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Results, Conclusions & Recommendations

Baby Bath Tubs



February 2014

This document is a non-binding document, intended to give a brief overview of the results, conclusions and recommendations mainly related to baby bath tubs, which was one of the products-specific activities focused upon by the working group of market surveillance authorities dealing with childcare articles within the joint action JA2011, coordinated by PROSAFE.

Disclaimer:

This report arises from the Joint Market Surveillance Action on GPSD Products - JA 2011, which received funding from the European Union in the framework of the 'Programme of Community Action in the field of Consumer Policy (2007-2013)'.

The report reflects only the views of the author. The Consumers, Health and Food Executive Agency (Chafea), PROSAFE or any individual market surveillance authority cannot be held responsible for any use, which may be made of the information contained therein.

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Abbreviations

ANEC - the European consumer voice in standardisation

BBP - Baby bathing products

BBT - Baby bath tubs

CCA - Child care Articles

Chafea - Consumers, Health and Food Executive Agency

CEN - the European Committee for Standardization

DG-SANCO - Directorate General for Health and Consumers of the European Commission

EEA- European Economic Area

EU - European Union

ENPC - European Nursery Products Confederation

GPSD - General Product Safety Directive

JA2011 -Joint Market Surveillance Action 2011

RAPEX - Rapid Alert System for non-food dangerous products

WCC - Wheeled child conveyances

Executive Summary

PROSAFE has coordinated various market surveillance joint actions over these last years. The Joint Action called JA2011 dealt with various product sectors, one of which was childcare articles (CCA). A total of twelve different market surveillance authorities from different EU Member States have participated in this specific working group on childcare articles. These actual Member States were Bulgaria, the Czech Republic, Denmark, France, Germany, Lithuania, the Netherlands, Portugal, Romania, Spain, Sweden and the United Kingdom. Additionally, Bosnia & Herzegovina, Finland, Malta and Poland also took part to varying degrees within this project

All CCA activities were led by the Swedish Consumer Agency. The activities started around February / March 2012 and ended during the first quarter of 2014. PROSAFE also recruited the services of an external consultant to coordinate activities of this task.

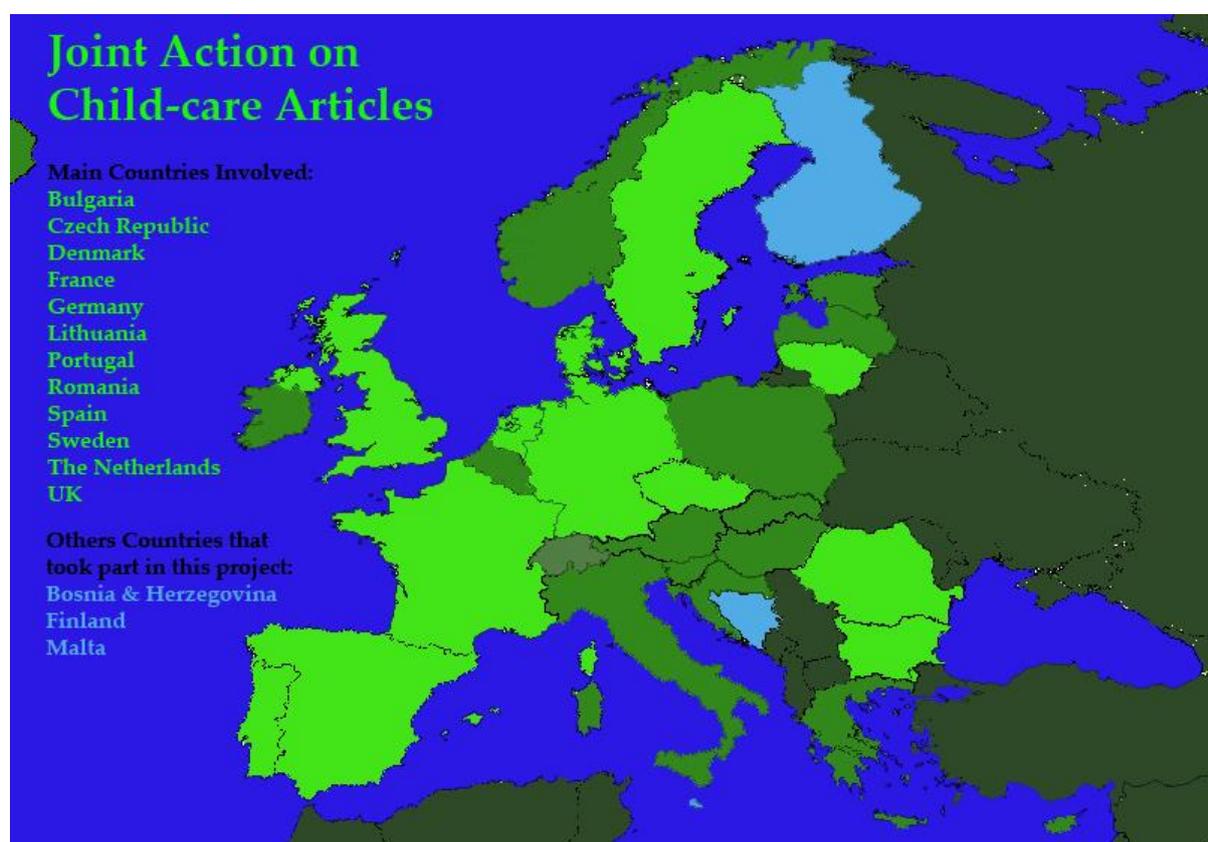


Figure 1 - The map shows the 12 Member States directly involved in the CCA working group which form part of JA2011. Additionally, the market surveillance authorities from Finland and Malta took part in the samples sent for testing whereas the market surveillance authority from Bosnia & Herzegovina attended some of the CCA meetings

Childcare articles are an innovative product group in constant development. Therefore, the production of new products on the market does not always go hand in hand with their standardization. However, producers and manufacturers are obliged to know the hazards their products can present, to offer safe products and to provide consumers with information that allows them to evaluate and prevent hazards. Most of the time, these products are intended for children of a very young age, a sector of society which is considered to be a very vulnerable group. Hence, it is even more important that such products are safe.

Two products groups within childcare articles were focused upon by this working group of market surveillance authorities: wheeled child conveyances (WCCs) and baby bath tubs (BBTs). All the samples were tested at the AIJU Technological Centre in Spain.

CCA Main Objectives

The main objectives of this project were:

- To draw up a medium to long-term programme of activities (the product groups with the highest priority will eventually be implemented in future joint actions)
- Market Surveillance Action on two specific product groups:
 - Baby Bathing Products and
 - Wheeled child conveyances.

External Stakeholders

This working group tried to establish good contact and effective liaison with various external stakeholders throughout the project. Representatives from ANEC, CEN and ENPC were particularly active in this project.

European Commission and Chafea

Representatives from Unit B3, Product and Services Safety from DG-SANCO also took part in all the CCA meetings organized by this working group. The project was co-funded by the European Union and the grant agreement was managed by Chafea.

Baby Bath Tubs

This document focuses on the results, conclusions and recommendations related solely to baby bathing products, in particular, baby bath tubs. A similar document has been developed on wheeled child conveyances too.

Forty-three baby bath tubs have been tested according to the French experimental standard: XP S 54-044 and also according to a testing protocol developed by this same CCA Working Group and based on the Commission Decision (2010/9/EU) on the safety requirements to be met by European standards for bath rings, bathing aids and bath tubs and stands for infants and young children.

The period when the samples were extracted from the market was during the second quarter of 2013.

All samples were tested under physical-mechanical requirements. No chemical properties were checked. Product information was mainly checked directly by the various inspectors within these market surveillance authorities. However, in the case of the 13 samples from Spain, France and the UK, where the official language was Spanish, French and English, these were checked directly by AIJU Technological Centre.

In the case of product information, a number of additional checks were also done on a number of baby bathing aids and baby bath seats / rings. However, these were not tested for physical-mechanical properties at the laboratory since the main thrust of the market surveillance activities revolved around baby bath tubs.

Furthermore, only one sample was used for all testing carried out according to the French XP S 54-044 as well as that of the newly developed testing protocol. For this reason, a particular order of tests was developed in order not to repeat the same tests included in both the French standard and the newly developed testing protocol.

TEST RESULTS

When tested against construction properties in accordance with accordance to the French experimental standard, XP S 54-044, only 35% of the 43 samples tested meet the construction / mechanical requirements of this standard. Additionally, further tests were done in accordance to a testing protocol developed by this working group based on the Commission Decision of 6th January 2010 (2010/9/EU). Details of the test results are given within this document

To check relevant warnings and product information a checklist of markings and information was made. The list was quite extensive and had the purpose also to make an inventory of the current markings on products. Many of the samples tested had a very poor level of marking and information which showed that this is an improvement area for these types of products.

Important Note

However, one needs to be cautious on how to interpret any statistics found in this document. One needs to remember that the sampling was not at all random but rather the market surveillance authorities picked those samples which they considered to already present possible risks. Therefore, any statistics cannot be interpreted as representing the level of safety within the European Single Market.

Although identified non-compliances to a particular standard within a sample are of particular importance to market surveillance authorities, it is much more important for surveillance authorities to determine the final level of risk through what is called risk assessment. When it came to risk assessment, all the market surveillance authorities utilized the methodology indicated within Commission Decision 2010/9/EU. For this purpose the [website](#) of the European Commission was utilised.

CONCLUSIONS

Around 9% out of the 43 samples were identified to have a '*serious risk*'. This is the highest risk that a market surveillance authority can identify according to the common methodology used amongst market surveillance authorities.

Another 9% had a '*high risk*' and another 23% had a '*medium risk*'. This means that a total of 41% of all samples tested had a medium risk or a higher one. For more information on how market surveillance authorities performed risk assessment, please refer to the risk assessment training module within the [PROSAFE E-Learning Portal](#).

33% had a low risk and the rest of the samples did not pose a risk or are still being reviewed for a final decision by the respective market surveillance authorities.

Figure 19 in the document shows the risk assessment results that helped the market surveillance authorities to determine the final actions, measures to be taken from their end. Indeed, there were four RAPEX alerts issued by the market surveillance authorities. Various other actions were taken by the authorities, including withdrawals and sales bans. In certain cases, this was done in coordination with the economic operator through a voluntary action.

RECOMMENDATIONS

Through the experience gathered, the market surveillance authorities involved in this project are recommending a number of points which could be of interest to other market surveillance authorities and Customs, to economic operators, to consumers and also to the respective technical committee within CEN. Further details of these recommendations are found within Chapter 6 of this document.

1. Introduction

Participation in the BBT Working Group

Although 12 Member States participated in all activities pertaining to childcare articles, only 10 market surveillance authorities from 9 separate Member States took an active part in all activities associated with BBTs (baby bath tubs). The involved countries were: Bulgaria, Czech Republic, Germany, The Netherlands, Portugal, Romania, Spain, Sweden and the UK. The market surveillance authorities from Bosnia Herzegovina also took part to a certain extent in the BBT activities.

