



## 2004 RAPEX Report

### **Background**

The Rapid Alert System for non-food consumer products (RAPEX) has its legal basis in the General Product Safety Directive (2001/95/EC).

RAPEX serves as a single rapid alert system for dangerous consumer products. All non-food products intended for consumers or likely under reasonably foreseeable conditions to be used by consumers are included within the scope of RAPEX, with the exception of pharmaceutical and medical products.

The objective is to ensure the rapid exchange of information among Member States and the Commission on measures taken in the Member States to prevent, restrict or impose specific conditions on the marketing or use of consumer products by reason of serious risk to the health and safety of consumers.

As a result, the RAPEX system aims to:

- Prevent the supply to consumers of products which pose a serious risk to their health and safety, and where necessary withdrawing them from the market or recalling them from consumers;
- Facilitate the monitoring of the effectiveness and consistency of market surveillance and enforcement activities in the Member States;
- Identify the need and providing a basis for action at Community level, where necessary;
- Contribute to the consistent enforcement of Community product safety legislation.

In concrete terms, when a product presenting serious risk to consumers' health and safety is found on the market, the competent authorities of the Member States inform the European Commission of the measures taken or decided. Voluntary action taken by producers and distributors or agreed between the authorities and economic operators is also notified.

After checking the information provided for compliance with the requirements of the GSPD, the European Commission circulates the information translated in five languages to the national contact points in view of the appropriate follow-up by national authorities. If needed, the European Commission asks the notifying Member State for any complementary information to provide other contact points with complete and clear elements.

The Member States are required to inform the European Commission of their follow-up activities and conclusions.

### **Main developments in 2004**

With the coming into force of the revised Directive on General Product Safety (GPSD), the RAPEX system has been reinforced to improve its effectiveness and facilitate consistent application by the competent authorities. The scope of RAPEX is now expanded to also cover voluntary measures taken by producers and distributors.

Since February 2004, full details of the notifications for serious risks (Art.12) including pictures of the dangerous products are published weekly on the SANCO website. That practice involves a significant additional workload, but is very appreciated and successful with consumer associations.

In April 2004, Guidelines for the management of RAPEX and for notifications addressed to the Member States' national authorities participating in the RAPEX network have been adopted and published by the Commission. The Guidelines specify criteria and practical rules for the operation of the RAPEX system; they clarify its scope and provide guidance on the types of measures, action and situations to be notified. The aim of these Guidelines is to ensure consistent application of the concept of serious risk and coherent submission of notifications.

In 2004, trainings on the use of the RAPEX system were organised for the new Member States and a workshop on the Guidelines for the management of RAPEX took place in Brussels.

The new Member States have been successfully integrated into the system and most of them notify quite systematically their measures.

The enlargement, the new GPSG and the various initiatives taken to support the application of the system have contributed to a significant expansion of RAPEX in 2004 with almost a triple amount of notifications submitted in 2004 in comparison to 2003: from 139 notifications submitted in 2003 to 388 for 2004.

	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Number of notifications circulated</b>	76	84	139	388

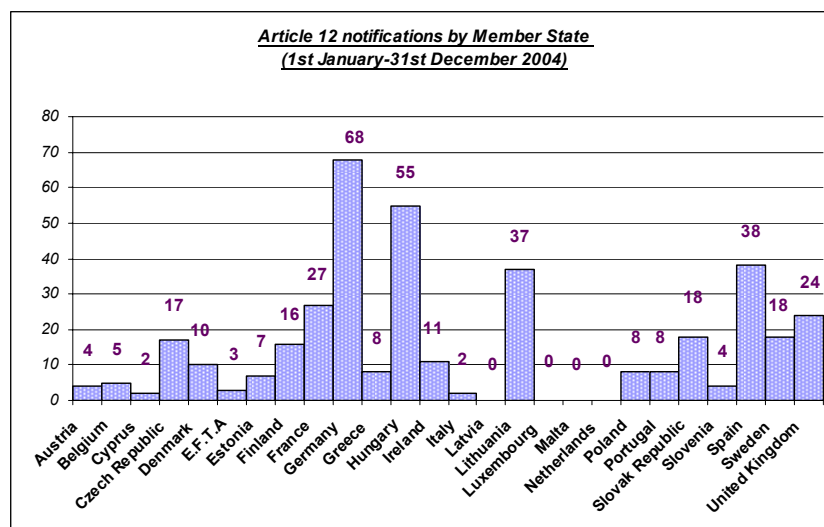
It should be noted that the percentage of notifications complying with the requirements of the RAPEX guidelines has significantly increased thanks to the clarification and support provided to the Member States. Nevertheless, further efforts are required to ensure completeness and adequate quality of the information provided in the notifications.

