The **Product** Safety **Engineering** Newsletter



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Vol. 10, No. 3 - September 2014

President's Message

Hello Fellow PSES Members!

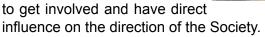
I hope you all took a few minutes to cast your vote for Directors-at-Large in the recent Board of Directors Election.

The Board of Directors has the responsibility to oversee Society business and activities for our membership, provide direction and strategy, and to promote the objectives of our Society.

The Directors-at-Large are your representatives to the Board of Directors for the IEEE PSES. There are at minimum twelve Directors-at-Large, with four elected each year by the Society membership for a three year term. Please see http://ewh.ieee.org/soc/pses/bod.html for the current Board Members.

Also, we will elect new officers of the Board of Directors at our October face-to-face board meeting. The officers make up the executive committee of the board and current officers are indicated at http://ewh.ieee.org/soc/pses/bod. html. You may be interested in one of these

positions and if so, I encourage you to contact the current officer and find out more. Self-nomination forms and information are available on the website at http://ewh.ieee.org/ soc/pses/. This is a great way to get involved and have direct



Under each Officer is a growing number of committees that will be gradually updated on our Web Page. These will need members and Chairs, which is yet another way to get involved at a lower commitment level to allow you to gradually work your way to other future involvement.

I would like to solicit your input on two topics the Board is currently considering:

Topic 1 - During 2014, members of the PSES have been additionally receiving quarterly copies of the CE Society Magazine. If you find value in receiving that magazine and would you like to continue receiving it please let me know at kevin.l.ravo@ul.com.



The Product Safety Engineering Newsletter

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Opinions expressed in this newsletter are those of the authors and do not necessarily represent the opinions of the Society or any of its members. Indeed, there may be and often are substantial disagreements with some of the opinions expressed by the authors.

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IEEE PSES Web Sites

http://www.ieee-pses.org/

http://psessymposium.org/

http://product-compliance.oc.ieee.org/ http://www.ieee-pses.org/emc-pstc.html http://www.ieee-pses.org/newsletters.html

http://www.ieee-pses.org/pses.html



Topic 2 – We are in the process of forming a Virtual Chapter. For those of you who don't have a local chapter, would you be interested in that? If so, please indicate your interest to Mike Nicholls (mnicholls@a-m-c.com), who is helping to set up the new Virtual Chapter.

Finally, as always if you have any thoughts about ways we can provide more value to you, our members, please share those directly with myself or any of the other board members. Just taking a few minutes to compose an email with an idea might be all it takes to help us develop the next new way to deliver more value to our members.

Sincerely,

Kevin L. Ravo

Kentho

Editor Wanted

Gary Weidner, our editor since the beginning, would like to step down (or retire as it were). At last year's symposium he received a service award thanking him for his volunteer work as Editor of our Newsletter all these years. He will be missed. Gary prepared this job description as we look for someone to take the reins. -D.R.

Do You Have What it Takes to do This Job?

I've been editing the current incarnation of the *Product Safety Engineering Newsletter* since the first issue appeared in the fourth quarter of 2005. I'd like to turn the position over to someone else, so a few thoughts are gathered here in order to convey what is involved. Hopefully I've been of some use, but there's something that's been gnawing at me ever since that first issue. Let me explain.

Few people outside the editing trade are aware of what a periodical publication editor does. The work involves two activities, described

below. Both of the activities are necessary for a successful publication, and neither is sufficient by itself.

Editing—Yes, editors edit. But "wordsmithing" is not something that one can simply decide to do and jump into it. My observations indicate that this poses a delicate problem in the engineering community because:

- (a) It seems that most engineers consider themselves to be good written communicators.
- (b) Experience in the publishing field and with PSEN indicates that most engineers do not write well, let alone edit the writings of others.

If you've been involved in writing or editing, words like "Strunk & White" or "Chicago Manual of Style" are probably familiar to you.

