

# **Report to the Tyne and Wear Trading Standards Joint Committee**

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## **Update on The Review on Product Safety Recalls**

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### **Purpose of the report**

Further to the report that was presented to Committee in June 2015, it is felt timely to provide an update on the latest developments with the important issue of product safety recalls

### **Current System of Recalls in the United Kingdom**

1. The Trading Standards Central web site run by the Chartered Trading Standards Institute contains a list of product safety notices and recalls. Go to <http://www.tradingstandards.uk/advice/advice-recall-list.cfm>
2. The Department for Business Energy and Industrial Strategy (BEIS), advises producers or distributors of consumer products on sale in the European Union (EU) and provides general advice about what they should do if they have evidence that one of their products may be unsafe. There exists voluntary guidance on carrying out corrective actions for product safety, supported by the market surveillance authorities in Member States and consumer and trade organisations within the EU.

### **Consumer Rights Bill**

3. A review of the current system of product safety recalls operating in the United Kingdom was announced by Baroness Neville-Rolfe in the House of Lords during the House of Lords Report Stage of the Consumer Rights Bill on the 19 November 2014. Now the Consumer Rights Act 2015.

### **Coalition Government Announcement**

4. On the 13 March 2015 the Coalition Government announced that Broadcaster and leading consumer campaigner Lynn Faulds Wood would lead a review of the UK's system for the recall of unsafe products.
5. The then Government recognised that the UK has robust legislation covering product safety, however recalls are often complex and it can be difficult to trace the customer – for example they may not have provided contact details when the product was purchased or moved house.
6. Recent YouGov research showed that just over a third of consumers currently register our appliances.

7. On the 18 February 2016 the reports related to the independent review were published.
8. The then Business Minister Anna Soubry said:  
*"I would like to thank Lynn for her hard work in this complex and important area. People rightly deserve the assurance that if they buy a product that turns out to be unsafe, this can quickly be rectified. The government places a very high value on consumer safety, but industry also has a crucial role to play in protecting consumers. I am keen that businesses work together to provide the solutions and improve the systems so we can reduce the number of incidents and keep people safe".*
9. Lynn Faulds Wood said:  
*"I welcome the news that my review and the Government response is to be published today. I look forward to hearing about the development of a steering group to take my recommendations forward and very much hope that my involvement in this important area can be continued".*
10. In response to the review, the Government indicated that they will also work with partners to develop a 'university challenge' to help advance creative ideas on consumer safety. They stated that there is vast talent across design, media, and engineering students and options would be explored on how this can be utilised to support product safety.
11. In addition, the Government aimed to support a project to explore greater data sharing. The view taken is that by working with stakeholders to map information, gaps could be identified and then better quality information for business and consumers could be made available.
12. Further to these actions, the Coalition government also committed to:
  - supporting a comprehensive review of guidance for businesses and enforcers
  - setting up an industry-led steering group to take forward the recommendations and oversee progress of the actions.

## **Case Study**

13. To illustrate all the very important issues related to product safety recalls, the most topical example is the one that involves tumble dryers under the management of Whirlpool UK. The issue emerged in 2014 when the biggest appliance manufacturer in the world, US-based Whirlpool, bought the Italian company Indesit.
14. Consumer groups such as Electrical Safety First, have long warned of the danger of defective white goods. After carrying out a review of the products under its ownership, Whirlpool UK decided to alert authorities in Europe of the safety issue with some dryers sold under the Hotpoint, Indesit and Creda brands. Subsequently the Proline brand was added to this list.
15. These particular appliances were sold for more than a decade from April 2004 to September 2015. They were found in Croatia, Denmark, France, Germany, Ireland, Portugal, Slovakia, Slovenia and Spain, as well as the UK.

16. The problem that had been identified, was that excess fluff could catch the heating element in the machine and cause a fire. Tumble dryers sold in the UK over the course of 11 years were identified as in danger of causing a fire and needed to be made safe.
17. That danger was made spectacularly clear with a fire in an 18-storey block of flats in Shepherd's Bush in London in August 2016. Flames ripped up the side of the building, 100 families were evacuated, and 50 people spent the night away from their homes.
18. Some of those families are still unable to return to their damaged flats. Investigations by the London Fire Brigade found the fire clearly started in a tumble dryer.
19. How the company responded to the safety issue has now been the source of furious debate among MPs in Parliament and various consumer groups.
20. Whirlpool UK has Peterborough Council as its home authority Trading Standards service with whom the company works on product safety. Whirlpool and Peterborough Trading Standards service agreed on a repair campaign to modify the dangerous products, instead of a full product recall.
21. Had Whirlpool UK decided on a full product recall, customers would have been given a refund, a replacement or a partial refund for older models. In all likelihood owners would have been told to stop using these dryers completely.
22. The repair programme that was instigated has received considerable criticism from effected consumers, with cases reported of people being told they must wait well over a year for an engineer to visit.
23. On the 15 October 2016 it was announced that the Consumer Minister Margot James has written to Whirlpool UK asking for reassurance that everything possible is being done to ensure the safety of consumers.
24. Margot James said "*Manufacturers should be doing everything they can to make sure their products are safe to use, and where needed rectifying issues as quickly as possible. This government takes consumer safety very seriously and I have offered to meet the managing director of Whirlpool to discuss how the company can improve its response to this issue. I also want to see what more can be done to improve the safety of white goods going and to support local trading standards officers to make sure customers aren't put at risk*".
25. To see further details on these type of recalls on electrical products go to the website of Electrical Safety First at <http://www.electricalsafetyfirst.org.uk>

## **Recommendation**

The Committee is asked to note the information within this report

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