Technical Core Group (BBT)

In view that the working group was rather large and a lot of technical work needed to be done, it was agreed that the market surveillance authorities from the following countries (France, Germany, The Netherlands, and Sweden) would form a technical core group which supported the whole group in all technical issues related to the project.

Some General Statistics related to BBTs

7 manufacturers and 11 importers from the European Union were inspected. 252 outlets and distributors were also inspected. Therefore, in total, 270 economic operators were inspected. 43 samples tested were tested from 36 different brands.

Additionally, checklists mainly focusing on product information were filled in by market surveillance authorities for 81 baby bathing products; 43 related to the baby bath tubs which were tested at the laboratory, 24 checklists related to baby bathing aids and 14 checklists related to baby bath rings / seats.

BBT Definition & Categories

The definition as specified within Commission Decision 2010/9/EU was utilized for this project. Baby Bath tubs for babies and young children means products designed for bathing children from birth up to 12 months. These products can be used as stand-alone products, placed in or on the rim of a regular bathtub or on the floor, or combined with stands. Some examples are shown below in Figure 2.



Figure 2 - Some examples of baby bath tubs

Most of the baby bath tubs are designed with specific stands to support them, but there are also a few universal bath stands within the market.

However, this CCA Working Group did also do some work on other baby bathing products, mainly; baby bathing aids and baby bath rings / seats.

Baby Bathing Aids

Baby bathing aids for babies are defined within Commission Decision 2010/9/EU as products which allow a child to be kept in a reclined or lying position during bathing. These products

are intended for use from birth and until the child is able to sit upright unassisted. Figure 3 gives some examples of such products.



Figure 3 - Some examples of baby bathing aids

Baby Bath Rings / Baby Bath Seats

Baby bath rings for babies (sometimes known as baby bath seats) are defined by Commission Decision 2010/9/EU as products which allow a child to be kept in a seated position during bathing. These products are intended for use only with a child who is able to sit upright unassisted and should not be used when the child begins pulling up to a standing position.



Figure 4 - Example of a baby bath ring/ baby bath seat

Main Scope related to BBTs

The scope of the project pertaining specifically to baby bathing products (BBPs) was to perform market surveillance by inspecting, sampling and testing a number of BBPs in order to determine the level of safety of the samples tested and also to identify best practices in working jointly at European level.

In view that baby bath tubs (BBTs) are used much more often by a number of parents / carers across Europe and due to the fact that these products were considered as being more of an

asset to cleaning babies (rather than bathing aids and rings which were considered by the CCA working group to be more or less accessories to bathing), it was agreed that market surveillance activities would concentrate mostly around BBTs only. It is important to note that chemical hazards were not focused upon within this project.

In the case of baby bathing aids and baby bath rings, it was agreed to at least perform some market surveillance checks to in particular to delete determine what kind of product information was available on such products.

These products shall not jeopardize the safety or health of children and carers in their intended or foreseeable use, bearing in mind the behaviour of children. The ability of the child and their carers shall be taken into account, especially when it comes to articles which, according to their functions, dimensions and characteristics, are intended for children under 12 months.

With regards to BBTs, the main risks associated with such products are drowning hazards, scalding hazards and falling hazards when the BBT falls from its stand or support.

Testing of products

All BBT samples were tested at the laboratory of AIJU Technological Centre in Spain, with more than 25 years of experience in child safety. AIJU complies with the requirements of international standard ISO/IEC 17025. This standard specifies the general requirements for the competence of testing and/or calibrations, including sampling. The management system of quality, administrative and technical operations of AIJU laboratory is based on this standard.

It is important to note that there are no European Standards available for baby bathing products. For this reason, the CCA working group decided to work on two approaches:

- To test according to the experimental French experimental standard: XP S 54-044
- To develop its own testing protocol based on the Commission Decision (2010/9/EU) on the safety requirements to be met by European standards for bath rings, bathing aids and bath tubs and stands for infants and young children.

The development of a testing protocol created various challenges for the CCA working group. Although the main thrust of the testing requirements were based on the requirements specified within the Commission Decision, 2010/9/EU, it was agreed to utilize the following technical guidelines and standards when developing this new testing protocol for baby bath tubs with assistance from the AIJU laboratory:

CEN/TR 13387:2004 “Child use and care articles- Safety guidelines”.

- ✓ EN 12221-1/2:2008 “Changing units for domestic use”.
- ✓ EN 1466 + A1: 2007 “ Child care articles- Carry cots and stands- Safety requirements and test methods”
- ✓ EN 1888:2012 “Wheeled child conveyances“
- ✓ French Experimental Standard XP S 54-044.

Test Results, Conclusions and Recommendations

The final results of all tests carried out are included separately in a spreadsheet showing the individual test results for each sample. A copy of the spreadsheet in pdf format (with no confidential data) can be requested by sending a formal email to PROSAFE on info@prosafe.org . A summary of the test results is also discussed in chapter 4. More importantly, this document has a summary of the conclusions and actions taken by the respective market surveillance authorities in chapter 5. Recommendations by this working group to market surveillance authorities and customs, to economic operators and also to consumers are highlighted in Chapter 6, together with some possible proposals related to issues to be considered when developing a standard on baby bath tubs.

2. DESCRIPTION OF THE SAMPLES TESTED

From mid-April until the end of May 2013, 43 samples were sent to the laboratory of AIJU by the market surveillance authorities participating in JA2011 in order to be tested according to the requirements of French standard XP S 54-044 and also in line with the testing protocol developed by this working group.

When the samples were received, the staff of AIJU performed an initial visual inspection in order to detect if the samples had any potential defects caused by transportation or other factors. In such cases, the CCA working group was informed accordingly.

The samples were sent from 10 different European countries: Spain, Bulgaria, Romania, Germany, United Kingdom, France, the Czech Republic, the Netherlands, Portugal and Sweden.

These 43 samples can be classified into **four** main groups according to the design of the bath tub (refer to Figure 5):

- Bath tubs on their own
- Bath tubs with stand
- Foldable bath tub
- Inflatable bath tubs

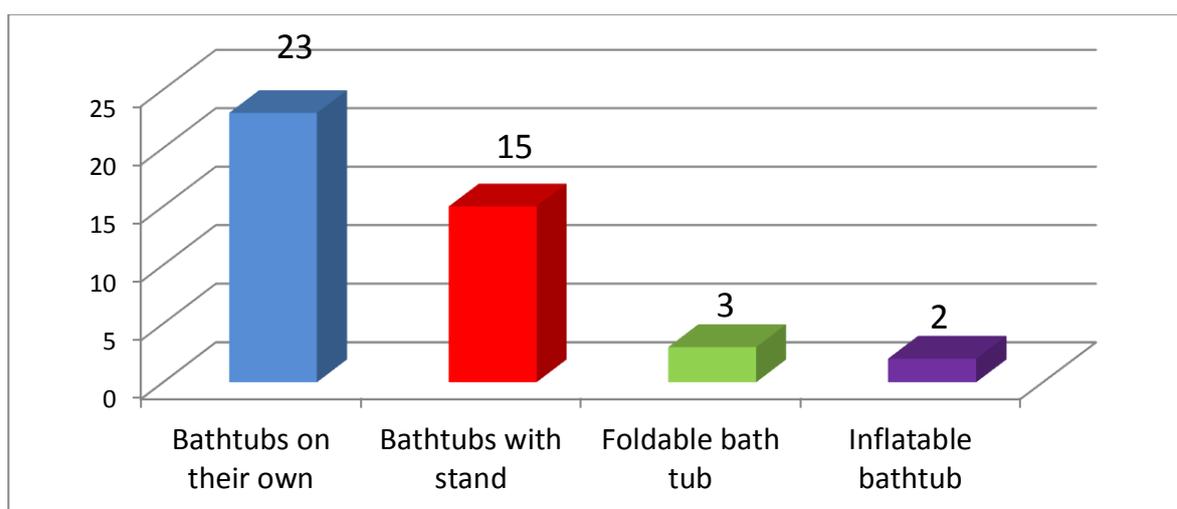


Figure 5 - Groups of bathtubs received for testing

In most cases the bath tubs could be used with or without a stand. Therefore, the laboratory performed testing taking into consideration both situations.

In some cases, one kind of stand could be used with different models of bath tubs, no matter their design. In these cases, additional tests were performed accordingly.

With regards to the country of origin of the samples, out of the 43 samples received, around 60% originated from within the European Economic Area; whereas the rest of the samples came from outside Europe, with China representing around 23% of all the samples tested (refer to Figure 6 below).

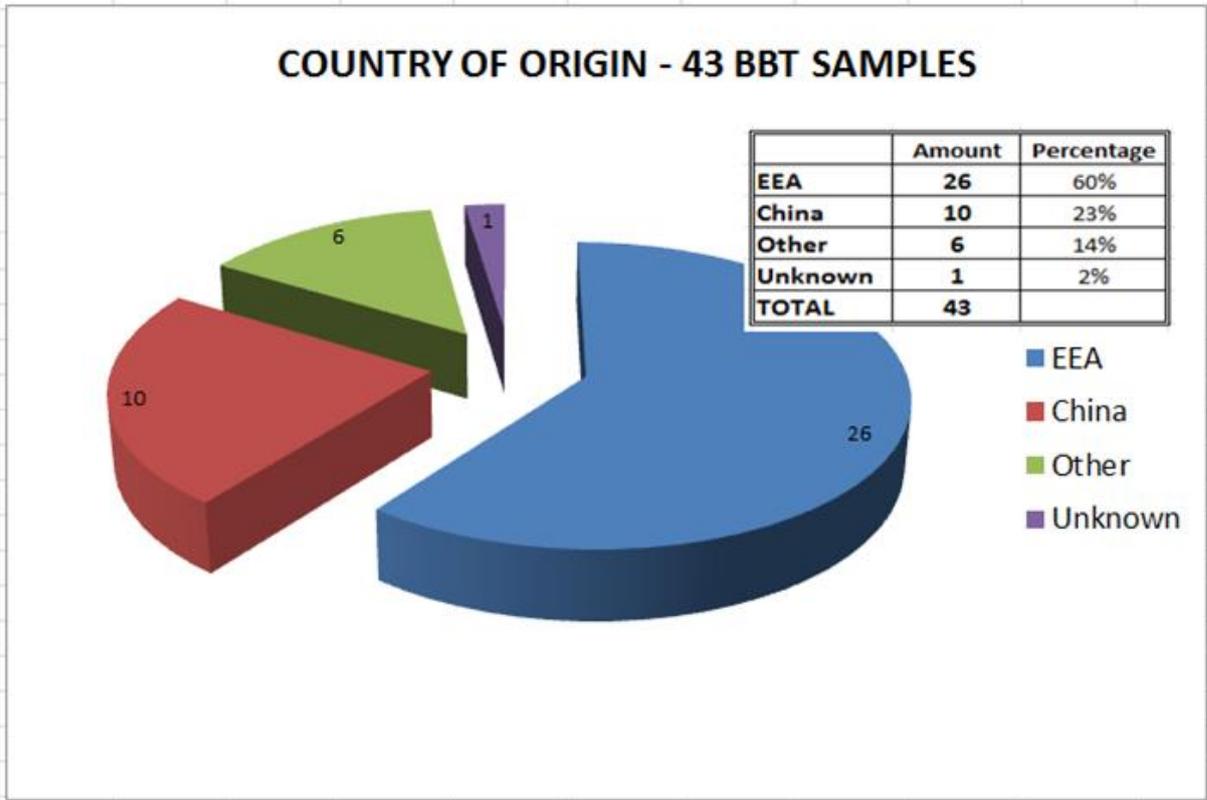


Figure 6 - Country of Origin of the BBT samples tested

3. TEST PROCEDURE

As there is no European standard for baby bath tubs, in order to check the safety of the samples tested, the CCA working group decided to test according to the requirements included in:

- French experimental standard XP S 54-044 'Baignoires pour enfants. Exigences de sécurité et méthodes d'essais'.
- A newly developed Testing Protocol developed by the CCA working group - based on the Commission Decision of 6 January 2010 (2010/9/EU) on the safety requirements to be met by European standards for bath rings, bath aids and bath tubs and stands for infants and young children pursuant to Directive 2001/95/EC of the European Parliament and of the Council.

