



Feedback to the European Commission's consultation on the General Product Safety Directive

Call for an "Pan-European Injury Database" in the context of the Commission's GPSR-proposal¹

The European Public Health Association (EUPHA) welcomes the opportunity to provide input regarding the Commission's General Product Safety Directive (GPSR). We also consider important the need to comprehend and address emerging challenges; in this context the EU Consumer Legislation, the Digital Market Act (DMA) and the Digital Services Act (DSA), the e-Commerce Directive, the Market Surveillance Regulation and the Proposal for a regulation for laying down rules for Artificial Intelligence ought to be examined, to ensure complementarity and congruence. Several aspects of this are highlighted in the Inception Assessment. Key considerations in relation to standards and monitoring mechanisms for harmonized market surveillance ought to be examined in the context of public health and safety, with emphasis on substance removal/product recall.

The magnitude of the issue

All consumer products have the potential to cause harm to users without adequate safety requirements and product market control. An estimated *11 million product-related injuries*, in which consumers visited a hospital emergency department due to the injury, occur in the EU each year. Injuries can be related to a large variety of consumer products. However, the top 200 products in the EU-IDB account for 95% of all product-related injury events. Product groups where children are the most frequently affected group are: equipment mainly used for sports/ recreational activity; furniture/ furnishing; infant or child product; and hot object/ substance. Product groups where elderly are the most frequently affected group are mainly items for personal use (such as furniture, building components and walking aids).

Analysis of these cases reveals that in *around 15% of incidents the injury could have been prevented by improved user instructions and/ or better design of the product*. In half of these cases the injury was due to product malfunction. But what is also important to note is that a large number of product-related injuries could be avoided if consumers were better made aware of injury risks involved and precautions to take.

Therefore, consumer product safety has been recognised by businesses and regulators as a very effective means for preventing accidents and/ or reducing the risk of serious injury in case of an

¹ https://eur-lex.europa.eu/resource.html?uri=cellar:e6adc4a2-da3d-11eb-895a-01aa75ed71a1.0001.02/DOC_1&format=PDF

accident. It is evident that health and safety of consumers is best protected by means of strict and common safety rules and increased safety awareness among consumers across Europe.

In spite of this massive achievement and repeated calls by business associations, consumer representative bodies, standardisers and product safety expert organisations urging European institutions and Member States to create a legal base for a pan- surveillance system for product related injuries², a final decision on a proper legal and financial base for such a EU-wide system is being postponed time and again. The revision should constitute an occasion to introduce more specific provisions, including the introduction of indicators, which will allow the proper monitoring of the new Regulation's impact on the safety of consumer products.

Evidence-informed decision-making and evidence-based prevention requires injury data

In order to develop and deploy context-relevant, cost-effective and efficient programmes of prevention, it is imperative to have high-quality data regarding the frequency and severity of injuries, as well as about the population groups affected. Exposures, risk factors, activities and/or locations pertaining to an event resulting in injury represent key data required to establish evidence-based priorities. Furthermore, a risk assessment requires the quantification of the likelihood of an injury, the predictable average severity of an injury, with due consideration to all the factors determining the vulnerability of those most at risk. Comprehending how all abovementioned aspects come at interplay should also be examined in terms of product characteristics, the use thereof, determination of its users, and appropriate standard mapping regarding its use.

Considering the potential of the data and information on consumer product-related injuries or accidents from different data sources already identified by EC as interest at a European level with an underlying long-established network, a Pan-European Injury Database could respond to consumer product safety and injury prevention purposes.

This is why we consider it important to revisit the establishment a Pan-European Injury Database, the type of data to collect, and the minimum core set of data to be included in this information. The revised GPSD and its transposition into a GPSR should require MSAs to share data on injuries involving consumer products, based on a common methodology, with the aim of achieving a high quality, representative and up-to-date database for the entire Single Market.

Revisiting the Call for a “Pan-European Injury Database”

We urge the Member States, the European Commission, the European Parliament and the Council to carefully consider and agree upon concrete provisions for a “**Pan-European Injury Database**” in relation to the GPSR, ensuring the sustainable establishing of a Pan-European IDB to support information exchange across member states comprehensively covering all types of injuries, under the Coordination of the European Commission.

Our recommendations:

1. *A Pan-European Injury Database (IDB), to cover all types of injuries involving consumer products to be set up and coordinated by the European Commission.*

² https://www.eurosafe.eu.com/uploads/inline-files/F_Joint%20call%20for%20a%20pan-European%20accident%20%26%20injury%20data%20system.pdf

2. *The relevant market surveillance authorities established by the Member States shall contribute to the establishment of the database and deliver injury data to the database, based on a common methodology, comprehensive and in accordance with European and national laws on data protection, and with due consideration to all GDPR provisions in the context of secondary use of data.*
3. *The Commission shall support the coordination of data collection and synthesis from Member States and the operation of the database.*

The Single Market Programme could provide a sound financial base for the pan-European surveillance of product-related injuries.³

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The European Public Health Association, or EUPHA in short, is an umbrella organisation for public health associations in Europe. Our network of national associations of public health represents around 20'000 public health professionals. Our mission is to facilitate and activate a strong voice of the public health network by enhancing visibility of the evidence and by strengthening the capacity of public health professionals. EUPHA contributes to the preservation and improvement of public health in the European region through capacity and knowledge building. We are committed to creating a more inclusive Europe, narrowing all health inequalities among Europeans, by facilitating, activating, and disseminating strong evidence-based voices from the public health community and by strengthening the capacity of public health professionals to achieve evidence-based change.

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³ <https://data.consilium.europa.eu/doc/document/ST-14281-2020-INIT/en/pdf>

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