



2023 RESULTS



EUROPEAN COMMISSION

Directorate-General for Justice and Consumers Directorate Consumers Unit B.4 Product Safety and Rapid Alert System E-mail: JUST-SAFETY-GATE@ec.europa.eu

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FOREWORD

Product safety is the backbone of consumer protection. Today, even the most mundane objects surrounding us are the results of complex chemical or mechanical processes that could potentially be a safe hazard, whether it is the products we pick up on the shelf or delivered at our doorsteps; the toys our children play with; or our household tools. To ensure that our surroundings are absolutely safe for our daily use is an essential matter of trust: consumer trust in the products businesses sell to us, and trust for our health.

In a few months, the 5-year mandate of the von der Leyen Commission will draw to a close. During these crucial years, we have stirred the ship through monumental crises, such as a global pandemic and war back in Europe, with the difficult economic climate they brought with them. I am proud of the work my team and I have achieved during these trying times to ensure consumers rights are respected and appropriately adapted to the modern challenges.

Throughout my mandate, I have been attentive to Safety Gate. Despite the disruptive potential of these crises, it has grown and developed to face new goals set by new habits and trends. With the adoption of the **General Product Safety Regulation**, which will be applicable from December 2024, we strengthened the legal scope of our rapid alert system. We also developed new tools to help national authorities better detect dangerous products wherever they are, both online and offline.



Didier Reynders, EU Commissioner for Justice

The results are here. In 2023, Safety Gate has reached a record number of validated alerts: a total of **3412**. If proof was needed, this shows how dedicated national authorities and the Commission have been in maintaining robust levels of product safety in Europe. It also shows to the whole world that a model of strong cooperation between 30 different countries promoting higher levels of safety can be accomplished to the benefit of all.

I was also happy to celebrate the success of those who work to push product safety beyond the set rules. The 2023 **Product Safety Award** honoured the entrepreneurs, companies, and researchers who have excelled in this task. I am certain many others will continue to raise the bar even higher in the following editions of the award.

It is not only as European Commissioner, but most importantly as a citizen and consumer, that I am proud to present again this year the great accomplishments of Safety Gate. I am confident that our rapid alert system will keep growing stronger for the good of future generations.

Safety Gate: protecting EU consumers for over 20 years

A. GENERAL CONTEXT

The free movement of goods within the European Single market is a major achievement that has improved people's lives across the EU.

Keeping the market safe is the responsibility of all producers, distributors, retailers and online marketplaces selling goods in the EU. They must ensure their products comply with the health and safety requirements that apply to all products on the EU market.

National market surveillance authorities monitor if businesses comply with the rules. If a national authority detects a dangerous product on the market, it may ban or restrict its sale, stop it at the border or order it to be recalled. When one national authority takes such a measure, it has to inform all the other countries in the single

market. The Safety Gate rapid alert system plays an important role here, enabling swift and effective action to be taken across the single market when a dangerous product is found.

Exchange of information on dangerous non-food products kicked off informally in 2001. It became compulsory in 2002 under the General Product Safety Directive which set up the rapid alert system for dangerous non-food products. In December 2024, the General Product Safety Regulation will replace the Directive and the rapid alert system will officially be renamed Safety Gate.

Safety Gate alerts cover consumer products and products for professional use (but do not include pharmaceuticals, medical devices, food or animal feed that have their own separate alert systems). The types of risk which these products may present cover



threats to human health and safety, such as choking, strangulation and damage to hearing or sight, or hazards caused by chemicals. The system also covers measures taken against products that pose a security risk or risks to the environment.

Over the years, the Safety Gate IT system has been complemented by a series of associated modules and tools to improve its quality and efficiency. Examples include the e-Surveillance web crawler which improves the detection of dangerous products sold online, as well as the various interoperability solutions developed to allow for more and better automatic exchanges of information among the different users.

