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SUMMARY RECORD OF THE MEETING OF THE CONSUMER SAFETY NETWORK (CSN)

BRUSSELS – 29 JANUARY 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 22.10.09 were adopted without change. The adopted minutes are attached as Annex 3.

Standardisation

3. Regularisation of Publication of References in the Official Journal of the European Union

The Commission representative referred to previous discussions on the regularisation of the publication of references in the Official Journal of the European Union. The draft safety requirements for bicycles, stationary training equipment and gymnastic equipment have to be adopted, in conformity with the requirements of Directive 2001/95, so that a supporting mandate can be drawn up for the relevant standards already published in the OJ. There is pressure to reach a decision on this quickly as 5 out of the 7 existing training equipment standards will soon be outdated and 1 standard concerning gymnastic equipment is currently being revised.

Member States and ANEC were asked to comment on the draft safety requirements which were circulated prior to the meeting.

▪ Gymnastic equipment :

ANEC proposed further amendments during the meeting and the Commission representative invited the Member States to submit any other comments in writing. ANEC raised some concerns about the requirements of En 13219:2008 (trampolines) and therefore on its inclusion in this exercise. The Commission asked ANEC to provide more specific comments on this.

ANEC also requested some amendments to the requirements for gymnastic equipment concerning the foreseeable conditions of use and the need for hazard-based requirements. The Commission asked ANEC to submit a suitable text.

- **Bicycles**

Since the last meeting of the CSN, comments on the draft safety requirements have been received from Sweden, Hungary, ANEC and CEN. These were summarised at the beginning of a document circulated to Member States prior to the meeting.

The Commission representative informed participants that a decision should be reached by the beginning of the summer.

- **Luggage carriers**

Since the last meeting of the CSN, further comments on the draft safety requirements have been received from Sweden, ANEC and CEN. These were summarised at the beginning of a document circulated to Member States prior to the meeting.

The Commission will circulate a new version of the text after the meeting with a view to presenting a proposal by June this year.

3a) New publication of references in the Official Journal of the European Union

- **Candles**

The Commission representative asked participants to submit comments on the safety requirements for candles. Currently there is nothing in the standard about sooting behaviour. The Commission will ask Member States to submit proposals on this issue after the meeting.

- **Playground equipment**

The Commission has identified a series of standards suitable for publication in the OJ, including the EN 1176 series where “A-deviations” exist. The Commission representative confirmed that standards with A-deviations can still be referenced as their publication does not affect the A-deviation, i.e., national governments can maintain their own legislation.

The Commission proposes to move forward to reference these standards and invites Member States to contact CEN directly if they have any concerns about A-deviations.

In reply to a question raised by the French representative concerning Part 7 of the standard, the Commission representative replied that safety is affected by installation and maintenance and therefore these aspects have to be included in the standard.

The Commission also informed that it will seek formal confirmation from the Legal Service on this point.

3b) Publication of revised version of standards in the Official Journal of the European Union

Three standards currently referenced in the OJEU (and supported by a regular mandate) have been revised by CEN :

- EN 1466: 2004 on childcare articles, carry-cots and stands for children has been revised and replaced

- EN 12586: 1999 – childcare articles and soother-holders has been replaced
- EN 14682: 2004 – cords & drawstrings on children's clothing, superseded in 2007

The Commission proposes to reference the new revised versions and will send a draft Decision to Member States with a view to holding a vote on this issue.

Service Safety Issues

4. Service Safety in Member States and Candidate Countries

In 2009, a questionnaire on service safety was sent to Member States and candidate countries in order to learn more about practices in the different countries. Replies were received from 24 Member States as well as candidate countries. In December 2009, Member States were asked to review the data collected and to inform the Commission if they had any additional comments. The information received shows that Member States have different approaches regarding service safety - some have horizontal legislation while others have sectoral safety policies and legislation.

