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HEALTH & CONSUMER DIRECTORATE-GENERAL

Directorate B - Consumer Affairs
B3 - Product and service safety

Brussels,
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**SUMMARY RECORD OF THE MEETING OF THE
CONSUMER SAFETY NETWORK (CSN)**

BRUSSELS –15 OCTOBER 2010

The meeting was chaired by Mr Stefano Soro, Head of Unit 'Product and Service Safety'.

1. Adoption of the agenda

The draft agenda was adopted. The adopted agenda is attached as Annex 1.

The attendance list is attached as Annex 2.

2. Adoption of the minutes of the previous meeting

The draft minutes of the meeting of 18.06.10 were adopted without change. The adopted minutes are attached as Annex 3.

Standardisation

3. Updates on mandates M 464/M 465

The Commission representative provided an update on the progress regarding mandates M 464 (bathing aids) and M 465 (child-proof locks for windows). Both mandates have been accepted; CEN accepted M 465 very smoothly in July, and final acceptance of M 464 took place at the beginning of October at CEN's *Bureau Technique* (BT) meeting. Member States were thanked for supporting the adoption of the mandate.

4. Update on forthcoming draft decisions and mandates

The Commission representative thanked Member States for their contribution which will now allow work to start on a draft proposal on safety requirements for ethanol stoves. Work will also continue on the draft safety requirements for playground equipment and candles. In order to reference these standards in the OJ there is a need to establish a formal mandate and draft safety requirements.

Work on collecting comments from Member States on draft safety requirements for bicycles & bicycle accessories, training equipment and gymnastic equipment is being finalised and will be submitted to the Member States for comments in the coming months.

Joint Actions and Exchange of Officials

5. Update on Joint Actions and Exchange of Officials programmes

A Commission representative gave an update on the 2010 calls for applications for joint actions and the exchange of officials.

The Prosafe representative gave an update of ongoing joint actions and an overview of the joint actions which have been accepted in 2010 (a copy of the presentation has been circulated via CIRCA).

Several Member States again underlined the usefulness of the joint actions and called for a simplification of the administrative procedures.

The Commission underlined the importance of widely disseminating the results of the joint actions to non-participating Member States and stakeholders.

Specific Products & Risks

6. Car air fresheners

The representative from Poland gave a presentation on child-appealing car air fresheners. This topic had already been the subject of some discussion at the Toy Expert ADCO Meeting, where Members of the ADCO group decided to refer the issue to the GPSD Committee members for opinion. Member States were therefore asked to share their views and any relevant experience with these products.

The floor was opened for discussion. Several Member States, as well as ANEC, expressed concern that such products may be a hazard to children as they have decorative features which are appealing to children and could cause them to be confused with a toy.

A Commission representative from DG Enterprise and Industry stated that a recommendation is needed in order to signal to industry that decorative features should not be allowed on the product. The Commission called for volunteers from Member States to prepare a first draft of such a recommendation that could serve as the basis of further discussion in a future CSN meeting.

7. Cutting attachments for grass trimmers

A Commission representative explained that several RAPEX notifications have been received from Germany and Denmark concerning metal cutting attachments for petrol-driven grass trimmers or brush cutters.

The cutting attachments concerned by the notifications are different to standard metal cutting attachments in that they have articulated metal parts such as chains. They pose a serious risk of injuries because, as a result of wear and tear during normal use, parts can

break off and be projected at very high speed. There was a recent fatal accident in the United Kingdom which led to the Health and Safety Executive in the United Kingdom issuing a "safety alert".

A Commission representative from DG Enterprise and Industry explained that a generic prohibition measure is being prepared for these flail-type cutting attachments based on Article 9 of the Machinery Directive.

8. Analysis of dimethylfumarate (DMFu): Extraction with acetonitrile avoids generation of DMFu

Following Bulgaria's concerns about the possible generation of DMFu when extracting textiles with methanol, and the Commission's presentation in a previous CSN meeting, an expert from Italy provided detailed information on the analytical techniques and conditions to determine DMFu in consumer products.

DMFu was isolated from the samples using acetonitrile and determined using gas chromatography-mass spectrometry (GC-MS) or high performance liquid chromatography-Diode Array Detector (HPLC-DAD). The GC-MS method was validated using five replicates of two spiking levels obtaining mean recoveries of 93 - 101%, a limit of detection (LOD) of 0.02 mg/kg and limit of quantification (LOQ) of 0.05 mg/kg.

9. Nitrosamines in consumer products

The Commission representative gave an update on the progress made on this issue in past months. This work started as a result of diverging notified risk levels in RAPEX notifications for NDELA in cosmetic products and nitrosamines in balloons. Two Member State expert meetings have taken place, on 22 October 2009 and 27 January 2010. During the second meeting, experts agreed upon an additional lifetime cancer incidence of 1×10^{-6} to differentiate between a serious and less-than-serious risk. In the case of children, an additional safety factor of 3 has to be applied as children are more sensitive. However, experts disagreed on the toxicological parameters to be used in the calculations and three different approaches were proposed to derive a Virtually Safe Dose (VSD). Therefore the Scientific Committee for Consumer Safety (SCCS) will be asked to assess which VSD value should be used for calculations and whether the additional safety factor for children proposed by the experts is suitable.