B. HOW DOES IT WORK AND WHO DOES WHAT?

National authorities carry out inspections and test products on the market under their national market surveillance programmes. They also act on any complaints or information they receive about the possible presence of dangerous products on the market. If the tested products are found to pose a risk to consumers, the authorities decide on the measures to be taken. The European Commission supports the joint testing of products by EU/EEA national market surveillance authorities, including customs, by financing coordinated activities on product safety (CASP – see section 4).



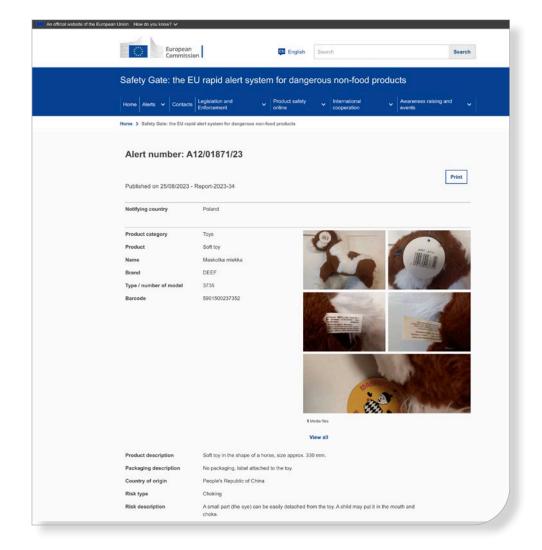
Where manufacturers, retailers, importers or other businesses become aware they have inadvertently placed dangerous products on the market, they must report this to the authorities. A web portal called <u>Safety Business Gateway</u> is available for this purpose. As from 13 December 2024, its use will be compulsory, including for reporting accidents.

National authorities from 30 countries (EU Member States, plus Iceland, Liechtenstein and Norway) enter information on Safety Gate in the form of alerts on a daily basis. The alerts contain information about the product, the risks it poses, and the measures taken to stop it or restrict its sale. The measures can be imposed by the authorities (compulsory measures) or taken directly by the economic operators (voluntary measures). The alerts inputted are immediately visible to all national authorities in all the 30 participating countries in a restricted access section of Safety Gate.

National authorities are responsible for monitoring the alerts in the system and checking whether the product identified as dangerous is also for sale in their own country. They are required to report on the results of their checks with a follow-up notification on the Safety Gate. The notifications report any additional measures taken and any additional information available e.g. on distribution channels and affected batches. The public website is updated to show in which countries the product has been found and additional measures taken.

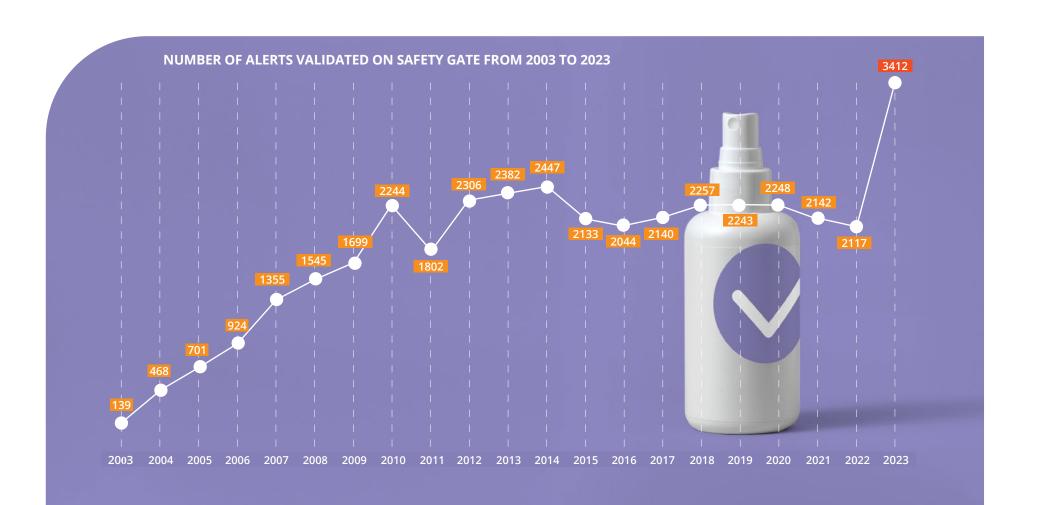
Online marketplaces that have signed the <u>Product Safety Pledge</u> also check the Safety Gate to make sure they are not selling dangerous products online. The Pledge also commits them to remove such products from their listings within 2 days when requested by a national authority. In those cases, that measure is also inputted on Safety Gate in the form of a follow-up notification.

