

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 403 final

Brussels, 12 September 1978

Proposal for a

COUNCIL DECISION

introducing a Community system of information on accidents
in which products are involved, outside the spheres of oc-
cupational activities and road traffic

(submitted by the Commission to the Council)

COM(78) 403 final

COMMISSION OF THE EUROPEAN COMMUNITIES

**New paragraph 5 of the
financial statement**

COM(78) 403 final/2

Brussels, 2 October 1978

**Proposal for a Council decision introducing a Community
system of information on accidents in which products are
involved, outside the spheres of occupational activities and road traffic**

(submitted by the Commission to the Council)

COM(78) 403 final/2

5.00) Multianual timetable and pattern of utilization:
5.01)

Budget heading (U.A.)	1980	1981	1982
264 (or 350 starting from 1981)	47,000	47,000	50,000
2240	p.m	p.m	p.m
2243	72,000	-	-
Totals	119,000	47,000	50,000

PROPOSAL FOR A COUNCIL DECISION

introducing a Community system of information on accidents in which products are involved, outside the spheres of occupational activities and road traffic.

(submitted by the Commission to the Council)

EXPLANATORY MEMORANDUM

1. Aim

The Community rate for accidents in which products are involved has reached alarming levels. It is essential that users of goods or products should be informed of the risks they run or protected by appropriate measures. To achieve this, the Community must have an information system permitting accident surveys and the objective assessment of the dangers resulting from the use of products. On the basis of information thus obtained, the Commission would be in a position to put appropriate proposals before the Council, particularly in connection with the consumer protection and information policy (Resolution of 14 April 1975, OJ No C 92/1 of 25 April 1975).

2. Consumer protection and information policy

2.1 The preliminary programme of the European Economic Community for a consumer protection and information policy enunciates inter alia the following principles on protecting the health and safety of consumers:

2.2 "Goods and services offered to consumers must be such that they present no risk to the health or safety of consumers. There should be quick and simple procedures for withdrawing them from the market in the event of their presenting such risks.

2.3 In general, consumers should be informed in an appropriate manner of

any risks liable to result from the use of goods and services.

2.4 Machines, appliances and electrical and electronic equipment and any other category of goods (or products) which may prejudicially affect the health and safety of consumers either in themselves or by their use, should be covered by special rules and be subject to a procedure recognized or approved by the public authorities (such as type approval or declaration of conformity with harmonized standards or rules) to ensure that they are safe for use."

3. Products and accidents

3.1 From information available from a source in the United States - where a data collecting system on accidents (NEISS) has been in operation for several years - and from the more fragmentary information provided by various Community countries, it is clear that the rate for accidents in which the use of products is involved has reached alarming levels.

3.2 An American report on the NEISS results for 1976 estimates that there were some 8 750 000 accidents in the United States connected with the use of products. For instance, sports and recreation equipment is estimated to have accounted for some 2 600 000 accidents, structural or building elements in houses for some 1 900 000, furniture and various household ornaments for some 1 200 000, household equipment for approximately 500 000 and toys for about 280 000, etc.

3.3 A report on the preliminary results obtained from the United Kingdom system for collecting data on household accidents estimates that over 5 000 persons per year die in the United Kingdom as a result of accidents in the home, that over 100 000 are admitted to hospital and some 1 000 000 receive first aid at home.

3.4 Such precise information is not available for all Community countries but if we extrapolate from the United Kingdom results to the population of the Community as a whole and given a level of equipment for consumers throughout the Community more or less equal to that of the British consumers, we can get some idea of the extent of the problem.

4. Public authority intervention and international

4.1 The Member States of the Community are aware of the situation and are investigating it at various levels in their own ways - some are using surveys, whilst others like the United Kingdom and Denmark (in cooperation with several Nordic states) are developing information systems with features similar to those in this proposal.

4.2 The OECD has completed its investigation and this has so far led to its Council adopting a recommendation "concerning the establishment of data collection systems related to injuries involving consumer products".

4.3 In the recitals the recommendation states, inter alia, that:

- the establishment of systems for the collection of data on injuries would permit the analysis of the risks involved and the taking of remedial action based on an objective assessment of the hazards;
- the establishment of such data collection systems in accordance with common guidelines would confer international status on the findings by rendering them uniform and compatible, and increase the comparability of safety planning procedures among countries;
- greater international comparability of data would lead to the coordinated establishment of priorities for consumer product safety and the formulation of common safety standards which would avoid creating international barriers to trade.

