



European Child Safety Alliance
PO Box 75169
1070 AD Amsterdam
The Netherlands
Telephone +31 20 511 4500
Fax +31 20 511 4510
www.ecosa.org

In partnership with

Johnson & Johnson

and support of the European Commission



A Guide to Child Safety Regulations and Standards in Europe



A Guide to Child Safety Regulations and Standards in Europe



European Child Safety Alliance
PO Box 75169
1070 AD Amsterdam
The Netherlands
Telephone +31 20 511 4500
Fax +31 20 511 4510
www.ecosa.org

Text or parts of the text maybe copied, provided that
reference is made to the title of the publication and
address of the publisher.
ISBN: 90-6788-288-7

March 2003





Table of contents

Introduction	3
Roles of European and national regulation	4
The relevance of European Union regulations	5
The European regulatory process	6
The role of standards	7
Quality of standards	8
The European standardisation process	10
Enforcement of regulations	12
Review of regulations, standards and best practice	13
Summary and recommendations	37
References	39
Sources of further information	40
List of abbreviations	42
Glossary	43
Contact information	45

Introduction

Regulation is an important element in child safety accident prevention. Many successful injury prevention interventions directly involve or are dependent on regulations and standards. Regulations can influence behaviour, products or the environment within which children find themselves. Reduced speed limits, the adoption of child resistant designs for cigarette lighters, the compulsory use of child resistant packaging for all children's aspirin and paracetamol preparations, to give but a few examples, are all regulatory initiatives that have resulted in significant reductions in accidents involving children.

However what does this mean for us in the changing Europe we live in. With the expansion of the European Union we are seeing that national jurisdiction over regulation is being replaced in many fields with a shared responsibility between national and European authorities, and the spread of the EU eastwards.

This guide tries to present and clarify the role of regulation in child accident prevention in today's Europe. The different aspects of the regulatory process are examined and a state of the art review of the standards and regulations currently in existence is presented.

This review identifies not only the existing European regulations and standards but also identifies best practice where this doesn't exist at the European level but rather at the national level. On the basis of this overview a number of priorities for action are identified.

This is a general introduction to the very complicated regulatory process. There is however a list of sources for further information that deal in much greater detail with specific aspects of the regulatory process.

The regulatory process described in this guide is not perfect, neither is the standardisation process that is extensively relied upon by the regulator. There are also legitimate concerns over the enforcement of the regulations and standards that do exist. Some of the limitations of the current set-up are acknowledged in this guide. However it is not the intent of the guide to provide an extensive critique of the existing arrangements or to present recommendations for their improvement. For a more extensive critique of the regulatory process and for recommendations for its improvement the reader is directed to the report published last year by ECOSA, "Priorities for Consumer Safety in the European Union: Agenda for Action".

Lastly, we should also note that many aspects of the regulatory process are in a state of change. The implementation of the revised General Product Safety Directive over the coming years will have a considerable impact on many aspects of the regulatory process. Most notably there will be important changes to the use of standards and in the arrangements for the co-ordination of enforcement and regulatory action at the European level.



Roles of European and national regulation

The Member States of the European Union have agreed to allow the Union to act in many different policy areas. The most important is the regulation of the so-called single market. Within the single market, also called the internal market, products and services can be traded freely between the Member States. Regulations and standards that vary from one country to the other can hinder this free flow of goods and services. In an effort to avoid this happening, the Member States of the EU have given the European Commission the responsibility to lay down regulations affecting the cross-border trade in products. These laws generally have to be implemented by the Member States. In effect these laws determine the level of product safety throughout the European Union.

The European Union has also been given the power by the Member States to take initiatives to promote consumer protection and public health. Recent amendments to the Treaty establishing the EU have specifically identified a role for the EU to play in promoting consumer protection and public health. This development acknowledges the coordinating role that the EU can play to assist the Member States in trying to protect their consumers and care for the health of their public.

Member States are free to regulate when the European Union does not. Member States alone have the responsibility to regulate their day-care, schools, sports installations, playgrounds, swimming pools and building regulations. Member States can also exceed the provisions laid down in European laws and establish a higher level of product safety (for example removal of drawstrings in children's clothing UK, children are rearward facing for longer in child restraints in cars in Sweden). However in the case of product regulations that could affect trade with other Member States they must be able to justify why they have had to go further.

The ultimate responsibility for child accident prevention always rests at the national level. Europe however does play a number of important roles and we have to look to both levels when pursuing our objective of reducing child accidents.

European Regulations

Take precedence in trade matters
(article 95 Treaty of Rome).
The European Commission also has the right to propose measures to promote consumer and health protection in particular with relation to the coordination of national initiatives
(articles 129 and 152 of the Treaty)

National Regulations

Can be made where there are no European regulations and can exceed European regulations where the national authorities can justify why this is necessary
(Article 36 of the Treaty)

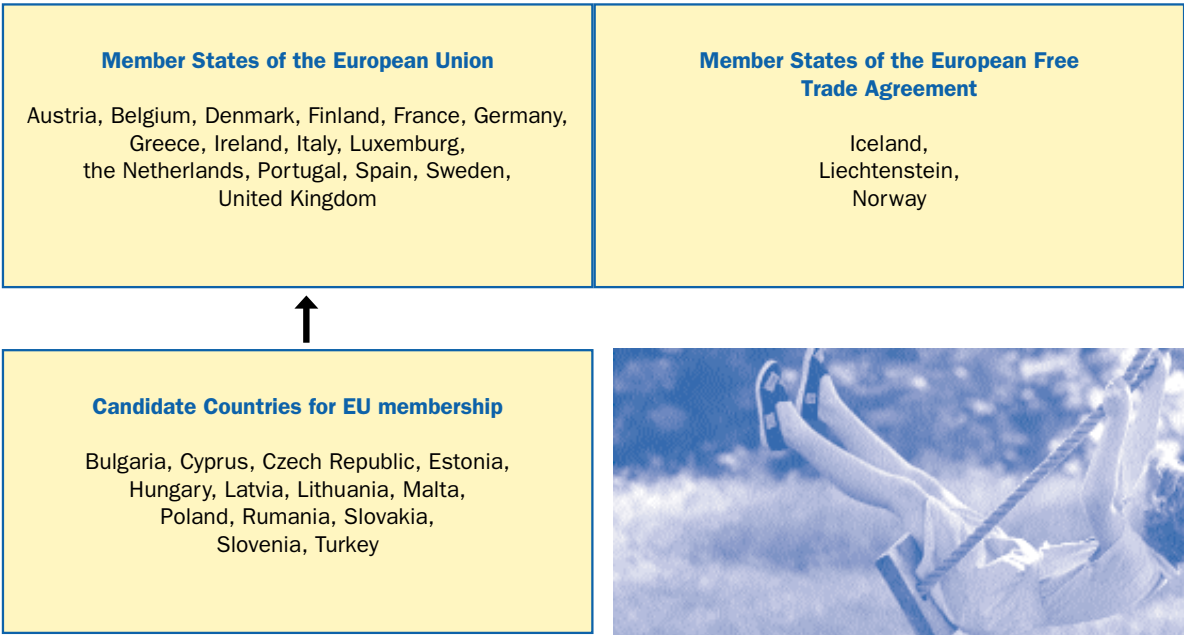
The relevance of European Union regulations

Many significant political developments have taken place in Europe especially over the past ten years. There has been the creation of the single market. This has been extended beyond the European Union Member States to the European Free Trade Agreement (EFTA) Member States, Iceland, Norway and Liechtenstein, in the European Economic Area. We have also seen the fall of the Berlin Wall and the Iron Curtain. This has brought Central and Eastern Europe much closer to the West. In fact a number of these countries are now well on the road towards membership of the European Union and some are in by 2004. These developments dictate that we must now have a broader view in mind when we talk about Europe. In order to create the single market the

fifteen Member States of the European Union have harmonised many of their laws in particular with respect to products.

These same rules apply to all the Member States of the European Free Trade Association (excluding Switzerland) under the European Economic Area (EEA). The EEA relies on EU laws for the regulation of trade including products between the EU and EFTA members. Switzerland also has bi-lateral agreements with the EU that emphasise the use of EU laws and standards. For new countries a pre-requisite to their joining the Union is aligning their laws with those of the EU. The importance of European Union legislation is thus felt throughout most of Europe and greatly influences child safety efforts.

EUROPEAN ECONOMIC AREA



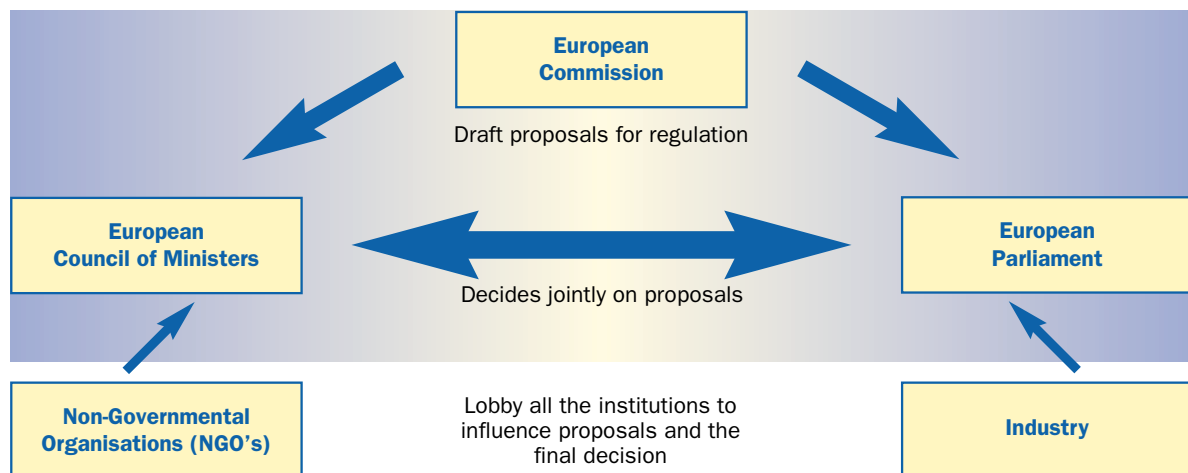
The European regulatory process

The European Regulatory process involves a number of different participants. The right to make proposals for new regulations rests with the European Commission. The European Commission is however restricted to proposals in areas of policy where the Member States have given the EU authority to regulate. The appropriate General Directorate of the European Commission drafts a proposal. The most important for child safety are the General-Directorate dealing with Consumer and Public Health (DG-SANCO), the General-Directorate dealing with Enterprise (DG-ENT) and the General Directorate dealing with Transport and Energy (DG-TREN). Any proposals are transmitted to the College of Commissioners who agree on the final proposal, which is in turn transmitted to the European Council and the European Parliament. The European Council, which is made up of representatives of the Member States, and the European Parliament work together in the majority of cases to reach agreement in the so-called co-decision procedure. The whole

of the legislative process, the Commission, the Council and the Parliament are subjected to lobbying from NGOs and the industry. It should be stressed that the ultimate decision-making authority rests with the representatives of the national governments in the Council and with the national members of the European Parliament and not with the European Commission.