On average, about 20 new alerts and follow-up notifications are thus circulated through the system every day. A dedicated team in the European Commission checks their accuracy and then circulates them through the network. Summaries of these alerts are instantly published on the <u>Safety Gate website</u> and machine-translated into the official languages of all countries in the single market, as well as Ukrainian and Arabic. Moreover, the European Commission also publishes a weekly report with the most recent alerts. Anyone can subscribe to receive this weekly review by email in any of the available languages and according to their preferred criteria and re-use these data for their own purposes.



Safety Gate 2023 results

In 2023, Safety Gate featured the highest number of alerts validated since the system was created.





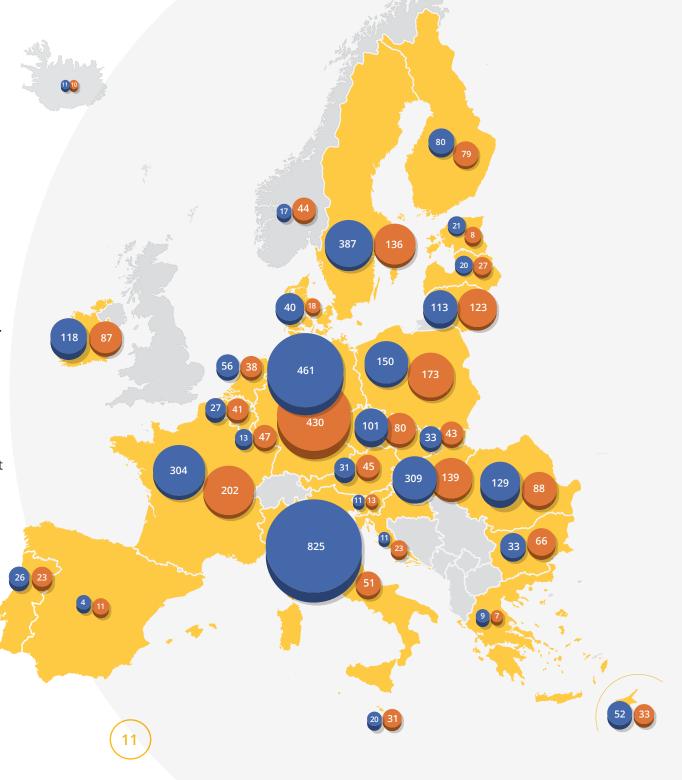
NUMBER OF ALERTS VALIDATED ON SAFETY GATE BY NOTIFYING COUNTRY, IN 2023 COMPARED TO 2022

A. ALERTS IN 2023:

In 2023, **3 412 alerts** were validated on Safety Gate. Apart from the very high number of alerts, the activity reported in the system shows a change of focus compared to previous years. Several national authorities have also increased their activity.

The increased number of alerts does not mean there are more dangerous products on the market. Rather, it reflects a stronger commitment to market surveillance on the part of national authorities.





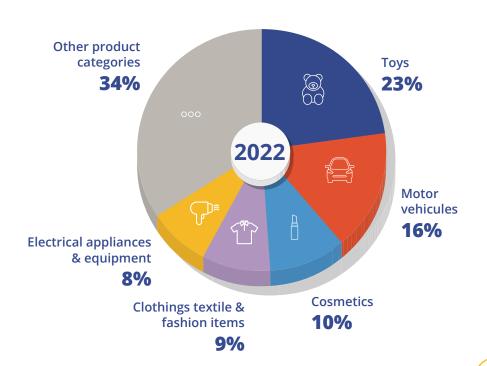
Apart from the higher number of alerts in 2023, the breakdown by product category was also quite different from the pattern observed in previous years. Market surveillance enforcement authorities increased their monitoring of cosmetics to check for the presence of banned dangerous chemical ingredients due to the enforcement of impactful restrictions of chemicals under REACH.

