

Notification on the product non-compliance

Note: This notification is issued per Article 4 of the 1958 Agreement by the Russian Approval Authority – Federal Agency on Technical Regulating and Metrology – to provide the Contracting Parties to the 1958 Agreement and the UNECE secretariat for the information on the product non-compliant to UN Regulation No. 44 – Child Restraint Systems.

1. The Russian Approval Authority had concluded that the product brand “Braxx”, type “Smart Kid Belt” approved according to UN Regulation No. 44, approval No. E20 44R-04 4013 granted by Poland on 11 July 2017, cannot be considered as a child restraint system.
2. Therefore, the Russian Approval Authority had requested to cancel the regional certificate of the Euro-Asian Economic Union issued for the said product basing on the said approval. The mentioned certificate had been cancelled.
3. The decision of the Russian Approval Authority is based on UN Regulation No. 44, paragraph 2.8.8.
 - “2.8.8. “Guide strap” means a strap or device which constrains the shoulder strap of the adult seat belt in a position to suit the child and where the effective position at which the shoulder strap changes direction can be adjusted by means of a device which can be moved up and down the strap to locate the wearer's shoulder, and then locked into that position. This guide strap is not meant to carry a significant part of the dynamic load. A guide strap is considered as a part of a child restraint system and cannot be separately approved as a child restraint system under this Regulation.”
4. The product brand “Braxx”, type “Smart Kid Belt” is designed as a separated guide strap.
5. Paragraph 2.8.8. of UN Regulation No. 44 was amended by Supplement 11 to the 04 series of amendments to UN Regulation No. 44 entered into force on 2 February 2017.
6. Approval No. E20 44R-04 4013 was granted later but the provisions of paragraph 2.8.8. had not been taken into account.
7. The validity of the decision of the Russian Approval Authority is confirmed by the further discussions and decisions of the Working Party of Passive Safety (GRSP) responsible for UN Regulation No. 44 (see the report of the 66th GRSP session ECE/TRANS/WP.29/GRSP/66, paragraphs 27-28).
8. GRSP, at its 66th session in December 2019, adopted document ECE/TRANS/WP.29/GRSP/2019/28 as a part of new Supplement 18 to the 04 series of amendments to UN Regulation No. 44, which introduced new paragraph 1.2.
 - “1.2. This Regulation explicitly forbids child restraint systems in the form of belt guides and other sitting devices that are dangerous and can harm children in

the event of a vehicle collision, irrespective of any test results obtained in accordance with paragraph 8.

In particular, it concerns belt guides and sitting devices meant for children of a mass from 15 kg to 36 kg that connect to or attach onto the lap belt portion as well as the torso belt portion of a 3-point adult safety belt system with the aim to alter the adult safety belt routing by for example pulling down the torso belt portion or squeezing together the torso belt portion and lap belt portion..."

9. The justification for the new paragraph 1.2. contains the following:

"1. Supplement 11 to the 04 series of amendments tried to rectify the issue of approving dangerous belt guides by clarifying that a "guide strap" is part of a CRS and cannot be separately approved as a CRS.

2. However, the above has not been able to withhold several economic operators from attempting and succeeding in obtaining a type-approval for similar product types fitting the description, as well as other inappropriate sitting devices.

3. It is clear that the acceptance of such belt guides and sitting devices has been a matter of incorrect interpretation of the regulatory text.

4. Numerous Contracting Parties and other stakeholders have already expressed their deep concern about these devices and the absence of safety for children that are transported in vehicles using such devices. However, they find it nearly impossible to address or refuse products that have been incorrectly approved.

5. The severe safety risks were already identified in the Working Party of Passive Safety (GRSP) documents GRSP-50-09, GRSP-50-25 and GRSP-50-34."
