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**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 6 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/EC of the European Parliament and of the Council (notified under document C(2009) 10290) (Text with EEA relevance) (2010/9/EU), ANNEX. (See end of Document for details)

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## ANNEX

### Specific safety requirements for bath rings

RISKS: The main risk associated with the product is drowning.

#### 1. SAFETY REQUIREMENTS

##### (1) General safety requirements

Articles shall not jeopardise the safety or health of children and carers when they are used as intended or in a foreseeable way, bearing in mind the behaviour of children. The ability of the child and their carers shall be taken into account, in particular, for articles which, by virtue of their functions, dimensions and characteristics, are intended for use by children of under 10 months. Labels on articles or on their packaging and accompanying instructions for use shall draw the attention of users or carers to the hazards and risks of harms inherent in using the articles and to the way of avoiding them.

##### (2) Specific safety requirements

###### *Chemical requirements*

Bath rings shall comply with relevant EU legislation.

###### *Fire and thermal properties*

To prevent the risk of scalding from hot water pouring from the tap, instructions shall be given to carers to pay attention to the temperature of the water and to prevent the child from gaining access to the tap.

###### *Physical and mechanical properties*

Entrapment hazards from gaps and openings

Articles shall be designed and manufactured in order to prevent:

- Entrapment of fingers as far as possible.
- Entrapment of legs maintaining the child submerged in an opening through which the child was able to slip.

Hazards from moving parts

Articles designed to fold shall have a folding mechanism that cannot be activated by a child or by inadvertent action on the part of the carers. It shall not be possible to erect the product without activating the locking mechanism. Changes in the spacing due to the movement of the child, in particular when his/her weight shifts (between the seat base and the bath tub) shall be prevented and shall not cause severe crushing. Rotating seat bases shall be designed as far as possible in order to prevent lacerations and crushing of the child when they are operated.

Falling hazards

To reduce the risk of falling that could result in drowning; the article and its attachment to the bath tub shall be able to withstand internal and external forces applied by the child that could cause it to tip over. In particular, the article shall not tip over when a child leans in any direction, tries to stand up or pushes the seat over.

Choking hazards

To reduce the risk of choking, the article shall not comprise small parts which are detachable by the force 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.

Suffocation hazards

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The article shall not comprise plastic decals which are detachable by the force a child can apply or any other impermeable sheeting of the bath ring 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.

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.

Hazardous edges

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

Structural integrity

Securing devices (suction cups or other means) that are essential to attach the product shall maintain performance during the lifetime of the product.

To prevent breaking of components likely to cause physical injury, articles shall be able to withstand mechanical stress to which they are subjected during use.

Protective function

To prevent suffocation by drowning, articles shall be designed to accommodate the child in a sitting position only. The design shall take into account relevant anthropometric data relevant to the age range. The protective function must enable the child to be removed easily in an emergency situation

Hazards resulting from action of the child on the securing device of the articles

To prevent drowning hazards, the securing device shall not be able to be activated by a child or by inadvertent action on the part of the carers.

Specific warnings for the article

Warnings and instructions for use shall clearly state that

- the carer shall at all times be in contact with the child
- drowning can occur in a very short time and in very shallow water ( $\pm 2$  cm)
- the article does not provide any additional safety related to water hazards and drowning has occurred with bath rings.

Warnings and information should be conspicuously displayed on the packaging, on the product and at the point of sale and should be complemented with pictograms.

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

Information on the vulnerable age range of children (5 to 10 months) shall be provided to carers.

Hygiene

Bath rings shall be designed to be washable and capable of being dried.

### **Specific safety requirements for bathing aids**

RISKS: The main risk associated with the product is drowning.

## **2. SAFETY REQUIREMENTS**

### **(1) General safety requirements**

Articles shall not jeopardise the safety or health of children and carers when they are used as intended or in a foreseeable way, bearing in mind the behaviour of children. The ability of the child and their carers shall be taken into account, in particular for articles which, by virtue of

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their functions, dimensions and characteristics, are intended for use by children under 9 months. Labels on articles or on their packaging and accompanying instructions for use shall draw the attention of users or carers to the hazards and risks of harm inherent in using the articles and to the way of avoiding them.

