S REPORT

Joint Market Surveillance Action on Harmonised Products 2020



Co-funded by
the European Union



JAHARP2020



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Watch the JAHARP2020 movie on YouTube:

https://www.youtube.com/watch?v=QaBTt_hn9AE

DISCLAIMER

This report arises from the Joint Market Surveillance Actions on Harmonised Products - JAHARP2020, which receive funding from the European Union in the framework of the Action entitled "EU support to joint market surveillance actions for non-food products".

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ABBREVIATIONS

ADCO	Administrative Cooperation Group
CE [marking]	European Conformity (Conformité Européenne)
DG GROW	Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
CEN	European Committee for Standardisation
DoC	Declaration of Conformity
EEA	European Economic Area
EN	European Standards
EU	European Union
GA	Grant Agreement
ICSMS	Information and Communication System for Market Surveillance
IoT	Internet of Things
LVD	EU Low Voltage Directive 2014/35/EU
MSA	Market Surveillance Authority
RAG	European Commission's Risk Assessment Guidelines tool
RAPEX	The Rapid Alert System for Non-Food Products
RED	Radio Equipment Directive
TPE	Transportable Pressure Equipment
TPED	Directive 2010/35/EC on Transportable Pressure Equipment
WP	Work Package

EXECUTIVE summary

The JAHARP2020-3 is a 24-month pan-European market surveillance project on harmonised products, co-financed (90% funding rate) by the European Union (EU). The project was part of the [Joint Market Surveillance Action on Harmonised Products 2020 Triplet](#) (JAHARP2020-1, JAHARP2020-2, and JAHARP2020-3) that ran between May 2021 and May 2023.

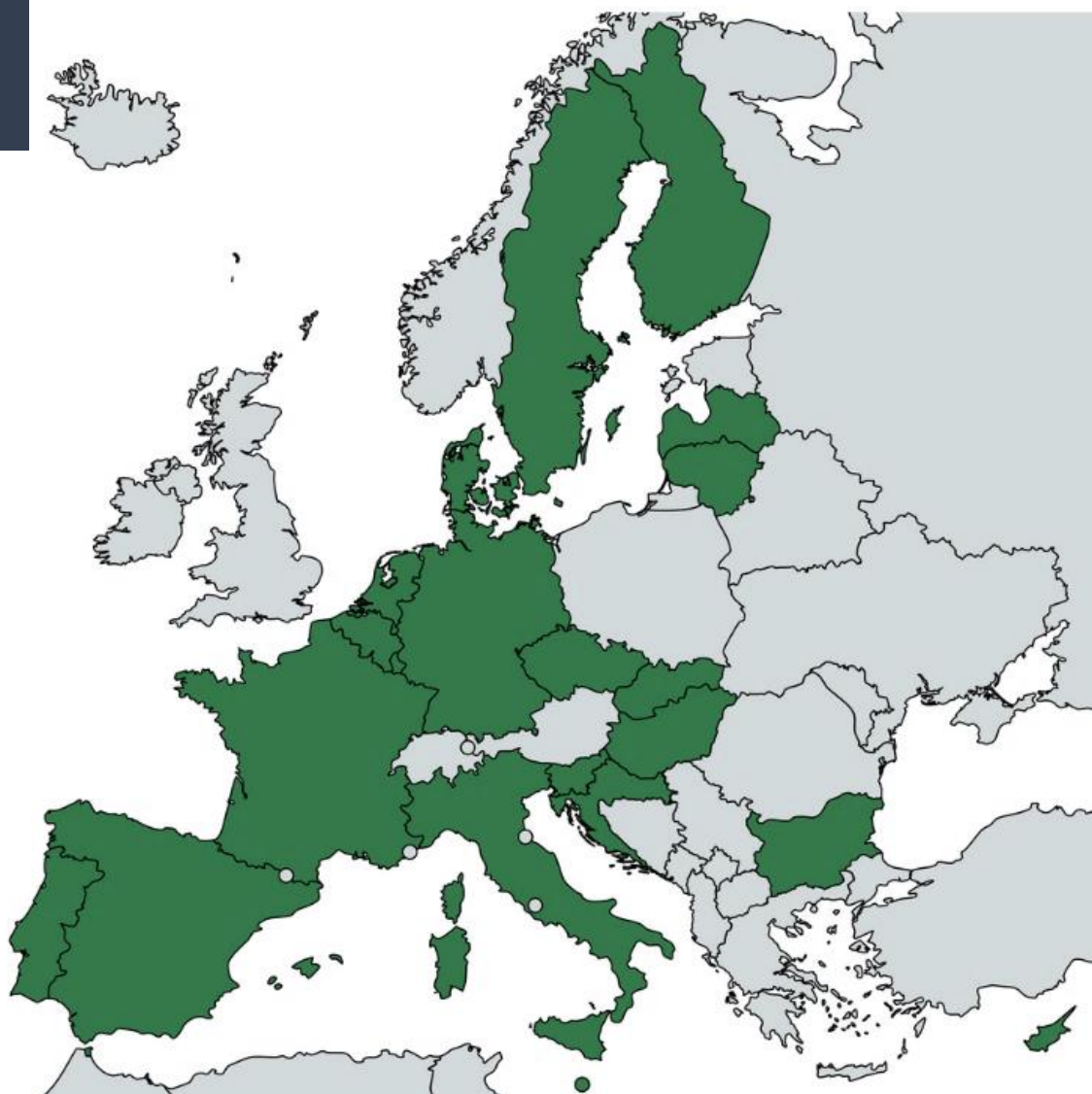
Non-compliant and unsafe products put EU citizens at risk and distort competition with economic operators selling compliant products within the EU. To ensure that all essential health and safety requirements imposed by Union legislation are fulfilled, JAHARP2020-3 carried out three activities:

1. Compliance verification of Gas-fired Space Heaters (Work Package 1)
2. Development of a common approach to the market surveillance of large TPE for the transport of Class 2 gases (Work Package 2)
3. Compliance verification of USB chargers (Work Package 3)