The mandate to the SCCS was drafted in cooperation with the Commission's Toys Unit and Cosmetics Unit, and the Member State experts. An outline of the mandate was already presented to the SCCS on 21 September 2010. The scientific opinion is expected for end January 2011.

10. Flame retardants contract

The Commission representative informed the meeting that the study was on schedule. The contract would end at the end of 2010, with the final report expected to be completed in early 2011.

The part of the study concerning flame retardants had identified some 40 flame retardant chemicals used in several hundred applications. Two high-volume production inorganic flame retardants were reported for registration under REACH before 1 December 2010. The study considered so far that the data collected about flame retardants were "medium" to "poor". The Commission representative therefore considered that the quality of the tentative risk assessments, which were going to be prepared within the study, would have to be carefully evaluated. As regards flammability requirements in the Member States and their possible link to fire deaths and damage, the assessment provided no evidence of such a link.

11. Nano-claims contract

The Commission representative gave an update on the progress of the study "How do producers justify the use of nano-claims on consumer products?" The study is complete and the Commission is currently reviewing the draft final report submitted by the study contractor.

The aim of the project was to investigate which kind of consumer products on the European market bear a nano-claim and on which basis, and why manufacturers use the nano-claim. In total 33 products from 23 different manufacturers were identified. These included cosmetic products such as face, anti-wrinkle and energising creams, sunscreens, toothpaste, textile and shoe care products, car polish-wax products and others. A questionnaire was sent to the 23 manufacturers to ask why they make such claims. In total, 11 manufacturers responded, of which 8 filled in the questionnaire. The manufacturers mostly use the nano-claim for marketing reasons and to inform the consumer.

To investigate whether the nano-claims were justified, 3 products were selected and analysed, namely an anti-wrinkle cream, a toothpaste and a coating product for motor vehicles. Nanomaterials were detected in all 3 products tested, although in one case it was not possible to confirm that nanoparticles of the claimed chemical substance were indeed present in the product. In conclusion, as there is no legal definition of the term "nano" and for the substantiation of such a claim, manufacturers tend to use the word at their discretion. The results of the study confirm that internationally accepted definitions for nanomaterial and nanotechnologies are needed.

12. Food-imitating and child-appealing chemical products

A Commission representative gave an update on the draft opinion which will be adopted by the Scientific Committee on Consumer Safety (SCCS) and submitted to public consultation. A copy of the presentation is available on Circa.

Member States were asked to encourage their respective colleagues to respond to the consultation, which will allow the SCCS to receive further information before adoption of the Opinion, which is expected in March 2011.

13. Sky lanterns

A representative from the Netherlands gave an update on market surveillance activities in the Netherlands in relation to sky lanterns. Using the new risk assessment model, Dutch experts consider these products have a medium risk and therefore the product has not

been banned, but different measures have been taken such as making changes to the design of the product, as well as the establishment of certain technical and information requirements.

New products are currently being evaluated which use fire-resistant paper to reduce flammability and changes are being made to improve the stability of the lanterns.

Other Member States expressed their differing views on the product; in some Member States sky lanterns have already been banned due to concerns about various safety aspects such as interference with air and road traffic and environmental hazards.

14. Fires caused by laptops

Further to a paper submitted by Denmark, which was circulated on CIRCA in advance of the meeting, a short discussion took place on the frequency and causes of fires caused by laptops and netbooks. Denmark would very much welcome the opportunity to hear about the experiences of other Member States in this area.

Miscellaneous

15. New study on childcare articles

Between 2006-2008, a contractor was asked to identify childcare articles without adequate standards. As a result, 30 products were identified. According to the contract, only the first 20 products were subject to a risk assessment and relevant draft safety requirements were provided. This work led to the adoption of the Decisions for bathing aids and products used in the sleep environment. The Commission has decided to continue and complete the work for the remaining products identified and has launched a call for tender to select a new contractor to carry out the relevant tasks.

The list of the remaining products includes "grey zone" products, such as static walkers (or activity centres) for which it is unclear whether they fall under the Toys Directive or are childcare articles. A consultation of the Toys ADCO Committee is currently ongoing. Other products included in the list are baby slings, which have caused several fatalities in the US, and baby feeders. Member States will be kept informed as to the progress of the contract and the results of the study.

16. Study on safety of hotel services

The Chair gave an update concerning the study on hotel fire safety. The Commission has not accepted the final report that was submitted, as it did not meet the terms of reference. However, the Commission remains committed to gather data on hotel fire safety and is in contact with stakeholders who possess relevant data. Member States will be kept informed.

17. Rapex contact point meeting

The Chair informed Member States that the next meeting of the RAPEX Contact Points will be held on 12 November 2010.

AOB

18. Nappy bags

A representative from ANEC informed Member States that ANEC is looking at the risks posed by baby nappy bags following a recent fatal incident in the UK. At the request of ANEC, CEN is developing a technical report on the risks of suffocation from these products and ANEC asked Member States to inform them if they are aware of any other fatal accidents involving these products.

The next meeting of the Consumer Safety Network will take place early in 2011.

Annex 1 : Adopted agenda

Annex 2 : Attendance list

Annex 3 : Adopted minutes of meeting of 18.06.10