5. Community initiative

5.1 To ensure compliance with the principles of the preliminary programme for consumer protection and information as set out in paragraph 2 above, which could lead to measures for:

- informing consumers of any risks involved (labelling and hazard warnings),
- adapting products (standardization and safety rules), and
- withdrawing products from the market,

and to ensure achievement of the general objectives of the Common Market, such as preventing the creation of technical barriers to trade (the inevitable result if the various Member States independently adopt mutually incompatible safety measures), the Community must be provided with a suitable instrument enabling it to proceed in the light of the requisite objective assessment.

5.2 It is therefore proposed to launch a project with the purely technical objective of setting up a Community information system on accidents in which the use of products is involved.

Accidents at work and traffic accidents, which are already being surveyed, are to be excluded from the project.

6. Aims of the information system and resulting action

6.1 Drawing on the OECD investigations, the main objective of the information system may be described as follows:

- to provide detailed and reliable information fully reflecting the situation, at national and Community levels, and showing the scale of accidents caused by specific consumer products;

- to identify accidents and provide support for establishing priorities for the allocation of resources and formulation of action programmes;
- to throw up a sufficient number of cases for studies in depth to be carried out if considered necessary;
- to monitor developments in order that new risks may be identified and changes in known risks studied;
- to help in assessing the effectiveness of preventive measures;
- to make it possible to define problems, having regard in particular to the frequency, variety and cost of physical injury or any other parameter regarded as relevant.

6.2 There would be certain advantages to the Community in developing an information system, including the following:

- it would permit the formulation of safety standards based on objective accident data;
- it would make it possible to concentrate directives and other measures on danger areas as shown up by accidents;
- it would identify national differences as regards accident spectrums and lead to appropriate preventive action;
- it would provide a basis for long-term decisions on safety standards and other aspects of safety policy;
- it would lead to the evaluation on the basis of objective data of specific cases of requests for action submitted by various interested circles.

7. Features of the information system

7.1 The features of the information system and a feasibility study chiefly concerning questions of harmonizing the codification of data are described in a report by a group of experts representing the Member States and the Commission.

7.2 The information system would have a largely decentralized structure; the data would be collected and processed at national level for transmission, in a form agreed for the Community as a whole, to the Commission (Computer Centre and Statistical Office), which would then consolidate the data in further processing and interpret the results. Other Commission departments concerned, such as the Environment and Consumer Protection Service, the Directorate-General for Social Affairs, the Directorate-General for Internal Market and Industrial Affairs would also participate in the work.

7.3 To begin with, data collection would be limited to accidents in the home and its immediate vicinity, but the original design of the system must allow for extending the area for which data is collected (sports fields, camping sites, etc.).

7.4 Annex I to this proposal for a decision gives the main characteristics of the system.

8. Programme of implementation

8.1 Setting up a system of this type does not pose any technical difficulties; however, it will be essential to coordinate the action very carefully and rigorously harmonize the specifications for the various parameters.

8.2 It would therefore be appropriate to begin with a pilot project to test the various elements of the system on a sample of accidents. The full project would be launched thereafter.

8.3 Annex II to this proposal for a decision sets out the general lines of the programme for the pilot project; the timetable is given in Article 5.

9. Dissemination of information

9.1 It should be noted that information stored in the Commission's data base system would be strictly anonymous; each accident being identified solely by a serial number.

9.2 The Commission would publish an annual report and part reports on specific aspects.

9.3 Interested circles (public services, consumers, producers, research establishments, etc.) could interrogate the information system via the Member State to which they belong.

10. Administration of the information system

10.1 The very nature of the operation calls for close cooperation between the Member States and the relevant Commission departments.

10.2 An Advisory Committee on the administration of the information system would be set up.

11. Consultation

- This draft decision was drawn up by a group of experts from the Member States.

- The Consumers' Consultative Committee has been informed.

12. Procedure

This decision is based on Article 235 of the EEC Treaty; it will therefore be necessary to consult the European Parliament and the Economic and Social Committee.

