

NOTIFICATION

Addendum

The following communication, dated 15 February 2006, is being circulated at the request of the Delegation of the European Communities.

The draft Commission Decision requiring member States to take measures to ensure that only disposable lighters which are child-resistant are put on the market has been amended by the Commission. The amended draft has obtained the favourable opinion of the Committee of Member States of Directive 2001/95/EC on general product safety on 9 February 2006.

The main amendments concern the following points:

- The scope of the Decision is not based any more on a monetary threshold but on a technical definition for “luxury and semi-luxury lighters”. Such lighters will be exempt from the obligation to be child-resistant;
- Novelty lighters are now defined by reference to Specification 3.2 of standard EN 13869:2002 “Lighters – Child-resistance for lighters – Safety requirements and test methods”. The amended draft Decision bans them from the EU market;
- Child-resistance tests are defined as those carried out in accordance with standard EN 13869:2002 or in accordance with the requirements of non-EU-countries having child-resistant requirements equivalent to those established by the draft Decision. Further tests could be added to this definition when revising the Decision in the future;
- More explanations on the content of a test report are given;
- Longer transitional periods have been granted to producers to adapt to the Decision;
- Suspension of the export ban according to Article 13(3) of Directive 2001/95/EC was added;
- Some provisions on the enforcement of the Decision were added;
- The Commission will provide guidelines to facilitate the practical application of the Decision.

The text of the amended draft Commission Decision is available from the EC TBT Enquiry Point: ec-tbt@cec.eu.int.

The European Communities grants an additional period for comments on the amended draft Decision until 15 March 2006.
