



Raising standards for consumers



The Consumer Voice in Europe

Mr. Hans Ingels
Head of Unit
Ms. Claudia Felix-Martinez
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DG GROW — Directorate-General for
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Brussels, 14 December 2017

Subject: Dangerous consumer products with CE marking- Urgent need to improve product safety and market surveillance

Dear Mr. Ingels,
Dear Ms. Felix-Martinez,

When ANEC and BEUC visited DG GROW end of November to discuss dangerous smart watches for children, we also spoke about the fact that market surveillance in Europe is not functioning well and therefor puts consumers at risk.

Consumer organisations are for many years worried about the fact that among the dangerous products on the market, there are also often products which carry the CE marking. RAPEX notifications of CE marked products are not unusual¹. As you are well aware, a lot of consumers confuse the CE marking with an independent third-party testing mark or believe it stands for products being approved by the EU or made within the EU². Consumer organisations have therefore been calling for many years that the CE marking should be taken off the product and its package and only be added to the technical product information file where it would be visible to market surveillance authorities. CE marking is misleading for consumers (and it was never meant for them) and compliance has always been insufficient.

In this context, we would like to share with you some recent examples from our members research and testing in Spain, Portugal, Italy and Slovenia which demonstrate once more the urgency to be very ambitious to step up controls in the internal market.

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https://ec.europa.eu/consumers/consumers_safety/safety_products/rapex/alerts/?event=main.search#searchResults

² Special Eurobarometer 342, 2010, http://data.europa.eu/euodp/data/dataset/S944_73_3_EBS342__2_

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Our members DECO and OCU tested electric heaters of which several ones cannot be recommended to consumers because of the failure to meet European safety standards. Altroconsumo and DECO had similar experiences testing gas water heaters. Moreover, ZPS in Slovenia informed us about different dangerous toys that carry the CE marking (for more detailed information, please consult the Annex to this letter).

In the light of this, we call on you to bring the results from our members testing to the attention of the relevant AdCo groups and ensure that European wide measures will be taken, including to contact and fine the relevant companies that place unsafe products on the market.

We believe that evidence from consumer research and testing can make a crucial contribution to step up enforcement of consumer product safety legislation. We therefore urge you to set up a Market Surveillance Forum, which had been foreseen in the product safety and market surveillance package of 2013, and which would allow for a more regular and systematic involvement of consumer organisations in ensuring that only safe products are available on the European market.

Best regards,

Sylvia Maurer
Director, Sustainability and Safety
BEUC

Chiara Giovannini
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Deputy Secretary-General
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Annex:

1. Enclosed articles from consumer magazines and additional information:

- Altroconumo (11/2017): A gas, ottimi risultati
- DECO (11/2017): Fugas fora-da-lei
DECO (11/2017): Calor Seguro
- OCU (11/2017): 5 SON PELIGROSOS
- Excel table with explanations which standards have not been respected

2. Information from our Slovenian member ZPS about dangerous toys:

<https://www.zps.si/index.php/otrok-topmenu-258/odpoklici-2017/8624-odpoklic-spinner-s-lucko>

<https://www.zps.si/index.php/otrok-topmenu-258/odpoklici-2017/8463-odpoklic-igraca>

<https://www.zps.si/index.php/otrok-topmenu-258/odpoklici-2017/8590-odpoklic-vrtavka-hand-spinner>

<https://www.zps.si/index.php/otrok-topmenu-258/odpoklici-2017/8547-odpoklic-igraca-plasticna-pistola-z-izstrelki>

<https://www.zps.si/index.php/otrok-topmenu-258/odpoklici-2017/8371-odpoklic-napihljiv-plavalni-obroc-baby-swimmer>

<https://www.zps.si/index.php/otrok-topmenu-258/odpoklici-2017/8345-odpoklic-poganjalec-dohany-toys>

In addition, the Slovenian Market Inspectorate recalled 11 CE marked products.