The opinion of Member States was sought about making this information public, in the interest of transparency but also as it could contribute to the discussions on revision of the GPSD.

4.2 Hotel Fire Safety

The Chair gave an update on the state of play concerning HOTREC's self-regulatory initiative on hotel fire safety and on the Charter prepared with the cooperation of stakeholders. The Commission regards the methodology as very valuable but at HOTREC's General Assembly, held in Barcelona in November 2009, members rejected the Charter and removed it from HOTREC's work plan. Six national hotel industry associations have signalled their intention to adopt the methodology and promote it to individual members. However, the Commission does not consider this to be sufficient and it remains committed to the success of the self-regulatory initiative. Commissioner Kuneva has therefore undertaken to inform the incoming Commission that, should HOTREC fail to deliver on its commitment by the end of the first quarter 2010, alternative regulatory action could be considered.

Joint actions and exchange of officials

5. Joint Actions 2009-2010

PROSAFE gave an overview of the joint actions undertaken and ongoing, including the EMARS II project.

Updating participants on the joint actions approved in 2009, a representative from PROSAFE announced that most actions had already started, with kick-off meetings taking place in the first quarter of 2010.

Technical descriptions are now being prepared for Joint Actions under the 2010 call for proposals. PROSAFE will submit its proposals once the Commission launches the call for tender. Possible subjects for which proposals are being prepared include ladders and

chemicals in textiles. The 2010 proposals are currently being discussed within PROSAFE and there have been positive reactions to a call for expressions of interest from Member States.

Member States gave positive feedback about participation in Joint Actions but raised concerns about certain administrative problems connected to the projects and asked if these could be resolved. Some Member States even indicated that they could no longer participate in joint actions if the administrative burden of participation would not diminish.

Specific Products & Risks

6. Polycyclic aromatic hydrocarbons (PAHs)

The Commission representative gave a brief update of the conclusions of the discussion on PAHs which had taken place at the meeting of the GPSD Committee on 28 January. The German authorities are preparing a risk assessment which will be submitted to the Commission by the end of March. It is proposed that the REACH Regulation be used to regulate such substances in consumer products and Article 68(2) is the agreed course of action in order to obtain a restriction on PAHs in consumer goods.

Miscellaneous

7. Studies on Flame retardants & Nano claims

The Commission representative gave a brief update of work in progress on flame retardants and nano claims:

Two calls for tender were published last year by the Commission requesting proposals regarding flame retardants in consumer products & nano claims. The best proposals were selected and the contracts were signed at the end of December.

Flame Retardants: A kick-off meeting took place with the contractor in January. It is an ambitious project which includes a study that will last 12 months. The main objectives are:

- Identify flame retardants in consumer products
- Assess the exposure and hazard properties of flame retardants
- Assess the effects that legislation on flammability has on fire accidents

The contractor plans to collect data on flame retardants and to rank them according to the risks involved. The established timetable for the end of the project is 15 December 2010, when a final draft report will be produced. In the meantime, there will be 3 interim reports and the Commission will keep Member States informed about progress.

The Commission representative also invited Member States to contact their competent authorities to request fire statistics which could be useful for the project.

Nano Claims – A kick-off meeting is scheduled to take place at the beginning of February. The project will last 9 months and aims to identify existing products on the market that have nano claims and to find out how the manufacturer (or importer) justifies these nano claims. Some products will be tested to verify whether they actually contain

nano material. All the data collected will be presented to members of the CSN at a later date.

BEUC informed the Commission that, together with ANEC, they have already compiled an inventory of "nano" products and they offered to share this information.