8

PROPOSAL FOR A COUNCIL DECISION

introducing a Community system of information on accidents in which products are involved outside the spheres of occupational activities and road traffic

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Having regard to the Opinion of the Economic and Social Committee,

Whereas, pursuant to the preliminary programme of the European Economic Community for a consumer protection and information policy¹, goods offered to consumers must be such that they present no risk to their health or safety ; whereas, where there is such risk there should be special rules or appropriate procedures for informing the consumer thereof, improving the conditions of use of the goods, or quickly and easily withdrawing them from the market;

Whereas traffic accidents and accidents occurring in the course of occupational activities are already under survey; whereas, other than traffic accidents and those occurring in the course of occupational activities, the number of accidents involving products, particularly in the home and in its immediate vicinity, has reached alarming proportions;

¹OJ No C 92 . of 25 April 1975, p.1.

Whereas, with a view to defining priorities as concerns actions aimed at introducing the above rules and procedures, it would therefore be appropriate for the Community to have available an objective system for collecting information on accidents; whereas such a system should as far as possible reflect the situation in the Community;

Whereas it would appear necessary to carry out such a survey in order to achieve one of the Community's objectives as regards the protection and information of consumers, and whereas the Treaty makes no provisions for such powers;

Whereas an information system of this type would enable the Commission to put before the Council appropriate proposals for preventing accidents in which products are involved;

Whereas an Advisory Committee should be established to advise the Commission, on problems relating to the administration of the information system,

HAS ADOPTED THIS DECISION:

Article 1

1. A joint information system - hereinafter referred to as the "information system" - shall be set up to cover accidents, other than traffic accidents and those occurring in the course of occupational activities, in which the use of products is involved.
2. The information system shall cover all accidents in the home and its immediate vicinity such as the garden, yard and garage.
3. The characteristics of the information system are set out in Annex I to this Decision.

Article 2

Following a proposal by the Commission, the Council, acting unanimously on a proposal from the Commission, shall decide whether to:

- extend the scope of this Decision or adapt the information system to changes in requirements and knowledge;
- amend the date given in Article 5(3).

Article 3

The Member States shall gather the information listed in Annex I and communicate it to the Commission by such means and in such form as is compatible with the latter's requirements; the information shall be transmitted for the first time on the date given in Article 5(3) and thereafter once every six months.

Article 4

Each Member State shall designate the national authority responsible for gathering and transmitting to the Commission the information listed in Annex I, and shall inform the Commission thereof.

Article 5

The programme shall comprise:

1. An initial stage running for a maximum of 18 months in which the pilot project described in Annex II shall be completed;
2. An intermediate stage between completion of the pilot project and 1 January 1982 when the entire infrastructure for the information system shall be set up;
3. The final stage, running from 1 January 1982, when the information system shall be fully operational as described in Annex I.

Article 6

1. The Commission shall be responsible for the administration of the information system and for the interpretation of the results at Community level.
2. The Commission shall draw up an annual report on the activities of the information system and further reports on specific topics.

Article 7

1. An Advisory Committee, hereinafter called "the Committee", is hereby set up to administer the information system; it shall consist of representatives of the Member States with a representative of the Commission as Chairman. Each representative may co-opt experts, up to a maximum of two per Member State.
2. The Committee's duties shall be to advise the Commission, at the latter's request, on any problem concerning the administration of the information system, particularly the points listed in Annex III.
3. The Commission shall provide the secretariat for the Committee.

Article 8

This Decision is addressed to the Member States.

Done at Brussels,
For the Council

The President

ANNEX I

Characteristics of the information system

1. Data shall be collected from hospitals, poison antidote centres, doctors' practices and any other national body meeting the requirements of the information system.

2. The data collected shall be as reliable as possible and shall as far as possible reflect the situation at national level.

The data shall include information relating to:

- the nature of the accident,
- the location of the accident,
- products involved,
- type of accident,
- type of injury,
- part of the body involved,
- activity at the time of the accident,
- arrangements in respect of the victim,

and a description of the accident specifying what the victim was doing, the circumstances and the characteristics of the product involved.

In connection with administering the information system, appropriate measures shall be taken to ensure gradual improvement in the data as regards reliability, representativeness and interpretation of the results.