COUNTRIES PARTICIPATING IN THE JAHARP2020-3

- BELGIUM
- BULGARIA
- CROATIA
- CZECH REPUBLIC
- CYPRUS
- DENMARK
- FINLAND
- FRANCE
- GERMANY
- HUNGARY
- ITALY
- LATVIA
- LITHUANIA
- LUXEMBURG
- MALTA
- NETHERLANDS
- PORTUGAL
- SPAIN
- SLOVAKIA
- SLOVENIA
- SWEDEN

plus SWITZERLAND and IRELAND (as an observers in certain activities)



The main objectives and achievements of the project were:

OBJECTIVE	ACHIEVEMENT
<p>1. To keep non-compliant and dangerous products from entering the Single Market through coordinated cross-boundary market surveillance campaigns.</p>	 <ul style="list-style-type: none"> • 169 products screened • 169 products checked • 150 products tested • 20 national markets • 65 corrective measures (up to date) • 44 products removed or banned from the market • 10 EU Safety Gate risk alert notifications
<p>2. To support the application of the new Market Surveillance Regulation (EU) 2019/1020 through the development of common approaches, good practices for market surveillance, and synergies with relevant stakeholders.</p>	 <ul style="list-style-type: none"> • Over 6 recommendations to MSAs, EOs, or standardisation bodies • Regular interactions with ADCO groups • All EU-27 MSAs reached through communication and dissemination activities
<p>3. To increase the skills and knowledge of the European market surveillance authorities through the development of tools, cross-sectoral capacity-building and knowledge exchange, and the promotion of more harmonised practices and common approaches to market surveillance.</p>	 <ul style="list-style-type: none"> • Over 60 MSA officials involved in one or more activities • 2 trainings/workshops/study visits organised • Over 10 guidelines, training material, Codes of Practice, and other replicable tools developed • One e-Library/Knowledge Base on PROSAFE's website, containing all tools, guidelines, etc., available to all EU/EEA MSAs beyond the duration of the project. More than 50 documents to be uploaded following the approval of the final periodic report by DG GROW.

29 Market Surveillance Authorities from 22 European countries

The JAHARP2020 TRIPLET CONSORTIUM



SNAPSHOT of compliance verification results, and of the capacity-building and method-development activity

ATTENTION!

The results presented in this report are based on products that were sampled from the markets in the participating countries by experienced market surveillance inspectors that were looking for noncompliant and potentially unsafe products. As in any routine market surveillance activity, the results represent the targeted efforts that authorities undertake to identify unsafe products. They do not give a statistically valid picture of the market situation. The samples were tested at accredited laboratories. Product testing focussed on those safety requirements that have the largest impact on consumer safety.

JAHARP2020-3 tested 30 samples of three types of gas space heaters: flueless space heaters, mobile convection heaters, and patio heaters. Furthermore, 120 portable direct plug-in USB chargers were sampled directly from economic operators or from online shops.

USB CHARGER



TYPES OF GAS SPACE HEATERS



PRODUCT TESTING

JAHARP2020-3 carried out laboratory testing on two product categories: Gas space heaters, and USB chargers



GAS SPACE HEATERS

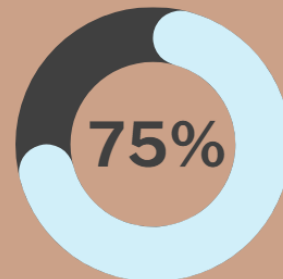
21 of the 30 products tested were found to present at least one technical non-conformity during the laboratory testing.

70%

NON-COMPLIANCE RATE

USB CHARGERS

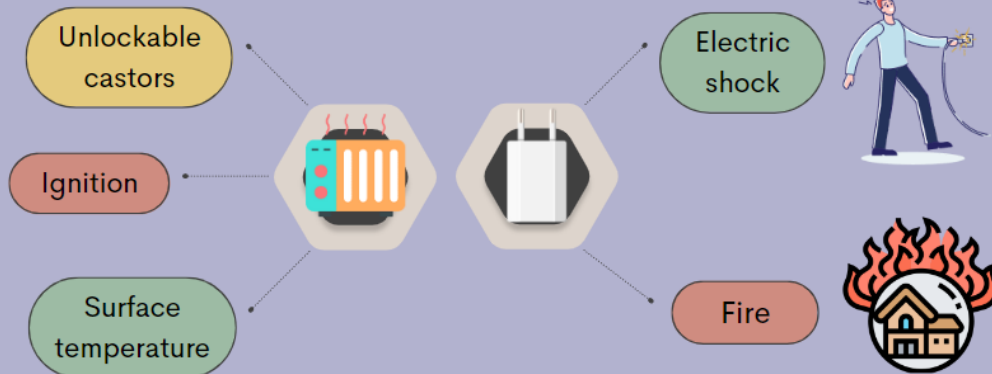
Technical non-conformities were identified in 90 of the 120 products tested



