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Subject:	ANNEX TO COMMISSION DECISION of XXX on the safety requirements to be met by European standards for candles, candle supports, containers and accessories pursuant to Directive 2001/95/EC of the European Parliament and of the Council on general product safety

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Delegations will find attached document D (2015) 025025/08 Annex.

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Encl.: D (2015) 025025/08 Annex

## ANNEX

### **Specific safety requirements for candles, candle supports, containers and accessories**

#### **1. Priorities**

Safety by design shall be given priority over safety through instructions.

#### **2. Design and construction requirements**

##### *2.1. Design*

The product shall be designed such that the hazards associated with reasonably foreseeable conditions of use have been fully considered and any risks minimised. The safety of the product shall not rely on complicated user procedures.

##### *2.2. Construction*

The suitability and source of materials used in the construction of the product shall be assessed by the manufacturer under reasonably foreseeable conditions of use.

##### *2.3. Stability*

- a) Free-standing candles or candles supplied with a holder or container shall remain stable (e.g. not tip over) during burning.
- b) If a candle is not a free-standing candle and no holders or containers are supplied with the candle, the manufacturer shall inform the consumer that the correct holder must be used, if that information is necessary for the safe use of the candle.

##### *2.4. Fire propensity*

- a) Flames shall have a maximum height which shall be established at a safe level taking into account the natural variation of the flame during the burning cycle.
- b) The candle shall not ignite its support, container or accessories at any stage of the burning cycle.

- c) Materials used in or on candles and candle supports, containers and accessories shall not spread or create a secondary flame at any stage during the normal burning of a candle or during its final extinction.
- d) Fire safety shall be assessed by the manufacturer taking into particular account the following conditions:
  - i. lighting of the candle;
  - ii. burning of the candle in reasonably foreseeable conditions of use.
- e) Candles marketed as self-extinguishing shall, at the end of the burning time, self-extinguish and effectively prevent the ignition of the surface underneath by constructive features. Container candles shall not cause the container to break.
- f) The design of the candle shall not allow for secondary ignition or automatic re-ignition of the candle after extinguishing of the flame.
- g) The risk of burns caused by touching the candle or its container during or after burning of the candle shall be minimised as far as possible, taking into account the specific purpose of the candle.
- h) Candle supports, containers, and accessories shall not cause fire (by explosion, overheating, etc.) under reasonably foreseeable conditions of use.

### *2.5. Chemical requirements*

- a) An appropriate risk assessment shall be made by the manufacturer regarding the toxicological properties of the materials, substances or mixtures (including fragrances) used in candles and in candle supports, containers and accessories to ensure that they do not adversely affect human health.
- b) Lead/lead compounds and nickel/nickel compounds shall not be used for or added to the manufacturing of base materials for candles (other than catalysts containing nickel compounds needed for hydrogenation/hydro-treatment of base materials) or of candles themselves. Taking into account possible unintentional contamination with lead or nickel in base material used for the manufacture of candles, the maximum values of lead and nickel in the total of all parts of a candle shall be as low as reasonably achievable and in any case shall not exceed 0,4 mg/kg as regards lead and 0,5 mg/kg as regards nickel.

### *2.6 Emissions*

- a) For indoor candles the emission of soot shall be minimised as far as possible with no visible release of soot. Indoor candles shall comply with the maximal soot index laid down in accordance with the state of the art, which in no case should be higher than 1,0 per hour.

- b) For indoor candles the emission of hazardous substances, including volatile organic compounds (VOCs), created during the burning process shall be minimised as far as possible. In the absence of limit values set by Union law and where relevant for candles, the recommended concentration levels laid down in the "WHO Guidelines for indoor air quality: selected pollutants"<sup>1</sup> shall be taken into account.

### 2.7. Food imitation requirements

The requirements of the Council Directive 87/357/EEC<sup>2</sup> shall be met.

## 3. Safety information requirements

- a) The presentation and illustration of the product as well as any information provided shall not play down risks to any potential user.
- b) Information, warnings and instructions for use shall be coherent, easily legible and understandable by the consumer and conspicuously labelled on the product, packaging or instruction leaflet which shall accompany the product.
- c) Candles that qualify as hazardous mixtures according to Regulation (EC) 1272/2008 shall be packaged and labelled accordingly.
- d) Essential information regarding the conditions of use of the product shall be visible to the potential user before purchase. Additionally, any reasonably foreseeable misuse of the product shall also be considered.
- e) As a minimum, the following shall be addressed:
- i. instructions on safe use, including conditions of use and precautions to be taken when burning candles, including the distance to be kept between burning candles when such information is necessary for the safe use of the candle with regard to its design or characteristics;
  - ii. instructions concerning safe use of burning candles in the presence of children and pets;
  - iii. information on sensitising fragrance ingredients in accordance with the classification and labelling requirements of Regulation (EC) 1272/2008 as regards respiratory and skin sensitisation.

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<sup>1</sup> 'WHO guidelines for indoor air quality: selected pollutants', World Health Organization, 2010: <http://www.euro.who.int/en/health-topics/environment-and-health/air-quality/publications/2010/who-guidelines-for-indoor-air-quality-selected-pollutants>.

<sup>2</sup> Council Directive 87/357/EEC of 25 June 1987 on the approximation of the laws of the Member States concerning products which, appearing to be other than they are, endanger the health or safety of consumers (OJ L 192, 11.7.1987, p. 49).

f) Where necessary with regard to their design or characteristics, candle supports, containers and accessories shall be accompanied by information on their safe use in combination with a candle (e.g. use of a heat resistant base underneath).

g) In particular for indoor candles, the following or equivalent warnings shall be either written conspicuously or conveyed by pictograms that are easily understandable by consumers:

- ‘Never leave a burning candle unattended.’
- ‘Burn candle out of the reach of children and pets.’
- ‘Do not burn candles on or near anything that can catch fire.’

In the case of candles that do not effectively prevent the ignition of the surface underneath by constructive features, consumers shall also be informed to use a heat resistant candle holder or a heat resistant base underneath.