

BACK- GROUND

The General Product Safety Directive 2004 (2004/95/EC) is implemented in the UK as the General Product Safety Regulations 2005 (GPSR), and requires all products to be safe or pose only the minimum of risk in normal use and foreseeable use for the life time of the product. As a "Regulation" it has the force of law.

The GPSR does not replace product specific regulations, but does apply where it goes further than the existing regulations in terms of the specific aspects of safety covered. The GPS Regulations affect all persons who are involved as producers or distributors of products giving them particular responsibilities.

In the regulations the terms "producers" and "distributors" have particular meanings but in effect, this includes everyone involved in the manufacture and supply of consumer products.

The GPSR provide no specific requirements for determining safety or "acceptable risk": this is the responsibility of the manufacturer, retailer, importer etc. to decide, but a product is presumed to conform to the general safety requirement if it is in compliance with the appropriate European and national legislation or standards. In situations where no standards apply or for features outside applicable standards Safety should be demonstrated in a documented Risk Assessment.

BOLTON CONSULTANCY LTD

Is an independent consultancy offering confidential advice on textiles, textile products, clothing and consumer products. We have in-depth understanding of the processes systems and requirements needed to assure product integrity and compliance with National & International Standards and legislation.

SERVICES

Bolton Consultancy Ltd provides the following services:

- Consultancy
- Clothing Safety (Risk) Assessments
- Risk Assessment and Standards Training
- Product Recall system design.
- Audit

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SAFETY RISK ASSESSMENT

IMPLICATIONS OF THE GENERAL PRODUCT SAFETY REGULATIONS

TO

CLOTHING, TEXTILES AND RELATED PRODUCT.



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SI 2005 No. 1803 The GPSR is a statutory Instrument has the force of law, and consequently is compulsory.

GPSR GPSR 2005: requires products to be safe or pose the minimum of risk

- under normal and foreseeable use
- for the lifetime of the product.

It applies over and above other national regulations and to aspects of safety not otherwise covered by them.

It is left to producers and distributors to ensure that their product is safe, and to take action to remove from the market any product that is found to be unsafe.

To assure compliance with the GPSR you need to review your products for any risks they may present

RISKS REVIEW A Risk Review should be incorporated into the product development, specification or sourcing processes; and incorporate the following risk assessment concepts:

Identify Hazards Carefully examine potential hazards; anything which might cause harm to people. Take into account who is using the product, their likely behaviour, the environment in which it is used, and anyone who might be affected by its use. Consider the intended use and try to foresee it being used by unintended people or in unintended ways. Consider the materials used, how it is constructed, and what could fail, go wrong, break, come off etc. Build up a picture (hazard scenario) of the events or steps that need to occur in order for the hazard to be released.

Evaluate For each hazard you identify determine:

- Risk**
- the consequence of the hazard eg. Entrapment, fall, choking, poisoning, asphyxiation.
 - the severity of the consequence eg. Fright, minor injury, serious injury, death.
 - the likelihood of this happening eg. Rare, infrequent, certain.

From this you now need to decide if any hazards present an unacceptable risk and if so take action to mitigate that risk.

Mitigation A range of mitigation actions can be applied depending on the level of risk and range from a redesign of the product to user instructions, labelling and warnings. If significant risk is identified in a product that has already been sold it may be necessary to immediately stop selling it and inform customers or instigate its recall.

Keep Records A record of the analysis and mitigation actions should be kept and signed off at a reasonably senior level of authority.

STANDARDS & GUIDELINES Of course many potential hazards, consequences and risks are generic to product types and use and have been recognised in various types of Legislation and Standards along with their acceptability and mitigation (such as labelling requirements). GPSR helps us here by offering an assumption of conformity when the product complies with appropriate standard and gives a list of the types in order of priority:

- EU legislation, eg. Marketing and Use of Dangerous substances directive which includes azo dyes & colourants and Nickel; or the Toy Safety directive.
- National legislation, eg. UK Nightwear (Safety) Regulations 1985,
- A harmonised standard, eg. EN 14682 Safety of children's clothing. Cords and drawstrings on children's clothing, specifications.

So the Risk Review should be guided by the requirements of any applicable legislation / standard, ensure that all areas are covered (as more than one can apply at once) and confirm that no other hazards remain.

RAPEX

Article 12 of the GPSD establishes a Community Rapid Information System "RAPEX" which allows enforcement authorities throughout Europe to notify and exchange information on unsafe product.

A methodology for risk assessment by enforcement authorities is included in the RAPEX documentation to support a consistent approach and facilitate quantification of risk.

It is this method which is likely to be applied by conformance authorities.

The information contained in this note is believed to be accurate at the time of printing but is for information only and should not be relied upon. Reference should be made to the published standard or legislation.