There are a number of inherent difficulties with the process. It can take a long time for regulations to be agreed upon and then implemented at the national level. It has also proven difficult to get agreement at a political level on technical issues. This was in fact one of the reasons for the adoption of the New Approach that delegates the elaboration of most of the technical details of product specifications to the European standards bodies.

European regulatory process

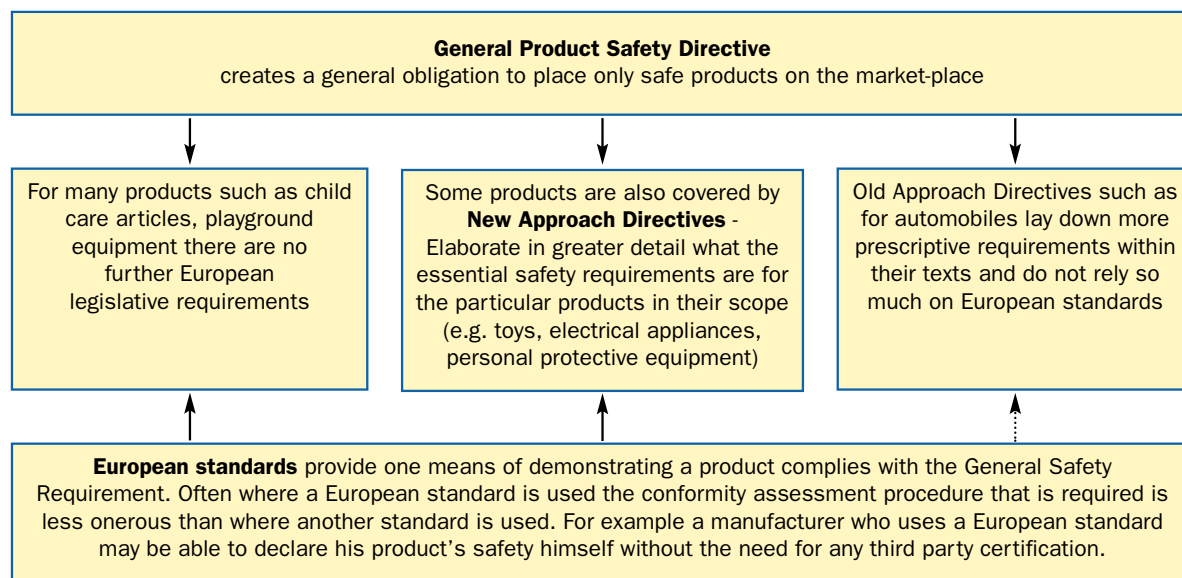


The role of standards

Standards play an important role in the regulation of consumer safety in Europe. The General Product Safety Directive (GPSD) requires that only safe products are placed on the European market. Some key product groups such as toys, electrical and gas appliances and personal protective equipment are also the subjects of specific New Approach Directives. These directives provide further guidance as to what can be considered safe and take precedence to the GPSD in respect of the hazards they describe explicitly. The main hazards associated with the specific product group are identified in essential safety requirements listed in the directives. For example in the case of toys the essential safety requirements specify the physical and mechanical hazards that should be addressed. If there are any hazards that the New Approach directives do not address these are covered by the general safety requirement in the GPSD. With the recent revision of the General Product

Safety Directive both the GPSD and the New Approach Directives rely on European standards to provide the technical specifications necessary to manufacture products that are safe and do not expose their users to known risks and hazards. If a harmonised European standard is used in the manufacturing of a product, there is a legal presumption of conformity with the safety requirement contained in European law. It will then be up to the authorities to demonstrate that the product is unsafe despite the use of a European standard.

This can happen and the European standard may have to be revised. Other European laws address themselves to specific safety issues and do not rely on European standards. For example vehicle safety directives that mandate the provision of seat belts and govern the performance of cars in crash tests. For a number of consumer products on the market European standards play a crucial role in defining the level of safety to be found in the market place.





Quality of standards

Standards play a very important role in the regulatory process in Europe. How they are written is important if they are to adequately address our safety concerns.

A proposal for a new standard or the revision of an existing standard can come from the national members of the European standards bodies. It can also come from the European authorities, usually in the form of a mandate. A mandate is a request from the European public authorities with the agreement of the Member States to address a specific issue, either by writing a new standard or amending an existing standard. Consumer groups and safety organisations can also raise issues with the Commission that may be suitable grounds to issue a mandate.

Mandates were originally used to identify the standards that needed to be drafted in support of the New Approach Directives when they were implemented. More recently mandates have been used to identify consumer safety issues with specific products such as cigarette lighters, baby walkers and oil lamps and to identify shared safety issues such as child safety, the needs of the elderly and the disabled, and product information. These mandates should make reference to injury surveillance data and other relevant research findings. The use of mandates in this manner can be expected to rise with the formal reference to standards in the revised General Product Safety Directive.

The European standards bodies are free to accept the mandate or not. Similarly there is not a legal obligation on the standards bodies to actually complete the work. However the implied threat is always that if the standards bodies do not take on the work, or if they fail to complete it satisfactorily, then the Commission will take matters into their own hands and regulate themselves. Industry normally considers that they have less influence in the regulatory process than in the standardisation process and are therefore encouraged to ensure that the standards bodies do rise to the task.

A draft standard is prepared in a technical committee or a working group. All interested parties including the industry, consumers and safety advocates can in theory participate in this process. Resources however are often lacking especially for participation by consumer representatives and safety professionals.

The draft standard is then sent out for a period of public comment that lasts six months. Anyone can comment on the draft standard at this stage. Once any comments have been dealt with the draft standard is submitted to formal vote. The formal vote is by the national members of the European Standardisation Committee (CEN) or European Committee for Electro-technical Standardisation (CENELEC) as appropriate. Each country has a weighted number of votes that reflects broadly the population of the country. Throughout the drafting procedure many national standards bodies monitor the work of the European technical committees in national mirror committees. These committees are supposed to bring together the stakeholders at the national level and provide a platform for discussing the national position to be put forward in the European discussions. This is an important forum for national consumer representatives and safety professionals to put forward their views.

The references of some standards are then published in the Official Journal. The reference of the standard in the Official Journal of the European Communities gives a legal presumption of conformity with the regulatory requirement to place only safe goods on the market place (harmonised standard). Up until now this has only been relevant for the products covered by New Approach directives but with the revision of the General Product Safety Directive the references of standards for a much wider range of products will be liable to be published.

A safeguard clause procedure exists for any standard whose reference is published in the Official Journal. If the national authorities or the European Commission consider a standard is deficient and does not

adequately address realistic safety concerns they can invoke the so-called safeguard clause. This gives the right to the authorities to challenge whether a standard should give a legal presumption of conformity with the general safety requirement. As a result of invoking this process the reference to the standard in the Official Journal can be withdrawn and the standard no longer gives any legal presumption of conformity. This is very often followed up by a mandate asking the European standards bodies to revise the standard and address the issue at stake.

One example of such a request was in the case of centrifugal juicers. A number of these products exploded after being in use for some time. It turned out that there was no test in the standard for exposing these products to orange juice that is quite acidic. The existing standard had to be revised to include a test to ensure that the acidic orange juice did not break down the parts of the juicer. This example also highlights the difficulties that can arise as a result of the separation of the standardisation of electrical and non-electrical products in CEN and CENELEC. It is important to ensure that physical hazards are also addressed in standards for electrical products. This has not always been the case in the past. Other examples of deficient standards relate to toys with long hair that have been found to be a choking hazard and noisy toys such as toy cap guns. Cases like these can and do result in a mandate from the European Commission to the European standards bodies as outlined above.

These examples also demonstrate that whilst there are safeguards in the standardisation process the results are not always as desired. We have already noted that resources for participation by relevant consumer safety experts can be lacking. There is a general perception that industry can dominate standardisation work and whilst the delays within the regulatory process can be frustrating there is also criticism of the standardisation process for the speed of its work.



The European Standardisation Process



Safeguard Clause

The public authorities may invoke the safeguard clause in respect of any standard they believe is deficient and whose reference has been published in the Official Journal of the European Communities. This can result in the removal of the reference to the standard in the Official Journal meaning the standard no longer gives a legal presumption of conformity with the European legislation.

Whilst the safeguard clause provides a mechanism to correct deficient standards it is preferable that the standards committees get their work right first time. In addition to the direct participation of consumer representatives and safety professionals, where there are resources made available the work of standards committees is influenced by a number of horizontal guidelines and reference documents.

These guides deal with such issues as the application of risk assessment to standards writing, specific child safety issues, the development of warning labels and pictogrammes.

These guides promote best practice in dealing with consumer safety and especially child safety issues.

If they are properly applied, they also help ensure consistency and compatibility amongst the European standards.

We can see then that there are a number of procedural and structural provisions in the standardisation process aimed at ensuring the quality of European standards. These provisions however rely on expert input from the safety community in terms of direct participation in standards work and in drafting guidance that should be followed by standards committees. It is imperative that the safety community rises to this challenge.



Enforcement of regulations

Of course the best regulations in the world are worthless if they are not applied and enforced in practice. European regulations for the most part rely on market surveillance by the national authorities. There is no pre-market inspection or certification required for the majority of consumer products. This contrasts with the situation in many European countries before the establishment of the internal market. With the open borders that we now have between countries within the European Union and the European Economic Area it is important that national authorities co-ordinate their activities at the European level. They have to realise that their actions have consequences far beyond their own national boundaries. Co-operation thus far has been co-ordinated through the European Commission and by the enforcement officials themselves in Prosafe, the Product Safety Enforcement Forum of Europe. The Commission operates Rapex a system for the rapid exchange of information on dangerous products. Prosafe's members have co-operated in joint enforcement exercises across Europe.