### **Main trends for 2004**

#### **(1) Notifications by Member State**

Regarding the notifications by Member States, statistics show that the repartition remains quite uneven like it was in 2003: while Germany sent 68 notifications to the European

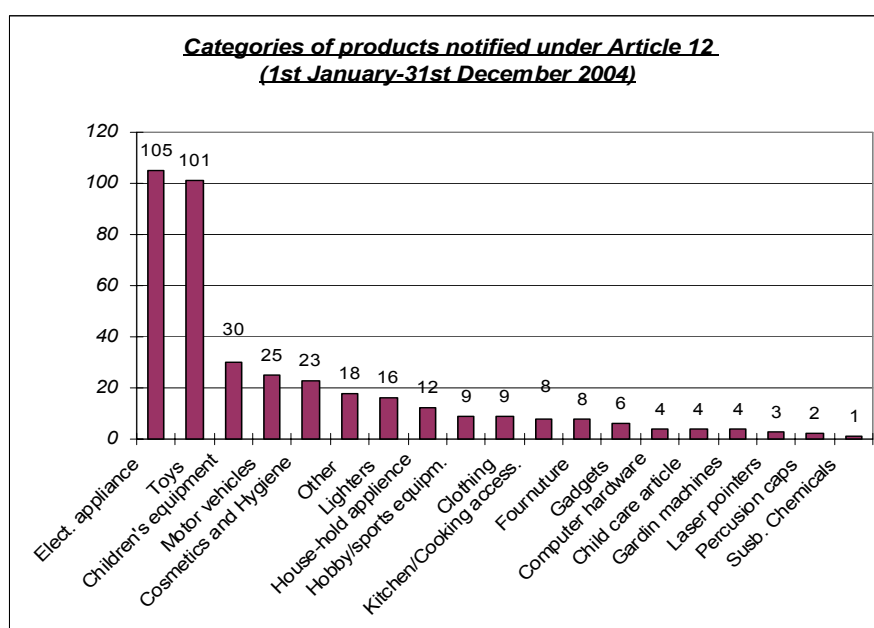
Commission, four countries have not submitted any notification in 2004 (Latvia, Luxembourg, Malta and The Netherlands). In 2003, the countries which had not submitted any notifications were Belgium, Greece and Luxembourg. Several countries have submitted a very low number of notifications, in particular Italy and Greece.



It is worth underlining that even though the “new” Member States have joined RAPEX only as of the 1<sup>st</sup> May 2004, countries such as the Czech Republic, Hungary, Lithuania or the Slovak Republic have notified extensively. In total, the “old” Member States have submitted 242 notifications and the “new” Member States 146.

**(2) Categories of products notified**

More than half of the 388 circulated notifications concern two categories of products: electric appliances (27%) and toys (26%). These are followed by children equipment (8%), motor vehicles (6%), cosmetics and hygiene products (6%).