3. The size of the Community sample shall be 321 400 cases per year, the minimum national contributions shall be as follows:

	<u>Cases per year</u>
Belgium	12 000
Denmark	6 000
France	66 000
Italy	70 000
Ireland	4 000
Luxembourg	400
Netherlands	17 000
Federal Republic of Germany	76 000
United Kingdom	70 000

ANNEX II

Pilot project

The aim of the pilot project is to test how the system works on a limited number of cases. The project includes the following operations:

- (a) perfecting a coding system, standardized at Community level and allowing of uniform presentation of the data listed in Annex I, paragraph 2.
 - (b) adapting or developing data processing methods (hardware and software) in the Member States and the Commission.
 - (c) studying and perfecting the various methods for processing statistics used by the Commission.
 - (d) selecting data-collecting centres to be used in the pilot projects and carrying out studies with a view to selecting the centres to participate in the full-scale action.
 - (e) completing the pilot project itself by an exchange between the computer centres of the Member States and the Commission of magnetic tapes bearing data recorded in accordance with (a) above; making various adjustments (to software and in methods).
 - (f) drawing up a report on the results of the pilot project.
-

ANNEX III

Problems relating to the administration of the information system

1. Setting up and operating the information system.
2. Establishing appropriate links in such a way as to ensure the transfer between the Member States and the Commission of the data required for the optimum functioning of the information system.
3. Evaluation of the results and discussion of the measures likely to result.
4. Dissemination of the results in accordance with Article 6(2).
5. All problems relating to the development of the information system, such as:
 - extending the area for which data is collected;
 - altering the size of the data sample;
 - modifying the parameters, which would imply the technical or administrative restructuring of the information system at Member State and Commission level;
 - study programmes and the resources to be set aside for the purpose (e.g. improving data collection on fatal accidents, weighting data in proportion to the seriousness of the accident);
 - establishing links between the Community information system and the equivalent systems of non-Community countries.

FINANCIAL RECORD SHEETA. PART ONE: INTERVENTION APPROPRIATIONS1. Number of relevant budget heading

- 264; - 2240; - 2243; - 3550

2. Title of budget heading

- 264 : statistical studies and surveys (SOEC)
- 2240 : operational costs of EDP Centre
- 2243 : development of data processing applications
- 3550 : consumer protection studies (ECPS)

3. Legal basis

- Preliminary programme of the European Economic Community for a consumer protection and information policy (Council Resolution of 14 April 1975, OJ No C 92/1 of 25 April 1975).
- Draft decision based on Article 235 of the Treaty.

4. Description, aims and justification of the project

- launching of a project aimed at establishing a Community system of information covering accidents other than traffic accidents and those occurring in the course of occupational activities, in which products are involved.
- achieving the aims of the consumer protection and information policy as regards the health and safety of the general public; acquisition of an objective basis on which to build up consumer information projects and regulations concerning the safety of goods and products.
- the action is justified by the alarming rate of accidents caused by the use of goods and products.

5. Financial implications of the project

5.0 Effect in respect of expenditure: this will require permanently budgeting for studies aimed at the perfection of the system (particularly during the first three years after the decision is taken) or the interpretation of the results.

5.00) Multiannual timetable and pattern of utilization:
5.01)

Budget heading (U.A.)	1980	1981	1982
264 (or 3550 starting from 1981)	47,000	47,000	50,000
2240	7,000	41,000	150,000
2243	72,000	-	-
Totals	126,000	88,000	200,000

5.02 Method of calculation

SOEC estimates for the first year of operation based on the studies that have to be carried out to perfect the system and adapt the data processing software (rate adopted: 18 000 u.a. per man/year for studies and 72,000 U.A. per man/year to adapt the data processing software). It has been assumed, as far as budget heading 2240 is concerned that the pilot project would cover 5% of the ~~size~~ of the final sample.

5.1 Effect in respect of revenue:

None

6. Type of control to be applied

- 264: DG XIX; Working Group on Studies GIC-I, and Advisory Committee on Studies
- 2243: Management Committee for Data Processing in the Commission (CDIC)
- 3550: Working Group on Studies

B. PART TWO: ADDITIONAL DATA TO BE PROVIDED FOR A NEW PROJECT.

7. Overall financial implications of the project for the whole of its expected duration

7.0 in respect of expenditure: it is intended that the information system should be permanent; the estimated expenditure is 126,000 U.A. for the first year; changes may become necessary for the following years.

7.1 in respect of revenue: none.

8. Information regarding staffing and appropriations for administrative expenditure necessary for the implementation of the project

staff: 1A and 1B SOEC
 1A and 1C ECPS

appropriations: see 7 above; in addition;

- cost of duty travel 10 000 u.a.
- cost of meetings 7 000 u.a.
- cost of consulting experts 3 000 u.a.

9. Financing the measure:

see 7 and 8 above.