

ANEC reply to European Commission consultation on Inception Impact Assessment on a Commission delegated regulation on Internet-connected radio equipment and wearable radio equipment

In December 2016, ANEC participated in campaign to alert consumers and public authorities about the risks posed by connected products and toys in particular, to consumers. The campaign #toyfail was organised by the Norwegian Consumer Council with the support of BEUC and several national consumer associations.

It was based on the results of tests done on some connected toys (eg: Cayla doll)¹. Internet-connected toys engage in 'conversations' with children by using built-in microphones and speech recognition technologies. The test results found spoken data, collected during the use of the toys, may be shared with third-parties. It is also possible to use a mobile phone to speak to a child through the toys, using a Bluetooth connection, with the link maintained up to 20 metres away, so potentially putting the child at risk.

ANEC presented the test results at the EC TCAM Committee calling Member States to support the adoption of European Commission delegated acts to cover issues related to the safety of radio equipment to ensure that the personal data and privacy of the user and of the subscriber are protected and actions against fraud, according to article 3.3 of Radio Equipment Directive 2014/53/EU.

In October 2017 ANEC participated in another campaign to alert consumers and public authorities about the risks posed by connected watches, to consumers and children in particular. The campaign #WatchOut was organized by the Norwegian Consumer Council with the support of BEUC and several national consumer associations².

It was based on the results of tests done on some connected watches (Gator 2, Tinitell, Viksfjord and Xplora). These smartwatches for children are wearable mobile phones that allow parents to use an app on their smartphones to keep in touch with and track the location of their children. The tests showed that two devices had flaws that could allow a potential attacker to take control of the apps, thus gaining access

¹ <https://www.forbrukerradet.no/siste-nytt/connected-toys-violate-consumer-laws>

² https://www.youtube.com/watch?v=Xoer_28U41k&feature=youtu.be; <http://www.beuc.eu/publications/new-research-reveals-alarming-security-flaws-smartwatches-children/html> and <http://www.anec.eu/images/Publications/press-releases/ANEC-PR-2017-PRL-008.pdf>

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to children's real-time and historical location, and personal details, as well as even enabling them to contact the children directly, all without the parents' knowledge.

Needless to say, these security flaws have serious implications for the privacy, and – potentially - for the safety and well-being of the users. Taking into account that the target users of this type of watch are young children, this is particularly alarming.

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We therefore welcome this initiative and support Option 4 (adoption of a delegated act pursuant both Articles 3(3)(e) and (f) of Directive 2014/53/EU. We also think that Article 3(3)(d) should be taken into account.

The new mandatory essential requirements will be implemented by Harmonised Standard, to which elaboration ANEC will participate.

As indicated by the Commission, it is essential to have a legal basis which allows for uncompliant products to be taken off the market if not respecting the essential requirements for accessing the market, in order to deliver safety, personal data protection and security for consumers.

ENDS.

About ANEC

ANEC is the European consumer voice in standardisation, defending consumer interests in the processes of technical standardisation and the use of standards, as well as related legislation and public policies.

ANEC was established in 1995 as an international non-profit association under Belgian law and is open to the representation of national consumer organisations in 34 countries.

ANEC is funded by the European Union and EFTA, with national consumer organisations contributing in kind. Its Secretariat is based in Brussels.