The Testing Protocol

The newly developed testing protocol developed by the CCA working group, which was discussed and finalised with assistance from the AIJU laboratory, included a brief description of the safety requirements and the test methods to be used to check the compliance of these requirements. The final objective of this testing protocol was to ensure that the products tested had at least the minimum level of safety as required by the General Product Safety Directive (GPSD), and thus reducing the risk of accidents and injuries that comes from the use of these articles.

To prepare this protocol, the test methods indicated in European standard EN 12221 'Changing units for domestic use' and the Technical Report CEN/TR 13387 'Child use and care articles - Safety guidelines' were mainly used for this purpose. Additional clauses of certain standards (such as EN 1466 and EN 1888) were also utilized for certain requirements considered in some test methods.

Reporting

Once the tests were finished, AIJU prepared two independent reports for each sample: one according to French standard XP S 54-044 'Baignoires pour enfants. Exigences de sécurité et méthodes d'essais' and another report with reference to the testing protocol developed by this CCA working group.

These test reports included the results obtained from testing the samples, and **indicated** in each case the non-compliances and included different pictures of these non-compliances, as well as comments or any other relevant clarifications.

Product Information

Given the diversity of official languages of the countries participating in this CCA working group, the laboratory was only asked to check the product information for samples which were labelled in the English, French or Spanish language. A total of 13 samples, 30% of the total samples sent for testing were therefore directly checked by the laboratory. However, some other aspects concerning marking were completely tested by AIJU, such as the durability of the information on labels and the presence of pictograms.

4. OVERALL TEST RESULTS

IMPORTANT NOTE

Such statistics and percentages relate purely to the test results and should NOT in any way be interpreted as indicating the lack of safety levels within a product. Risk assessment needs to be done on each sample to determine the actual level of risk. This is discussed in 'Chapter five - Conclusions'.

It may also be worth noting that some of the tests carried out within this project may be more quality-oriented rather than safety-oriented. Therefore, one needs to be careful on the type of conclusions that one can arrive at, in particular, concerning the impact test. In such a case, there could be both a quality as well as a safety aspect depending on the type and severity of the faults found within the baby bath tub itself.

Additionally, inspectors were asked to focus mostly on the cheaper market segment with the main ambition to identify potentially hazardous products. The target of this working group was to try to send samples for testing which already showed possible signs of non-compliances and therefore the sampling was done on a random basis. Therefore the figures and percentages shown in the following slides do not represent the actual position within the European Market, but just the level of non-compliances of these samples to the respective experimental French standard and to the newly developed testing protocol by this CCA working group.

4.1 Results of tests according to the French standard XP S 54-044

The table below gives a breakdown of the number and percentage of non-compliant samples found within the 43 samples tested when tested according to the French standard XP S 54-044.

Table 1 - Results of Testing According to the French standard XP S 54-044

Clause	General description	Number of non-compliant samples	% of non-compliant samples out of the 43 samples tested
5	Construction	28	65%
5.1	General requirements	0	0%
5.2	Detachable or removable elements	6	14%
5.3	Static strength -	0	0%
5.4	Thermal test	0	0%
5.5	Impact test	26	60%
5.6	Test on foam mattresses	0	0%
5.7	Inflatable bathtubs or cushions attached to bathtubs	0	0%
6	Durability of Marking	22	51%

One can immediately notice that with regards to construction requirements, 65% failed these requirements. These non-compliances were attributed to test failures related to two main sub-clauses:

- Detachable or removable elements - 14% of all samples tested
- Impact test - 60% of all samples tested.

Further information is given below relating to the tests carried out for each clause of this standard.

Clause 5.1 General requirements

It was checked by visual inspection that the samples had been designed to minimise any risk of pinching, cutting or injury to the child and the user.

RESULTS: The tested samples passed this requirement.

Clause 5.2 Detachable or removable elements

The component or part of a component that is removed (with a force applied until 90 N), whether intended to be removed without the use of a tool or not, shall not fit entirely within the small parts cylinder.

RESULTS: (Same results of Clause (v) Choking hazards of the PROSAFE protocol)
6 of the 43 tested samples did not pass this test. Detected small parts were mainly due to plastics labels and plugs that were detached during the tensile test (refer to Figure 7).



Figure 7 - Detachable or removable elements

Clause 5.3 Static strength

The BBT was filled with water to 10 mm from the lowest point of the rim (usable volume) and left for 15 min. This test was carried out before and after the impact test indicated in 5.5.

RESULTS: The tested samples PASSED this requirement.

To Note: With regards to the 'Static strength test' and 'Thermal test', the laboratory used the 'usable volume' of the BBT, as defined in point 5.11.1 of EN 12221-2, that is, the BBT was filled with water to 10 mm from the lowest point of the rim and not the whole volume of the BBT.

Clause 5.4 Thermal test

The bath tub was filled to a quarter of the usable volume with water heated to $90^{\circ}\text{C} \pm 2^{\circ}\text{C}$ and then left for 5 minutes. The remaining three quarters of the usable volume were then filled with water ranging in temperature between 5°C and 15°C and the bath tub was then left for a further 5 min. Finally, it was checked that the BBT did not have visible damages.

RESULTS: The tested samples passed this requirement.

Clause 5.5 Impact test

This test was carried out first according to 5.11.3 of EN 12221-2 (ten times at the same point in the centre of the bathtub bottom) and afterwards according to 5.5 of XP S 54-044. In this standard 10 points are distributed on the bottom of the bathtub with 10 impacts on each point. One of the impact points was at the centre of the bathtub (tested according to EN 12221-2).

RESULTS: 26 of the 43 tested samples did not pass the impact test. It may be noted that the bathtubs that did not meet this test were manufactured from less flexible plastic materials (refer to Figure 8).

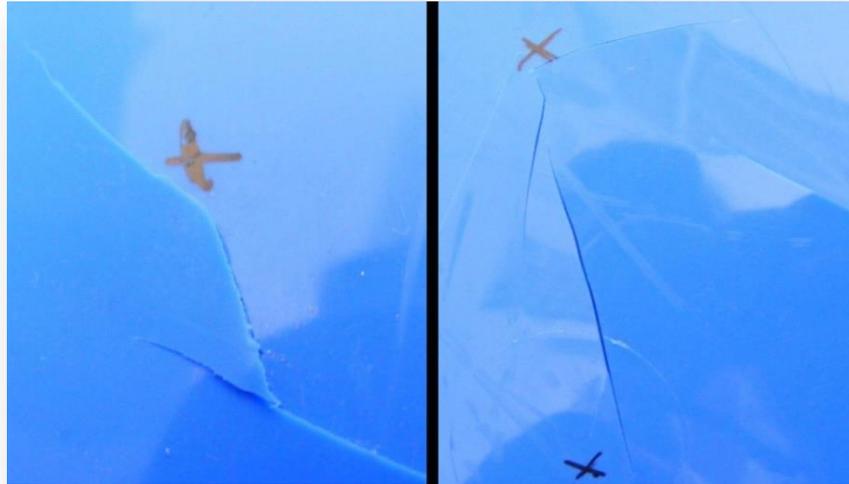


Figure 8, Sample after impact tests

Clause 5.6 Test on foam mattresses

This requirement addresses the risk of ingestion of foam if a child mouths the foam mattress of the bathtub. The thickness of foam should be less than 2 mm or covered with a film surface. Tests to this clause of the standard were not conducted as the bathtubs received did not include foam mattresses.

Clause 5.7 Inflatable bathtubs or cushions attached to bathtubs

The inflatable bathtubs were inflated to their operating pressure or 50 kPa if no pressure was specified and then a force of 5 N was applied in five points evenly distributed on the bathtub using a steel needle which had a tip with a radius of 0,5 mm. The forces were applied gradually for 5 s and maintained for 5 s.

RESULTS: The tested samples PASSED this requirement.

Clause 6 Durability of marking

This test was performed by rubbing all labels for 20 seconds with a cotton cloth dampened in water. After this operation was carried out, it was then verified if the text was clearly legible or not.

RESULTS: 22 of the 43 tested samples failed this test. The non-conforming labels were paper labels with different product information (refer to Figure 9).



Figure 9 - Sample after durability of marking test

4.2 Results of tests according to the newly developed Testing Protocol

Taking into account the results of the **physical-mechanical tests** performed, Table 2 shows the number of non-complaint samples and respective percentages found when tested against this newly developed Testing Protocol developed by the CCA working group.

Table 2 - Results of Testing according to the Testing Protocol

Clause	General description	Number of non-compliant samples	% of non-compliant samples out of the 43 samples tested
	Construction	34	79%
ii	Entrapment & Strangulation Hazards	11	26%
iii	Hazards from Moving Parts	5	12%
iv	Falling Hazards	12	28%
v	Choking Hazards	5	12%
vi	Suffocation Hazards	2	5%
vii	Ingestion Hazards	6	14%
viii	Hazardous Edges	1	2%
ix	Structural Integrity	26	60%
x	Device attaching the tub to the stand	0	0%
i	Instructions pertaining to thermal issues	13	30%
xi-c-7	Durability of Marking	22	51%

The requirements pertaining to the construction properties can be found within clauses ii, iii, iv, v, vi, vii, viii, ix and x. By far the highest non-compliance level (60%) is found in relation to structural integrity.

Clause (i) relates to product information pertaining to thermal hazards. In accordance with Commission Decision 2010/9/EU, instructions shall be given to the carers to pay attention to the temperature of the water and to prevent the child from gaining access to the tap. 30% failed to comply with these requirements.

With regard to xi-c-7, Durability of Marking, this is exactly the same test as carried out within the French standard and therefore the percentage non-compliance is the same, that is, 51%.