Mining for content—The other half of a typical periodical editor's work (and PSEN is typical is this regard) is to locate useful and interesting content. Intuition would seem to indicate that an editor sifts through a stream of submitted articles, then edits the best for publication. Wrong. Most successful publications receive submitted articles, but not nearly enough to feed the issue-after-issue conveyor belt. Mining for content involves serious time and effort devoted to networking.

What's been gnawing at me is that I've not been able to devote anywhere near an appropriate amount of time, effort, and sometimes expense, to mining for *PSEN* content. Our newsletter needs someone with demonstrable writing and editing skills who can also commit to mining for content. If that's true for you and you would like to investigate the *PSEN* Editor position, contact Dan Roman, VP-Communications, at dan.roman@ieee.org.

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Chapter and TAC Safety Probes

To see current chapter information and people looking to start chapters please go to the Chapter page at: http://www.ieee-pses.org/Chapters/index.html

Technical Activity Committee information can be found at: http://www.ieee-pses.org/technical.html

Telecom Safety TAC

Don Gies was unanimously elected as new Chairman during the July meeting.

US TAG Meeting – Outdoor enclosure metal

Don plans on attending the next ANSI/US Technical Advisory Group meeting in San Diego at the end of September. Having pushed the battery ventilation through the TC 108 into a CDV of IEC 60950-22, he would like to forward the other proposal from TSTC on the use of certain metals that should not need corrosion testing, which includes aluminum.

NEMA has excluded a group of metals from the need to test for corrosion. IEC has not put an exemption in their standards for metals like aluminum and copper. Don is going to suggest that the IEC include an exemption for metals like aluminum.

Protection of DC feeds to radio equipment at the top of towers

Al Martin reported this is an issue that has a lot of interest with outdoor wireless installations.

a) What protection is typically installed on equipment that will be located at the top of towers, and is any consideration given to the height of the tower?

Protection is typically MOVs. Question is what ratings the MOVs should have. Tower height doesn't appear to be a consideration.

b) What lightning waveshape is considered when designing protection for equipment to be

located at tower tops?

The lightning waveform is dependent on the height of the tower. Generally the waveform used is the IEC 62305 200 kA 10/350. Protection needs depend on how the lightning current gets coupled onto the dc lines. One known experiment on this coupling has been reported to the ITU-T. It is an unpublished committee document. Al will see if he can forward a copy of this to the Committee.

c) Is there any information about the failure of installed protection to protect equipment located at tower tops?

Service providers specify the protection, and might have information about failures [which would probably be hard to get].

Seeking Collaborators

Looking for volunteers to create a spreadsheet with the world wide requirements for electronic products. The intent would be to have it broken up by industrial verses consumer, appliance verses ITE, and any other classes of devices. The list would include WEEE, RoHS, REACH, Safety, EMC and so on. As the IEEE PSES now has a number of members in a lot of countries, it is something we should be able to put together. If you think this is a good idea and would like to be part of the task group please drop me an email at: j.bacher@ieee.org.



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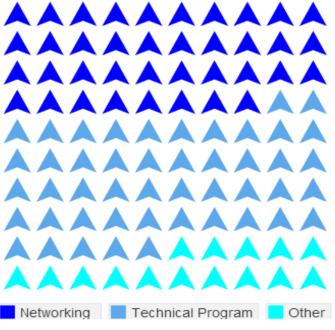
Attendees praise ISPCE 2014

"This was my first time attending, it was a wonderful networking opportunity. I enjoyed the mixture of classroom style technical sessions and the large meeting hall where you can mix & mingle with other professionals in the safety/compliance arena."

- Hewlett-Packard [HP] Engineer



What 2014 attendees enjoyed the most





"The ISPCE conference brings industry compliance experts together with the forensic engineers. It thereby provides real world feedback to corporations and new technology information to the forensic engineers."

- Synnovation Engineering Inc. Engineer

You won't want to miss out on ISPCE 2015 in Chicago!