NON-COMPLIANCE RATE

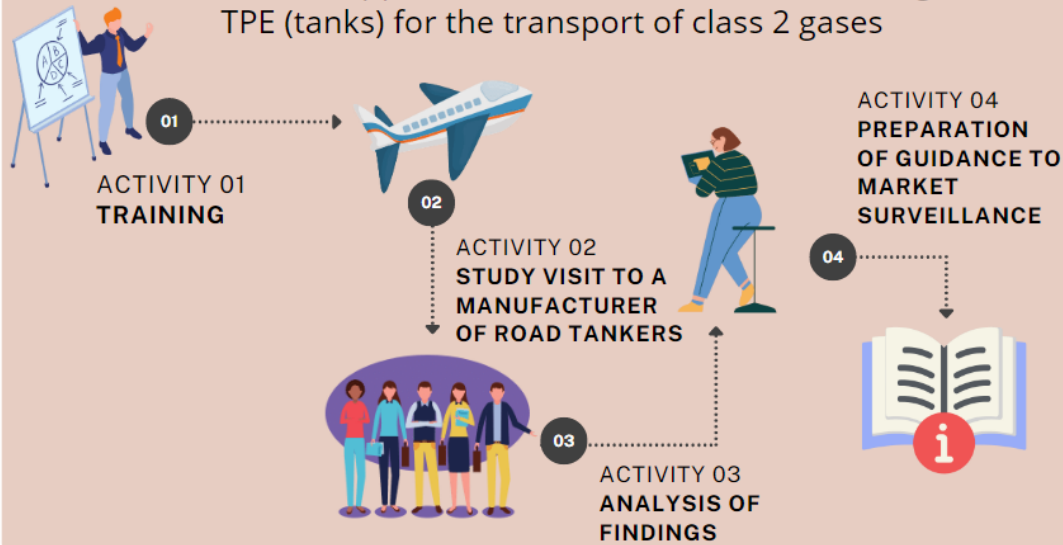
RISKS IDENTIFIED

The main risks identified by each activity are:

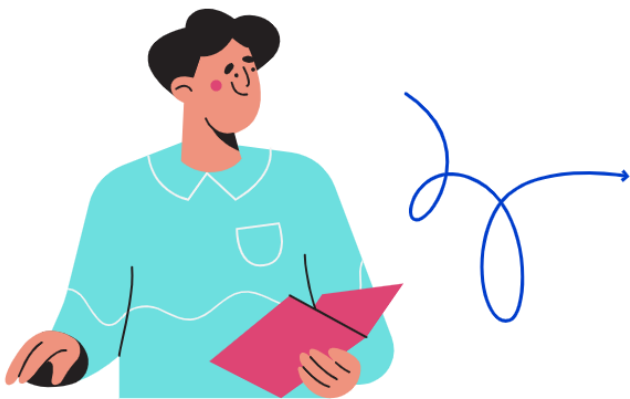


LARGE TPE FOR THE TRANSPORT OF CLASS 2 GASES

Activities carried out for the development of a harmonised approach to market surveillance of large TPE (tanks) for the transport of class 2 gases



Consumer ADVICE



01

Ensure that your appliances are provided with the CE conformity mark, information about manufacturer, the necessary warnings, and a user manual in your language

02

If you want to buy a flueless space heater, look for a model where the castors are lockable to avoid that the heater slides towards combustible material while operating

03

Check that your USB charger plugs in easily and ensure correct product markings and compatibility with your devices

04

Avoid charging devices overnight or when leaving your home



Be safe, check the Safety Gate!

<https://ec.europa.eu/safety-gate/#/screen/home>



[Safety Gate](#) is the EU's rapid alert system for dangerous products. Every week, national authorities across the EU send alerts on products found to pose a serious safety or health risk to consumers. Visit the [Safety Gate](#) to learn more about unsafe products. And remember—if a product is listed in Safety Gate, don't buy it!

1. OVERVIEW of the JAHARP2020-3 activities

Two compliance verification product-specific activities, and one capacity-building and method-development action.

JAHARP2020-3 examined and tested samples from two popular product categories: i) **Gas space heaters**, and ii) **USB chargers**. These were prioritised because of the overall level of EU market surveillance in these two areas, market penetration in EU-27, and the relatively high number of reported non-conformities in the European Commission’s Information and Communication System on Market Surveillance (ICSMS) and EU Safety Gate.

For both product categories, samples were tested using common testing and sampling criteria as agreed among the involved market surveillance authorities and in coordination with the contracted test laboratories.

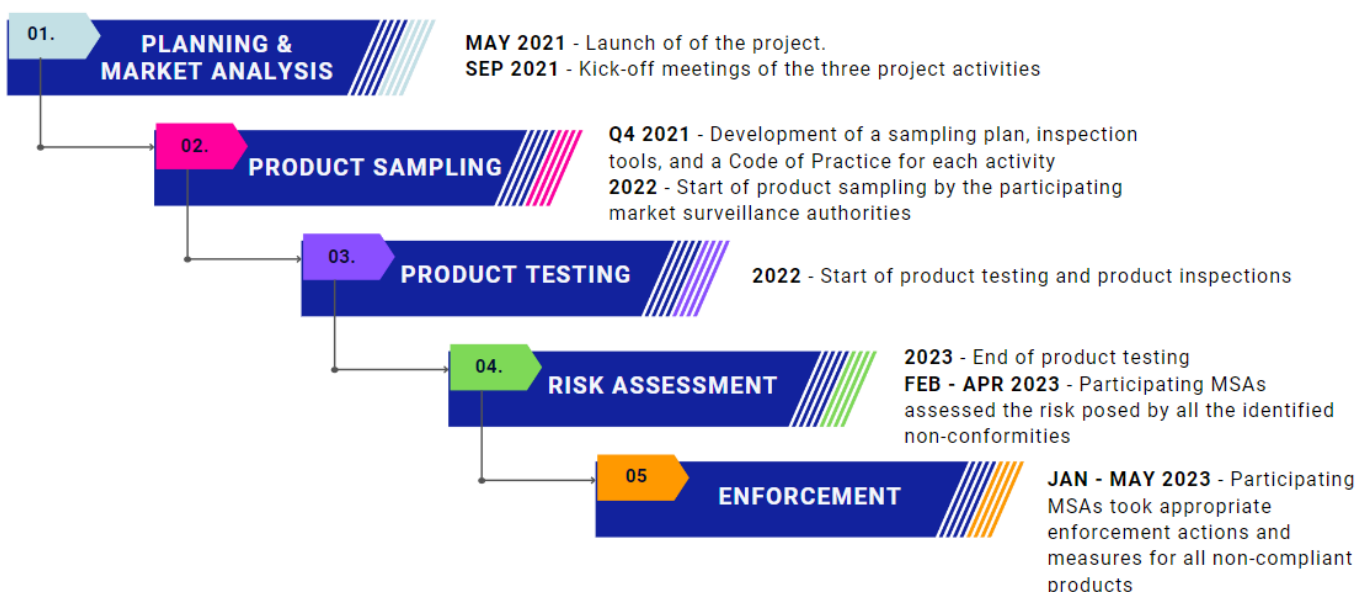
Participants assessed the risk posed by all the identified non-conformities for all tested products and based on the results of this analysis and risk level, took appropriate enforcement measures against all the non-compliant products including product recalls, sales bans, or withdrawal from the market.

