



Notification Number: 2001/37/F

## Decree on the safety of inflatable chairs for children

Date received : 26/01/2001

End of Standstill : Closed

Issue of detailed opinion by : Spain

### Message

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ELOT  
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Ministerie van Financiën - Belastingdienst - Douane / CDIU  
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NSAI  
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Représentation Permanente de l'Irlande  
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Représentation Permanente du Royaume-Uni  
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Message 002

Communication from the Commission - SG(2001) D/50233  
Directive 98/34/EC



Translation of the message 001

Notification: 2001/37/F

(MSG: 200100233.EN)

**1. Structured Information Line**

MSG 002 IND 2001 0037 F EN 25-04-2001 24-01-2001 F NOTIF 25-04-2001

**2. Member State**

France

**3. Department Responsible**

Délégation Interministérielle aux normes  
22, rue Monge  
75500 PARIS

**3. Originating Department**

SGCI  
Carré Austerlitz  
2, boulevard Diderot  
75012 PARIS

3c. Ministère de l'Economie, des Finances et de l'Industrie  
Direction Générale de la Concurrence, de la Consommation et de la Répression des Fraudes  
59, boulevard Vincent Auriol 75703 PARIS CEDEX 13.

**4. Notification Number**

2001/37/F - HOO

**5. Title**

Decree on the safety of inflatable chairs for children

**6. Products Concerned**

These are "buoyant devices intended to familiarise the child with the water and designed to support them. The child is sat on a solid support on the floating device which allows the lower limbs to pass through it."

**7. Notification Under Another Act**

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**8. Main Content**

The Decree lays down the safety and labelling requirements which these products must comply with in order to reduce the risks arising from a loss of buoyancy or a change in the conditions of use which can be reasonably expected considering the normal behaviour of children.



The inflatable chairs must meet the following requirements:

- they must keep the child's head above water, remain stable in calm or choppy water and immediately and automatically return to their initial position without capsizing, even in extreme situations;
- they must be manufactured and designed using durable and resistant material capable of withstanding the mechanical and atmospheric constraints linked to their use (porosity, thickness, durability of the stitches and the seams);
- they must consist of at least two separate chambers and be equipped with devices designed to prevent sudden deflation.

The following must be clearly visible on each inflatable chair where it is used:

- "WARNING":

- This is not intended for use as a life-saving device;
- Only to be used in calm water;
- Warning! Only to be used under the constant and close supervision of an adult;

- "RISK OF CAPSIZING":

- The weight limit (minimum/maximum) of the child expressed in kilograms.

Each inflatable chair must be accompanied by a set of instructions for use which repeat the warnings and the conditions and precautions relating to use

## 9. Brief Statement of Grounds

The Decree responds to the need to regulate inflatable chairs designed for use by children in water out of their depth and which present risks inherent to their use, the consequences of which necessitate specific conditions of use and supervision. This led France to prohibit for one year the marketing of these products by means of an Order in 1997, a measure renewed in 1998, (measures notified on the basis of Directive 92/59).

Furthermore, France informed the Commission that these products should not be regarded as toys within the meaning of Directive 88/378/EEC (see Recital No 5 of the Directive) since by nature this Directive lays down the essential safety requirements but does not deal with individual cases.

Consequently, France feels that inflatable chairs fall within the scope of the Directive on "general product safety" and justify a specific national regulation.

While awaiting a harmonised European position, only a decree, which is a permanent measure, would allow those products, which must be made more secure, to be placed on the market again.

## 10. Reference Documents - Basic Texts

Consumer Code: Article L. 221-3, Customs Code: Article 38

## 11. Invocation of the Emergency Procedure



No

**12. Grounds for the Emergency**

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**13. Confidentiality**

No

**14. Fiscal measures**

No

David O'Sullivan  
Secretary-General  
European Commission