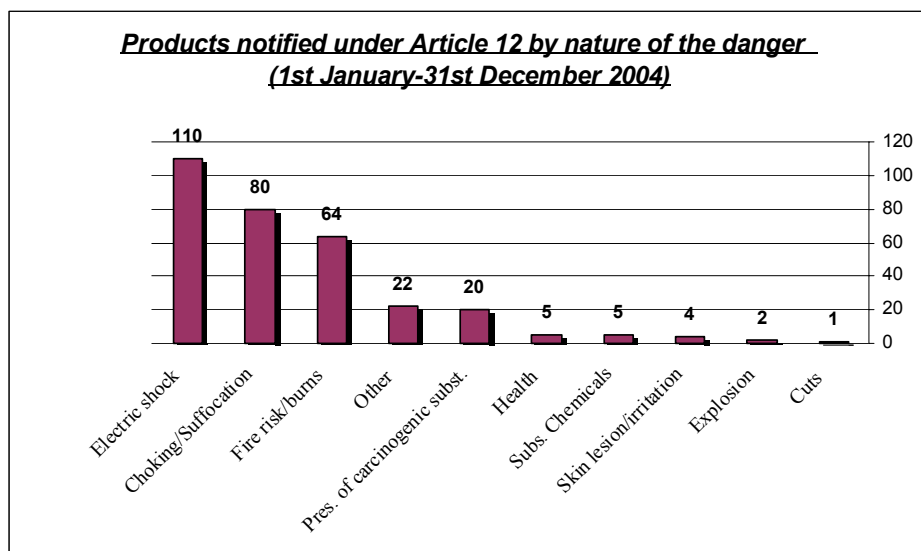


It is quite interesting to note that electric appliances are a main cause of notification in 2004 while there were almost inexistent in notifications in 2003 (only 5%). In

comparison, for 2003 the main categories of products concerned by notifications were toys, children equipment and lighters.

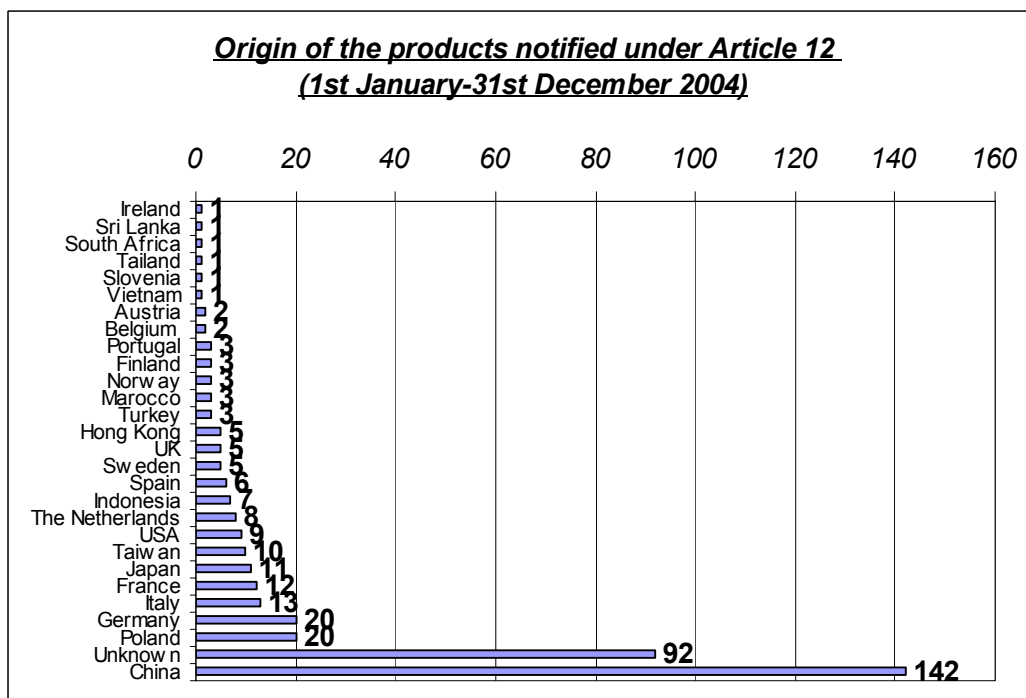
### (3) Nature of danger

Considering the main categories of danger identified in the notifications, there are four categories emerging: injury (29%), electric shock (28%), choking/suffocation (20%) and fire risks/burns (16%).