8. NDELA

The Commission representative gave a brief update of the recent meeting of the Expert Working Group on Risk Assessment for Chemicals in Consumer Products, which took place on 27 January. The meeting was a success and the experts agreed how risks should be named for certain chemicals in consumer products. The main conclusions of the expert meeting were that the additional lifetime cancer incidence approach was considered to be suitable for NDELA and it was agreed that an additional lifetime cancer incidence value of 1×10^{-6} could be used to differentiate between a 'serious' risk and a 'less-than-serious' risk. The same approach will be used for balloons containing nitrosamines. Experts will now provide exact concentrations of nitrosamines in cosmetics and balloons to help differentiate between a 'serious' risk and a 'less-than-serious' risk. For phthalates, azo-dyes and sensitising substances, experts considered that as soon as the limit values for those substances are exceeded there is a serious risk. It is hoped that in the near future all Member States will be able to agree on the level of risks specified in the notifications submitted through the RAPEX system. The minutes of the meeting of 27 January will be circulated to Member States.

9. Window cords

The representative from Finland referred to the need for a new standard to cover those window coverings currently excluded from the standard on internal blinds - or for the existing standard to be amended to include such products. He informed the meeting that as regards strangulation hazards, the North American standard is much better than the EN standard and he would advise that it be taken into account when considering any revision of the standard.

The Commission representative provided additional background information about the standard and the products it covers. The current standard was revised under the Machinery Directive as part of a bulk mandate. The Technical Committee working on the standard finally agreed to add strangulation requirements but only as concerns manually powered blinds, which are outside the scope of the Machinery Directive. At present, the standard is therefore referenced under the Machinery Directive, and provides conformity of safety with that particular directive, but it is not referenced under the GPSD and the strangulation risks do not conform with the GPSD. The Commission representative therefore agrees that there should either be a new standard or a revised version of the existing standard.

Blinds covered by the standard are pleated blinds, roller blinds, venetian blinds and vertical blinds. Roman blinds and variations of this kind of blind are not covered by the current standard, and these are the ones associated with the accidents that have been reported.

Member States supported the need to take further action on this issue.

10. Ethanol stoves

The representative from Denmark gave a brief update about the ongoing project on ethanol stoves. Good progress has been made since the last meeting of the CSN. A report has been drafted and circulated to the participating Member States (FR, DE, NO, SE). The report is based on contributions received from Member States, following a call for contributions last year, and summarises studies carried out in NO and FR. It also indicates the number of accidents recorded in the past 3-4 years in the participating Member States. A proposal has now been prepared, merging the technical requirements that exist in FR and SE (technical requirements from DE will also be examined and included). The paper was discussed at a meeting of the working group on 19 January and the participants will now produce a detailed overview of the safety requirements that could be used by CEN for the first draft of a technical standard. The analysis of the safety requirements has, however, revealed an issue which needs to be discussed further before the mandate can be finalised and sent to CEN: Existing designs of the product are simple and their cost can be quite low. However, stricter French safety requirements now mean that a new design has developed. French requirements state that the products must self-extinguish if they fall over, or if the content of CO² rises above certain limits, and the maximum operating time must be limited to 6 hrs per 24 hrs in such a way that the user cannot reignite the burner. The new appliances also need to have built-in sensors, equipped with electronics to control the burner. As a consequence, the cheaper models have disappeared, but since these requirements are new their impact on safety is not yet known. Participants of the GPSD committee will therefore be asked to decide on the level of consumer safety to be laid down in the standard and, to this end, a proposal will be prepared for discussion at the next meeting.

11. Market Surveillance study

The Commission representative provided a brief update of a study on the future of market surveillance in Europe. The study will run for one year between 16 December 2010 and 16 December 2011 and will focus on current practices in the Member States, and cooperation between Member States in this area. It will also look at the challenges ahead, how the market will change and what effect this will have on market surveillance before making recommendations to improve the situation. The study will be led by a UK consultant and Member States are invited to cooperate if contacted. The outcome of the study will be taken into account in the context of revision of the GPSD and Member States will be kept informed of its progress.

ANNEX 1: Draft Agenda

ANNEX 2: Attendance List

ANNEX 3: Adopted Minutes of Meeting of 22 October 2009