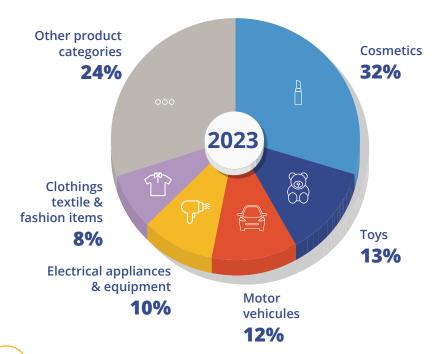
As a result, 'Cosmetics' was the product category with most alerts in Safety Gate. 'Toys' and 'Motor vehicles', which in previous years had the largest share of alerts, were cast to second and third places.

In absolute numbers, however, the number of alerts from these two categories remains relatively stable.

Safety Gate figures in 2023 thus show a marked increase in national authorities' activity, and more varied monitoring.

____ 5 MOST FREQUENT SAFETY GATE ALERTS BY PRODUCT CATEGORY IN 2022 AND 2023

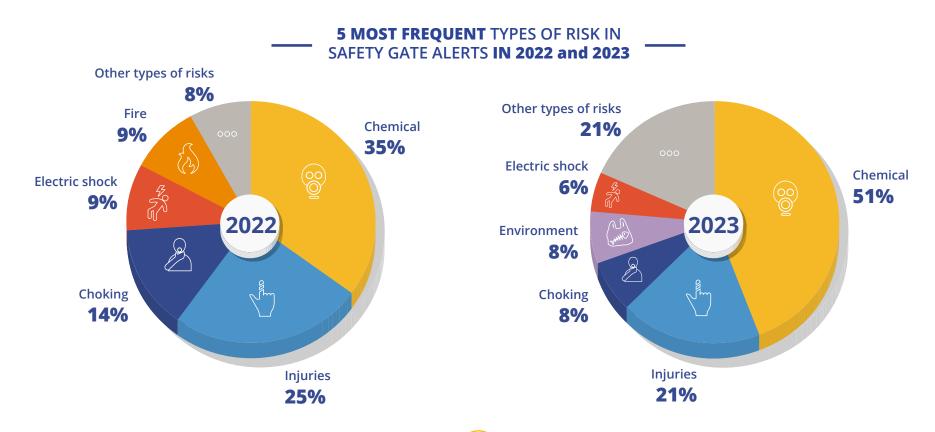


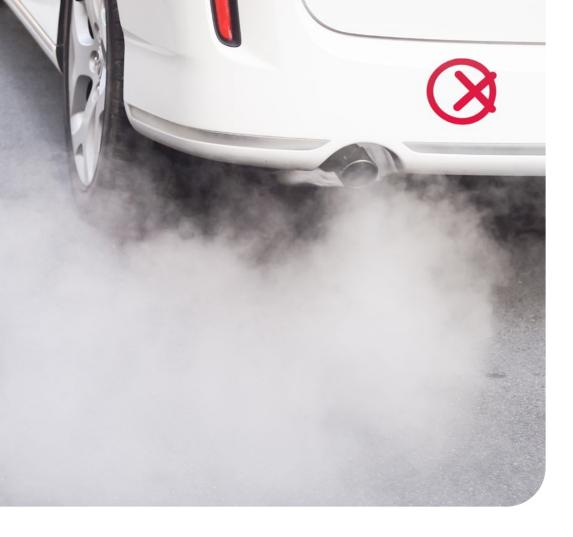


The increase in the monitoring of cosmetic products has also caused an increase in alerts signalling **chemical risks**. Most of the cosmetics notified were reported to contain 2-(4-tert-butylbenzyl) propionaldehyde (BMHCA), a synthetic fragrance ingredient widely used in different types of cosmetics that has been banned from the EU market as of 1 March 2022. BMHCA can harm the reproductive system and may cause skin sensitisation. Dangerous chemicals were also detected in electronic devices. Examples include lead in solders and the presence of short chain chlorinated paraffins

