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Public Consultation for the evaluation of the Low Voltage Directive 2014/35/EU

Fields marked with * are mandatory.

Introduction

The European Commission's Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) is currently conducting the evaluation of the Low Voltage Directive (LVD) 2014/35/EU.

This Directive covers a great number of electrical devices commonly used like, electric ovens, washing and drying machines, toasters, televisions, printers, lamps, etc (please note that this list is not exhaustive and just indicative).

More specifically, the Low Voltage Directive is applicable, subject to specific exemptions, to electrical equipment with a rated voltage between 50 V and 1,000 V (alternating current) or between 75 V and 1,500 V (direct current) that is placed on the European market.

The objective of the Low Voltage Directive is two-fold: ensuring a high level of safety for consumers and other exposed persons as well as domestic animals and property, and ensuring the free movement of products in its scope within the internal market.

Replying to the questionnaire will take approximately 10 minutes. No personal identification data is collected, and all information/views provided will be synthesised together with data collected through other means, thereby ensuring full confidentiality.

Profiling questions

*** 1. Please select your country of residence:**

Belgium

Questions

*** 2. How familiar are you with the Low Voltage Directive 2014/35/EU?**

- (●) I have detailed knowledge of the Directive, its objectives, the limits and the requirements /obligations that it imposes
- ( ) I am aware of the existence of the Directive but not of all its specific contents

- ○ I do not really know the Directive

Where this knowledge comes from?

- ○ From the media
- ○ From the users' manual
- ◉ Other

If other, please specify:

ANEC, the European consumer voice in standardisation, represents and defends the collective consumer interest in the drafting of (technical) standards and their use, and in the development of European legislation and public policies that may refer to standards, e.g. the Low Voltage Directive. These include standards drafted for LVD consumer products (e.g. domestic appliances) at European level (CENELEC) and international level (IEC).
Our aim is to prevent accidents and ensure these appliances can be used safely by all consumers, regardless of age or ability.
ANEC has been participating as stakeholder/observer in the Low Voltage Directive Working Party (LVD-WP) for many years.

***3. Which products of the list below have you purchased in the past two years?**

Please note that multiple answers may be selected.

- ☑ Computers and peripheral equipment *(e.g. printers, screens, etc.)*
- ☑ Consumer electronics *(e.g. televisions, DVD players, game consoles, etc.)*
- ☐ Electric motors, generators, transformers and electricity distribution and control apparatus *(e.g. generators, boards, panels, consoles, desks, cabinets and other bases for apparatus for electric control, etc.)*
- ☐ Wiring and wiring devices *(e.g. cables, extenders, etc.)*
- ☐ Electric lighting equipment *(e.g. chandeliers, lamps, halogen lamps for vehicles, etc.)*
- ☑ Electric domestic appliances *(e.g. electric ovens, washing and drying machines, electric heating, fans, refrigerators and freezers, kettles, hand dryers, cooking plates, grillers and toasters, etc.)*
- ☐ Electrical and electronic equipment for motor vehicles *(e.g. ignition wiring sets, parts of vehicle starting equipment, distributors and ignition coils, magneto-dynamos, manual welding apparatus with coated electrodes etc.)*
- ☐ Other electrical equipment *(e.g. parts of electrical machines/apparatus with individual functions, machines with translation or dictionary functions, signalling safety or traffic control equipment for railways, roads, inland waterways, parking, etc.)*

4. Where do you usually purchase these items?

Please note that multiple answers may be selected.

	In your country	In another EU country	In another country outside the EU
In electric/electronic stores	☐	☐	☐
In supermarkets	☐	☐	☐
In second hand transactions with other citizens	☐	☐	☐

On the internet stores	☐	☐	☐
Other	☐	☐	☐

5. If you have ticked any option in 'in another country outside the EU' for the question above, please specify in which country/countries:

***6. Have you ever encountered situations in which your own or someone else's safety was at risk when using any of the products identified in the previous questions?**

- (●) Yes
- ( ) No
- ( ) Don't know / no opinion

If yes, please specify:

Electrical appliances remain hazardous and can potentially kill.