In practice there are a number of issues with enforcement that need to be dealt with. There is a lack of coordination between national authorities.

Notifications to Rapex are sporadic and there is no European system of recall of dangerous products. Many of these issues are addressed in the revised European General Product Safety Directive, but still not acted upon.

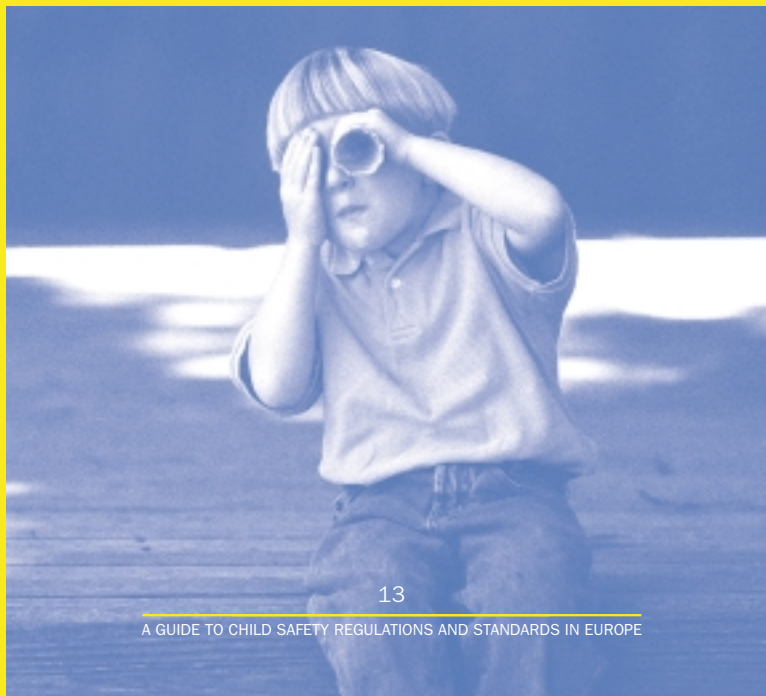
The provisions concerning market surveillance have been strengthened in the directive. The aim is to increase the amount of co-operation between national administrations co-ordinated by the European Commission. It is also the intention that information relating to dangerous products should be made available as quickly as possible to the public thereby aiding safety professionals in their work. However it remains to be seen how these new provisions are implemented in practice in the coming years.

Consumer organisations also play an important role through their comparative testing of products. These tests not only identify products that fail to comply with existing standards and regulations but also allow consumer groups to identify hazards and risks that are not adequately addressed in the existing standards or regulations. Information provided by market surveillance and consumer organisations, helps provide us with the means to set priorities for safety campaigns and regulatory and standardisation activities.



A review of regulations, standards and best practice

We have briefly highlighted in the previous pages some of the most important legal acts of the European Union that make up the framework for consumer product safety. The tables on the following pages identify in greater detail the main pieces of regulation and standards that deal with the principle hazards that have been identified from injury data. This short inventory also identifies examples of best practice actions that have been proven to reduce injuries to children and in doing, can help in the future identification of priorities for legislative and standardisation activities in other countries and at a European level. In addition we need to acknowledge that we have to continually update and improve European standards and regulations in light of advances in technology, the development of new products and the identification of new and emerging hazards.



ISSUES RELEVANT FOR CHILD SAFETY REGULATIONS

Motor Vehicle:

- Appropriate restraint systems by children of all ages
- Placement of children in the rear seats to avoid air bag injuries and head on impacts
- Child restraints
- Development of universal child restraint systems using rigid or semi-rigid vehicle anchorages
- Redesign child restraint systems to allow toddlers to travel rearward facing for a longer period (or up to the age of 4)
- Alcohol limits
- Seat belts
- Vehicle crashworthiness
- Children banned from riding/driving farm tractors

Pedestrian:

- Design of motor vehicles considering pedestrian protection
- Speed limits in urban areas
- Traffic calming of road ways

Bicycles:

- Brakes on bicycles for children
- Mandatory use of helmets
- Separate lanes for bicycles

Drowning:

- Child care products
- Diving accessories
- Pool and pond fencing, natural barriers, locked gates
- Personal flotation devices
- Swimming pool equipment

Falls

- Furniture
- Mandatory use of helmets during sports
- Playgrounds with regulated shock absorbing surfaces to comply with the playground standards
- Fairground equipment and leisure attractions
- Stair gates
- Window Bars and Balconies
- Sports equipment
- Supermarket trolleys

Burns and scalds:

- Child resistant lighters and matches
- Flammability of furniture and other products
- Flame resistant clothing
- Smoke alarms
- Temperature regulators on water heaters to prevent tap water scalds
- Surface temperatures
- Fireworks

Poisoning:

- Child resistant packaging
- Labelling of dangerous products
- Phthalates in toys and child care products
- Chemicals in Toys
- Safe storage
- Nickel allergy

Choking,

- Inedibles in food
- Small parts size enforcement for child products and toys/warning labels
- Pen Caps

Suffocation and Strangulation:

- Blind cords on windows
- Requirements on measurements in standards for products
- Removal of drawstrings on children's clothing
- Pen caps

EU motor vehicle related regulations and examples of best practise

Issue	Current situation in Europe	Examples of best practice not at the European level
Use of child restraint systems of all ages	<p>Council Directive 91/671/EEC of 16 December 1991 on the approximation of the laws of the Member States relating to compulsory use of safety belts in vehicles of less than 3,5 tonnes</p> <p>This Directive is currently under revision. A Common Position (EC) No 63/2002 was adopted by the Council on 14 November 2002.</p> <p>Article 2 In the Common Position, it is mentioned that Article 2 of the Directive shall be replaced by the following: "Children less than 150cm in height ... shall be restrained by an integral or non-integral child-restraint system ... suitable for the child's mass ... In ... vehicles that are not fitted with safety systems, children under 3 years of age may not be transported. Children may not be transported using a rearward-facing child-restraint system in a passenger seat protected by a front air bag, unless the air bag has been deactivated, even in cases where the airbag is automatically deactivated in a sufficient manner."</p> <p>Article 3 The provisions of this Directive shall also apply to drivers and passengers of vehicles being used on the road in the Community which are registered in a third country.</p> <p>Article 4 1. By way of derogation from the second paragraph of Article 2, Member States may, on their national territory, permit children aged three years and over occupying the seats of vehicles referred to in Article 1 to be restrained by a safety belt or other restraint system approved for adult use.</p> <p>2. Member States shall also, on their territory and under conditions specified in their national law, allow that children under three years of age occupying rear seats need not be restrained by a restraint system suitable for their height and weight if such children are transported in a vehicle where such a system is unavailable."</p>	National regulations in some member states require children as old as three years to travel rearward facing in the back seat
Placement of children in the rear seats to avoid air bag injuries and head on impacts	A common position (EC) No 63/2002 was adopted by the Council on 14 November 2002	Some member states have enacted national regulations

Child restraint systems	<p>There is no minimum standard for the safety of child restraint systems in European legislation other than integrated CRS. The following two directives deal with aspects of the fitment of CRS.</p> <p>Council Directive 74/408/EEC of 22 July 1974 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (strength of seats and of their anchorage) (OJ L 221 12.08.1974 p.1) as amended</p> <p>Council Directive 76/115/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to anchorage for motor-vehicle safety belts (OJ L 024 30.01.1976 p.6) as amended</p>	<p>EuroNCAP test results have been used in industry to advance car safety. Draft CRS protocols by EuroNCAP are expected to have similar success.</p>
Development of universal child restraint systems using rigid or semi-rigid vehicle anchorage		<p>Work pending in ISO. US and Canadian draft rules on universal child restraints using vehicle anchorage. Manufacturers are already producing vehicle-specific systems.</p>
Redesign child restraint systems to allow toddlers to travel rearward facing for a longer period (or up to the age of 4)		<p>R44.02 has been revised, and published in 1995 as R44.03, and one of the changes was in order to allow children to travel rearward facing for a longer period of time (at least up to 13 kg)</p>
Alcohol limits	<p>EU proposed a directive for a limit of 0.5 but this has been withdrawn now and the Commission respecting subsidiary and noting that there are only four member states (Ireland, Italy Luxembourg, and the UK) with higher limits now intends to submit a recommendation to Member States emphasising in this context the need for more effective enforcement and international co-operation in prosecuting drink driver offenders as well as the adoption of 0,5 or even lower limits for certain categories. Commission recommendation of 17 January 2001 on the maximum permitted blood alcohol content (BAC) for drivers of motorised vehicles (Text with EEA relevance)</p>	<p>Most member states have a limit of 0.5 and some have automatic bans and driver re-training for offenders</p>

Seat belts	<p>Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (OJ L 220 29.08.1977 p.95) as amended</p> <p>Includes three point anchorage in the centre rear position and in minibuses and two point belts in larger coaches</p>	
Vehicle Crashworthiness	<p>Directive 96/27/EC of the European Parliament and of the Council of 20 May 1996 on the protection of occupants of motor vehicles in the event of a side impact and amending Directive 70/156/EEC (OJ L 169 08.07.1996 p.1)</p> <p>Directive 96/79/EC of the European Parliament and of the Council of 16 December 1996 on the protection of occupants of motor vehicles in the event of a frontal impact and amending Directive 70/156/EEC (OJ L 018 21.01.1997 p.7)</p>	<p>US regulations provide a more onerous test of seat belt anchorage in head-on collision.</p> <p>Combination of existing European offset test and the US test with some air-bag criteria would be best regulation</p>
Children banned from riding/driving farm tractors		<p>UK The Prevention of Accidents to Children in Agriculture Regulations 1998 prohibits children under 13 from driving and riding on agricultural equipment</p>

