

ANEC comment on the role and significance of the CE marking (Draft Certif. Doc 2005-11 of 30 August 2005)

ANEC very much welcomes that in the context of the review of the New Approach, the European Commission asks the question of whether the CE marking needs to be maintained and distinguishes between the following options:

1. Abolishing the CE marking;
2. Changing the content, for instance by introducing systematic certification;
3. Preserving the CE marking while reinforcing consumer education and a number of obligations Member States authorities have in the field of market surveillance.

ANEC appreciates that the Commission proposal reflects and describes the problems consumers have encountered with respect to the CE marking. It is not addressed to consumers but to public authorities. Being based on a complex modular system, the real value of the CE marking is impossible to assess. The high visibility of the CE marking on the one hand and its misleading impact on consumers on the other hand, are of great concern and undermining the credibility of the New Approach.

Bearing in mind the confusion the CE marking generates for consumers and considering that it is not addressed at all to consumers but to public authorities, **ANEC calls for abolishing the CE marking.** In our point of view, this is the best solution in order to avoid further erosion of the credibility of the New Approach. **As an alternative, it is suggested removing the CE marking from the product itself and to affix it on the technical file.**

With respect to option 2, ANEC is not confident that the idea of differentiating in an unmistakable way between a CE marking requiring a third-party involvement and a CE marking requiring a declaration by the manufacturer is practical and feasible at all given that the CE marking has caused confusion for the past 20 years. We also have doubts that a systematic certification would solve the underlying problems of misperception and lack of enforcement.

As to option 3, **we strongly question the usefulness of information campaigns and consumer education** and would not support respective measures given the complexity of the system behind the CE marking and 20 years of misperception. The fact that consumer products falling under the General Product Safety Directive do not have to bear the CE marking multiplies the confusion. This said ANEC supports the Commission's call for reinforced market surveillance in Member States. However, this is an important request irrespective of the decision to maintain the CE marking or not.

To conclude, **ANEC strongly opposes that in legal texts referring to the New Approach it is stated that the CE marking is also addressed to consumers.** The CE marking was never meant to provide information to the consumer and certainly is not the adequate means of providing useful information to the consumer. Therefore, **ANEC urges the European Commission to abolish the CE marking, or at least to remove it from the product itself and to affix on the technical file.**

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ANEC is the European consumer voice in standardisation, representing and defending consumer interests in the process of standardisation and certification, also in policy and legislation related to standardisation. Our aim is a high level of consumer protection.

ANEC was set up in 1995 and represents consumer organisations from the EU Member States and the European Free Trade Association (EFTA) countries. The European Commission and EFTA fund ANEC, while national consumer organisations contribute in kind.

Our areas of priority are: Child Safety, Design for All, Domestic Appliances, the Environment, the Information Society, Services and Traffic Safety.