Examples:

- Fires among white goods (mainly in the in the UK): plastic backed fridge freezers pose a significant fire risk and can cause large, rapidly developing fires. In 2018, the UK Consumer's Association Which? reported that 250 of the most popular fridges and freezers on the UK market were potentially unsafe and it asked retailers to immediately stop selling the models concerned (see https://www.which.co.uk/news/2018/04/250-fridge-freezers-fridges-and-freezers-named-which-dont-buys-over-fire-safety-concerns/)

- EU Safety Gate (RAPEX) notifications: in 2017 (and previous years), electrical appliances and equipment were among the 5 most notified product categories. 6% of the alerts concerned products falling under the LVD such as toasters, blenders, hairdryers, which could pose a health or safety risk to users.

- Joint market surveillance actions on blenders, mixers and toasters: this joint action came to an end during the first half of 2018. The results were very worrying, with 95% of the blenders, 87% of the mixers and 58% of the toasters failing one or more tests. Upon request of ANEC, this activity also examined testing for three safety issues that are not addressed by the current version of the standards: measurement of the cutting blade stopping time for blenders, testing whether it is possible to access the rotating knife in a blender and measurement of the surface temperatures on non-functional surfaces of toasters. ANEC was pleased to see that the results showed that there are blenders on the market with stopping times and interlocks, as well as toasters with surface temperature limits according to CENELEC Guide 29, which shows it is possible to change the design to make the products safer.

7. If you answered 'yes' to the previous question, did you contact anyone about the dangerous situation?

Please note that multiple answers may be selected.

- ☐ I contacted the seller of the product
- ☐ I contacted the economic operator (manufacturer, importer or distributor) responsible for the product
- ☐ I contacted a consumer association

- [ ] I contacted the authorities
- [ ] I contacted someone else
- [ ] I did not contact anyone

*** 8. How do you consider the provided user manual(s) information?**

Please note that multiple answers may be selected.

- [x] The information provided on safety issues are sufficient
- [ ] The information provided on safety issues are not sufficient
- [ ] The contact details of the manufacturer are sufficiently clear and detailed
- [x] Paper format is useful/sufficient to alert users on safety issues
- [ ] Electronic format (e.g. link to a webpage) or digital format displayed on the product is useful /sufficient to alert users on safety issues
- [ ] Combination of one page paper format on safety critical aspects and electronic/digital format for the entire manual of instructions is useful/sufficient to alert users on safety issues
- [x] Other comments

If other comments, please specify your:

The safety information and the overall clarity/usability of user manuals can in some cases certainly be improved. While the number of examples is decreasing, this was very relevant when user manuals were subject to automated translation.
As regards the format to alert consumers on safety issues, we warn against only providing information in electronic or digital form as well as against the possibility to combine a one-page paper format on the safety critical aspects of a given product with an electronic/digital format. For safety reasons, consumers always need to be provided with the entire manual of instructions.
Providing important safety information only via web links, bar or QR codes is not the way forward. It is not only unrealistic but also potentially dangerous to expect busy consumers to spend extra time and effort to access information for each product they (intend to) use. It is also unclear how electronic/digital formats can ensure that all consumers, in particular those without connected devices or internet connectivity, have access to safety information.
National consumer organisations have reported on consumer complaints and online scams about user manuals: they pointed out at renewable contracts passed without the explicit consent of consumers who wanted to purchase manuals on online platforms others than those of the manufacturer/seller. Those affected consumers rarely received the user manual they were looking for (see https://www.quechoisir.org /actualite-arnaque-en-ligne-l-achat-de-notice-d-utilisation-transformee-en-abonnement-n62326/)

9. Have you ever encountered situations in which you required but were not able to find or understand...

Please select the relevant option. Multiple answers may be selected.

- [ ] The name and contact details of the manufacturer
- [ ] The name and contact details of the importer
- [ ] The CE marking
- [ ] The serial number and type of the product
- [ ] The safety instructions of the product

10. If you answered ‘yes’ to the previous question, did you contact anyone about the missing or unclear information?

Please note that multiple answers may be selected.