Besides the two product-specific activities, JAHARP2020-3 also worked to develop a common approach to market surveillance of large Transportable Pressure Equipment (TPE) for the transport of Class 2 gas. In Europe, the transport of dangerous goods represents around 15 % of the total transport of goods— all products and all modes of transport combined. In 2015, the European road tanker fleet counted approximately 60,000 units, with about 5,000 new vehicles per year. Because of the product type specifications, as well the sampling and testing delimitations linked to big size, a common compliance verification method was very much needed for this sector.



Image 1: Example of a large TPE used for the transport of Class 2 gas

The JAHARP2020 PROCESS



2. INSPECTION AND TEST results

2.1 Gas space heaters

2.1.1 Overview of main findings

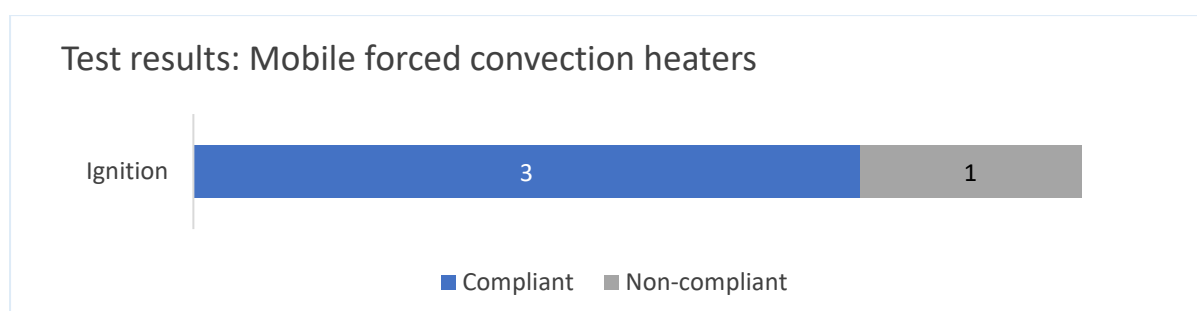
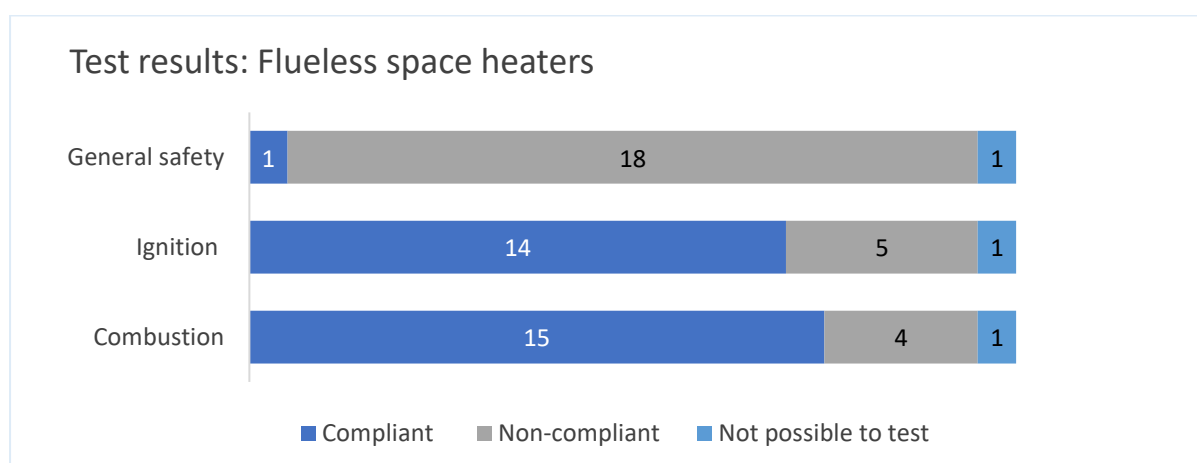
21 of 30 gas space heater samples failed to meet all the essential safety requirements.

The 15 participating market surveillance authorities sampled 30 gas space heater products from three product sub-categories: (i) **Mobile forced convection heaters (4 models)**, (ii) **Domestic flueless space heaters (18 models)**, and (iii) **Patio heaters (9 models)**. Samples were selected based on a prior risk and market analysis, with feedback from the industry and intelligence from the Gas Appliances ADCO group.

19 of the samples (63%) were sampled from physical shops, and 11 samples (37%) were purchased from online sellers.

Samples were sent to a certified test laboratory for verifying their compliance with the essential requirements of the Gas Appliances Regulation (EU) 2016/426¹ and the applicable standards (EN 1596:1998 including A1:2004, EN 449:2002 including A1:2007, and EN 14543:2005 including A1:2007).

Test results showed that 21 (70%) of the 30 products did not meet one or more of the requirements of the test programme.



¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016R0426>

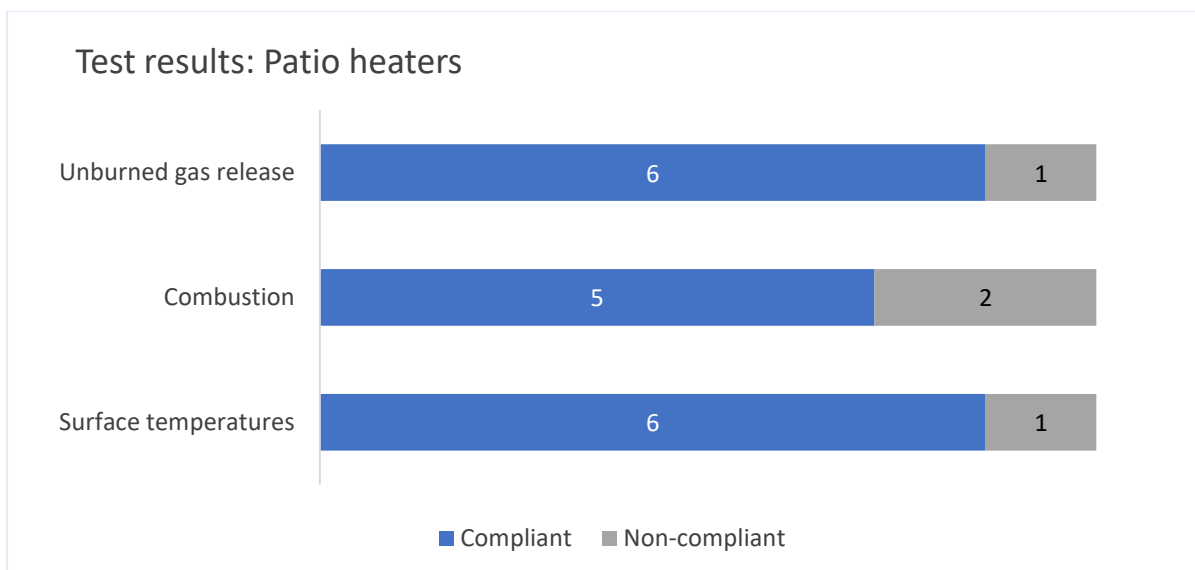


Figure 1: Test results for the three types of gas space heaters in scope

Besides testing, the laboratory also assessed the markings of the appliances and the information in the user manual that is provided with the appliances. 24 of the 30 products inspected were found to have problems (i.e., errors or omissions) with their markings, warnings, and/or user instructions.

Table 1: Results of checks on markings & user instructions, carried out by the test laboratory as part of the testing process

	NON-COMPLIANCE RATE %, per product sub-type		
	Flueless space heaters	Mobile forced convection heaters	Patio heaters
Number of tested appliances	19	4	7
Marking and warnings on appliance	68% (13/19)	75% (3/4)	71% (5/7)
Information on nameplate	-	25% (1/4)	14% (1/7)
Marking and warnings on packaging	58% (11/19)	75% (3/4)	86% (6/7)
Information in user guide	58% (11/19)	50% (2/4)	28% (2/7)

Although such non-compliances may be seen as low-risk administrative shortcomings, in fact, some of these issues may pose a risk to the user of a heater. A missing warning or instruction may imply that the user is not warned against using or installing the product in a way that can cause dangerous situations that may lead to injuries. If for instance, the warning of the minimum safety distance in front of the appliance is missing, then the user may place the heater too close to something that can catch fire, or he/she may get close to the appliance and suffer burns.

In addition to these inspections carried out by the test laboratory as part of the testing process, the participating market surveillance authorities examined the compliance of the technical documentation, markings, warnings, and user instructions for 49 models. The share of products with nonconforming elements was overall high – always taking into consideration the risk-based approach used by the authorities for selecting these models. For example, 33 of the 47 EU Declarations of

Conformity submitted by the concerned economic operators had errors or missing information. With regards to user instructions, just over half of the documents requested and examined (25 of 47, or 53%) were correct. Considering that the user manual contains crucial information that can affect the safety of the user, this is a rather distressing discovery.

2.1.2 Risk assessment results and corrective measures

11 of the 21 heaters that failed in laboratory tests may pose medium to high risks to the end users.

Products placed on the EU market must comply with the essential safety requirements set out in the applicable EU regulation. To assess the risk level of the identified hazards for products that failed in laboratory tests, market surveillance authorities develop risk assessments based on the Implementing Decision (EU) 2019/417 of the European Commission and the Risk Assessment Guidelines (RAG) tool².

In this project, the participating market surveillance authorities undertook a Round Robin risk assessment exercise to better align their individual risk assessments for similar types of identified non-conformities. The risk assessment results are shown below.

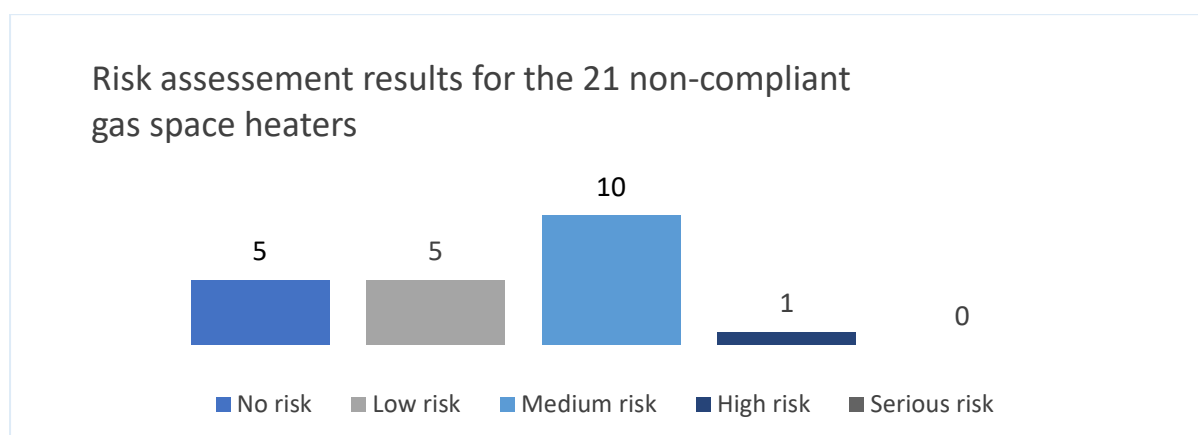


Figure 2: Risk assessment: Gas space heaters

Based on the test results and risk assessments performed, the participating market surveillance authorities took appropriate corrective measures against the products that did not comply with the Gas Appliances Regulation (EU) 2016/426 and the applicable standards.