EU pedestrian and bicycle related regulations and examples of best practice

Issue	Current situation in Europe	Examples of best practice not at the European level
Pedestrian protection for motor vehicles	<p>Council Directive 74/483/EEC of 17 September 1974 on the approximation of the laws of the Member States relating to the external projections of motor vehicles (OJ L 266 02.10.1974 p.4) as amended deals with minor projections on vehicle fronts</p> <p>Voluntary agreement with industry to implement some testing pending approval by Parliament.</p> <p>Proposal for a Commission directive based largely on tests contained in previous draft voluntary agreement (criticised by safety advocates)</p> <p>The Commission adopted a draft Directive on pedestrian protection in February 2003, based on an industry agreement. Consumer and safety organisations have criticised this weak draft directive.</p>	<p>EEVC (the European Experimental Safe Vehicle Committee) has developed a suite of tests that are already in use for some time in Euroncap (European New Car Assessment Programme). It is estimated that 2,100 deaths and 18,000 serious pedestrian and cyclist casualties of all ages could be prevented annually upon implementation of these tests</p>
Reduced speed limits		<p>In the UK 20mph zones have resulted in reductions in child road accidents involving cyclists of 48% and in fatal road accidents involving pedestrians by 70%. In Sweden there are often 30km limits in place near schools during school hours</p>
Traffic calming		<p>Has shown accident savings of 60% in 30mph zones in the UK</p>

Visibility clothing	EN 1150 Protective Clothing - visibility for non-professional use	Regional legislation exists in the US for use of reflective clothing to reduce car pedestrian collisions
Bicycles:		
Brakes on bicycles for children	European standards addressing bicycles avoid issue of brakes due to conflicting national theories regarding hand brakes versus back-pedal brakes	Some non-European countries have regulations requiring brakes for children's bicycles
Mandatory use of helmets	No European regulation mandating the wearing the helmets. Voluntary standards exist governing the performance of helmets. EN 1078:1997 Helmets for pedal cyclists and for users of skateboards and roller skates	Some jurisdictions have mandated helmet use e.g. Iceland, Spain, Macedonia, Czech republic and some regions in Australia and British Columbia in Canada
Separate lanes for bicycles	EN 1080:1997 Impact protection helmet for young children	Many countries have an extensive bicycle lane network, e.g. the Netherlands, Belgium, Switzerland, Sweden, Denmark etc.

EU drowning related regulations and examples of best practice

Issue	Current situation in Europe	Examples of best practice not at the European level
Child care products	Standard in preparation bath seats prEN13822	
Diving accessories	EN 1972:1997 - Diving accessories - Snorkels - Safety requirements and test methods EN 13319:2000 - Diving accessories - Depth gauges and combined depth and time measuring devices - Functional and safety requirements, test methods	
Pool and pond fencing, natural barriers, locked gates	No European regulatory requirements for the provision of pool fencing or other safety equipment. Voluntary standards govern the construction of related products. EN 393:1993/A1:1998 Lifejackets and personal buoyancy aids - Several standards EN 60335-2-60:1997 Safety of household and similar electrical appliances - Part 2: Particular requirements for whirlpool baths and similar equipment EN 1069-1:2000 Water slides over 2m height - Part 1: Safety requirements and test methods EN 1069-2:1999 Water slides over 2m height - Part 2: Instructions	Sweden and Australia have requirements for pool fencing
Personal flotation devices	EN 393:1993/A1:1998 Lifejackets and personal buoyancy aids- Buoyancy aids - 50N EN 395:1993/A1:1998 Lifejackets and personal buoyancy aids - Lifejackets - 100N EN 396:1993/A1:1998 Lifejackets and personal buoyancy aids - Lifejackets - 150N EN 399:1993/A1:1998 Life jackets and personal buoyancy aids - 275 N EN 394:1993 Lifejackets and personal buoyancy aids - Additional items EN 13138-2:2002 Buoyant aids for swimming instruction - Part 2: Safety requirements and test methods for buoyant aids to be held prEN 13138-1 Buoyant aids for swimming instruction - Part 1: Safety requirement and test methods for buoyant aids to be worn.	

	Draft European standard for swim seats prEN 13138-3 Work item Inflatable leisure articles for use on the water – safety requirements and test methods	
Swimming pool equipment	<p>EN 13451- 1: 2001 - Swimming pool equipment - Part 1: General safety requirements and test methods</p> <p>EN 13451- 2: 2001 - Swimming pool equipment - Part 2: Additional specific safety requirements and test methods for ladders, stepladders and handle bends</p> <p>EN 13451- 3: 2001 - Swimming pool equipment - Part 3: Additional specific safety requirements and test methods for pool fittings for water treatment purposes</p> <p>EN 13451- 4: 2001 - Swimming pool equipment - Part 4: Additional specific safety requirements and test methods for starting platforms</p> <p>EN 13451- 5: 2001 - Swimming pool equipment - Part 5: Additional specific safety requirements and test methods for lane lines</p> <p>EN 13451- 6: 2001 - Swimming pool equipment - Part 6: Additional specific safety requirements and test methods for turning boards</p> <p>EN 13451- 7: 2001 - Swimming pool equipment - Part 7: Additional specific safety requirements and test methods for water polo goals</p> <p>EN 13451- 8: 2001 - Swimming pool equipment - Part 8: Additional specific safety requirements and test methods for leisure water features</p> <p>prEN 13451-10 "Additional specific safety requirements and test methods for diving platforms, diving springboards and associated equipment" and prEN 13451-11 "Additional specific safety requirements and test methods for moveable pool floors and moveable bulkheads".</p>	

EU falls related regulations and examples of best practice

Issue	Current situation in Europe	Examples of best practice not at the European level
Furniture and child care articles	<p>There are a number of voluntary European standards dealing with the construction of furniture and child care products</p> <p>EN 12227:1999 Playpens for domestic use - Consists of 2 parts - Consists of 2 parts 1) safety requirements 2) Test methods</p> <p>CR 13387:1999 Child use and care articles - General and common safety guidance (revision pending)</p> <p>EN 12221:1999 Changing units for domestic use - Consists of 2 parts 1) safety requirements 2) Test methods</p> <p>EN 1272:1998 Childcare articles - Table mounted chairs - Safety requirements and test methods</p> <p>EN 1178-1:1994 Furniture - Children's high chairs for domestic use - Part 1: Safety requirements</p> <p>EN 1178-2:1994 Furniture - Children's high chairs for domestic use - Part 2: Test methods</p> <p>EN 131-1:1993 Ladders - Terms, types, functional sizes</p> <p>EN 131-2:1993 Ladders - Requirements testing marking</p> <p>EN 1466:1998 Child care articles - Carry cots and stands - Safety requirements and test methods</p> <p>EN 1272:1998 Child care articles - Table mounted chairs - Safety requirements and test methods</p> <p>EN 1130-1:1996 Furniture - Cribs and cradles for domestic use - Part 1: Safety requirements</p> <p>EN 1130-2:1996 Furniture - Cribs and cradles for domestic use - Part 2: Test methods</p>	<p>Step-ladder regulation in the Netherlands (requirements exceed European standard)</p> <p>The Netherlands and Sweden building code also contains provisions relating to balcony barriers and stair gate barriers</p>

	<p>EN 716-1:1995 Furniture - Children's cots and folding cots for domestic use - Part 1: Safety requirements</p> <p>EN 716-2:1995 Furniture - Children's cots and folding cots for domestic use - Part 2: Test methods</p> <p>prEN 71b-3 Furniture - Children's cots and folding cots for domestic use - Part 3: Additional safety requirements and test methods for folding cots</p> <p>EN 1273:2001 Baby walking frames</p> <p>EN 747:1993 Bunkbeds</p> <p>EN1888:2003 Wheeled Child conveyances – safety requirements and test methods</p> <p>EN 12790:2002 Child care articles - Reclined cradles</p> <p>Draft standards are in preparation for</p> <p>prEN 13209 Baby carriers prEN 14344 Child cycle seats prEN1466 Carry cots and stands prEN 13210 Baby harnesses and reins prEN 1887 Child use and care articles - Convertible high chairs safety requirements and test methods (voted down, will not be published) prEN 14036 Baby bouncers prEN 13209 Soft carriers</p>	
Playgrounds with regulated shock absorbing surfaces to comply with the playground standards	<p>There are no European regulations on playgrounds, but there are voluntary European standards dealing with the construction, installation and maintenance of playground equipment and impact absorbing surfaces</p> <p>EN 1176-1:1998 Playground equipment - Part 1: General safety requirements and test methods</p> <p>EN 1176-2:1998 Playground equipment- Part 2: Additional specific safety requirements and test methods for swings</p> <p>EN 1176-3:1998 Playground equipment-Part 3: Additional specific safety requirements and test methods for slides</p>	National and local regulations (for example in Portugal and the Netherlands) require impact resistant surfaces and regular maintenance of playgrounds

	<p>EN 1176-4:1998 Playground equipment- Part 4: Additional specific safety requirements and test methods for runways</p> <p>EN 1176-5:1998 Playground equipment - Part 5 - Additional specific safety requirements and test methods for carousels</p> <p>EN 1176-6:1998 Playground equipment- Part 6: Additional specific safety requirements and test methods for rocking equipment</p> <p>EN 1176-7:1997 Playground equipment - Part 7: Guidance on installation, inspection, maintenance and operation.</p> <p>EN 1177: 1997 - Impact absorbing playground surfacing - Safety requirements and test methods</p> <p>EN 1069- 1: 2000 - Water slides of 2 m height and more - Part 1: Safety requirements and test methods</p> <p>EN 1069- 2: 1999 - Water slides over 2 m height and more - Part 2: Instructions</p> <p>EN 13613: 2001 - Roller sports equipment - Skateboards - Safety requirements and test methods</p> <p>Draft standard for activity toys was approved and is ready for publication (this includes self-assembly playground equipment) prEN 71-8 Swings, slides and similar activity toys for indoor and outdoor family domestic use</p> <p>Work items on inflatable play equipment and contained play equipment</p>	
Fairground equipment and leisure attractions	<p>Draft standard prEN 13814</p> <p>Fairground and amusement park machinery and structures-safety</p>	The Netherlands has national legislation for fairground equipment
Stair gates	EN 1930: 2000 - Child care articles - Safety barriers - Safety requirements and test methods	
Window bars and balconies	<p>Standard under preparation</p> <p>Window Barriers prEN1930-2</p>	Child resistant devices and ventilation fittings are used in Sweden for windows and balcony doors. The Swedish Consumer Agency has guidelines that require that the devices fulfil the test described in the guidelines