- [ ] I contacted the seller of the product
- [ ] I contacted the manufacturer of the product which name was indicated on the users' manual
- [ ] I contacted a consumer association
- [ ] I contacted the authorities
- [ ] I contacted someone else
- [ ] I did not contact anyone

11. Please share any additional comments or remarks you may have regarding the topic of this Public Consultation.

The LVD has generally worked well in providing a sufficient level of safety for consumers throughout the EU. However, some improvements are needed in our opinion:

- Scope:
We support the lowering of the voltage to zero. There have been problems with lithium battery products below 50V. Lamps in swimming pools (6V) and greeting cards with music are examples of products we think should be covered by the LVD. Voltage limits have been deleted under the RED Directive, in order to include ALL radio equipment.

- Connected products:
Most connected products are designed and manufactured without even the most basic security features embedded in their software. Tests by consumer groups have revealed that many of these products don't respect people's safety, security or right to privacy. Personal data is often shared with third parties without consumers' knowledge. Strangers can easily take control of smart toys or home devices in a few simple steps. In order for consumers to trust the IoT, they must be assured that the connected products they purchase, or services they use, are secure and protected from software and hardware vulnerabilities. Therefore, security by design & by default must become a priority. To this end, the LVD (& other legislation) must be revised to ensure that connected products are both safe and secure before being placed on the Single Market.
See ANEC-BEUC position paper attached.

- Market surveillance:
The way the LVD is enforced suffers from a lack of consistency: national authorities not only have different resources to enforce the legislation, but also different approaches (e.g. in the number of controls performed or in the methodologies used for testing, for imposing fines). There is an urgent need to establish a European framework for market surveillance in order to ensure a coherent approach to market surveillance activities across Member States, and to make more financial and human resources available for surveillance activities;
Market surveillance authorities are not aware of which (LVD) products are circulating on the market. Product registration has been introduced in the energy labelling field: we propose this registration database be extended to LVD products.

- Formal objections (FO) against standards (ENs):
During the past few years, we have seen several FOs from authorities against ENs falling under the LVD. At the same time, public authorities have withdrawn from many standardisation activities to the detriment of the public interest. When a FO is raised by national authorities, it is often contested by manufacturers. We also note that the standardisation process to solve a FO is often delayed by manufacturers. As industry strongly dominates the standardisation process for LVD products, most of these FOs are pending and the process takes too long. We call on authorities to become more engaged in the standardisation process. It is not sufficient to fall back on use of the "Formal Objection" procedure in the case where an adopted EN is clearly

inadequate in the view of one or more Member States. We also call on more power for the European Commission to put more pressure in relation to solving formal objections.

- More transparent Comitology procedure:
We believe there should be a provision in the LVD to allow for co-operation between the Commission, Member States and stakeholders, including consumers, to specify in detail the essential safety requirements without having to change the Directive itself. This comitology procedure should also include the possibility of setting limit values, e.g. when the Standards Bodies fail to set adequate limits in the standards. From a consumer's perspective it is essential to include the major stakeholders in such a Comitology procedure. At present, consumers, as well as industry, are represented in the LVD Working Party. However, this group is not embodied in the Directive. Such a transparent Comitology procedure is needed for the following reasons:
• There is a need to have a more flexible instrument that allows to react quickly on market changes (new products) or new identified risks and which allows to establish requirements (specify essential requirements) without having to revise the whole Directive.
• Highly political issues should be resolved at the political level and not shifted to the Standards Bodies. This is highly relevant for the establishment of limit values in ENs.

- Conformity assessment procedures:
There is no conformity assessment procedure in the LVD implying the intervention of a NB.
Products under the LVD are self-certified. At the same time, electrical appliances remain hazardous and can kill. Therefore, we ask for at least the ongoing production control by manufacturers (A1 module) and in certain cases third-party certification (A2 module). See PPE and Medical Devices Directives as setting the example: the higher the risk, the higher the module.

12. Please feel free to upload a concise document, such as a position paper to support your responses.

The maximum file size is 1 MB

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Thank you for your response to this Public Consultation!

We also invite you to participate in a more detailed survey, in which you can provide your opinions to questions tailored for manufacturers, distributors, national institutional entities and market surveillance authorities.

You can find this detailed survey on https://ec.europa.eu/eusurvey/runner/LVDStakeholderSurvey .

Contact

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