## (2) Specific safety requirements

### *Chemical requirements*

Bathing aids for babies shall comply with relevant EU legislation.

### *Fire and thermal properties*

To prevent the risk of scalding from hot water running from the tap, 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.

### *Physical and mechanical properties*

Entrapment hazards from gaps and openings

Articles shall be designed and manufactured in order to prevent entrapment of fingers as far as possible.

Strangulation

Articles shall be designed and manufactured to prevent strangulation.

Falling hazards

To reduce the risk of falling that could result in drowning, the article and its attachment to the bath tub shall be able to withstand internal and external forces applied by the child that could cause it to tip over. In particular the article shall not tip over when a child leans in any direction, tries to stand up or pushes the seat over.

Choking hazards

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

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 bathing aid 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.

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.

Hazardous edges

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

Structural integrity

To prevent breaking of components likely to cause physical injury, articles shall be able to withstand mechanical stresses to which they are subjected to during use.

Specific warnings for the article

Warnings and instructions for use shall clearly state that:

— the carer shall at all times be in contact with the child,

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- drowning can occur in a very short time and in very shallow water ( $\pm 2$  cm),
- the maximum level of water to prevent water entering into the child's mouth,
- the article does not provide any additional safety related to water hazards and drowning has occurred with bathing aids.

Warnings and information should be conspicuously displayed on the packaging, on the product and at the point of sale and should be complemented with pictograms.

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

Information on the vulnerable age range of children (from birth up to 9 months) shall be provided to carers

Hygiene

The articles shall be designed to be easily cleanable and dried.

### **Specific safety requirements for bath tubs for babies and bath stands**

**RISKS:** The main risks associated with the product are drowning and falling when the baby bath tub falls from its stand or support.

## 3. SAFETY REQUIREMENTS

### (1) General safety requirements

Articles shall not jeopardise the safety or health of children and carers when they are used as intended or in a foreseeable way, bearing in mind the behaviour of children. The ability of the child and their carers shall be taken into account, in particular, for articles which, by virtue of their functions, dimensions and characteristics, are intended for use by children of under 12 months. Labels on articles or on their packaging and accompanying instructions for use shall draw the attention of users or carers to the hazards and risks of harm inherent in using the articles and to the way of avoiding them.

### (2) Specific safety requirements

#### *Chemical requirements*

Baby bath tubs and stands for baths shall comply with relevant EU legislation.

#### *Fire and thermal properties*

To prevent the risk of scalding from hot water pouring from the tap, 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.

#### *Physical and mechanical properties*

Entrapment hazards from gaps and openings

Articles shall be designed and manufactured in order to prevent entrapment of fingers as far as possible.

Strangulation

Articles shall be designed and manufactured to prevent strangulation.

Hazards from moving parts

Articles 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.

Falling hazards

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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.

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.

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.

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.

Hazardous edges

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

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. 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.

Hazards due to the combination of two separate items

Device attaching the tub to the stand shall be able to withstand mechanical stress to which they are subjected during use. For stands and bath tubs sold separately, warnings and instructions for use shall indicate the references of products that can be safely used together.

Specific warnings for the article

Warnings and instructions for use shall clearly state that:

- the carer shall at all times be in contact with the child,
- drowning can occur in a very short time and in very shallow water ( $\pm 2$  cm), the articles do not provide any additional safety related to water hazards and that drowning has occurred with bath tubs.

Warnings and information should be conspicuously displayed on the packaging, on the product and at the point of sale and should be complemented with pictograms.

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

Information on the vulnerable age range of children (less than 12 months) shall be provided to carers.

Bath tubs shall have a warning to prevent carers from installing tubs on an elevated position in combination with articles such as tables.

Hygiene

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The articles shall be designed to be easily washable and dried.

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