

31 July 2012

2012 Standards and Conformance Infrastructure Review
Trade Environment team
Ministry of Business, Innovation and Employment
33 Bowen Street
PO Box 1473
Wellington 6140

By email: standards@med.govt.nz

**SUBMISSION to Ministry of Business, Innovation and Employment
on Standards**

Consumer New Zealand welcomes the opportunity to make a submission to the review of New Zealand's Standards and conformance infrastructure.

Contact: Hamish Wilson
Consumer NZ
Private Bag 6996
Wellington 6141
Phone: 04 384 7963
Email: Hamish@consumer.org.nz

How national standards are being used by Consumer.

Consumer predominantly uses AS/NZS joint standards rather than specific New Zealand national standards. We use these standards in 4 ways:

- 1) Standards are used as the main basis for a test where the standard is particularly relevant, such as our recent test of baby walkers. Most baby and child products are tested to key safety clauses in standards, with an ease of use assessment included as part of an overall rating. Products which fail any significant safety clauses are not recommended.
- 2) A test may be based in part or in total on a current performance standard. For many years we tested washing machines to the version of AS/NZS 2040 that was current at the time. But we came to the view that the standard was out of touch with current usage patterns in households, and began to modify our method, first by changing to a cold water wash, and more recently by changing to testing at a partial load. We did this because that is what happens in the real world. We test dishwashers more closely in line with the relevant performance standard at this point in time, but that may change in the near future.
- 3) Electrical safety standards are used as the basis for a selected range of electrical safety tests on any mains voltage appliance we test.
- 4) Sometimes consumer uses obsolete standards as the basis for tests, where an older performance standard has had relevance to how real world users operate an

appliance. An example is household waste disposal units, where there has been no current AS/NZS performance standard for over 10 years.

What does Consumer find most valuable about the national standards development process?

It has been many years since Consumer has been actively involved in standards development, so it is difficult for us to make a meaningful comment.

We value the contribution of our Australian sister organisation Choice to the development of Minimum Energy Performance Standards which have led to white-ware products such as refrigerators using substantially less energy with consequent benefits for consumers who can buy more efficient appliances that cost significantly less to run.

The extent to which Consumer NZ uses international and trans-Tasman standards:

Consumer NZ predominantly uses trans-Tasman standards, i.e. AS/NZ standards. These are the most relevant to our work.

Consumer would like to point out that many of the AS/NZS electrical safety standards that we use are based on IEC standards. New Zealand, through the work of Derek Johns has chaired the IEC TC 61 committee; Safety of household and similar electrical appliances committee, since 1994. This committee develops Standards that are used in many countries to show compliance with the specific country legal requirements for the safety of electrical equipment and is one of the largest and most active IEC committees. Many of the products sold to NZ consumers are by no means unique to New Zealand, and are designed to comply with international standards which in the area of electrical appliances have AS/NZS counterparts.

Having similar standards ensures that makers can easily supply products to the NZ market. This in turn ensures NZ consumers are able to access new technology such as flat screen TV sets without undue delay. Specific New Zealand standards could be a potential barrier to the supply of electrical goods such as TV sets to local Consumers. There are times when Consumer has used international standards, because that is the practice suggested by regulators.

This is usually where the relevant overseas standard has no AS/NZS counterpart. Typically our use is by reference rather than actual use of the standard.

For many years we referred members to child safety seat standards from the European Union, the USA, and Australia to guide them in the selection of suitable safety seats for their children, because this was how Land Transport New Zealand (now The New Zealand Transport Authority) determined what was appropriate to protect the children of New Zealand.

Recently we have realised some overseas standards may no longer be longer best practice and useful, so a completely different test may be designed, that bears little or no relationship to the recognised standard. An example of this is our test of child safety restraints where the International Consumer Research and Testing (ICRT) laboratories have developed a test based on the EuroNCAP car crash testing programme. This test far surpasses any requirements in the European ECE R44.04 standard. ICRT regard ECE R44.04 as providing very limited protection to children.

Consumer currently recommends just three seats, all from the ICRT test programme, because we believe these seats have shown in crash tests to offer the best available protection for New Zealand children.

Consumer is curious as to why the New Zealand Transport Authority currently insists that seats imported from the USA and complying with FMVSS 231 must be certified as acceptable by Standards New Zealand, yet any seat that appears to have a label that implies compliance with ECE R44.04 is accepted without question.

This seems to Consumer NZ to be a situation where Standards New Zealand should be in overall charge of the standards compliance process, and applying the rules consistently to all relevant standards, to ensure that our most vulnerable citizens are best protected.

Are specific New Zealand standards needed?

In some areas, particularly in building and construction, because New Zealand has unique requirements due to wind loadings and earthquake frequency and severity Consumer believes specific New Zealand standards or Regulations are essential.

In world of Consumer product performance and safety, more use should be made of internationally accepted standards, or AS/NZS standards derived from international programmes such as IEC.

Issues Consumer faces in using national standards or the standards development process.

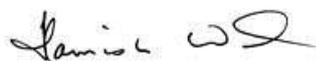
Consumer faces few issues in using standards, other than the cost of standards. Twenty years ago, we maintained an extensive library of current standards, and regularly inter-loaned them to other user libraries.

Today, due to costs and budget constraints, we buy standards on an as needed basis, and have a library of mostly obsolete standards. We no longer lend standards by interloan.

Consumer has rarely been involved in the standards development process in the last decade as we have not been able to spare staff resources to work in this area. It is of concern that consumer groups may not be properly represented in the development of standards because they cannot afford the time commitment.

The way standards are developed also leaves gaps. NZ has a recent practice of developing standards that industry will pay for, which means standards which might be necessary for the public good cannot be pursued unless alternative funding is found. Consumer believes Standards New Zealand should be fully funded for the development of relevant standards which might overcome both those hurdles. Funding could possibly come from levies on manufacturers and importers in a similar way to the levies which fund the Electricity Authority.

Yours sincerely



Hamish Wilson
Research and Testing Manager