Putting these results in parallel with the statistics on the categories of products notified, it is worrying to notice that a lot of these hazards apply to products intended for children.

### (4) Origin of products notified



Like in 2003, the highest number of notifications concerns products originating from China (36%) followed by products with an unknown origin (24%). Additionally, these

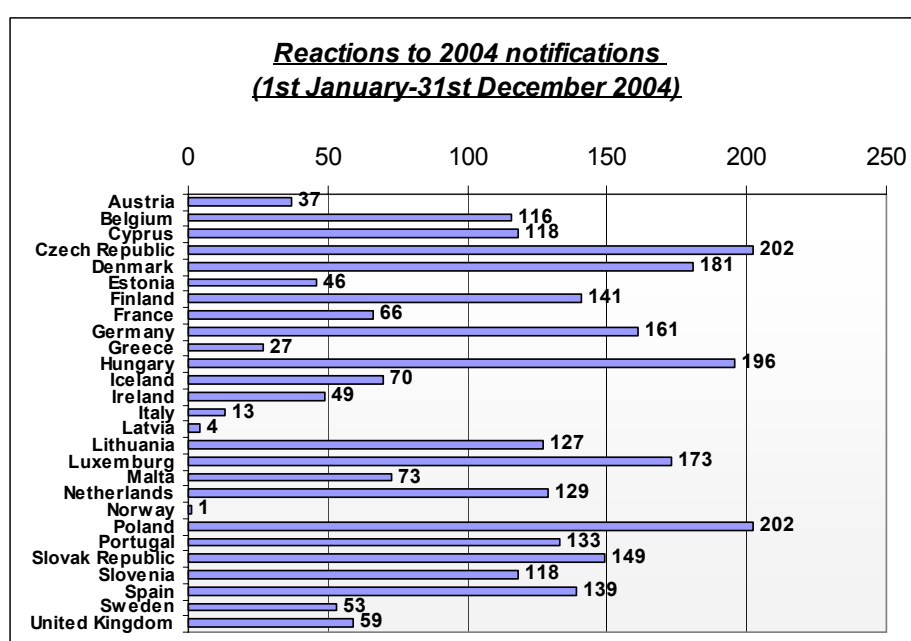
figures indicate that 35% of the notified products (when the products of unknown origin are not taken into account) originate from a country of the European Union.

### (5) Reaction to notifications by Member State

While the figures for 2003 amounted to 672 reactions sent to the European Commission following RAPEX notifications, 2004 has known a major increase in that field as well: 2749 reactions were sent in 2004.

This also constitutes a major increase proving the important development of the RAPEX system and of the follow-up made by the Member States.

However, statistics show that the repartition of reactions by Member State remains very uneven. To take a few examples, Latvia 4 reactions, Italy 13 reactions while Poland or the Czech Republic respectively sent 202 reactions.



### **Main conclusions**

- In 2004, the Commission received three times more notifications from Member states than in 2003. Converging elements suggest that such trend will continue for the coming months before reaching a “cruising speed”.
- In light of the statistics showing in particular a very uneven distribution of notifications and reactions among Member States, there is a need to ensure a much more complete and consistent participation of all Member States to RAPEX;
- There is a need to ensure a better quality of the information notified.
- In the short/medium term, the lack of consistency in the notifications submitted should be confronted. A possible solution for facilitating and optimising the management of the system would be to establish a standard form with compulsory fields to be filled in by the notifying authorities. Work will be done on this issue in 2005.

- Clear and complete information is relevant for all the stakeholders: the European Commission (notification assessment, translation and processing, decision making), national authorities (indubitable identification of products, market surveillance, cooperation between national authorities and diffusion of information) and all interested parties benefiting from the publication of notifications on the Internet. In that respect, there is a need for additional guidance and training of the authorities at all the levels of the transmission chain.