Legal Column

The CE mark as Your Product's Passport to the European Market

by Dr. Susanne Wende

When placing a product onto the European market, the producer has to bear many legal aspects in mind. Here are a few examples: Do our products comply with European product safety requirements? Do our products comply with European labelling requirements? Do our products comply with European ecodesign requirements? Do our products comply with the European Chemicals Regulation (i.e. REACH)? Are there any other product-specific requirements to be fulfilled? Are there possibly any additional national regulations in our countries of distribution? What are the consequences of non-compliance? Do we have sufficient protection of our intellectual property rights in Europe?

Meaning of the CE marking

The CE mark is also called a "product's passport" for the markets within the European Economic Area (EU Member States plus Liechtenstein, Iceland and Norway). This is due to the fact that a CE marked product benefits from the free movement of goods in the European Union. According to the CE Directives, a market surveillance authority must assume that a product bearing the CE marking complies with the relevant product regulation.

CE marking is a declaration by the manufacturer of a product that it complies with the relevant CE Directives. The CE marking has to correspond with the EU Declaration of Conformity which the producer issues after he has carried out the obligatory conformity assessment procedure. The CE marking is not, therefore, an independent quality approval. The producer can, however, outsource the conformity assessment procedure. Nevertheless, the producer remains responsible for

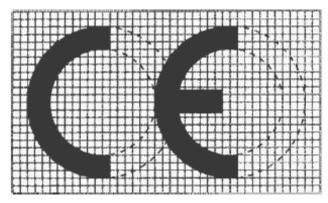
Starting with this issue, PSEN includes a new regular column on product compliance from the European perspective. The column will deal with recent developments regarding the requirements for placing products onto the European market. The column will be provided by Noerr LLP's Product Compliance Team. As each column will focus on a specific topic and its meaning for electronic products, it will be written by different lawyers of Noerr's Product Compliance Team. The aim is not only to provide information on relevant regulations but also to indicate their practical impact taking into account the overlap of European and national law and interests the producer may have to deal with. This first column, written by Susanne Wende, offers with dos and don'ts in regard to CE-marking (a product's "passport" for entering the European market).

finding the right CE Directive(s), the conformity assessment procedure, the EU Declaration of conformity and the CE marking.

An example: A laser printer, as electrical equipment, falls under the EU Low Voltage Directive 2006/95/EC. According to Art. 8 EU Low Voltage Directive, the producer must, therefore, make sure that the conformity assessment procedure under the EU Low Voltage Directive is carried out. He also has to issue the EU Declaration of conformity and affix the CE mark before the product is placed on the EU market.

By the way, a laser printer would generally also fall under the EU Machinery Directive 2006/42/EC. "Ordinary office machinery" is, however, explicitly excluded if it is regulated by the EU Low Voltage Directive. This shows that, in some cases, merely identifying the right CE Directive might be a little complicated.

It has to be kept in mind that other areas too are affected by CE Directives and not only European product safety laws. There are, for example, the EU Electromagnetic Compatibility Directive 2004/108/EC and the EU Ecodesign Directive 2009/125/EC that also oblige the producer to confirm compliance of his products with the CE marking. The conformity assessment is quite complicated specifically within the EU Ecodesign Directive as it legally works together with product specific implementing measures adopted by the European Commission.



The CF mark

Presumption of conformity—what does it mean?

According to the European CE Directives, European market surveillance authorities have to presume a product carrying the CE mark complies with the provisions of the Directive. Nevertheless, the market surveillance authorities may find facts that prove that the product does not comply with the relevant EU legislation. Let us say the laser printer mentioned above carries a CE mark. The EU Declaration of Conformity states that it complies with the EU Low Voltage Directive and the EU Electromagnetic Compatibility Directive. A European market surveillance authority might still buy some of the laser printers and run tests on them (i.e. electrotechnical tests from the applicable European harmonised standards). If the product does not pass these tests, the market surveillance authority has

a starting point for proving that the product does not comply with the relevant product requirements under EU law. A reason for different test results achieved by the producer and the market surveillance authority might be slight differences in the setting of the testing environment or the like. Those cases need very careful legal-technical assessment and argumentation to refute a possible complaint of the market surveillance authority. The presumption of conformity might, in any event, be overruled by a technical-legal evaluation of the product. The market surveillance authority may then—inter alia—ban a product from the European market even though it carries the CE mark. CE marking does not, therefore, render a product inviolable but gives a product the right of free movement as long as there is no proof of non-conformity.