Supermarket trolleys	<p>EN 1929-1:1998 Basket trolleys - Part 1: Requirements and tests for basket trolleys with or without a child carrying facility</p> <p>prEN 1929-3 - Basket trolleys - Part 3: Requirements and tests for basket trolleys with additional goods carrying facility(ies), with or without a child carrying facility</p> <p>prEN 1929-4 - Basket trolleys - Part 4: Requirements and tests for basket trolleys with additional goods carrying facility(ies), with or without a child carrying facility, intended to be used on passenger conveyors</p> <p>prEN 1929-7 - Basket trolleys - Part 7: Requirements and tests for basket trolleys with baby and child carrying facilities</p>	
Sports and sports equipment	<p>There are no European regulations requiring mandatory helmet wearing. A number of European standards govern the construction of sports equipment</p> <p>EN 1384:1996 Helmets for equestrian activities</p> <p>EN 1077:1996 Helmets for alpine skiers</p> <p>EN 12492:2000 Helmets for mountaineers</p> <p>N 967:1996 Helmets for ice hockey players</p> <p>Moveable soccer goals Existing European standards for handball goals and soccer goals EN748 and EN749 only deal with organised training and competition and not school and leisure use. There are no technical requirements as present contained in the standard to properly address the fixation and stability for goals.</p> <p>EN 748: 1995 + A1: 1998 - Playing field equipment - Football goals - Functional and safety requirements, test methods (including amendment 1: 1998)</p> <p>EN 749: 1995 + A1: 1998 - Playing field equipment - Handball goals - Functional and safety requirements, test methods (including amendment 1: 1998)</p> <p>EN 750: 1995 + A1: 1998 - Playing field equipment - Hockey goals - Functional and safety requirements, test methods (including amendment 1: 1998)</p> <p>EN 913: 1996 - Gymnastic equipment - General safety requirements and test methods</p>	<p>UK Horses (Protective Headgear for Young Riders) Act 1990 (c. 25) mandates wearing of helmets</p> <p>Portugal and France have national legislation that has broaden the scope of the European standards for goal and is applicable also to school and leisure settings</p>

	<p>EN 914: 1996 - Gymnastic equipment - Parallel bars and combination asymmetric/parallel bars - Functional and safety requirements, test methods</p> <p>EN 915: 1996 - Gymnastic equipment - Asymmetric bars - Functional and safety requirements, test methods</p> <p>EN 916: 1996 - Gymnastic equipment - Vaulting boxes - Functional and safety requirements, test methods</p> <p>EN 12196: 1997 - Gymnastic equipment - Horses and bucks - Functional and safety requirements, test methods</p> <p>EN 12197: 1997 - Gymnastic equipment - Horizontal bars - Safety requirements and test methods</p> <p>EN 12655: 1998 - Gymnastic equipment - Hanging rings - Functional and safety requirements, test methods</p> <p>EN 13219: 2001 - Gymnastic equipment - Trampolines - Functional and safety requirements, test methods</p> <p>EN 12346: 1998 - Gymnastic equipment - Wall bars, lattice ladders and climbing frames - Safety requirements and test methods</p> <p>EN 12432: 1998 - Gymnastic equipment - Balancing beams - Functional and safety requirements, test methods</p> <p>EN 12503: 2001 Sports mats</p> <p>EN 13613: 2001 - Roller sports equipment - Skateboards - Safety requirements and test methods</p> <p>EN 12572: 1998 Climbing structures</p> <p>EN 1270: 1998 - Playing field equipment - Basketball equipment - Functional and safety requirements, test methods</p> <p>EN 1270: 1998/ A1: 2000 - Playing field equipment - Basketball equipment - Functional and safety requirements, test methods</p> <p>EN 1271: 1998 - Playing field equipment - Volleyball equipment - Functional and safety requirements, test methods</p>	
--	---	--

	<p>EN 1271: 1998/ A1: 2000 - Playing field equipment - Volleyball equipment - Functional and safety requirements, test methods</p> <p>EN 1509: 1996 - Playing field equipment - Badminton equipment - Functional and safety requirements, test methods</p> <p>EN 1510: 1996 - Playing field equipment - Tennis equipment - Functional and safety requirements, test methods</p> <p>prEN 13843 Inline Skates prEN 13899 Roller Skates prEN 14619 kick scooters, draft amendment to EN 71-1 for toy scooters</p>	
--	---	--

EU burns and scalds related regulations and examples of best practice

Issue	Current situation in Europe	Examples of best practice not at the European level
Child resistant lighters and matches	<p>EN 13869 Lighters - Child- resistance for lighters - Safety requirements and test methods</p> <p>EN ISO 9994:1996 Lighters - Safety specification</p> <p>prEN ISO 9994 rev Lighters - Safety specification (ISO/DIS 9994: 2000)</p>	Fire deaths associated with children playing with cigarette lighters dropped 43% since the US Consumer Product Safety Commission required cigarette lighters to be child resistant in 1994.
Flammability of furniture and other products	<p>Attempt to introduce European regulations for the flammability of furniture thus far have failed. The issue continues to be studied by the European Commission and the European standards bodies.</p> <p>EN 1021-1:1993 Furniture - assessment of the ignitability of upholstered furniture - Part 1: Ignition source: Smouldering cigarette</p> <p>EN 1021-2:1993 Furniture - assessment of the ignitability of upholstered furniture - Part 2: Ignition source: match flame equivalent</p> <p>EN 597-1:1994 Furniture - Assessment of the ignitability of mattresses and upholstered bed bases - Part 1: Ignition source: Smouldering cigarette</p> <p>EN 597-2:1994 Assessment of the ignitability of mattresses and upholstered bed bases - Part 2: Ignition source: Match flame equivalent</p> <p>EN 71-2:1993 Safety of toys - Part 2: Flammability</p>	Long standing UK regulation has existed on furniture flammability
Flame resistant clothing	Commission Mandate M/304 asks CEN to examine flammability of nightwear	The Netherlands has legislation on flame resistant clothing UK regulations the Nightwear (Safety) Regulations 1985 mandate the use of BS

		<p>5722:1984 Specification for flammability performance of fabrics and fabric assemblies used in sleepwear and dressing gowns</p> <p>BS 5722:1991 Specification for flammability performance of fabrics and fabric combinations used in nightwear garments</p> <p>The Swedish Consumer Agency has guidelines for very thin fabrics with requirements for flammability performance. The guidelines are not related to specific clothing but to the material itself</p>
Smoke alarms	<p>No European regulation requirements for the use of smoke alarms currently exists. Voluntary standards govern the construction of products.</p> <p>European Product standard EN 54-2:1997 Fire detection and fire alarm systems - Part 2: Control and indicating equipment</p>	<p>Some local and national building codes require detectors to be fitted in new properties and in rental and tourist properties</p> <p>Sweden Smoke alarms: There is a regulation on smoke alarm in new dwellings. It is recommended to place the alarm near the bedroom and there should be at least one on each storey</p>
Temperature regulators on water heaters to prevent tap water scalds		<p>Building code requirements in Canada</p> <p>In the same regulations there are also requirements on hot water temperature. The water must</p>

		not be warmer than 65 degrees Centigrade where the water runs out of the tap. That is stipulated for households. In a shower when you cannot regulate the temperature yourself it must not be more than 38 degrees Centigrade
Surface temperatures	<p>EN 563:1994 Safety of machinery - Temperatures of touchable surfaces - Ergonomics data to establish temperature limit values for hot surfaces (to be replaced in due course by draft ISO13732)</p> <p>EN 778:1998 Domestic gas-fired forced convection air heaters for space heating not exceeding a net heat input of 70 kW, without a fan to assist transportation of combustion air and/or combustion products</p> <p>EN 1319:1998 Domestic gas-fired forced convection air heaters for space heating, with fan-assisted burners not exceeding a net heat input of 70 kW</p> <p>EN 30-1-1:1998 Domestic cooking appliances burning gas fuel - Part 1-1: Safety - General</p> <p>EN50088:1996 Safety of Electric Toys</p> <p>EN 60335-2-9:1990 Safety of household and similar electrical appliances - Part 2: Particular requirements for toasters, grills, roasters and similar appliances*</p> <p>EN13202 "Ergonomics of the thermal environment - Temperatures of touchable hot surfaces - Guidance for establishing surface temperature limit values in production standards with the use of EN 563"</p>	<p>Netherlands: A national campaign together with local activities to reduce the temperature of the hot water tap, resulted in a significant lower temperature in many households</p> <p>Sweden Surface temperatures: Surfaces with temperatures over 90 degrees Centigrade have to be protected so they will not be touched unwillingly. In bathroom, showers and similar rooms as well as day care centres and similar centres the temperature may not exceed 60 degrees Centigrade on easily accessible surfaces of heating installations</p>

Fireworks	<p>There are no European regulations governing the sale of fireworks.</p> <p>CEN TC212 Fireworks - Standardisation of ready-for-use pyrotechnic articles for entertainment purposes, particularly from the point of view of their safe use. Work items covering classification and terminology, labelling, requirements and testing.</p>	<p>The Netherlands has legislation on fireworks. It is forbidden to sell fireworks to children less than 16 years of age</p> <p>Since last New Year bangers (fireworks without illumination, just a banging noise) is forbidden in Sweden. Only people above 18 years are allowed to buy fireworks. (UK has similar rules as well)</p>
-----------	--	--

EU poisoning related regulations and examples of best practice

Issue	Current situation in Europe	Examples of best practice not at the European level
Child resistant packaging	<p>There is no over-arching regulation but a number of voluntary standards dealing with specific forms of packaging</p> <p>EN 28317:1992 Child-restraint packaging - Requirements and testing procedure for reclosable packages</p> <p>EN 862:2001 Packaging - Child resistant packaging - Requirements and testing procedures for non-recloseable package for non-pharmaceutical products</p> <p>EN 28317:1992:ac1993 Child resistant packaging - Requirements and testing procedure for recloseable packages</p> <p>Draft European standard on child resistant non-recloseable packaging for medicinal products prEN 14375</p>	<p>The Netherlands has legislation on child resistant packaging for household chemicals</p> <p>Since the Dutch government made child-resistant packages obligatory for certain household chemicals (1986) and human medicines (1990), the number of hospitalisations and treatments at a hospital Accident and Emergency department following an accidental intoxication of children has decreased about 33%. Similar results have been achieved in the UK</p>
Labelling of dangerous products	<p>Council Directive 76/769/EEC of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (OJ L 262 27.09.1976 p.201) as amended</p> <p>EN ISO 11683:1997 Packaging - Tactile warnings of danger - Requirements (ISO 11683:1997) EN 272:1989 Packaging -Tactile danger warnings - Requirements</p>	
Phthalates, chemicals in toys and other child care products	<p>The EU first banned the sale of toys that contain phthalates in 1999 under its emergency power to issue a temporary ban. The ban has subsequently been extended 12 times. The current extension runs out at the end of February 2003 when a new decision will have to be considered by the Commission.</p> <p>EN 12868:1999 Child use and care articles - Methods for determining the release of Nitrosamines and N-Nitrosatable substances from elastomer or rubber teats or soothers</p> <p>EN 71-3:1994 Safety of toys - Part 3: Migration of certain elements</p>	