As a result of this activity, one flueless space heater with several serious non-compliances was notified via the EU Safety Gate³ for dangerous products in accordance with Article 12 of the General Product Safety Directive 2001/95/EC (GPSD). Moreover, Safety Gate notifications were submitted for three flueless space heater products in accordance with Article 11 of the GPSD.

All measures taken by the responsible market surveillance authorities are presented below.

² <https://ec.europa.eu/rag/#/screen/home>

³ <https://ec.europa.eu/safety-gate/#/screen/home>

Enforcement measures taken for the non-compliant gas space heaters

- No action required
- Minor measures/remark or advising the economic operator
- Sales ban
- Compulsory withdrawal from the market
- Voluntary withdrawal from the market
- Voluntary agreement to modify future deliveries
- EU Safety Gate A11 alerts made
- EU Safety Gate A12 alerts made
- Pending discussions between MSAs and Economic Operators

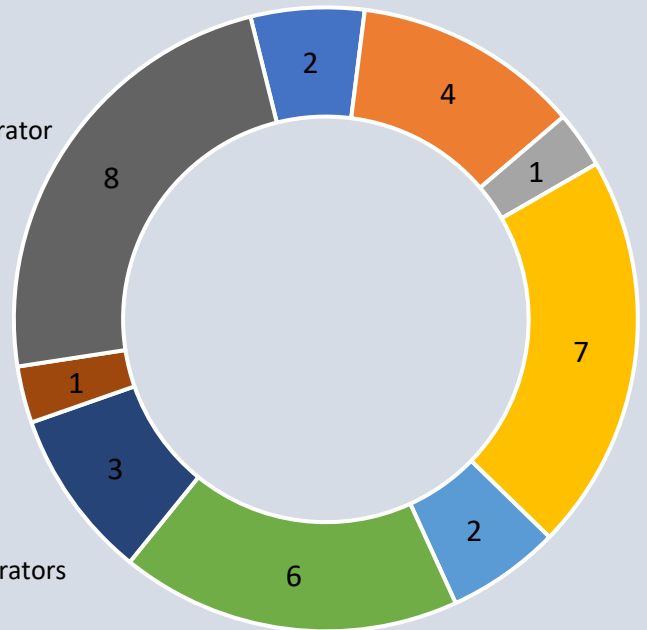


Figure 3: Enforcement actions: Gas space heaters

2.2 USB chargers

2.2.1 Overview of main findings

90 of the 120 USB chargers tested did not meet all the requirements of the test programme.

120 portable direct plug-in USB chargers were sampled based on the results of a risk and market analysis. From these, 72% were taken from physical stores and 28% from online sellers. For 90% of the sampled products, the country of origin was China.

The test programme included mechanical and electrical tests on safety-critical clauses of the latest valid edition of the relevant harmonised standard EN 62368-1:2020.

Tests showed that 90 of the 120 products tested failed to meet all the requirements of the test programme, with 59% of the samples presenting multiple non-conformities.

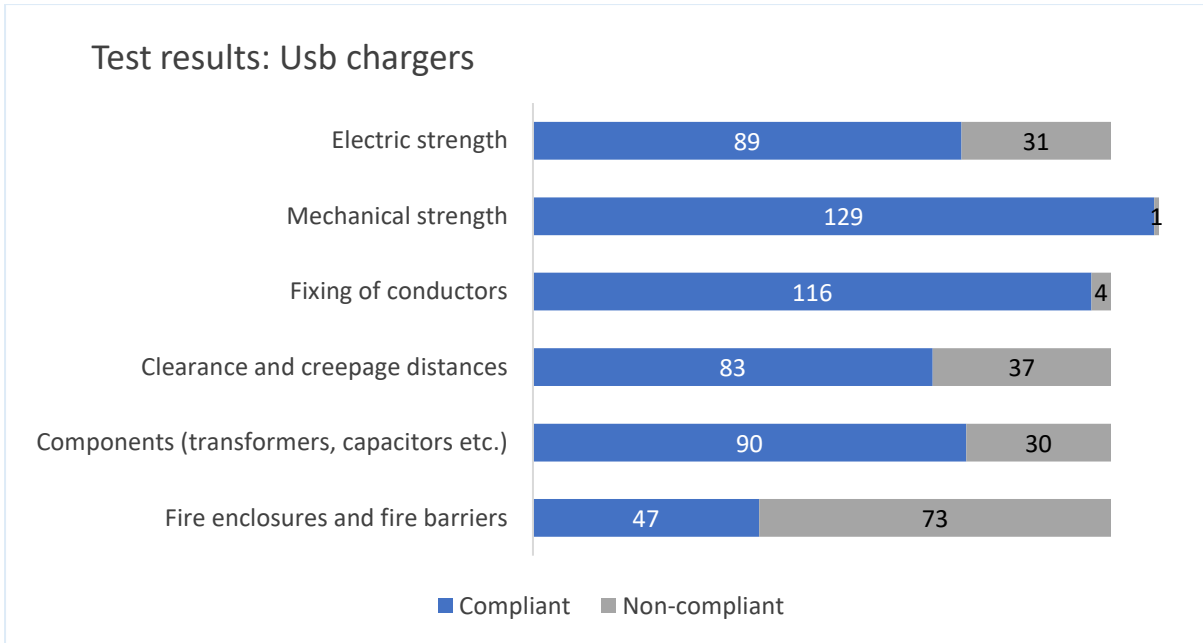


Figure 4: Test results: USB chargers

The participating market surveillance authorities also examined the EU Declaration of Conformity (DoC) and the supporting test report provided by the economic operator, where necessary. The result of checks on DoCs revealed that 89% of the documents assessed were compliant with the relevant requirements of the EU Low Voltage Directive 2014/35/EU (LVD). Conversely, 39% of the test reports examined were non-compliant, mostly resulting from inconsistent product model details, rating plate details not matching those on the physical product, harmonised standards and product model details not matching those in the DoC, or test reports not formally authorised for issue.