Consequences of "wrong" CE marking

The CE mark has to be placed on products that fall under a CE Directive. On the other hand, the CE mark must not be placed on products that do not fall under a CE Directive.

"Wrong" CE marking can have several consequences for the producer. Even though CE Directives are European legislation, the specific consequence must be assessed under the national law of every country of distribution as it is codified in national administrative or civil law.

Coming back to our laser printer example: The EU Low Voltage Directive obliges Member States merely to take appropriate measures if the CE mark is affixed to a product without legal justification. It does not, therefore, prescribe the specific consequence if the laser printer does not carry the CE mark. It is the EU Member States which take the appropriate measures by means of national legislation. There might be different opinions amongst the EU Member States legislators on what would be an appropriate measure as well as on the scale of actions to be sanctioned.

Continued from Page 9

According to the German implementing law (Produktsicherheitsgesetz, abbr. ProdSG), affixing the CE mark without a legal basis is an offence liable to the same penalty as not affixing the CE mark even though a CE Directive prescribes it. In both cases of "wrong" CE marking, the market surveillance authority may impose a fine of up to € 10,000. Additionally, a product with a wrong CE marking does not comply with the provisions of the ProdSG and may, therefore, be subject to measures ordered by a market surveillance authority. Those measures include, for example, the banning of the products until they comply with the provisions for the CE marking.

CE marking and Competition Law

Every producer placing his products onto the European market should also have in mind that CE marking might also be relevant under competition law, especially the law against unfair competition which is, again, national law of every EU Member State.

Under German law against unfair competition, advertising with a CE marked product as "CE tested" was held not to be permitted by the Higher Regional Court Frankfurt (Oberland-esgericht, abbr. OLG). The OLG Frankfurt decided that the advertising was misleading in the meaning of Sec. 5 of the Act against Unfair Competition (UWG). By the addition of "tested," the manufacturer gave rise vis-à-vis a consumer not familiar with the principles of product law to the (false) impression that an independent body had tested the product. This is specifically not indicated by the attachment of a CE mark.

Additionally, the "wrong" CE marking as mentioned above also provides competitors with the possibility of objecting to that conduct under competition law.

The CE Directives themselves contain provisions that prohibit the use of a sign similar to the CE mark as it might confuse consumers.

To sum up, the CE mark is, indeed, a product's "passport" to the European Economic Area, as its compliance with European CE product regulations is presumed. It does not, however, mean that the producer does not have to be prepared for legal defence of his products. There is still the possibility that non-compliance may be proven by a market surveillance authority. Additionally, CE marking and product (non-) compliance have some competition law aspects that might be exploited by competitors.



Dr. Susanne Wende, LL.M., Rechtsanwältin (e-mail <u>susanne.wende@noerr.com</u>), is a lawyer in the Product Compliance Team of Noerr LLP (www.noerr.com). She specializes in German and European product safety law and product liability law. She advises clients from several industries on product compliance when distributing products internationally. Susanne Wende regularly speaks on various aspects of product safety law and product liability law at seminars and in workshops. She lectured on European product liability law at the Free University of Berlin for many years.

Noerr LLP is a European law firm founded in Germany with offices in London, Brussels, Alicante and various CEE-capitols. Noerr's Product Compliance Team advises its clients on all questions related to placing products onto the European market, defends them against complaints from European market surveillance authorities and conducts product recalls.

Volunteer Positions Available

PSES members wanted to volunteer for small but important roles within the PSES organization. No in-person meetings required. E-mail and conference calls only. All it takes is a couple of hours a month to help improve and grow our organization.

