



Position Paper

ANEC comments on UNECE Regulation 44: Requirements for child restraint systems (CRS)

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A. Introduction

Injuries to children can be significantly reduced if they use a suitable child restraint. All child restraint systems (baby seats, child seats, booster seats and booster cushions) sold in the EU must conform to the United Nations Regulation R44.03, "Uniform Provisions Concerning the Approval of Restraining Devices for Child Occupants of Power-Driven Vehicles ('Child Restraint Systems')". To conform to the Regulation, a child restraint must meet a series of design and construction requirements and pass a series of performance tests. The 03 series of amendments to Regulation 44 was agreed to in 1995. Since then, ANEC has been calling for a series of amendments to improve the level of safety provided to children in CRS. Some of our requests have been successful. We are still working hard to voice other consumer concerns in the relevant standardisation committees. For this, we need to gather sufficient evidence from various sources, promote consistent messages and, above all; gain the support of national consumer organisations and other allies.

B. ANEC comments

ANEC's main concerns are as follows:

1. Regulation 44.04 versus 44.03

In late 2005, a new version of Regulation 44 was introduced - R44.04. UNECE R44.04 is misleading for consumers as CRS that meet R44.04 requirements are marketed as safer seats. In fact, there were no real safety-related changes compared with R44.03, the previous version of the Regulation agreed in 1995 and enforced in 1998. R44.04 is more a compilation of supplements and amendments to R44.03 with some changes to post-production conformity procedures. Furthermore the technical requirements for dynamic testing in R 44.04 still do not reflect reality. Since the testing requirements were developed back in the late 1970s, i.e. almost 30 years ago, accident dynamics have changed as car structures have changed; thus the requirements need to be brought in line. Moreover there is no side impact test procedure to require protection in the second most common type of accident.

2. Mass groups classification of CRS

Further concerns for ANEC are the use of a child's weight to determine classification and the classification of CRS into (semi)universal, vehicle specific, belts or ISOFIX. Consumers require clearer and less ambiguous information if CRS are to be used properly.

i) Discourage forward facing CRS before 13kg

Rearward-facing protection has been proven to be the best protection available for very young children. Accident data supports that this should be the preferred protection strategy for children up to 4 years of age. ANEC believes transporting children in forward-facing CRS should be prohibited until they are at least 24 to 30 months old.

The purpose of the introduction of Group 0+ was to enable children to travel rearward-facing until later than before (up to 13kg instead of 10kg). However, this intention is being undermined by the big overlap that exists between Group 0+ and Group I. The fact that Group I corresponds to a mass group that starts at 9kg is being interpreted by the market as an indication that children should or can travel forward-facing from the age of about 6 to 9 months old which is too early. ANEC considers that this overlap is due to an omission in 1995 when the new mass group of 0+ was introduced without changing the lower limit of 9kg in Group I CRS to 11kg or more.

ii) Extend upper mass limit of Group III

Children less than 12 years old, and less than 1,50m in height (or 1,35m depending on national legislation), but who weigh more than 36kg will not benefit from the best protection if they use only the safety belt. Due to their small stature and immature skeletons, they still need an auxiliary device to better position their bodies in relation to the adult seat belt and so reduce the chances of suffering from seat belt induced injuries.

Most EU Member States require the use of CRS according to R44 mass groups which can make it illegal for such children to make use of any child restraint. The new EU Directive on Child Safety Restraints 2003/20/EC, now adopted by all EU Member States, requires children up to 1,50 m or 1,35 m to use a CRS. More and more children weigh more than 36kg before they are 1,35 m tall, which makes it impossible to find a CRS on the market that they can use without breaking the law and the manufacturers' instructions.

Non-integral Group III CRS should be considered adequate to protect children weighing more than 36kg, and for this reason, the upper limit of Group III should be extended.

3. Be careful when choosing and using a carrycot

The use of carrycots is proven often not to be a safe way to transport children in cars. Their use to transport children in general should be discouraged, except for children with special needs (e.g. very low birth weight, dislocated hip etc). In R44, carrycots are tested with two dummies, which represent the two ends of the weight range. However, *only* the 9kg one is an instrumented dummy (allowing checking of

chest acceleration and abdominal penetration). Nevertheless, neither is designed for the lateral loading that affects a carrycot in a frontal impact. ANEC's advice is to refer to independent consumer tests before making a buying decision.

4. Position and visibility of airbag warning labels

- Airbag warning labels should be clearly visible at all times and positioned prominently in order to remind drivers that, if the airbag is armed, a rearward facing seat must not be placed in that particular seat as activation of the airbag could prove fatal to a child.
- If sections of the CRS or any accessories obscure the label, an additional label is required. However, accessories such as extra padding for newborn babies do not exhibit a label and often hide even the existing one.

5. Replace a CRS after an accident

An accident can result in damage to the CRS integrity and energy absorbing structures that is not visible to a naked eye. Any CRS that has been involved in a violent accident should be replaced, even if the child did not sustain injuries. It is also important to note that while transporting CRS on flights in cargo without protective wrapping, similar damage to the CRS could occur and jeopardise safety.

C. ANEC's recommendations to consumer organisations

ANEC urges consumer organisations:

- to promote the use of rearward-facing CRS for older children by using Group 0+ CRS and Group I rearward-facing seats , ideally until the child is 4 years old
- to inform consumers that Group I forward-facing seats should be used from 9kg only when no rearward facing solution can be found on the market

D. ANEC's requests of the regulators

A new regulation for ISOFIX universal CRS is under development in the UN-ECE GRSP. ANEC requests in particular that:

- use of forward-facing CRS is prohibited for children up to 30 months and ideally 48 months;
- a classification is introduced which provides clear and less ambiguous information for consumers (based on stature and not mass groups);
- greater use is made of ISOFIX, rather than the semi-universal systems which are not compatible with all cars;
- a side-impact test procedure is added to the Regulation.

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APPENDIX – About ANEC and other documentation

A.1 About ANEC

ANEC is the European Consumer voice in standardisation, representing and defending consumer interests in standardisation and conformity assessment, and in policy and legislation related to standardisation. Our aim is a high level of consumer protection. ANEC was set up in 1995 as an international non-profit association under Belgian law. It represents consumer organisations from the European Union Member States and the European Free Trade Association (EFTA) countries. Our General Assembly is composed of one national member per country, nominated jointly by the national consumer organisations in their country.

A.2 Contact person at the ANEC Secretariat

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More information about ANEC and its activities is available at www.anec.eu

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