The following pages detail the results of each physical-mechanical test performed according to the testing protocol. The main conclusions that were obtained are explained.

Clause (ii) Entrapment of Fingers & Strangulation Hazards

In this clause the entrapment and strangulation hazards from gaps and openings and the entanglement hazards were evaluated.

(ii-a) Entrapment hazards from gaps and openings

The BBT shall be designed and manufactured in order to prevent entrapment of fingers as far as possible. To avoid entrapment of fingers, there shall be no holes, gaps or openings within the accessibility zone with:

- (ii-a.1) a width greater than 5 mm and less than 12 mm, or
- (ii-a.2) a width greater than 7 mm and less than 12 mm

Both requirements are tested in accordance with 5.3.1 of EN 12221-2 (see Figure 8).

RESULTS: 11 of 43 tested samples did not conform to above requirements. Only 7 of these 11 non-compliances had gaps with a width greater than 7 mm and less than 12 mm (see Table 2 and Figure 10).



Figure 10 - Entrapment of fingers test

Clause	Description	Non-compliant samples
ii-a	Entrapment hazards from gaps and openings	11
ii-a.1	(5 -12 mm)	11
ii-a.2	(7 -12 mm)	7

Table 3 - Entrapment of fingers

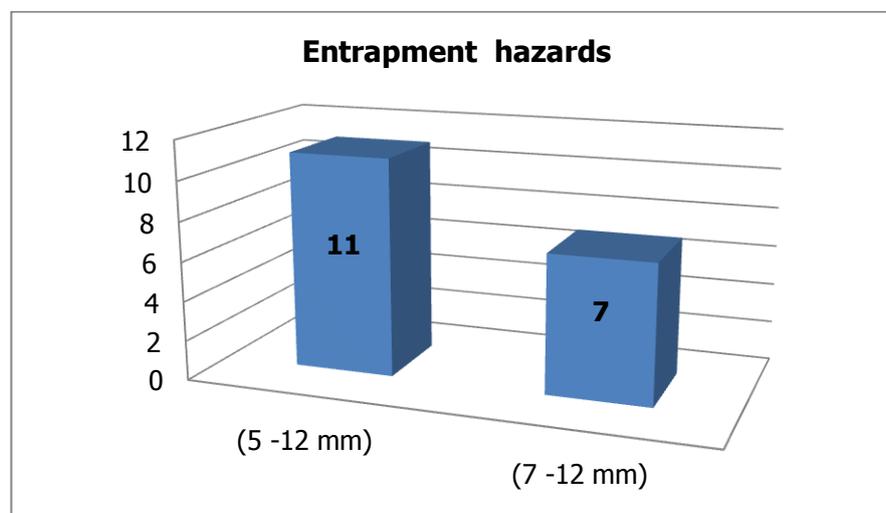


Figure 11 - Hazards related to entrapment of fingers

Most of the detected holes were completely bounded -should this be rounded and circular; and they were located in the rim of the bath tub or in the soap dispenser side.

(ii-b) Strangulation

The BBT shall be designed and manufactured to prevent strangulation. The clause is tested in accordance with clause 3.5.3 of CEN/TR 13387, considering two aspects:

- The maximum free length of a cord, strap, ribbon or other narrow fabrics should have a maximum free length of 220 mm when stretched by a force of 25 N.
- Loops should have a maximum peripheral dimension of 360 mm measured while a 25 N tensile force is applied when tested in accordance with aforesaid test.

The following measurements were made: maximum free length of cords/straps/ribbons/narrow fabrics and maximum peripheral dimension of loops, if they are present.

RESULTS: The tested samples PASSED this requirement.

Clause (iii) Hazards from moving parts

BBT's designed to fold shall have a folding mechanism that cannot be activated by a child or by inadvertent action on the part of the carer. It shall not be possible to erect the product without activating the locking mechanism. Changes to the spacing due to movement of the child, in particular when his/her weight shifts shall be forbidden to prevent crushing.

(iii-1) General

The distance between two moving parts within the accessibility zone which move relative to each other shall always be less than 5 mm or more than 12 mm throughout the entire movement. This test was performed in line with the test method of 5.3 of EN 12221-1.

This requirement is applicable to all kind of assembled bath tubs: bath and their stands and, where it is relevant, folding bath tubs.

RESULTS: The tested samples PASSED this requirement.

(iii-2) Locking and folding mechanisms

The assembled product may not be erected in a way that gives a false idea of safety and stability. The requirements for locking and folding mechanisms were taken from clause 6.3.3 of EN1888 + A1/A2/A3:2005 combined with clause 5.4 of EN 12221-1:2008.

It was checked that, when the product was fully erected and assembled for use, inadvertent release or folding was avoided due to the weight of the child.

The assembly of the bath tub shall fulfil one of the following requirements:

- a) a minimum force of 50 N is required to release the folding mechanism before and after 300 operations
- b) at least 2 consecutive actions are required to release the folding mechanism the first of which shall be maintained while the second is carried out or;
- c) at least 2 separate but simultaneous actions are required to release the mechanism, operating on different principles
- d) if the bath tub participates to the locking of the stand, more than two independent actions are required to release the bath tub and fold the stand

The requirement was checked by using the relevant mass on the product.

In addition, two test methods were applied to verify the locking and folding mechanisms.

(iii-3) - If the locking and folding mechanisms fulfilled the requirements 'b' or 'c' - Test method 5.10.1 of EN 12221-2: The product was opened and closed 300 times fully operating any associated locking mechanisms. A force of 200n was then applied at any position and in any direction on the frame where

it was considered that this would be likely to cause folding. This test was carried out 5 times at each identified point with the force being maintained for 2 mins on each occasion.

(iii-4) - If the locking and folding mechanisms fulfilled the requirements 'a' of 5.4 EN 12221-1, - Test method 5.10.2 of EN 12221-2: This test method is only applicable to check the requirement a) a minimum force of 50 N is required to release the folding mechanism before and after 300 operations. The stand shall not fold when a force of 50 N is applied by any adequate means in any direction.

RESULTS: 3 of 43 tested samples were found not to be in accordance with the requirements. In these non-conforming samples, the bath tub was involved in the locking of the stand and the stand was delete folded when the bath tub was removed because the stand on its own did not have any locking mechanisms.

On the other hand, 3 of 43 tested samples were not in compliance with the test method 5.10.1 of EN 12221-2. In these samples, the legs of the stands began to fold before applying 200 N. The test 5.10.2 of EN 12221-2 was not conducted, as the samples did not fulfil the requirement a).

(iii-5) Wheels/castors

The stand shall not be fitted with wheels or castors in accordance with 5.3.5 of EN 1466 + A1.

RESULTS: The tested samples passed this requirement.

Figure 12 and Table 4 show the overall results of this clause.

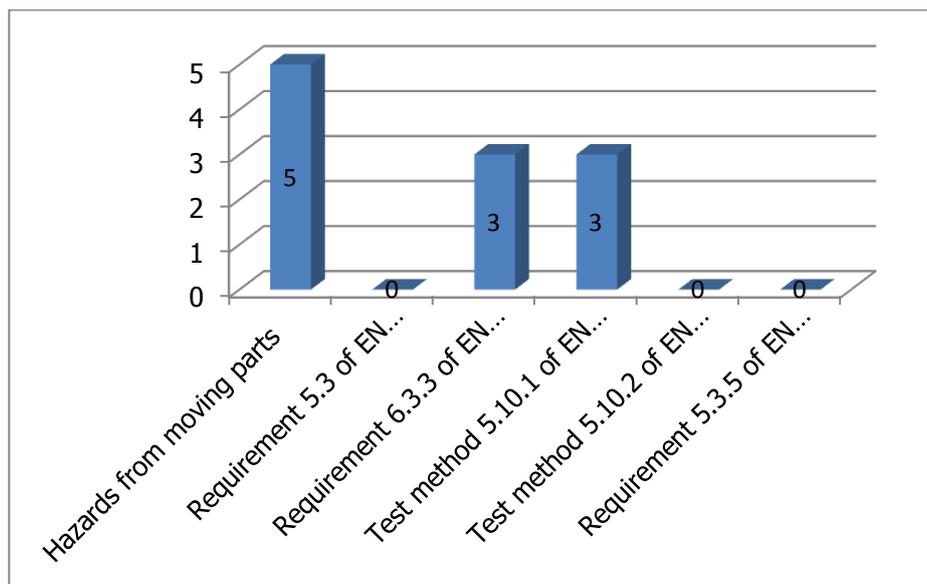


Figure 12 - Hazards from moving parts

Table 4 - Hazards from moving parts

Clause	Title	Non-compliant Samples
iii	Hazards from moving parts	5
iii.1	General Requirement	0
iii.2, iii-3 and iii-4	Locking and folding mechanisms	5
iii.5	Wheels/castors	0

Clause (iv) Falling hazards

To prevent inadequate stability, the bath and its stand shall be designed and manufactured to withstand both the weight of the child and the bath water. The bath and its stand shall not tip over under stress due to movement of the child or inadvertent movement of the carer. In particular, the article shall not tip over when a child leans in any direction or tries to stand up. The stability tests were carried out on bath tubs with stands in line with what is stated within the Commission Decision 2010/9/EU.

(iv.1) Stability of assembled product

This test was conducted in accordance with 5.3.3 and 6.6.2 of EN 1466+A1, placing the bath tub on the stand, in its position of use, on a platform inclined at an angle of 12° fitted with a stop with a load (9 kg). This test was repeated on each side of the bath tub which must not tip over during the test.

RESULTS: 8 of the 43 tested samples (15 bath tubs with stands) did not pass this test. When this test was performed on the smaller sides, in the most of the products, the ensemble bath tub-structure did tip over.

(iv-2) Specific stability test with water

For the performance of this test, the bath tub was filled with water up to a mark drawn at 7 cm from the bottom. The product should then not tip over when a 200 N force is applied vertically downwards on each of the 4 sides.

RESULTS: 11 of the 43 tested samples (15 bath tubs with stands) did not pass this test. These results are dependent on the design and geometry of the bath tub with irregular shapes being more likely to produce non-conformities.

Figure 13 and Table 5 show the overall results of this clause.