	<p>EN 71-5:1994 Safety of toys - Part 5: Chemical toys (sets) other than experimental sets</p> <p>EN 71-3:1994/A1:2000 Safety of toys – Part3: Migration of certain elements</p> <p>EN 1400-1:2002 Child use and care articles - Soothers for babies and young children - Part 1: General safety requirements and product information</p> <p>EN 1400-2:2002 Child use and care articles - Soothers for babies and young children - Part 2 : Mechanical requirements and tests</p> <p>EN 1400-3:2002 Child use and care articles - Soothers for babies and young children - Part 3 : Chemical requirements and tests</p> <p>Draft European standards for Drinking equipment prEN14350 prEN14372 Cutlery and feeding utensils</p> <p>EN 71-4: 1990 Experimental Sets EN 71-5: 1993 Chemical Toys other than experimental sets EN 71-7:2002 Finger Paints – Requirements and test methods</p> <p>prEN71-9, 10 and 11 Organic Chemical Compounds</p>	
Safe storage	<p>EN 14059: 2002 Oil lamps Toy chests (amendment to EN 71-1)</p> <p>EN 1727: 1998 - Domestic furniture - Storage furniture - Safety requirements and test metho</p>	<p>The National Board of Housing, Building and Planning issue the rules in Sweden – Building code requirements. There are requirements about the locking devices on ordinary cupboards in the kitchen. There is a test method used in Sweden to decide if the locking devise is good enough to keep children out</p>
Nickel allergy	<p>European Directive 94/27/EEC sets out limits for the total permissible content of nickel in products and for the permissible levels of release over time of nickel. A voluntary standard provides test methods to support these regulatory requirements.</p> <p>EN 12472:1998 Method for the simulation of wear and corrosion for the detection of nickel release from coated items</p>	

EU choking related regulations and examples of best practice

Issue	Current situation in Europe	Examples of best practice not at the European level
Inedible in food	<p>Dangerous Imitations Directive 87/357/EEC make it an offence to supply a product which has a form, odour, colour, appearance, packaging, labelling, volume or size which is likely to cause people and in particular children to confuse it with food and put it into their mouths and suck or swallow it, if it may cause death or personal injury.</p> <p>Commission and ANEC discussing possible mandate requesting European standard to deal with inedibles (toys) sold with food.</p> <p>European Parliament study ongoing to see if measures (legislation or standards) need to be taken</p> <p>The main concerns surround toys that are supplied with separately wrapped food stuffs which circumvents the ban outlined above and whether the 36 month age for warning labels with respect to choking is still relevant of whether this age group should not be widened.</p>	<p>Some national authorities going further and proposing a more far-reaching ban of products with small parts aimed at children being provided with food-stuffs</p> <p>Draft legislation in Portugal and Greece</p>
Small parts size enforcement for child products and toys/warning labels	<p>Council Directive 88/378/EEC of 3 May 1988 on the approximation of the laws of the Member States concerning the safety of toys (OJ L 187 16.07.1988 p.1) as amended provides for a warning for toys not intended for children less than 36 months old and stipulates that toys and their components intended for children less than 36 months must be of such dimensions as to prevent their being swallowed and/or inhaled</p> <p>The voluntary standards lays down test methods for small parts EN 71-1:1998 Safety of toys - Part 1: mechanical and physical properties</p> <p>EN 71-1A8: Additional requirements concerning small balls and certain toys with spherical ends. Voting on an amendment was positive and final text is being prepared.</p>	

EU suffocation and strangulation related regulations and examples of best practice

Issue	Current situation in Europe	Examples of best practice not at the European level
Blind cords on windows		There is a regulation in the USA to avoid closed loops which could result in strangulation
Requirements on measurements in standards for products	<p>No specific legislation exists for standard measurements in products, but some co-ordination between standard bodies to try harmonising requirements to provide some level of consistency has occurred.</p> <p>EN 747-1:1993 Furniture, bunk beds for domestic use - Part 1: Safety requirements</p> <p>EN 747-2:1993 Furniture, bunk beds for domestic use - Part 2: Test methods</p> <p>EN 1130- 1: 1996 - Furniture - Cribs and cradles for domestic use - Part 1: Safety requirements</p> <p>EN 716- 1: 1995 - Furniture - Children's cots and folding cots for domestic use - Part 1: Safety requirements</p> <p>EN 716- 2: 1995 - Furniture - Children's cots and folding cots for domestic use - Part 2: Test methods</p> <p>prEN 716- 3 - Furniture - Children's cots and folding cots for domestic use - Part 3: Additional safety requirements and test methods for folding cots</p> <p>EN 1130- 2: 1996 - Furniture - Cribs and cradles for domestic use - Part 2: Test methods</p> <p>EN 12227- 1: 1999 - Playpens for domestic use - Part 1: Safety requirements</p> <p>EN 12227- 2: 1999 - Playpens for domestic use - Part 2: Test methods</p> <p>EN 12586: 1999 - Child care articles - Soother holder - Safety requirements and test methods</p> <p>EN 12221- 1: 1999 - Changing units for domestic use - Part 1: Safety requirements</p>	

	<p>EN 12221- 2: 1999 - Changing units for domestic use - Part 2: Test methods</p> <p>EN 1176-1:1998 Playground equipment - Part 1: General safety requirements and test methods</p> <p>EN ISO 9237:1995 Textiles determination of the permeability of fabrics to air</p>	
Removal of drawstrings on children's clothing	<p>Draft standard under development in CEN following Commission Mandate m/309</p> <p>Safety of consumers: drawstrings or cords on children's clothing</p>	<p>UK The Children's Clothing (Hood Cords) Regulations 1976 Prohibit the sale or possession for sale of a child's outer garment with a hood, where a hood cord is fitted</p>
Pen caps		<p>There is a requirement to put holes in pen caps to avoid suffocation in UK and international standards</p> <p>BS 7272-2: 2000 "Writing and marking instruments - end closures"</p> <p>ISO 11540:1993 Caps for writing and marking instruments intended for use by children up to 14 years of age – Safety requirements to put holes in the cap to allow a flow of air</p>

Summary and Recommendations

Regulation is a powerful tool to reduce the toll of child accidents. We have seen that regulation can be used effectively to bring about product modifications and changes in behaviour. The evolution of the European Union has greatly influenced the regulatory environment. National governments retain the ultimate responsibility for the protection of their citizens. However more and more they are required to defer in the first instance to the European level for regulations that could influence trade such as those containing product specifications. National authorities have accordingly to work in co-operation at the European level.

We have also seen that in implementing this strategy European standards have taken on an important role. The quality of these standards has to be guaranteed however and safety professionals and consumer advocates have a role to play outside the more traditional regulatory process. If the reference to a new standard is published in the Official Journal of the European Communities, then the use of the standard gives a formal presumption of conformity with the appropriate European legislation.

The enforcement of regulations relies on market surveillance by the national authorities. Co-operation thus far has been co-ordinated through the European Commission and by the enforcement officials themselves in Prosafe, the Product Safety Enforcement Forum of Europe.

In closing we can remark that with the changes in Europe regulation has become no less relevant in our efforts to reduce child accidents. However the emphasis has shifted to the European level and to European harmonised standardisation, as well as the increasing role of international standardisation should be recognised. Safety professionals have to adapt to these new challenges to ensure that their aims and objectives are met through the regulatory process.

Priorities for action

The previous tables identified a number of gaps in the regulatory framework for child safety. In many cases best practice exists at the national level, but it has not been widely adopted or implemented at the European level. We can group these issues into three categories.

The first deals with issues that could and should be dealt with at the European level.

- Requirements for improved frontal impact tests and side impact tests to reduce child injuries in car crashes.
- Requirements that allow children to travel rearward facing in cars up till the age of 4 years.
- Requirements for the flammability of fabrics to reduce the chance of ignition and retard the spread of fire.
- Regulations requiring the use of child resistant devices and ventilation fittings for windows and balcony doors to prevent falls.
- Requirement for blind cords on windows to prevent strangulation.
- Standard for pen caps to prevent choking and suffocation.
- Inedibles in food where action has been demanded to prevent the sale of products that risk death by choking since 1997 and draft laws in Greece and Portugal have been blocked by the European Commission.
- Safe storage of dangerous substances.

The second deals with issues where there are initiatives at the European level, but progress needs to be completed.

- Universal child restraints for children in cars – work in ISO and elsewhere has dragged on for over ten years when the standard was supposed to have been finalised in 1996.
- Alcohol limits – the need for a common European limit which could save 1000 lives a year (source ETSC European Transport Safety Council) was first acknowledged by the European Commission in 1988.

- Pedestrian protection – a directive was first proposed over eight years ago following the elaboration of test methods by the EEVC (European Enhanced Vehicle Safety Committee). This measure could save 2000 lives a year (source ETSC). (Note: In February, 2003 the Commission adopted a draft directive, but it does not include the four EEVC tests.)
- Regulations or standards dealing with drawstrings in children's clothing to prevent strangulation, where this has been in effect in the UK for more than 25 years.
- Stair-fall hazard associated with baby walkers - where the US standard was published in 1997 contributing to a drop in the injury rate injury per 1,000 live births of 65% from 1995 to 2000.
- Bath seats standard - that has been under discussion for over eight years.
- Child resistant packaging of poisons and medicines - where the Netherlands and UK have achieved more than 30% reduction of poisoning incidents have occurred over the past 10 years.
- Surface temperatures - where consumer representatives have been fighting for almost twenty years for lower surface temperatures.
- Brakes on bikes - where the issue has again been discussed for almost ten years.

Third there are a number of issues where the jurisdiction to act perhaps falls more at the national level, so these recommendations are aimed primarily at the national authorities. However, European initiatives could in many cases help promote the spread of best practice.

- Regulations requiring pool fencing to prevent child drowning.
- Prohibition of children riding on agricultural equipment to remove them from risk.
- Amendments to building regulations to require fitment of smoke alarms to help evacuation of burning buildings and window bars and stair gates to prevent falls.