- PSES Global Outreach Rep: Help establish the PSES Country Reps - the country reps will serve as a leader within each foreign country that currently has PSES members (make contact with our foreign membership).
 Work with the Chapter Coordinator to help the Country Reps start local chapters.
- PSES Strategic Partner Rep: Make contact with other societies and organizations that have Product Safety interest. Work to help integrate our safety content into their societies and organizations (i.e. PSES has partnered with the Consumer Electronics Society).
- PSES PR Rep: Prepare and issue press releases regarding our Symposium and other special events and activities. Invite news organizations and other interested parties to cover our events.
- PSES Marketing Team: Team members participate in plan review and refinement, and each member leads 1 item within the plan (work at your pace - pick an area that interests you - no marketing experience or background needed - many tasks are technically oriented that serve marketing purposes).

For more details, please contact Bill Bisenius at +1-919-469-9434.

We also are seeking volunteers for the Symposium Committee:

- Overall Planning Committee
- Technical Program Committee
- Marketing Committee
- Paper Presentations
- Local Symposium Support
- Session Moderators
- Track Chairs

See the Symposium website at: http://www.psessymposium.org/ or contact John Allen at <u>Jrallen@productsafetyinc.com.</u>



2015 IEEE Symposium on Product Compliance Engineering

Sponsored by the IEEE Product Safety Engineering Society

May 18-20, 2015 Chicago, IL, USA www.psessymposium.org

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Technical Program Chair Tom Burke thomas.m.burke@ieee.org

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Call for Papers, Workshops, and Tutorials

The IEEE Product Safety Engineering Society seeks original and unpublished papers, presentations, workshops and tutorials on all aspects of product safety and compliance engineering including, but not limited to:

EMC Compliance

 Electromagnetic emissions, electromagnetic immunity, regulatory, and introductory topics (for safety engineer & compliance engineers)

Energy Storage

 Battery and energy storage designs, applications, manufacturing, testing and standards, including emerging chemistries, fuel cells, electrochemical capacitors (ultra-and super-capacitors), etc.

Forensics

- The latest findings in failure analysis
- General tools, techniques and best practices used for quality failure analysis

Hazard-based Safety Engineering & Safety Science

- Theory and application of HBSE and related safety science disciplines
- New hazard-based standard for A/V, IT & Communication Technology Equipment, IEC 62368-1

Innovation

Emerging uses of technology, and associated challenges with safety & compliance, such as associated with 'smart' devices, wearable electronics, wireless power transfer, driverless cars, modular data centers, 3D printing, liquid cooling, PEDs/aircraft, virtual reality, technology & seniors, unmanned aerial vehicles (UAVs, aka drones), etc.

Leadership

- Management strategies and techniques, and case studies
- Change leadership, team building, conflict resolution, time management
- Communication skills

Medical Devices

- IEC 60601-1, and collateral standards
- Risk Management process for medical devices

Risk Analysis, Assessment & Management

 Fundamentals and application of risk analysis, assessment and management, into both existing and new standards and applications



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Call for Papers, Presentations, Workshops and Tutorials

Miscellaneous

- New to ISPCE- Compliance 101 Track: Basic, high level presentations on compliance for those new to compliance and designers. An overview of the Certifications landscape, how to submit a product to NRTLs, how to get the documentation in NRTL format, explain the difference between Component vs End Product Certifications, compliance tips like hard wired products must have 5VA flame rating, etc.
- Anti-counterfeiting: Challenges, regulations & strategies
- **Components:** Power supplies, insulation, opto-couplers, wire & cables, capacitors, connectors, current-limiters, transformers, fuses, ferrites, surge protectors, printed circuit boards, earthing (grounding), environmental, electromagnetic suppression & protection, etc.
- **Demonstrations:** Demonstrations of product safety testing techniques, including mechanical, electrical, fire, etc.
- **Environmental:** RoHS, WEEE, EuP (Energy-using Products), Energy Star, packaging Directives, REACH (Chemical), CeC, other 'green' topics, etc.
- Functional & Software safety: Theory, standards and application
- Hazard-specific topics: Electrical, mechanical, fire, thermal, chemical, radiation, etc
- Photobiological safety & compliance: Lasers, LEDs, UV, coherent/incoherent, blue light, etc.
- Product-specific topics: Consumer, medical, computer (IT), test & measurement, power supplies, telecommunication, incandescent, fluorescent & LED lighting, industrial control, electric tools, appliances, wireless, robotic technologies, etc.
- **Product Liability & Recalls:** Challenges, government interface, public databases, laws, etc.
- Research: Physiological responses to energy sources, unique safeguard schemes, electrically-caused fire, forensic methods, etc.