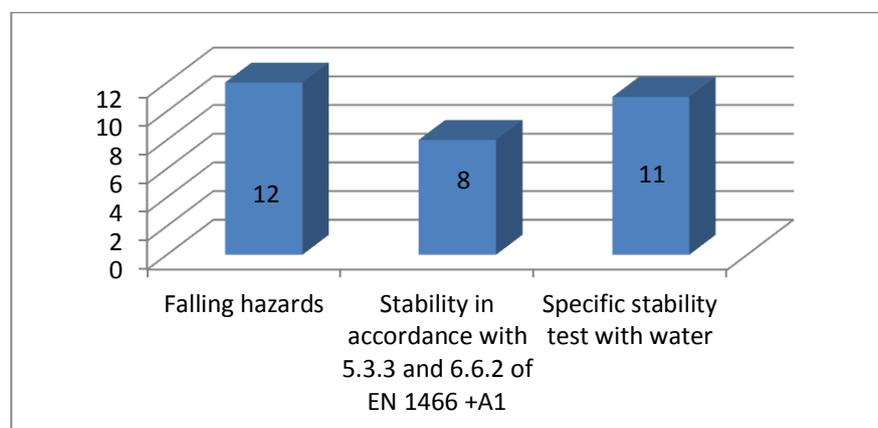


Figure 13 - Falling hazards

Clause	Title	Non-compliant Samples
iv	Falling hazards	12
iv.1	Stability in accordance with 5.3.3 and 6.6.2 of EN 1466 +A1	8
iv.2	Specific stability test with water	11

Table 5 - Falling Hazards

Clause (v) Choking hazards

To reduce the risk of choking, the article shall not comprise small parts which are detachable by the force that a child can apply and which can fit completely into a child's mouth. To reduce the risk of choking, filling materials that constitute choking hazards shall not become accessible when submitted to the force a child can apply, in particular by biting.

(v.1) - The requirements and test methods were taken from 3.6 of CEN/TR 13387: when tested any component or part of a component that is removed, whether intended to be removed without the use of a tool or not, shall not fit entirely within the small parts cylinder (see Figure 14).

(v.2) - To reduce the risk of choking, the article shall not comprise small parts which are detachable by the force that a child can apply and which can fit.

(v.3) - To reduce the risk of choking, filling materials that constitute choking hazards shall not become accessible when submitted to the force a child can apply, in particular by biting.

(v.4) - In the same way in accordance with 5.2 of EN 71-1 and its tests, scope and exclusions Soft-filled parts of a bath tub shall not comprise hazardous small parts as described above.

(v.5) - Filling from which pieces can be bitten or torn off include, for example, plastic foam.



Figure 14 - Small parts test and cylinder

RESULTS: 5 of the 43 tested samples failed this test. Detected small parts were mainly due to plastics labels and plugs that became detached during the tensile test.

Overall results of this clause are shown in Figure 15 and Table 6.

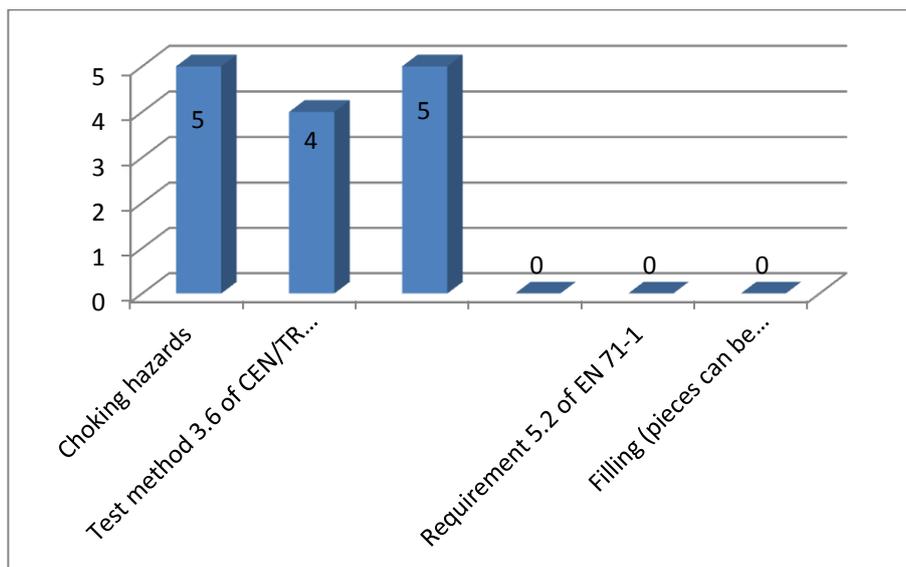


Figure 15 - Choking Hazards

Clause	Description	Non-compliant Samples
v	Choking hazards	5
v.1	Test method 3.6 of CEN/TR 13387	4
v.2	The article shall not comprise small parts which are detachable by the force that a child can apply and which can fit entirely within the small parts cylinder	5
v.3	Filling materials that constitute choking hazards shall not become accessible when submitted to the force a child can apply, in particular by biting	0
v.4	Requirement 5.2 of EN 71-1.	0
v.5	Filling from which pieces can be bitten or torn off include, for example, plastic foam	0

Table 6 - Choking Hazards

Clause (vi) Suffocation hazards

The article shall not comprise plastic decals which are detachable by the force a child can apply or other impermeable sheeting of the bath tub which can cover both the mouth and the nose and constitute a suffocation hazard. The packaging in which the articles are contained must not constitute a risk of suffocation by obstructing the mouth and nose airways.

The requirements and tests were drawn from clause 3.7 of CEN/TR 13387. Also, clause 8.6.2 of EN 1888 “Plastic packaging” was considered as an alternative to CEN/TR 13387. If the product did not comply with CEN/TR 13387, then it was tested according to EN 1888. The bath tub shall not comprise such plastic decals including transfers, plastic labels, adhesive labels or other impermeable sheeting which are easy detachable by the force a child can apply.

RESULTS: 2 of the 43 tested samples failed this test due to the average thickness of the packaging bag being less than 0,038 mm.

Clause (vii) Ingestion hazards

To reduce the risk of ingestion, the article shall not comprise separate or small parts which are detachable by the force a child can apply and which can pass into the oesophagus.

The requirements and tests were drawn from clause 3.8 of CEN/TR 13387. When tested in accordance with 3.8, any component or part of a component that was removed, whether intended to be removed without the use of a tool or not, must not fit wholly within the small parts cylinder (equivalent to 5.2 of XP S 54-044).

RESULTS: 6 of the 43 tested samples failed this test. Detected small parts were mainly due to plastics labels and plugs that became detached during the tensile test.

Clause (viii) Hazardous edges

Accessible edges shall be designed to prevent lacerations and wounds, especially edges in direct contact with the skin of the child.

This requirement was tested in accordance with 5.2 of EN 12221-1: edges and protruding parts accessible in normal use shall be rounded or chamfered and free of burrs.

RESULTS: 1 of the 43 tested samples did not fulfil this requirement. This sample had a hole with burrs (refer to the Figure 16).



Figure 16 - Burr on an accessible part

Clause (ix) Structural integrity

To prevent collapsing or breaking of components likely to cause physical injury, the article shall be able to withstand mechanical stress to which they are subjected during use and thus prevent the disassembling or breaking of components that could cause injuries. To prevent degradation of components likely to cause injury, material used to manufacture bath tubs and stands shall have characteristics that maintain performance during the lifetime of the product, in particular taking into account thermal changes.

(ix.1) Static strength test

This test was conducted according to 5.11.1 of EN 12221-2: the BBT was placed in the position ready for use and filled with water up to 10 mm from the lowest point (usable volume) of the rim and then left for 15 min. This test was carried out before and after the impact test indicated in 5.11.3 (equivalent to clause 5.3 of XP S 54-044).

(ix.2) Thermal test

This test was conducted according to 5.11.2 of EN 12221-2 (equivalent to clause 5.4 of XP S 54-044). The bath tub was filled to a quarter of the usable volume with water heated to $90^{\circ}\text{C} \pm 2^{\circ}\text{C}$ and then left for 5 mins. The remaining three quarters of the usable volume were then filled with water ranging in temperature between 5°C and 15°C and the bath tub was then left for a further 5 min. After this two-step procedure it was checked that the BBT did not have visible damages.

To Note: It is worth noting that with regards to both the '*(ix.1) - Static strength test*' and '*(ix-2) - Thermal test*', the laboratory used the 'usable volume' of the BBT, as defined in point 5.11.1 of EN 12221-2, that is, the BBT was filled with water to 10 mm from the lowest point of the rim and not the whole volume of the BBT.

(ix.3) Impact test

This test was performed in two stages:

- In accordance with 5.11.3 of EN 12221-2, the test was carried out ten times at the same point in the centre of the bathtub bottom.
- In accordance with 5.5 of XP S 54-044, the test was performed once on 10 points distributed on the bottom of the bath tub. One of these points was at the centre of the bathtub bottom, as per testing to 5.11.3 of EN 12221-2 with the other 9 points being distributed elsewhere.

(ix.4) Strength of stands

The stands were tested in accordance with requirement for strength of stands 5.3.2 and test 6.6.1 of EN 1466+A1. They were loaded with 38 kg and then checked to make sure that no breakages or any permanent distortion had occurred which prevented their normal operation.

RESULTS: 26 of the 43 tested samples failed the impact test but only 8 of them failed the test method of EN 12221-2 (see Fig. 17 and Table 7). There were not detected non-conformities for static strength, thermal test and strength of stands.

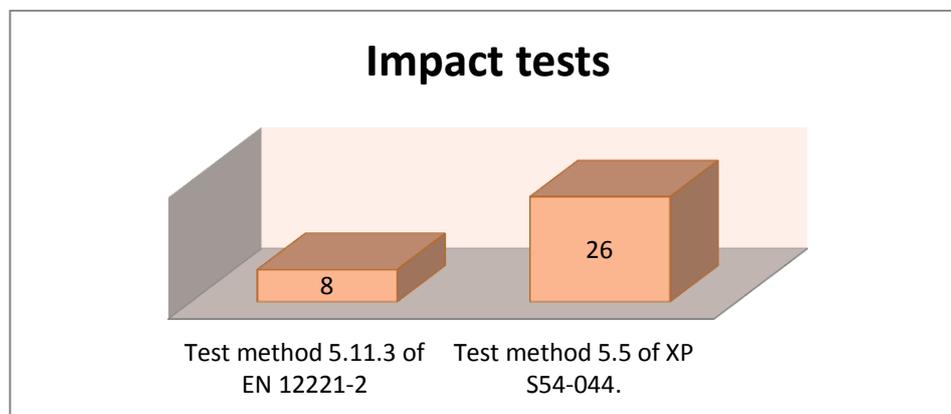


Figure 17 - Structural integrity results

Clause	Title	Non-compliant Samples
ix	Structural integrity	26
ix.1	Static strength	0
ix.2	Thermal test	0
ix.3	Impact test	26
ix.3.1	Test method 5.11.3 of EN 12221-2	8
ix.3.2	Test method 5.5 of XP S 54-044	26
ix.4	Strength of stands	0

Table 7 - Structural Integrity: Results

In the light of results, one can conclude that the most decisive test is the impact test when it is performed according to clause 5.5 of French standard XP S 54-044. The difference between the tests performed according to clause 5.11.3 of standard EN 12221-2 and clause 5.5 of XP S 54-044 relates to the number of impact points performed on the base of the bath tub. In accordance with clause 5.11.3 of standard EN 12221-2, the impact test is only performed on the central point of the base of the bath tub as opposed to clause 5.5 of XP S 54-044, where impact tests are performed on ten points of the base of the bath tub, including the central point (refer to Figure 18).