- National regulations requiring the fitment of water temperature regulators and European standards for these products to prevent scalding.

Finally there is a need to establish and fund an Independent European Regulatory Agency:

This agency's mission is to protect the public "against unreasonable risks of injuries associated with consumer products."

In doing so they will save lives and keep families safe by reducing the risk of injuries and deaths associated with consumer products by:

- developing voluntary standards with industry.
- issuing and enforcing mandatory standards or banning consumer products if no feasible standard would adequately protect the public.
- obtaining the recall of products or arranging for their repair.
- conducting research on potential product hazards.
- informing and educating European consumers through the media, national governments, private organizations, and by responding to consumer inquiries.
- developing a European electronic injury surveillance system.

References

European Consumer Safety Association. Priorities for Consumer Safety in the European Union: Agenda for Action. Amsterdam, ECOSA, 2001

Vincenten, J. Priorities for Child Safety in the European Union: Agenda for Action. Amsterdam, ECOSA, 2001

European Commission. Guide to the Implementation of Directives Based on New Approach and Global Approach

Towner E. and Ward H. Prevention of Injuries to Children and Young People: The Way Ahead for the UK
Injury Prevention 1998 4(Suppl): p17-p25

Injury Prevention, British Medical Association, Board of Science and Education 2001

UNICEF. A league table of child deaths by injury in rich nations. *Innocenti Report Card* No. 2, UNICEF Innocenti Research Centre, Florence, 2001

European Regulations

2001/95/EC Directive on General Product Safety (Revised GPSD)

List of most relevant New Approach Directives

90/396/EEC	Appliances burning gaseous fuels
89/106/EEC	Construction products
89/336/EEC	Electromagnetic compatibility
95/16/EC	Lifts
73/23/EEC	Low voltage equipment

89/686/EEC	Personal protective equipment
94/25/EC	Recreational craft
98/37/EC	Safety of machinery
88/378/EEC	Safety of toys

General Guidance documents for the elaboration of standards

ISO/IEC Guide 51:1999 Safety aspects – Guidelines for their inclusion in standards (adopted as CEN/CENELEC Memorandum No.9)

ISO/IEC Guide 50:2002 Safety Aspects

CEN Report CR 13387: 1999 Child use and care articles - general and common safety guidelines.

CEN/BTWG/117 N11 - Draft for Comment Child Safety - Guidelines for its inclusion in Standards, June 2002

ISO/IEC Guide 14: 1977 *Purchase information for consumers of goods and services.*

ISO/IEC Guide 37: 1995 *Instructions for products of consumer interest.*

European standard EN 563:1994 Safety of machinery - Temperatures of touchable surfaces - Ergonomics data to establish temperature limit values for hot surfaces (to be replaced in due course by draft ISO13732)

Sources of further information

There is of course a limit on the information that can be presented in what is intended to be an introduction to a very complex subject.

More precise information over the regulatory and standardisation processes and the content of regulations and standards is available from a variety of sources.

The exact texts of European regulations are available free on the Internet at EUR-LEX the portal to European Law. More information over the regulatory process is also available at the Europa web site the home of the European Union. European standards are not available free on the Internet.

The catalogue of European standards and other information concerning the process is however available. The best starting point is the New Approach web site that provides a gateway for regulations and standards related information.

This includes the texts of new approach directives and lists of standards. There is also access on these pages to a "Guide to the Implementation of Directives Based on New Approach and Global Approach" produced by the European Commission.

ANEC has a child safety working group and details of its activities are available from ANEC or its web site. ANEC has also published training manuals on the European standardisation process for consumer representatives.

ANEC also elaborated an information leaflet on the organisation, providing explanations and concrete examples of how standards affect our daily life and why consumer participation in the standardisation process is important. This leaflet is available in several languages.

The reader is of course also invited to visit the web pages of the European Child Safety Alliance located at the Internet site of ECOSA.

List of internet resources

ANEC

<http://www.anec.org>

CEN

<http://www.cenorm.be>

CENELEC

<http://www.cenelec.org>

ECOSA and European Child Safety Alliance

<http://www.ecosa.org>

Europa – home of the European Union

<http://europa.int>

European Commission Product Safety Web-pages

http://europa.eu.int/comm/consumers/policy/developments/prod_safe/index_en.html

EUR-LEX – site of European regulation and online Official Journal

<http://europa.eu.int/eur-lex/en/index.html>

IEC

<http://www.iec.ch>

ISO

<http://www.iso.ch>

New Approach Web-site

<http://www.newapproach.org/>

Prosafé

<http://www.prosafe.org>

Rospa

<http://www.rospa.com>

UNICEF

<http://www.unicef-icdc.org>

List of abbreviations used in this guide

ANEC:	European Association for the Coordination of Consumer Representation in Standardisation	EN:	European Standard
CE:	European Conformity marking required under New Approach directives but not under General product Safety Directive. Comprises a small mark depicting "CE". Is usually applied on consumer products without any mandatory third party testing.	EU:	European Union
CEN:	European Committee for Standardisation	GPSD:	European Union General Product Safety Directive
CENELEC:	European committee for Electro-technical Standardisation	IEC:	International Electro-Technical Commission
CR:	Cen Technical Report	ISO:	International Organisation for Standardisation
DG-ENT:	General Directorate of the European Commission dealing with Enterprise	NGO:	Non-Governmental Organisation
DG-SANCO:	General Directorate of the European Commission dealing with Health and Consumer Protection	OJ:	Official Journal of the European Communities
DG-TREN:	General Directorate of the European Commission dealing with Energy and Transport	Prosafes:	Product Safety Enforcement Forum of Europe
ECOSA:	European Consumer Safety Association	prEN:	Draft European Standard
EEA:	European Economic Area		
EFTA:	European Free Trade Agreement		

Glossary

Accreditation: procedure by which an authoritative body gives formal recognition that a body or person is competent to carry out specific tasks.

Certification: procedure by which a third party gives written assurance that a product, process or service conforms to specified requirements.

Conformity assessment: Any activity concerned with determining directly or indirectly that relevant requirements are fulfilled.

Consensus: General agreement, characterised by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments.

Essential Requirements: Requirements that represent the core of European Union law around which an effective policy has been developed in matters of safety, health and other measures for those areas covered by the "new approach directives".

European Directive: A legislative instrument within the European Union that is binding for Member States with regards to the objectives to be achieved. It is however left to the national authorities to choose the form and methods to be used within their own legal systems to attain the objectives that were agreed on at the European Union level.

EEA: European Economic Area comprises the 15 EU Member States and Norway, Liechtenstein and Iceland who are members of EFTA.

EFTA: European Free Trade Agreement members are Norway, Iceland, Switzerland and Liechtenstein.

Global Approach: Policy adopted by European Union with respect to conformity assessment and certification.

Harmonized standard: European standard whose reference has been published in the Official Journal of the European Communities. Such a standard gives presumption of conformity under so-called New Approach legislation and shortly will also under the General Product Safety Directive.

Hazard: The intrinsic property of the agent, that makes it capable of causing adverse effects to occur in humans or the environment, under specific conditions of exposure.

(Standardisation) Mandate: request from the European public authorities to the European standardisation bodies to draft or amend European standard(s) to tackle issues specified in the mandate. The European standards bodies are free to accept or reject the mandate. However the implication is that in rejecting the mandate the Commission would regulate the issue directly by itself.

New Approach: policy adopted by European Union to facilitate the harmonisation of existing national regulations whilst striving for a high level of consumer protection.

New Approach directive: Directives that have been put into force since May 1985 by the Council of the European Communities which define legislative harmonisation in those sectors where barriers to trade are created by justified divergent national regulations concerning the health and safety of citizens and consumer and environmental protection, will be confined to laying down the 'essential requirements', conformity with which will entitle a product to free movement within the Community.

Precautionary Approach: An approach to risk management decision-making that is applied in circumstances of scientific uncertainty, reflecting the need to take action in the face of a potentially serious risk without awaiting the results of scientific research. Cost-effective action must be taken when there are threats of serious or irreversible damage to human health, even if some cause and effect relationships are not fully established scientifically.

Presumption of conformity: assumption made failing proof to the contrary, based on known facts, of the fulfilment by a product, process or service of specified requirements.

Safeguard Clause: clause contained in European regulation whereby national authorities have the right to challenge whether a particular European standard should give a legal presumption of conformity with the appropriate European regulations.

Acknowledgements

This report was researched, written and produced by Joanne Vincenten of the European Child Safety Alliance and Bruce Farquar, Product Safety Consultant.

Additional technical review was provided by Tania Vandenberghe of ANEC, Helena Menezes of the Portuguese Association for Child and Adolescent Injury Control, Lotten Strindberg of the Swedish Consumer Agency and the Child Safety Working Group of ANEC, Wim Rogmans and Stig Håkansson of ECOSA.

Copy edit was provided by Justin Cooper of the Consumer Safety Institute of the Netherlands.

ECOSA would like to acknowledge that this report was prepared under the direction and review of the European Child Safety Alliance of the European Consumer Safety Association.