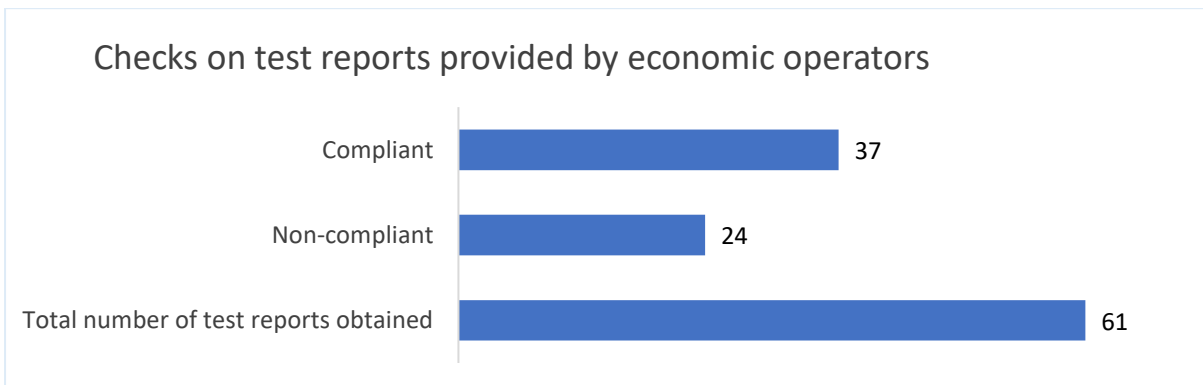
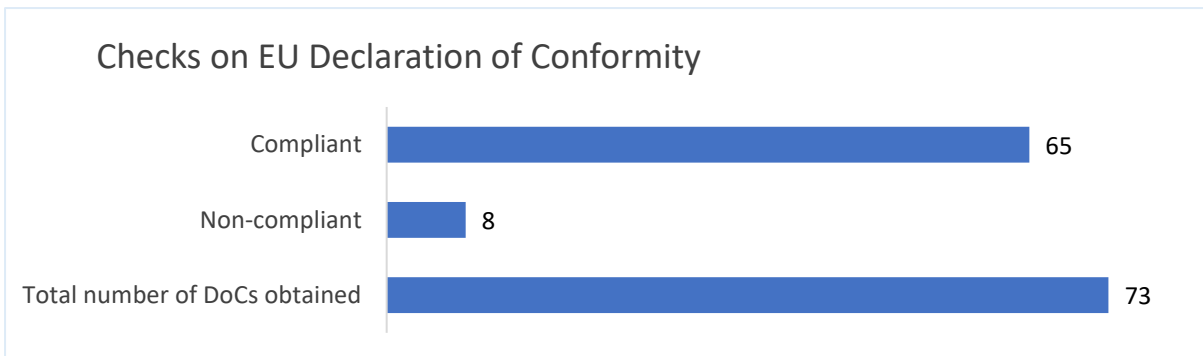


Figure 5: Checks on technical documentation

2.2.2 Risk assessment results and corrective measures

The overall risk levels for the nonconforming USB chargers revealed 17% with a low risk, 27% with a medium risk, 10% with a high risk, and 18% with a serious risk.

Risk assessments were prepared using the European Commission’s Risk Assessment Guidelines (RAG) tool. Risk scenarios focussed on the hazards identified in a prior desk research with injury scenarios involving electric shock, burns, fire (fatal poisoning), and property damage. For example, empirical data suggest that users commonly charge their electronic devices and gadgets overnight, thus increasing the risk of both the connected device and the charger overheating.

According to the results of the risk assessment, 25 of the 90 non-conforming models were found to pose a high or a serious risk to the end user.

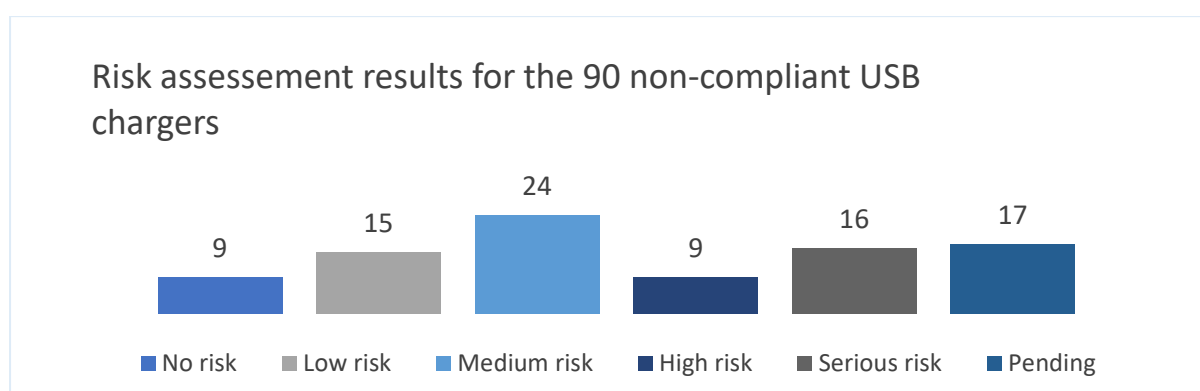


Figure 6: Risk assessment results: USB chargers



Image 2: Examples of nonconformities detected in the laboratory tests on USB chargers

Test results and the outcome of the risk assessment triggered over 100 enforcement measures so far. Four models were banned from the market, 3 were recalled, and 27 were withdrawn voluntarily or on demand. In July 2023, 34 cases were still under evaluation.