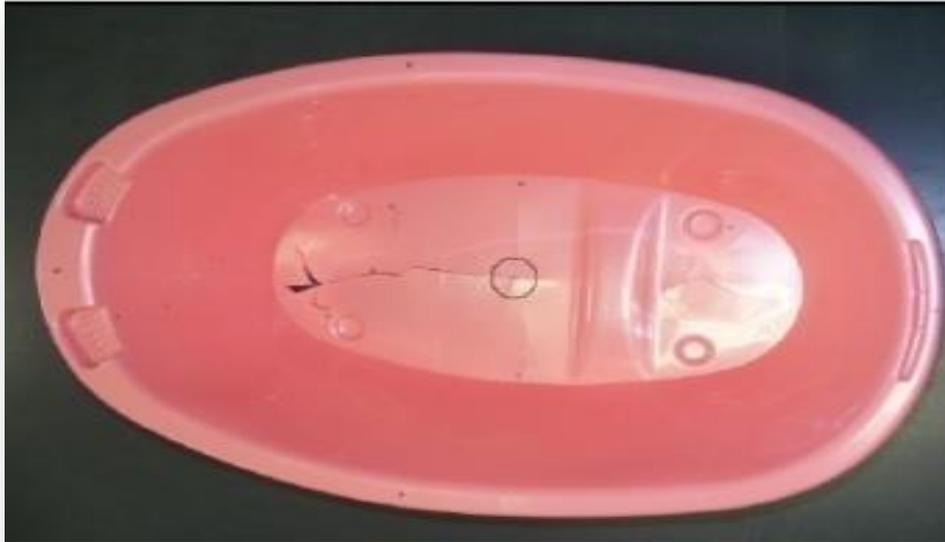


Figure 18 - Sample after impact tests

Clause (x) Device attaching the tub to the stand

Any device attaching the tub to the stand shall be able to withstand the mechanical stresses to-delete which they are subjected to during use.

This test was performed according to the stability requirement 5.3 and test 6.6.2.1 of EN 1466 A1. It was checked that the assembled product was retained on the stand when it was loaded with 9 kg and then placed both perpendicular and parallel to a slope - incline of slope not stated

In relation to baths inflatable cushions or added to bath, the test according with 5.7 of XP S 54-044 was conducted - not sure what this is supposed to mean. The bath was inflated to the operating pressure or 50 kPa if no pressure was specified and a force of 5 N was then applied on five points evenly distributed on the article using a steel needle with a tip radius of 0,5 mm (force gradually applied the force-delete for 5 s and maintained for 5 s).

RESULTS: The tested samples passed this requirement.

4.3 Product Information

Product information was checked directly by the laboratory of AIJU with regards to those samples where English, French or Spanish was the official language of the sampling country. Therefore, 13 samples were checked by the laboratory itself. However, this section focuses on product information derived from all 43 samples through the checklists collected from all market surveillance authorities.

Important Note

The scope of the information presented in this section is only to give a generic indication of the situation with regards to product information found on the 43 samples tested. Although the checklist was quite clear, certain inspectors may have possibly interpreted certain parts of the checklists in a different ways. Therefore the figures shown in this section cannot be taken as representing the precise situation with the 43 BBT samples but should rather be used to gain a general idea of how the product information was provided on the samples.

An additional number of other baby bathing products (24 baby bathing aids and 14 baby bath rings/ baby seats) were also inspected by the market surveillance authorities and the same checklists were used to identify the level of any non-compliance with product information requirements.

Table 8 - Breakdown of Non-compliances related to Product Information

		PRODUCT INFORMATION (Based on Checklists)			
		Percentage of Non-Compliances			
		Baby Bath Tubs 43 Checklists	Bathing Aids 24 Checklists	Bathing Rings 14 Checklists	All Checklists 81 Checklists
	PRODUCT	95%	100%	79%	94%
3b	INFORMATION - Information on age and for weight and/or ability of the baby shall be given to the carer	65%	63%	43%	60%
4.1	WARNING! Always keep infant within adult	47%	33%	36%	41%
4.2	Drowning can occur in a very short time and in very shallow water.	84%	79%	71%	80%
4.3	WARNING! DROWNING HAZARD	72%	79%	43%	69%
4.4	Should be accompanied by PICTOGRAMS	49%	42%	43%	46%
4.5	The warning label should be durable and should remain visible when child is bathing	63%	29%	29%	47%
4.6	IN THE CASE OF BATHING AIDS ONLY, Warnings and instructions for use shall clearly state that the maximum level of water to prevent water entering into the child's		54%		54%
	INSTRUCTIONS FOR USE	93%	100%	93%	95%
3a	INFORMATION - Information should be in the official languages of the Member State in which the product is marketed.	35%	25%	29%	31%
3b	INFORMATION - Information on age and for weight and/or ability of the baby shall be given to the carer	53%	33%	0%	38%
4.1	WARNING! Always keep infant within adult	40%	25%	29%	33%
4.2	Drowning can occur in a very short time and in very shallow water.	72%	79%	64%	73%
4.3	WARNING! DROWNING HAZARD	63%	54%	43%	57%
4.4	Should be accompanied by PICTOGRAMS	58%	46%	43%	52%
4.6	IN THE CASE OF BATHING AIDS ONLY, Warnings and instructions for use shall clearly state that the maximum level of water to prevent water entering into the child's		63%		63%
5.1	Instructions on Temperature of water	49%	38%	29%	42%
5.2	Statement regarding assembly fittings	38%	46%	14%	36%
5.3	Statement on stability of assembled products to be checked each time when	36%	46%	29%	38%
5.4	Instructions on Packaging ... "Plastic bags can be dangerous..."	62%	29%	64%	52%

Table 8 shows the level of non-compliances with product information found on the *product itself* and also on the *instructions for use*. 81 baby bathing products were checked in total:

- 43 BBT samples (which were sent for testing)
- 24 baby bathing aids
- 14 baby bath rings/ baby seats

Information on the Product

It is clear from Table 8 that there seems to be quite a lack of information on the products when compared to the requirements identified within Commission Decision (2010/9/EU). Of course, one needs to remember again that there is currently no European standard. However, certain information related to drowning hazards is considered to be quite important for such products.

An average of 80% of the products checked did not have any information for consumers which stated that drowning could occur in a very short time. 69% of the products checked did not have the specific warning “WARNING. Drowning hazard” and 46% did not have a related pictogram.

The level of non-compliance with product information on instructions for use was also relatively high with 73% of the products checked not having any information for consumers which stated that drowning could occur in a very short time. 57% of the products checked did not have the specific warning. Drowning hazard” and 52% did not have a related pictogram.

Table 9 - Summary of Product Information on the Product itself only

		PRODUCT INFORMATION (Based on Checklists)			
		Percentage of Non-Compliances			
		Baby Bath Tubs	Bathing Aids	Bathing Rings	All Checklists
		43 Checklists	24 Checklists	14 Checklists	81 Checklists
ON THE PRODUCT ONLY					
4.1 or 4.4	ON PRODUCT: WARNING! Always keep infant within adult reach OR a PICTOGRAM	41%	21%	36%	34%
4.2 or 4.3	ON PRODUCT: Drowning can occur in a very short time and in very shallow water. OR WARNING! DROWNING HAZARD	75%	75%	36%	68%
4.1 or 4.2 or 4.3 or 4.4	ON PRODUCT: Any warnings or Pictogram (from either 4.1 / 4.2 / 4.3 / 4.4)	41%	21%	29%	33%

Table 9 gives an overview of the level of non-compliance with product information found on the actual products themselves. The last column on the right of the table shows the average level of non-compliances found with all of the 81 baby bathing products checked by the market surveillance authorities.

The specific percentage levels of non-compliances solely in relation to baby bath tubs, baby bathing aids and baby bath rings is also shown within Table 9.

An average of 34% of all the 81 samples checked did NOT have the warning “WARNING Always keep infant within adult reach” or a related pictogram.

Additionally, 68% out of all the 81 samples checked did not have any information that drowning could occur in a very short time or the warning “WARNING! DROWNING HAZARD”.

Even more worrying was the fact that 33% of the 81 products checked did not have any warnings or pictograms on them. Parents or carers may not be fully aware of the drowning hazards associated with these products and therefore it is important that such products have a bare minimum of product information on them.

5. CONCLUSIONS

As indicated earlier on in this document, the test results only show the level of non-compliance found when the samples were tested according to the French standard XP S 54-044 and the newly developed testing protocol. Ultimately, market surveillance authorities needed to perform risk assessments in order to identify the level of risk found within such products. This is highlighted within section 5.1 of this chapter.

The action and measures taken by market surveillance authorities needed to take into account the level of risk found with the respective samples, whilst also considering other aspects too. Further information is found within section 5.2 of this chapter.

5.1 Risk Assessment

Focusing solely on the 43 BBT samples sent for testing, 4 samples (representing 9% of the 43 samples tested) were identified as having a ‘*serious risk*’. This is the highest risk that a market surveillance authority can identify according to the common methodology used amongst market surveillance authorities. It is interesting to note that, besides other factors, the 4 samples that were classed as having a serious risk had non-compliances which mainly related to falling hazards and structural integrity test failures in accordance with the newly developed testing protocol. They also had non-compliances in relation to impact tests carried out in accordance with the French standard XP S 54-044. Additionally, all 4 samples had complete non-compliances for product information as indicated in Table 8 above.

Another 4 samples (representing a further 9% of the 43 samples tested) were found to have a ‘*high risk*’. This meant that a total of 18% of all samples tested had either a high risk or a serious risk.

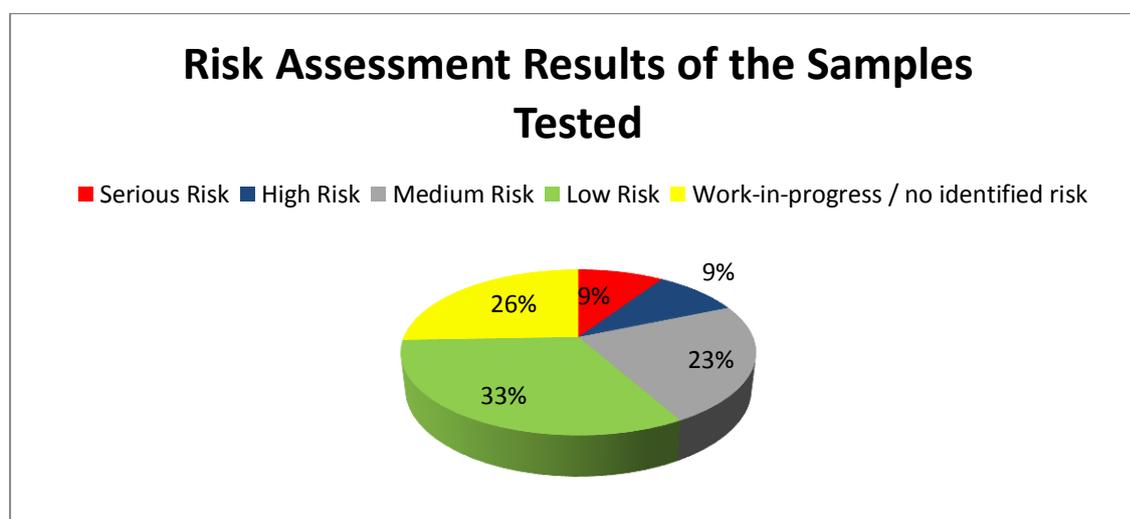


Figure 19, Risk Assessment Results of the Samples Tested

On taking a look at the number of medium to low risks that were identified in the test samples, 10 of the samples (representing 23% of the 43 samples tested) were found to have a ‘*medium risk*’ whilst 14 samples (representing 33% of the 43 samples tested) were found to have a ‘*low risk*’. The remainder of the samples were either found not to pose a risk or they are currently still being reviewed for a final decision on by the respective market surveillance authorities. This means that 56% of all of the products tested had either a low or medium risk identified by the respective market surveillance authorities.