LIST OF ALLIANCE MEMBERS

AUSTRIA

Austrian Institute for Home and Leisuretime Safety/
Sicher Leben
Mr. F. Steinbauer
Ölzeltgasse 3, A-1031 Vienna, Austria
Tel: +43 1 715 6644 320
Fax: +43 1 715 6644 30
Email: franz.steinbauer@sicherleben.at

Grosse Schuetzen Kleine/Safe Kids Austria

Dr. M.E. Hoellwarth
Auenbruggerplatz 34,
A-8036 Graz, Austria
Tel: +43 316 385 3764
Fax: +43 316 385 3693
Email: kinder.unfall@uni-graz.at

BELGIUM

CRIOC-OIVO
Mrs. C. Renard
Ridderstraat 18,
B-1050 Brussels, Belgium
Tel: +32 2 54 70 611
Fax: +32 2 54 70 601
Email: carine.renard@oivo-crioc.org

Kind en Gezin (Child and Family)

Mrs. E. Speltinx
Hallepoortlaan 27
B-1060 Brussels, Belgium
Tel: +32 2 533 1412
Fax: +32 2 534 1448
Email: elke.speltinx@kindengezin.be
Tel: +45 3920 7777 (ext.310)
Fax: +45 3927 3095
Email: bfm@diike.dk

DENMARK

National Institute of Public Health
Dr. B. Frimodt-Møller
Svanemollevej 25
DK 2100 Copenhagen, Denmark
Tel: +45 3920 7777 (ext.310)
Fax: +45 3927 3095
Email: bfm@diike.dk

FINLAND

The Finnish National Rescue Association (FINNRA)
Mrs. L. Joutsu
Ratamestarinkatu 11
FIN-00520 Helsinki, Finland
Tel: +358 9 4761 1324
Fax: +358 9 4761 1400
Email: liisa.joutsu@spek.fi

FRANCE

Ministère de l'Économie, des Finances et de l'Industrie
Commission de la Sécurité des Consommateurs
Mrs. F. Briand
Cité Martignac
111, rue de Grenelle
75353 Paris 07 SP, France
Tel: +33 1 4319 5653
Fax: +33 1 4319 5700
Email: Francoise.briand@csc.finances.gouv.fr

GERMANY
Bundesarbeitsgemeinschaft
Kindersicherheit
Dr. S. Märzheuser
Heilsbachstraße 30,
53123 Bonn, Germany
Tel: +49 228 98 72 70
Fax: +49 228 64 200 74
Email: stefanie.maerzheuser@web.de

GREAT BRITAIN
Child Accident Prevention Trust (CAPT)
Mrs K. Phillips
18-20 Farringdon Lane
London EC1R 3HA, Great Britain
Tel: +44 20 7608 3828
Fax: +44 20 7608 3674
Email: katrina.phillips@capt.org.uk

RoSPA the Royal Society for the Prevention of Accidents
Mrs. J. Cave
Edgbaston Park, 353 Bristol Road
Birmingham B5 7ST, Great Britain
Tel: +44 121 248 2110
Fax: +44 121 248 2001
Email: jcave@rospa.org.uk

GREECE
C.E.R.E.P.R.I.
Athens University Medical School
Department of Hygiene and Epidemiology
Dr. E. Petridou
Mikras Asias Street, Goudi 75
115 27 Athens, Greece
Tel: +30 10 746 2105
Fax: +30 10 7773840
Email: epetrid@med.uoa.gr

IRELAND
Child Accident Prevention (CAPT)
Child Safety Centre
Mrs. M. Mercer
23 A/B/ Mullacreevie Park, Killylea Road
Armagh, BT604BA
Tel: +44 28 3752 6521
Fax: +44 28 3752 6521

ITALY
Istituto per l'Infanzia IRCCS
Servizio di Pronto Soccorso
Dr. A.G. Marchi
Via dell'Istria 65/1
34100 Trieste, Italy
Tel: +39 40 378 5373
Fax: +39 40 660 919
Email: agmarchi@libero.it

THE NETHERLANDS

Consumer Safety Institute
Mrs. M. Ridder
Postbus 75169
1070 AD Amsterdam, The Netherlands
Tel: +31 20 511 4500
Fax: +31 20 511 4510
Email: m.ridder@consafe.nl

PORTUGAL

APSI Association for Child Safety Promotion
Mrs. H. Menezes
Vila Berta 7-r/c Esq.
P-1170-400 Lisboa, Portugal
Tel: +351 21 887 01 61
Fax: +351 21 888 16 00
Email: helena.menezes@netc.pt

SPAIN

Ministerio de Sanidad y Consumo
General Directorate of Public Health
Mrs. T. Robledo de Dios
Paseo del Prado, 18-20
28071 Madrid, Spain
Tel: +34 91 596 4167/8
Fax: +34 91 596 4195
Email: trobledo@msc.es

SWEDEN

Swedish Consumer Agency / Konsumentverket
Mrs. L. Strindberg
S-11887 Stockholm, Sweden
Tel: +46 8 429 0571 Fax: +46 8 429 8900
Email: lotten.strindberg@konsumentverket.se

AFFILIATED ORGANISATIONS

EUROPE

ANEC European Association Co-ordination Consumer
Representation in Standardization
Mrs. T. Vandenberghe
Tervurenlaan 36, box 4
B-1040 Brussels, Belgium
Tel: +32 2 743 2470
Fax: +32 2 706 5430
Email: tania@anec.org

CESP Confederation of European Specialists in Paediatrics

Dr. A. Nicholson
Our Lady of Lourdes Hospital, department of Paediatrics
Drogheda
Co. Louth, Ireland
Tel: +35 341 98 37 601
Email: alf.nicholson@nehb.ie

INTERNATIONAL

ISCAIP International Society for Child and Adolescent
Injury Prevention)
Dr. D.H. Stone
Glasgow University Hospitals / Yorkhill Hospital, PEACH
Unit/Department of Child Health/University of Glasgow
Yorkhill
Glasgow G3 8SJ, Great Britain
Tel: +44 141 201 0178
Fax: +44 141 201 6943
Email: dhs1d@clinmed.gla.ac.uk

OBSERVERS

CZECH REPUBLIC

Charles University
2nd. Medical School Center for Childhood Injury
Epidemiology and Prevention
Dr. M. Grivna
Vúvalu 84, 150 06 Praha, Tzech Republic
Tel: +420 22 443 5942
Fax: +420 22 443 5941
Email: michal.grivna@lfmotol.cuni.cz

ESTONIA

Consumer Protection Board of Estonia
Dr. H. Aruniit
Kiriku 4, 15071 Tallinn, Estland
Tel: +372 6201 700
Fax: +372 6201 701
Email: helle.aruniit@consumer.ee

ISRAEL

Hebrew University-Hadassah
Hadassah School Public Health & Comm MedDept.
Social Med, Mother/Child Health Unit
Dr. R. Gofin
PO BOX 12272
91120 Jerusalem, Israel
Tel: +972 2 677 7502
Fax: +972 2 643 1086
Email: gofin@cc.huji.ac.il

NORWAY

Norwegian Safety Forum
Department of Preventive Medicine
Mr. J. Lund
PO BOX 2473 Solli
N-0202 Oslo, Norway
Tel: +47 22 23 4422
Fax: +47 22 44 58 88
Email: johan.lund@labmed.uio.no

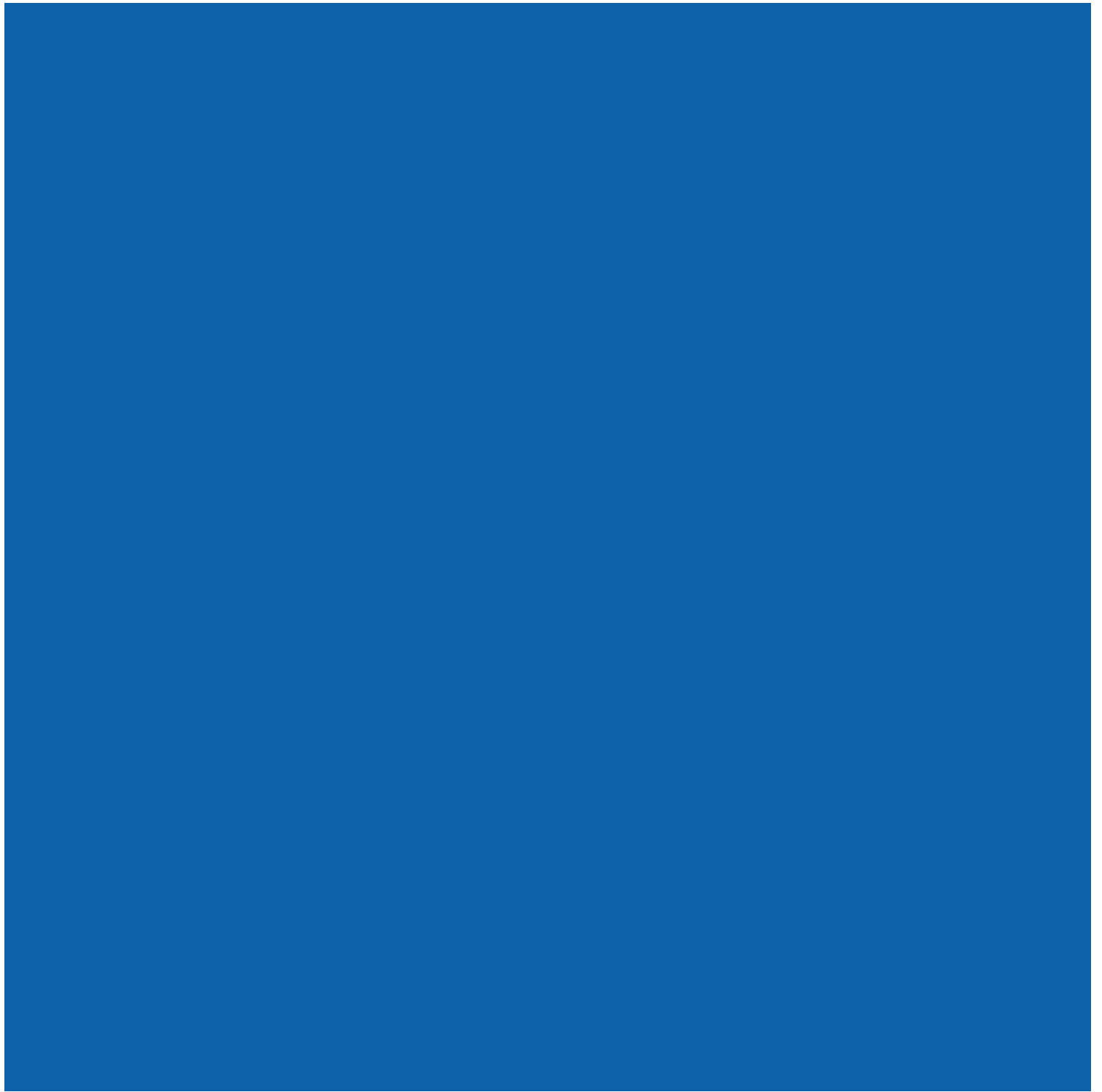
POLAND

Jagiellonian University, Medical College
Mrs. M. Malinowska-Cieslik
Institute of Public Health,
Ul. Grzegorzeczka 20
31-531 Krakow, Poland
Tel: +48 12 422 3222
Fax: +48 12 421 7447
Email: mxciesli@cyf-kr.edu.pl

SWITZERLAND

Swiss Council for Accident Prevention/BFU
Mr. Dr. U. Ewert
Laupenstrasse 11
CH-3001 Bern, Switzerland
Tel: +41 31 390 22 06
Fax: +41 31 390 22 30

(status as of March, 2003)





Creating a safer Europe for Children