Author's Schedule (preliminary)

Indicated deadlines require that the associated documents be loaded into EDAS by the due date:

Review Manuscript/Presentation Submission

Acceptance Notification

• Final Camera-ready Paper/Presentation Submission

December 15, 2014 February 1, 2015

April 1, 2015

^{*}Please go to the Author page (via Authors tab) on the ISPCE website for comprehensive submission instructions, including paper templates: www.psessymposium.org. Review

Special Free Offer

Starting this past January, PSES members began receiving the award winning CE Magazine free of charge. CE Magazine is published by the IEEE Consumer Electronics Society and its mission is to educate, inform, and entertain members on technology, events, industry news, and general topics. This trial offer is for all of 2014.

The Product Safety Engineering Society and Consumer Electronics Society are considering an arrangement that would put feature technical articles relating to Product Safety and Compliance Engineering in CE Magazine. We would appreciate your feedback once you begin receiving the magazine. You can contact Dan Roman (dan.roman@ieee.org) or Kevin Ravo (Kevin.L.Ravo@ul.com).

PSES Jobs Web Page

PSES has a web page for employers and job seekers at http://www.ieee-pses.org/jobs.html. Employers may post jobs seeking regulatory or compliance-related personnel free of charge. Job postings will remain on this web site for a period of 6 months but may be removed earlier by request of the employer.

Job postings **must** include the name and location of the employer <u>and</u> a method for an applicant to respond to the listing. We will **not** accept or post job listings from professional recruitment firms or job placement services working on behalf of a client that is not identified, and we will not include job listings for positions that require the candidate to pay a placement fee.

See http://www.ieee-pses.org/jobs.html for full posting policy and how to submit requests.





E-Mail List: http://www.ieee-pses.org/emc-pstc.html
Virtual Community: http://product-compliance.oc.ieee.org/
Symposium: http://psessymposium.org/

Membership: The society ID for renewal or application is "043-0431".

Advantages of Membership in the IEEE PSES

Makes you part of a community where you will:

- Network with technical experts at local events and industry conferences.
- Receive discounts on Society conferences and symposiums registration fees.
- Participate in education and career development.
- Address product safety engineering as an applied science.
- Have access to a virtual community forum for safety engineers and technical professionals.
- Promotion and coordination of Product Safety Engineering activities with multiple IEEE Societies.
- Provide outreach to interested engineers, students and professionals.
- Have access to Society Publications.

News and Notes

Compliance News Shorts September, 2014

News to Know Recently Published IEC Standards

IEC 60335-2-95-am1 ed3.0 (2014-09) -

Amendment 1 - Household and similar electrical appliances – Safety – Part 2-95: Particular requirements for drives for vertically moving garage doors for residential use



<u>IEC 60335-2-90 ed3.2 (2014-09)</u> - Household and similar electrical appliances - Safety - Part 2-90: Particular requirements for commercial microwave ovens

<u>IEC 60601-1-11 ed2.0 (2014-09)</u> - Medical electrical equipment – Part 1-11: General requirements for basic safety and essential performance – Collateral Standard: Requirements for medical electrical equipment and medical electrical systems used in the home health-care environment

<u>IEC 60335-2-25 ed6.1 (2014-08)</u> - Household and similar electrical appliances - Safety - Part 2-25: Particular requirements for microwave ovens, including combination microwave ovens

<u>IEC 60335-2-56 ed3.2 (2014-08)</u> - Household and similar electrical appliances - Safety - Part 2-56: Particular requirements for projectors and similar appliances

<u>IEC 60335-2-101 ed1.2 (2014-08)</u> - Household and similar electrical appliances - Safety - Part 2-101: Particular requirements for vaporizers