(SCCPs) in cables. These pose a risk not only to human health but also to the **environment**, as they are toxic to aquatic organisms at low concentrations and bio-accumulate in wildlife and humans. There were also still many alerts reporting e-cigarettes with an excessive concentration of nicotine, and plastic dolls and other toys and accessories containing plastic softening phthalates, even though these substances in this type of product have been fully banned since 2019.

Injuries and choking continue to be very present in alerts, ranging from accidents involving motor vehicles to toys or clothing with small pieces.





B. FOLLOW-UP NOTIFICATIONS IN 2023:

The number of follow-up notifications on Safety Gate and the breakdown by product type were similar in 2023 to previous years. A total of **4 287 follow-up** notifications were validated and circulated in the rapid alert system.

As in previous years, most follow-up notifications concerned motor vehicle recalls, which is a reflection of how well-organised the alert system is in this sector and the wide variety of car types across the EU Single Market. There was a slight improvement in the follow-up alerts for other product categories, confirming the trend in the previous year, but further progress is still needed. Also, some authorities stopped reporting follow-up measures in the reporting year, an issue which requires further attention.



NUMBER OF FOLLOW-UPS ON SAFETY GATE BY REACTING COUNTRY IN 2023, COMPARED TO 2022



4287
FOLLOW-UP
NOTIFICATIONS

were validated and circulated in the rapid alert system



A new European law that benefits all

The **General Product Safety Regulation** (EU) 2023/988 (GPSR) entered into force on 12 June 2023 and will replace the General Product Safety Directive as of 13 December 2024.

The new Regulation provides a real safety net against dangerous products for EU consumers. It improves the general product safety rules, and makes them more future-proof. It also creates the conditions for even more efficient market surveillance of all products on the EU market, sold both offline and online. Among other things, the new Regulation:

requires everyone in the supply chain have to apply the
precautionary principle, a fundamental principle for ensuring
the safety of products and consumers; it means that products
or actions which are not based on a high degree of scientific
certainty must be treated with caution;

- strengthens the safety of products linked to new technologies, by covering risks that new technologies pose to consumers' health and safety and providing clear rules on how to assess them;
- addresses product safety issues linked to online sales, by imposing new product safety obligations on providers of online marketplaces and distance sales;
- sets up clear and specific product safety requirements for economic operators, depending on their respective roles in the supply chain;
- improves reporting by economic operators on accidents caused by products, with more systematic use of the Safety Business Gateway;



- provides for the creation of new tools to improve complaint handling and the provision of information about dangerous products, including for instance a new tool for consumers to report dangerous products;
- requires traders outside the EU to have a responsible economic operator established in the EU for the placing on the Union market of all non-harmonised products;
- sets up rules to make product recalls more effective, including the obligation to offer consumers an effective, cost-free and timely remedy;
- sets up stricter deadlines for reporting of dangerous products on Safety Gate.

Businesses and national authorities need to be ready to apply these new rules by 13 December 2024. The European Commission is also working actively to ensure an effective implementation of the Regulation by stakeholders and to provide them with the necessary tools to be able to better cope with the changes introduced by the new Regulation. A communication campaign aimed at businesses will be carried out in 2024, to ensure that all businesses are aware of the new rules.

4

Helping authorities fighting dangerous products: the Coordinated Activities on the Safety of Products



The Coordinated Activities on the Safety of Products (CASP)

initiative, financed from the EU Single Market Programme budget, provides the national market surveillance authorities with a structure and funding to jointly test products and agree on common approaches and procedures, and to share knowledge and best practices for a more effective market surveillance. CASP is also a forum for discussion in an ever-changing European context.