For more information on how market surveillance authorities perform risk assessment, please refer to the risk assessment training module within the PROSAFE E-Learning Portal <http://elearn.prosafe.org/>.

5.2 Actions and Measures taken

These risk assessment results helped the market surveillance authorities to determine the final actions, measures that they needed to take. If a product was found to present an unacceptable level of risk to consumers, market surveillance authorities would need to take appropriate measures to manage the risk.

Other considerations are usually taken into account by the respective market surveillance authorities when determining the final measures to be taken. These may include the actual number of products on the market, the share of non-compliant products, how easy it is to remove the risk, how obvious the risk is to consumers and various other factors.

It is very positive to see that the cooperation between economic operators and the market surveillance authorities in most cases was very solution-focused in order to eliminate the risks with products. Around **70%** of the measures taken were actually taken voluntarily by the economic operators, in coordination with the respective market surveillance authorities. Actions and measures taken for the different products are shown in Table 10 below and in Figure 20.

It is important to note that some product evaluations are still on-going.

Before delving into the measures taken in more detail, it is worth giving a generic explanation of the kinds of measures usually taken by market surveillance authorities:

No action - No action is taken by the respective market surveillance authorities when there are no safety issues found with products or the risk is so minimally low that no further action is required at that point in time.

Minor measures - Manufacturer takes measures to eliminate risks posed by products in line with directions provided by the respective market surveillance authority. For example minor design changes, minor changes in production or quality control, minor update of marking etc.

Sales ban - Product is prohibited from sale permanently or during a certain time-frame / period. This could be either voluntarily be done by the economic operator or enforced directly by the market surveillance authority.

Withdrawal - In line with the definition found in Directive 2001/95/EC, this means any measures aimed at preventing the distribution, display and offer of a product which is dangerous to consumers.

Recall - In line with the definition found in Directive 2001/95/EC, this means any measure aimed at achieving the return of a product that has already been supplied or made available to consumers by the producer or distributor.

Table 10 - Summary table of measures of 43 BBTs:

Summary Total	43	%	Enforced measures
No action	7	16%	NA
Minor measures / possible minor conditions imposed on economic operator.	26	60%	6
Sales ban and/or Withdrawals	8	19%	4
Recalls	0	0%	NA
Under evaluation	2	5%	NA

Measures taken by Market Surveillance Authorities

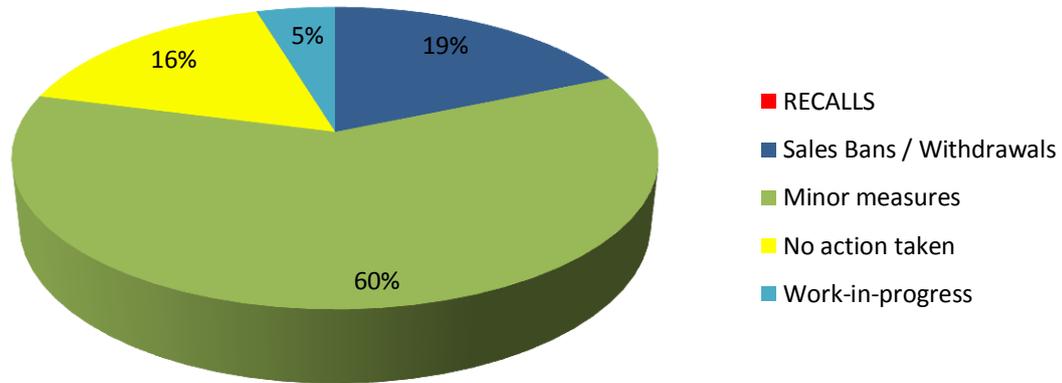


Figure 20, Measures taken by the Market Surveillance Authorities

You will immediately notice from Figure 20 that no recalls were required by the market surveillance authorities. However, 8 samples out of the 43 samples tested (19%) ended up with sales bans and/or withdrawals. It is also worth noting that the market surveillance authorities issued 4 RAPEX alerts on 4 out of these 8 samples.

26 samples ended up with just minor measures being taken by the market surveillance authorities, representing 60% of all the products tested. No action was taken on 7 of the samples tested and two samples were still under evaluation at the time that this report was published.

ICSMS

A number of market surveillance authorities have included the results and action taken within the ICSMS (Internet Supported Information and Communication System for Market Surveillance) in order to update other market surveillance authorities which were not directly involved in this CCA working group.

6. RECOMMENDATIONS

6.1 Proposals and considerations related to a European standard for Baby Bath Tubs

It is important to note that representatives from the respective technical committees of CEN attended various open-session meetings organised by the CCA working group. There has been good collaboration throughout and the CCA working group appreciated the technical input given by these representatives. Indeed, this has also helped to further improve the overall technical effectiveness of this project.

Major risks and hazards to be covered by a future standard for BBTs and their stands

A complete risk assessment was carried out in view of the Commission decision on safety requirements to be met by European standards for three baby bathing products for infants and young children.

The main hazards identified through this project were: drowning hazards, hazards related to structural integrity, falling hazards and entrapment of fingers.

Others hazards such as ingestion hazards, choking hazards, hazards from moving parts, suffocation hazards and hazardous edges were also present but to a lesser degree.

This risk assessments carried out by the market surveillance authorities allowed them to take into account the specific hazards of these child-care articles.

The standardisation mandate specifies that for the development of the standard, attention should be paid to the child's stage of development (ability, weight, age etc.): BBTs are designed for bathing children from birth up to 12 months, so test methods should take this into account. Any new standard for BBTs should particularly have regard to the hazards mentioned above before finalising the best way forward.

Most important warnings, marking and instructions for use, that should be properly displayed on BBT products

No testing requirements can cover the drowning hazard directly. However, baby bathing products are one of those few product groups that can be said to have a considerable high risk if no warnings are displayed to the parents and carers who purchase these products.

It is extremely important that parents and/or carers who will be using these products for the bathing of babies should easily and quickly be able to recognise the risks associated with these products by having clear warnings and markings.

Ultimately, it is important that warnings and markings are shown on products, instructions for use, packaging and purchase information at the point of sale, taking into account the requirements identified by Commission Decision 2010/9/EU.

Some additional considerations

Below are some additional points and opinions worth noting concerning particular issues with the information found on BBTs.

➤ **Purchase Information at the point of sale**

Purchase information at the point of sale is regarded to be the information on the packaging, and/or when the BBT is sold without packaging this information should be visible on the product.

Article 5 of GPSD specifies the distributor's obligations "1. *Within the limits of their respective activities, producers shall provide consumers with the relevant information to enable them to assess the risks inherent in a product throughout the normal or reasonably foreseeable period of its use, where such risks are not immediately obvious without adequate warnings, and to take precautions against those risks.*"

➤ **On the PACKAGING, on the PRODUCT and in the INSTRUCTIONS for use**

All information (text and pictograms) should make it explicitly clear that close assistance of an adult is necessary. For example, the representation of a child in the bathtub must be accompanied by the representation of a carer who is watching.

Packaging, product, and instructions for use shall bear a warning similar to one of the following:
“**WARNING !** To prevent drowning, always keep your child close at hand”

And a pictogram :



The warning label shall be durable and should remain visible when the child is in the bathtub.

➤ **On the PRODUCT and in the INSTRUCTIONS for use**

Information on the vulnerable age range of children shall be provided to carers (less than 12 months), for example “*from birth up to 12 months*”.

➤ **In the INSTRUCTIONS for use**

▪ **Drowning hazard**

Within the ‘instructions for use’ there should be instructions similar to the following:

“*These article do not provide any additional safety related to water hazards*”

The Warning shall be completed with sentences similar to the following:

“*Drowning can happen very quickly and can occur in very shallow water (2cm)*”

“*While bathing the baby, do not answer the phone, do not answer the door when someone rings.*”

“*If you must leave the bathroom take your child with you*”

▪ **Burning hazard**

Within the ‘instructions for use’ there should be instructions given to pay attention to the temperature of the bath, similar to the following:

“*Always check the water temperature before putting the baby in the bath (Ideal temperature 37° C).*”

Instructions shall be given to prevent the child from gaining access to the tap.

6.2 Market Surveillance Authorities & Customs

The CCA working group learnt some lessons which might be useful to market surveillance authorities and future joint market surveillance activities across Europe.

When it comes to the checking of product information at European level, it was found to be very difficult to do this via checklists. It is therefore strongly recommended that future joint actions should ensure that all such information is checked directly by one source, ideally, the laboratory itself where the testing will be done. This will ensure that all checklists are checked independently and also by the same entity, providing results which may be much more reliable in the long run.

Tendering for the testing of products at European level has been found to be very useful. It not only ensures that all tests are mainly done by one laboratory but economies of scale will also ensure that the prices quoted by the laboratories, due to the higher number of samples tested, will be much more competitive. This usually results in laboratories being able to perform additional tests for the same amount of budget, thus ensuring efficiency amongst market surveillance authorities across Europe.

Checklists were found to be useful in assisting the respective inspectors in checking and investigating a number of samples which could eventually be acquired for testing purposes. This ensured that market surveillance inspectors were able to perform adequate preliminary investigations before choosing a particular sample for testing.

During the last CCA meeting held in December 2013, Customs checklists were drafted. This was done specifically with the intention that they should be very easy to understand and simple to go through. These checklists will be eventually be handed over to the Customs-Market Surveillance Working Group coordinated by DG-TAXUD which has already developed a number of product safety checklists on a various number of product groups.

One last point worth noting is that some market surveillance authorities, such as the Swedish Consumer Agency, have in fact published brochures on the risks found in childcare articles, mainly targeting parents and carers. The brochures are in various languages to ensure that they reach all parents / carers within Sweden and are also available on the [website](#).

A copy of one of these brochures is shown in Annex 1 of this document. Market surveillance authorities may consider developing brochures similar to the one shown in Annex 1 or provide information within their own respective websites. Ideally, this will be done in liaison with respective consumer organisations in order to ensure that consumers are aware of the main risks associated with such products.

6.3 Consumers

ANEC has been involved in this project from the start. Indeed, there is wide acceptance from all of the stakeholders involved in this project that one of the most important areas that need to be addressed on baby bathing products is the importance of having adequate information and warnings on them.

