



Notification Number: 1998/293/F

Decree on the prevention of risks connected with the performance of "chilienne" seats [portable folding seat], "transatlantique" seats [portable folding seats with armrests] and "flâneuse" seats [portable folding seats with foot- and armrests].

Date received : 26/06/1998
End of Standstill : 28/09/1998 (04/01/1999)
Issue of detailed opinion by : Commission,Denmark

Message

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TELEX 002

COMMUNICATION FROM THE COMMISSION - SG (98) D/51603/2
DIRECTIVES 83/189/EEC, 88/182/EEC AND 94/10/EC
TRANSLATION OF TELEX 001
NOTIFICATION 98/0293/F

- 3B1 : 9801603.EN

1. Structured Information Line

TLX 002 IND- 98 0293 F-- EN ----- 980626 --- ---

2. Member State

FRANCE

3. Department Responsible

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3. Originating Department

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4. Notification Number

98/0293/F

5. Title

Decree on the prevention of risks connected with the
performance of "chilienne" seats [portable folding seat],
"transatlantique" seats [portable folding seats with
armrests] and "flâneuse" seats [portable folding seats with
foot- and armrests].

6. Products Concerned

"Chilienne", "transatlantique" and "flâneuse" type seats.

7. Notification Under Another Act

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8. Main Content

This draft Decree stipulates that under normal conditions of
use or under conditions reasonably envisaged by the
manufacturer, "chilienne", "transatlantique" and "flâneuse"
type seats must meet the safety requirements defined in the
annex to the Decree, so as to guarantee the safety of persons



who are using them in an upright or reclined position against the risks of physical injury, particularly as a result of the seat collapsing, or of the cutting off, squashing or pinching of fingers.

It specifies that compliance with safety requirements is certified by the wording "Complies with safety requirements" which must appear on the product and the packaging thereof.

In order to satisfy the safety requirements, it stipulates that "chilienne", "transatlantique" and "flâneuse" type seats must comply with the relevant French or foreign safety standards or with the technical regulations, procedures or manufacturing processes of a Member State of the European Community or of a State party to the European Economic Area agreement, which guarantee an equivalent level of protection or wellbeing according to a type model with a certitude of conformity to safety requirements.

In order to improve consumer information as regards the prevention of risks, it lays down that "chilienne", "transatlantique" and "flâneuse" type seats must be accompanied by an identifying information sheet bearing, in addition to the indications on suitability for use, the maximum load for both upright and reclined use, in kilograms and written in very clear letters, the assembly procedure, the method of use and the precautions to be taken as well as the wording "complies with safety requirements".

The indication of the maximum load in kilograms must also be affixed to the folding seat in a visible, legible and indelible manner.

It specifies the means of proving compliance with the safety requirements and enforces the appearance of certain information on the products intended for the ultimate consumer in order to allow quick identification, in the event of a control, of the model in question and the person responsible for its first release onto the market.

9. Brief Statement of Grounds

The end purpose of the present draft Decree is to guarantee consumer safety through the prevention of risks connected with the performance of "chilienne", "transatlantique" and "flâneuse" type seats.

Indeed, recurrent and sometimes serious incidents and accidents have been noted in this furniture sector by the EHLASS network (European Home Leisure Accident Surveillance System) who have been compiling a register over several years, primarily in 8 French hospitals, of the accidents calling into question the absence or inadequacy of safety



devices on folding seats. Each year, over the sample of the 8 hospitals mentioned above, a dozen accidents are registered, 70% of which concern finger injuries (pinching, fractures) and in addition, 8% of which concern head injuries.

Furthermore, several recurrences of these problems have been referred to the Commission for Consumer Safety. It issued an opinion of 7 July 1993 advising the authorities to take the necessary regulatory measures to put an end to these accidents (opinion enclosed).

10. Reference Documents - Basic Texts

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11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

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14. Fiscal measures

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C. TROJAN
COMEUR
NNNN