For each project cycle, representatives of national authorities participate actively in product-specific testing activities and more general 'horizontal' (on a general product safety related issue)

activities. The resultant guidance documents provide useful input for the authorities' daily work. In particular, joint testing of specific products enables enable the participating authorities to take coordinated action against those products that pose a risk to the health and safety of consumers, and to notify such cases via the Safety Gate.

Following on from CASP 2022, the joint testing efforts focused, among other things, on products such as childcare articles and electrical appliances and on the re-testing of slime toys, which were the subject of a large testing campaign back in 2019.

<u>Information about CASP2022 activities</u>

5

Dangerous products online, does this ring a bell?



The safety of products sold online remained a priority in 2023. Apart from introducing new legal requirements through the General Product Safety Regulation and the Digital Services Act, which apply to all providers of online marketplaces selling to EU consumers, the Commission continued to encourage the voluntary cooperation mechanism established under the Product Safety Pledge.

During the 2023 Consumer Summit on 28 March 2023, the online marketplaces signatories of the Pledge reaffirmed their commitment to the safety of the products they offer for sale. They have agreed to go beyond the legal requirements by signing the revised version of the original Product Safety Pledge, the <u>Product Safety Pledge +</u>. Facilitated by the European Commission, the Product Safety Pledge+ sets out 20 areas where the signatories have made commitments for

the products they sell online. These include for example a strengthened notification and takedown mechanism, proactive monitoring of recall sites such as Safety Gate and additional commitments linked to recalls, transparency or to educating traders.

The Product Safety Pledge+ also sets up an updated reporting mechanism. Signatories started applying the new commitment framework on 1 December 2023. On the same day, the Product Safety Pledge+ became an integral part of the new <u>Consumer Protection Pledge</u>, which also consists of Digital Consumer Rights Commitments that address some of the key aspects of consumer rights when using online marketplaces.

Working with our international partners to make all consumers safer

International cooperation is essential to ensure consumers are protected everywhere, not only in the EU, but worldwide.

In 2023, the breakdown by country of origin of unsafe products was different from previous years. This was due to the unusually high number of alerts concerning cosmetics.

If cosmetics are excluded, about half of the Safety Gate alerts concern products originating in China, which is about the same level as in previous years.

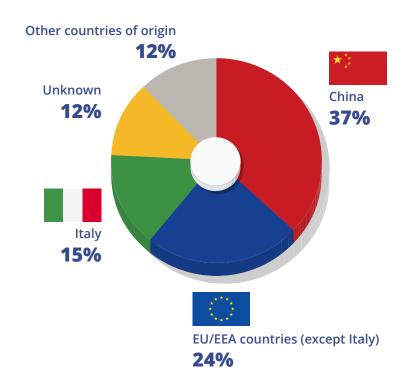
52%

Share of alerts indicating China as country of origin excluding alerts on cosmetic products

48%

Share of alerts indicating country of origin other than China excluding alerts on cosmetic products

SHARE OF ALERTS VALIDATED ON SAFETY GATE BY COUNTRY OF ORIGIN



Since 2006, the Commission has been closely cooperating with the **Chinese authorities** responsible for product safety. These authorities follow up on Safety Gate alerts to ensure that appropriate corrective action is taken against dangerous products originating from China and regularly report back to the European Commission on the actions taken. In addition, an action plan on the safety of products sold online, signed in September 2023, featured an agreement to report any action taken against dangerous products sold online within 21 days. A comprehensive information and training programme (www.speac-project.eu) has been in place since 2019 to raise awareness among Chinese economic operators about EU product safety requirements, providing training activities and e-learning tools to spread knowledge.

An informal dialogue on consumer product safety with the U.S. Consumer Product Safety Commission (CPSC) continued, with a number of regulatory exchanges on issues of common interest and preparatory work for joint training events for Chinese operators under the EU SPEAC project.

The European Commission also cooperates closely with Health Canada, based on the EU-Canada Comprehensive Economic and Trade Agreement (CETA). In addition to the regular exchange of information between the EU Safety Gate and the Canadian RADAR database, the parties have been exchanging experience and best practice regarding online market surveillance and cooperating on awareness-raising activities. A coordinated social media campaign on safe online shopping as regards products for children took place in November 2023.