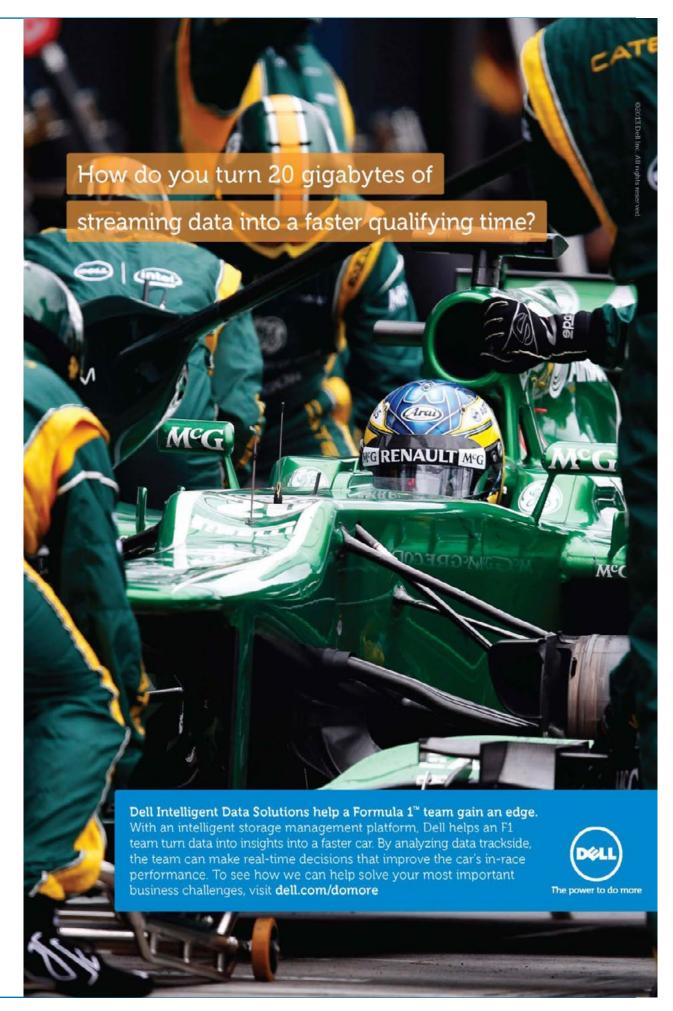
IEC 60086-4 ed4.0 (2014-09) - Primary batteries - Part 4: Safety of lithium batteries

IEC 62031 ed1.2 (2014-09) - LED modules for general lighting - Safety specifications

<u>IEC 62868 ed1.0 (2014-09)</u> - Organic light emitting diode (OLED) panels for general lighting - Safety requirements

<u>IEC TRF 60065 ed9.0 (2014-08)</u> - This Test Report applies to: IEC 60065:2014 (Eight Edition)

Compliance News Shorts is Edited By Daniece Carpenter, Principal Regulatory Engineer



Sunday	Monday	Tuesday	Wednesday	Thursday	1	2
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HP creates new possibilities for technology to have a meaningful impact on people, businesses, governments and society. The world's largest technology company, HP brings together a portfolio that spans printing, personal computing, software, services and IT infrastructure at the convergence of the cloud and connectivity, creating seamless, secure, context-aware experiences for a connected world.

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from 24 June 2014 through 24 September 2014

Our new members are located in the following countries: Australia, Canada, Germany, Morocco, Nigeria, and USA.

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We invite applications for Institutional Listings from firms interested in the product safety field. An Institutional Listing recognizes contributions to support publication of the IEEE Product Safety Engineering Newsletter. To place ad with us, please contact Jim Bacher at j.bacher@ieee.org

The Product Safety Engineering Newsletter is published quarterly during the last month of each calendar quarter. The following deadlines are necessary in order to meet that schedule.

Closing dates for submitted articles:

1Q issue: February 1 2Q issue: May 1 3Q issue: August 1 4Q issue: November 1

Closing dates for news items:

1Q issue: February 15 2Q issue: May 15 3Q issue: August 15 4Q issue: November 15

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