Enforcement measures taken for the non-compliant USB chargers

- No action required
- Minor measures/remark or advising the economic operator
- Sales ban
- Compulsory withdrawal from the market
- Voluntary withdrawal from the market
- Voluntary agreement to modify future deliveries
- EU Safety Gate A11 alerts made
- EU Safety Gate A12 alerts made
- Pending discussions between MSAs and Economic Operators

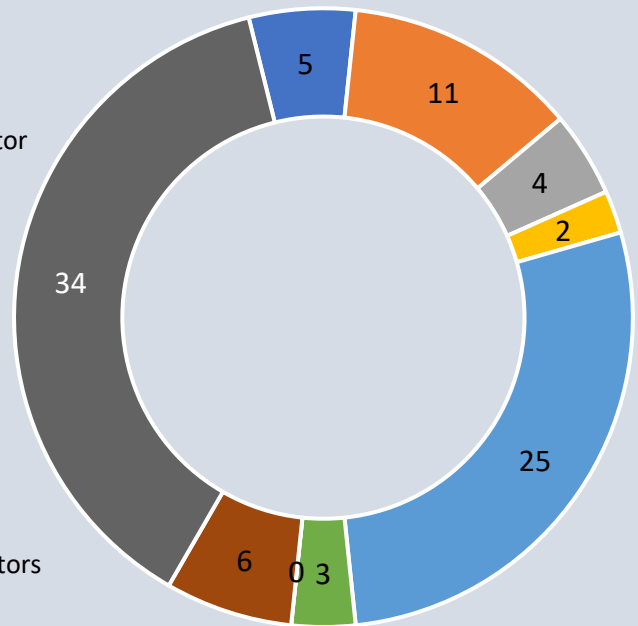


Figure 7 : Enforcement actions: USB chargers

3. CONCLUSIONS and recommendations

JAHARP2020-3 examined and tested 30 gas-fired space heaters and 120 direct plug-in USB chargers. 70% of the heaters and 75% of the USB chargers tested did not meet one or more of the essential safety requirements of the test programme in accordance with the applicable Union regulation and standards.

The most significant technical non-compliance concerned the non-lockable castors on the flueless space heaters that was present on 18 of the 19 tested samples.

Furthermore, 80% of the gas space heaters and 28% of the USB chargers did not meet the requirements on markings, warnings, or user instructions, because of incomplete, incorrect or no information. These results are quite concerning as safety guidance is essential for the safe use of the products.

The participating market surveillance authorities took all the appropriate required corrective measures for the non-conforming products, ranging from advisory notes to economic operations to sales bans, withdrawals and recalls for those products that were found to present a high or serious risk.

The following recommendations are based on the results of the product inspections and testing of this joint action.

Tips for consumers ✦

01

Pay attention

to markings and safety warnings. Read the safety instructions/manual before use.

03

Be aware

of the safety risks for you and your family when using gas space heaters and USB chargers

02

Know who you're buying from

Always buy products from trustworthy retailers.

04

Check before you buy

Visit the EU's Safety Gate website to find all detected dangerous products



Tips for MSAs ✦

01

Continue market surveillance

on gas space heaters and USB chargers. Continue the work done to provide a wider base of knowledge and experience and to validate the approach to market surveillance of large TPE on a larger scale

02

Share the JAHARP2020 results

and lessons learned with all EU/EEA MSAs via the respective ADCO groups

01

Place products on the market

with complete and accurate markings and instructions

03

Improve

your communication and accessibility of information in case of recalls

Tips for economic operators ✦

02

Ensure

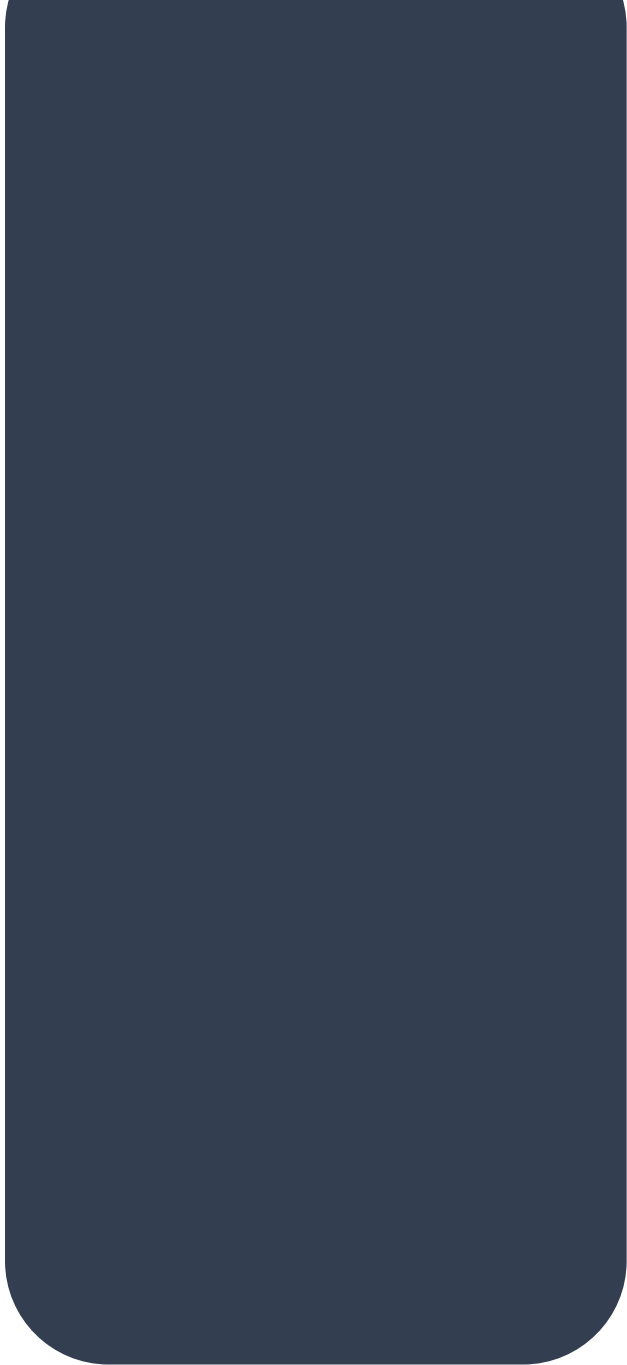
that your products comply with all applicable EU legislations

04

Enhance

your cooperation with MSAs and Customs for imported products





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JAHARP2020