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. In particular, Safety Gate is a major contributor to the OECD global recalls portal, which gathers information about corrective measures against dangerous products, including product recalls, that are issued around the world.

Working with international partners is vital to strengthen worldwide cooperation on product safety. Every 2 years, the Commission organises the <u>International Product Safety Week</u>, where stakeholders from all over the world discuss product safety issues and priorities.

Recognising businesses and researchers going the extra mile for consumers: the Product Safety Award

The 2023 edition of the <u>Product Safety Award</u> celebrated innovative businesses initiatives that went beyond the requirements of EU legislation and related standards in protecting the safety of teenagers. For the first time, the award was also given to outstanding research in the area of product safety. A distinction was made, respectively, between small and medium sized enterprises and large companies and between early career and senior researchers. The winners received their awards at a networking ceremony in Brussels.





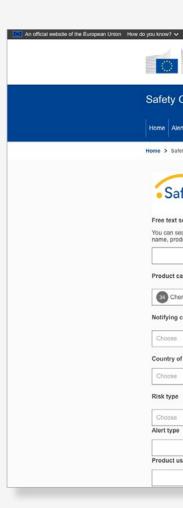
The Safety Gate website: a quick guide

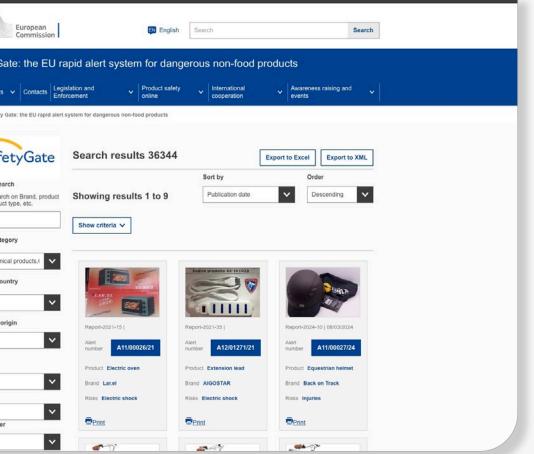
The <u>Safety Gate website</u> is available in all the languages of the EU, as well as Icelandic, Norwegian, Ukrainian and Arabic. The alerts are updated daily following new information received from the national authorities, who are responsible for the content of the alerts.

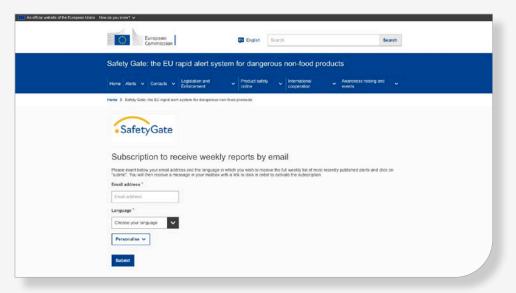
On the Safety Gate website you can:

- <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 receive the latest alerts, with your selected criteria, in the language of your choice;
- find information about the General Product Safety Regulation;
- find all the information about the CASP, the Product Safety Pledge and international cooperation on product safety;
- keep yourself up to date on related campaigns and events, including the Product Safety Award.

Have a look and spread the word about Safety Gate to help improve product safety throughout your network and among colleagues and friends.









About this report

The data in this report is based on information from national authorities on measures taken against dangerous non-food products. This information includes various risks that they have identified, mainly to consumers' health and safety but also to the environment or risks in relation to professional products (i.e. products 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.

The report presents statistics on the rapid alert system. It does not purport to give a comprehensive picture of all dangerous products on the single market, nor 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, the data may vary depending on the time of extraction.

Contacts:

Contacts in the member countries

Key documents and tools:

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

<u>Documents concerning the revision of the</u> <u>General Product Safety Directive</u>

All information concerning the General Product Safety Regulation

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

Risk Assessment Guidelines

Safety Business Gateway

Product Safety Pledge