During the project, there was also an initiative to try and develop a simple brochure or a short video which could then be distributed to various consumer and market surveillance websites across Europe. Unfortunately, there was not enough time to do this within this project. However, there is nothing to stop this initiative continuing after the project.

As indicated within the section on risk assessment, the drowning hazards associated with baby bathing products is very high and unfortunately a number of accidents do occur across the world. An educational campaign in this area, targeting parents and carers, could possibly help to save lives in the future and therefore it is hoped that something can be done in this respect in the near future, possibly between ANEC, other European consumer organisations such as BEUC and market surveillance authorities as well.

6.4 Economic Operators

Although the CCA Working Group had-delete invited various external stakeholders to take part in this project, representing business and economic operators at European level, only one European Organisation actually attended a number of the CCA meetings. This was ENPC, the European Nursery Products Confederation. The CCA working group had good cooperation with ENPC throughout the project.

The results of this project show that economic operators need to be more aware of the hazards and risks associated with baby bathing products. Although there is no relevant European standard in place at this moment in time, it is very clear that product information is of particular importance on such products. Therefore, healthy discussions between all of the various stakeholders could help to identify further possible initiatives in this area so that the best way forward can be taken together.

7. REFERENCES

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4. EN 12221-1/2:2008 “Changing units for domestic use”.
5. EN 1888:2012 “Child care articles - Wheeled child conveyances - Safety requirements and test methods”
6. EN 1466:2004+A1:2007 “Child care articles - Carry cots and stands - safety requirements and test methods”
7. EN 1888:2003 +A1,A2,A3:2005 “Child care articles - Wheeled child conveyances - Safety requirements and test methods”
8. Commission Decision of 6th January 2010 on the safety requirements to be met by European standards for bath rings, bathing aids and bath tubs and stands for infants and young children pursuant to Directive 2001/95/CE of the European Parliament and of the Council (notified under document C (2009) 10290) (OJEU L 3/23, 7.1.2010).
9. LNE Report - Child Care And Child Use Products: Inventory, Risk assessment and safety requirements 30 April 2008 as amended in December 2008
10. PROSAFE’s Online E-Learning Portal on Risk Assessment: <http://elearn.prosafe.org/>
11. The General Product Safety Directive 2001/95/EC
12. The RAPEX Guidelines - Commission Decision 2010/15/EU
13. The EC Website on Risk Assessment Guidelines: <http://europa.eu/sanco/rag>
14. French experimental standard XP S 54-044:2003 “Baignoires pour enfants. Exigences de sécurité et méthodes d’essais”.

Annex 1 - Brochure published by the Swedish Consumer Agency to inform Consumers about certain risks related to childcare articles.

ENGELSKA

SÄKRA BARN

TRYGGA FÖRÄLDRAR

Safe Children Happy Parents

Children explore their surroundings with great curiosity, unaware of all the risks that exist around them. For this reason, you as an adult need to keep a step ahead in order to prevent accidents. The best thing you can do is always to keep an eye on your child.

Chemical products
Store chemical products in such a way that your child cannot get hold of them. Take special care with medicines, petroleum products such as lighter fuel and corrosive products such as dishwasher powder. They can cause serious poisoning and burn injuries. Do not trust in so-called childproof lids; sometimes they do not work as they should. Pesticides for, for example, ants and insects should be stored so that a child cannot come into contact with them.
If you suspect that your child has swallowed something poisonous – ring 112 and ask for the Swedish Poisons Information Centre (Giftinformationscentralen).

Electronic equipment
When you have unpacked electronic equipment – ventilate the room before your child spends any time in it. You should also ventilate the room if low-energy lamps or lighting tubes have broken. Take great care with the broken pieces, as they contain mercury. For this reason, do not Hoover up broken lamps. Instead put them in a glass jar and hand them in as environmentally hazardous waste at a recycling centre.

Electrical safety
Electrical products can be dangerous if misused. Children do not realise this, so avoid buying electrical products that resemble toys. Electric sockets should have socket covers so that your child does not have access to them. If they are not protected from the outside, there are covers that you can buy to block the socket.



Water
Children must always have a life jacket suited to their weight on the jetty or in the boat. Ponds, swimming pools and swimming baths are exciting but can also be dangerous. Small children can be protected by erecting a fence with a lockable gate or installing a childproof pool cover for when the swimming pool is not in use. Never leave a child alone near water; a swimming pool or bathtub! Using a bathing chair does not increase safety. Bear in mind that a child can drown in very shallow water.

Soap, shampoo and skin cream
Your child's skin is sensitive. For this reason, do not use soap, skin creams or wet wipes unnecessarily. Avoid products that have a fragrance and those that are treated with antibacterial agents.

Protection against the sun and mosquitoes
Clothes are the best protection for your child. Mosquito repellents contain powerful chemicals and should not be used on children under 3 years of age.

Baby walker
Be aware that in a baby walker a child moves more rapidly and can reach higher than without a walker, which means that the risks increase. Do not let your child use a baby walker close to the top of the stairs. Baby walkers can cause serious injury if a child goes down the stairs in one.

Cot with bars
A bumper pad for your cot will prevent your baby getting stuck in the bars. Fix the pad at the base of the cot outside the mattress. Check subsequently that there are no screws or bars that have come loose in the cot. Lower the base of the cot to its lowest level before your child can sit up on his own. If your child begins to climb out of the cot, change to a cot without high sides.

Travel cot
If you use a folding bed for your child – check carefully that the bed has been folded correctly and cannot collapse of its own accord. Follow the instructions accompanying the bed.



Child's high chair
Always keep an eye on your child so that he does not stand up in the chair, lose his balance and fall out. The chair can tip if the child puts his feet up against the edge of the table and pushes. One way of avoiding accidents of this kind is to fix the chair to the table. There are special "anchors" for sale to fix high chairs.

Carry cot
Check that the straps are properly attached and cannot come loose when you carry baby in the carry cot. The carrying straps should not be inside the carry cot when your baby is lying in it, as baby risks being strangled if he gets entangled in the straps.

Baby carrier
The leg openings for baby's legs should not be too big; the baby should not be able to slip out of the carrier. Remember, too, that baby needs proper support for her head before she can hold her head up on her own.



Pram/Pushchair
Check that the flat base and the seat, wheels and handles are securely attached to the chassis when you use the pushchair. Do not hang bags on the handles, as the chair risks tipping over, and remember to lock the brakes every time you stop the pushchair.
If your baby cannot sit up unaided, he should lie flat in the pushchair as his back is not strong enough to sit. When your baby has begun to sit up unaided, he can wear a harness. The harness must be adjusted to the size of the baby, so that he cannot get entangled in it and throttle himself. Make sure the chair also has reflectors.

Feeding bottles
Take care with your baby's feeding bottles. Avoid warming cereal and baby food in feeding bottles and plastic packaging. Chemical substances can leak from the plastic. Discard scratched feeding bottles and packaging, as they increase the risk of harmful substances leaking into the food.

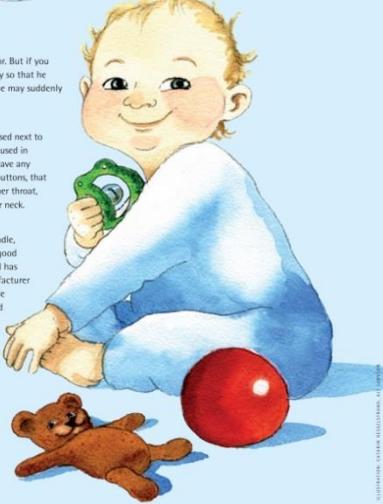
Soothers and soother holders
Change dummies regularly. Check that there are no bite marks in the teat. Pull on it to check that it is one piece. If you use a soother holder, the ribbon should not be too long – max. 22 cm. There must be no risk of baby getting the ribbon round his neck.



Changing table
The safest place to change your child is on the floor. But if you use a changing table – always keep a hand on baby so that he does not fall off. Your baby develops quickly and he may suddenly make movements that you are not prepared for.

Clothes
Wash new children's clothes and bedclothes to be used next to the skin. They may contain residues from chemicals used in manufacture. Check that children's clothes do not have any small pieces such as, for example, decorations and buttons, that might come loose and which your child can get in her throat, or long cords or strings which she can get round her neck.

Bouncing cradle
Your child should be properly strapped into the cradle, but do not let him sit in it for too long – it is not good for his back. Stop using the cradle when your child has reached the maximum weight stated by the manufacturer for the product. Remember – never place the cradle on a table or high up. There is a risk that your child will fall onto the floor. Nor should you place the cradle on a soft, unstable base such as a bed or sofa, as it can tip over.



Infant car seat/child's car seat
When children travel by car, they have to be strapped into an infant car seat or child car seat. Infant car seats and child car seats must be European approved and carry the E mark. Ensure that the seat is suitable for your child's age and weight. Your child will have outgrown the seat when he no longer has sufficient support for his head, or when he has reached the weight limit for the seat. Have your child travelling facing backwards for as long as possible, at least to the age of 4. Remember that children should never sit in a car seat with an airbag activated. Take regular breaks so that the child can move about and change position.

Play areas
A play area should be designed in such a way that a child cannot get stuck or come to harm. It is important that the surface beneath the play equipment is made from cushioning materials, for example sand, bark or rubber matting. If you see anything at a play area that may be dangerous, then approach the landlord or the municipality's local housing committee.

Helmets for young children and child bike seat
When your child can start to go off on bike trips, he should sit in a child bike seat or trailer and wear a helmet. For children under 7 there are helmets for young children. These are recognisable by the green chevron which is designed to prevent strangulation. The strap keeps the helmet on his head, but releases under a certain loading if it catches on something. Put a helmet on your child also when sledging.

Toys
Toys should be CE marked and suitable for the age of the child. Remember that toys for older children are dangerous for small children, for example, stone and glass marbles, beads, building bricks, pieces of Lego. Avoid toys with the warning symbol for children under 3 years of age.
Before your child is allowed to play with a toy – check that there are no small parts that can get detached.
Ribbons must not be so long that your child can get them round his neck – maximum 22 cm. Avoid toys containing fragrances. Rattles should not have long narrow shafts, which your child can get into his throat.
Do not allow baby to play with or suck anything which is not a toy, for example ornaments, mobile phones, leather accessories and pieces of jewellery. They may contain dangerous chemical substances. Nor should you let your child have access to small objects such as coins, peanuts or other objects which can get stuck in the throat.

Small-parts cylinder
A small-parts cylinder helps you keep a check on small parts which can constitute a risk of choking if your child puts them in his mouth. You can order a free small parts cylinder from the municipal consumer adviser or child welfare centre in your municipality.

You can obtain more copies of this poster free of charge from your local midwife centre or child care centre.
www.konsumentverket.se







<http://publikationer.konsumentverket.se/sv/publikationer/sprak/engelska/sakra-barn-trygga-foraldrar-broschyr-pa-engelska-pdf.html>