



Position Paper

ANEC position on protected volume within European standards for child use and care articles

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1. Executive Summary

The concept of “protected volume” has been introduced in some (draft) European standards for child use and care articles.

Protected volume is used to define an area around the child in a product for which there are specific requirements that do not apply to the rest of that product, the purpose being to enhance the requirements for this specific area around the child during use of the product.

ANEC child safety experts have noted that in some clauses of the standards where the protected volume has been introduced with the aim of increasing safety requirements, the opposite has been the result.

The introduction of protected volume in CEN TC 252 standards has created two different safety levels, one within the protected volume, which is higher than the one outside the protected volume.

As a result, the requirements outside the protected volume may not be sufficient enough to comply with the provisions of the General Product Safety Directive 2001/95/EC. The GPSD defines a product as *“any product - including in the context of providing a service - which is intended for consumers or likely, under reasonably foreseeable conditions, to be used by consumers even if not intended for them, and is supplied or made available, whether for consideration or not, in the course of a commercial activity, and whether new, used or reconditioned.”*

ANEC members consider that an alternative approach could be to apply all the requirements in the standard to the entire product, but to exclude those areas which cannot be reached by a child or which may not present a particular hazard (e.g. the tyres on the wheels of a wheeled child conveyance in relation the chemical hazards).

2. Introduction

At meetings of the ANEC Child Safety Working Group, members discussed the “protected volume” which is included in some of the CEN TC 252 (draft) standards for child use and care articles.

Protected volume is used to define an area around the child in a product for which there are specific requirements that do not apply to the rest of the product. The idea is to enhance the requirements for this specific area around the child during the use of the product.

Members noted that in some clauses where the protected volume has been introduced with the aim of increasing safety requirements the opposite has been the result.

3. Examples

3.1 EN 1888 - Wheeled child conveyances

Clause 6 reads:

"Migration of elements from coatings of paint, varnish, lacquer, printing ink, polymer and similar coatings and from any other accessible surfaces of materials within the protected volume whether mass coloured or not shall not exceed following amounts:"

- Whilst the limitation of migration of elements requirements to a protected volume may be justified in this particular case (the requirements address possible mouthing and ingestion by small children) it would be entirely inappropriate to accept this as a general rule for other chemicals (e.g. PAH substances which were found in handlebars in a test by the German consumer organisation 'Stiftung Warentest').

Clause 8.7 reads:

"All exposed edges, surfaces and protrusions within the vehicle's protected volume shall be rounded or chamfered and free from burrs and sharp edges. All other surfaces shall be free from burrs and sharp edges"

- Children have a reach much greater than that indicated by the protected volume as was found by a research project that was undertaken several years previously by CEN TC 252 WG 3. Additionally, for a child outside the vehicle or positioned on an integrated platform, it may be easy to reach sharp edges that have less onerous requirements.

3.2 prEN 16232 "Infant swings"

Clause 8.1.2 reads:

"The width of the protected volume may be reduced by the presence of protective barriers complying with 8.1.2.1. If another barrier (e.g. mesh or fabric decoration, ...) does not comply with 8.1.2.1, the full protected volume as described above shall be considered. See A.2."

- This means that areas of potential entrapment, compression and shearing points are allowed outside the protected volume. An infant swing is likely to be used in the home where there is another sibling who would not be protected.

4. CEN TR 13387 'Child use and care articles – Safety Guidelines'

It should be noted that the term "protected volume" is not used within CEN/TR 13387:2004 'Child use and care articles – Safety Guidelines', and that accessibility by a child is only applied to mechanical hazards and not to chemical hazards.

CEN/TR 13387:2004, Clause 3.2.1.1, when addressing mechanical hazards gives the following general guidance on accessibility:

- *the hazardous part from the intended position of use is in reach of the child and there is a high probability for frequent, intensive and/or prolonged contact.*
- *the hazardous part may be reached by the child or any other child beyond its intended position of use.*
- *the hazardous part exists but cannot be reached by the child*

Irrespective of the access category the reasonably foreseeable conditions of use should always be considered when designing children's products and/or writing product standards.

5. ANEC position and proposals

The introduction of protected volume in CEN TC 252 standards creates two different safety levels, one within the protected volume which is higher than the one outside the protected volume.

As a result, the requirements outside the protected volume may not be sufficient in order for the products to comply with the provisions of the General Product Safety

Directive 2001/95/EC. The GPSD defines a product as *"any product - including in the context of providing a service - which is intended for consumers or likely, under reasonably foreseeable conditions, to be used by consumers even if not intended for them, and is supplied or made available, whether for consideration or not, in the course of a commercial activity, and whether new, used or reconditioned."*

As it may be difficult to define the protected volume, particularly as children are able to move and reach to a greater extent than is often envisaged, ANEC members consider that an alternative approach could be to apply all the requirements in the standard to the entire product but to exclude those areas which cannot be reached by a child or which may not present the particular hazard (eg. the tyres on the wheels of a wheeled child conveyance in relation the chemical hazards).

ANEC therefore proposes that the following paragraph should be included in the revision of CEN/TR 13387:2004 'Child use and care articles – Safety Guidelines':

"When assessing safety requirements in a standard, the entire product should be considered and the safety requirements incorporated into the standard, but where a hazardous part exists that cannot be reached by any child exposed to the product by foreseeable use, it should be excluded from the requirements".

END.

Acknowledgements

This position paper has been prepared in consultation with the ANEC membership.

ANEC wishes to thank those who have actively contributed to the drafting of this position paper.

APPENDIX – About ANEC and other documentation

A.1 About ANEC

ANEC is the European consumer voice in standardisation, defending consumer interests in the processes of technical standardisation and conformity assessment as well as related legislation and public policies. ANEC was established in 1995 as an international non-profit association under Belgian law and represents consumer organisations from 31 European countries. ANEC is funded by the European Union and EFTA, with national consumer organisations contributing in kind. Its Secretariat is based in Brussels.

The driving force behind ANEC involvement in standardisation related to child safety is to reduce the high number of accidents involving children. Another reason is the need to ensure a minimum quality of products used by and accessible to children. It is equally important to ensure that consumers can distinguish between products complying with minimum safety standards and those that do not.


ANEC has signed the European Commission's Register of Interest Representatives and accepted its Code of Conduct: Identification Number 507800799-30.


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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