



Business, Energy and Industrial Strategy Committee

House of Commons, London, SW1A 0AA

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Andrew Griffiths MP

Minister for Small Business, Consumers and Corporate Responsibility

Department for Business, Energy and Industrial Strategy

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May 2018

Dear Andrew,

I am writing to follow up on my continuing concerns about Whirlpool's handling of defects with its tumble dryers. As you know, the Committee identified specific issues on this in our recent report on the Safety of Electrical Goods in the UK, namely:

- The slow progress of Whirlpool's modification programme, with Whirlpool admitting up to a million defective and potentially dangerous machines were still in circulation.
- The advice originally given to customers that they could continue using defective tumble dryers in lieu of a repair or replacement providing they were in attendance.
- The failure of Whirlpool to act upon the Regulation 28 Report issued by an Assistant Coroner about the fatal The Llanwrst fire in North Wales, which was attributed to a faulty door mechanism – a fault identified as a cause of other fires.

One of the recommendations in our Report was that Whirlpool should resolve defective machines within two weeks once raised by a customer. Whirlpool responded that they would resolve defective machines within a week. In responding to two letters, Whirlpool have failed to provide these figures or any satisfactory assurances about the rate at which they are resolving defective machines.

Serious questions have been raised in recent weeks about Whirlpool's modification programme. Both the BBC and Which? have reported that several modified machines have caught fire, while their own tests have shown that the modification used by Whirlpool is inadequate and merely delays the build-up of lint which is identified as an ignition factor for fires.

Which? also published the results of mystery shopper research which suggested that several retailers and Whirlpool have been giving out erroneous advice. Most worryingly, Which? found that this included Whirlpool operatives advising that defective machines could be used by customers whilst they were waiting for repairs or a replacement machine. This was the precise reason why Which? threatened a judicial review which led to that advice being changed

When Whirlpool gave evidence to our Committee last November, we were promised that they would forward to me a copy of their response to the Llanwrst Assistant Coroner's Regulation 28 Report. Though it was sent to the Assistant Coroner on 22 December 2017, we did not receive a copy until 10 April 2018. Rather than taking seriously the identified door mechanism issue, Whirlpool instead implied that the fire had been instigated by a spontaneously combusting tea towel, that retained flammable liquids. There is no explanation in their response to the Assistant Coroner as to how they will address the faulty door mechanism. There is therefore a risk that there are hundreds of thousands of [potentially] defective and dangerous machines in people's homes.

Your reply to our report highlighted the setting up of the new Office for Product Safety and Standards (OPSS) to respond to national product safety issues. In view of the continued failure of Whirlpool to take effective measures to deal with this, there now appears to be a clear case for the OPSS to intervene. This intervention should include considering a full recall of defective Whirlpool machines, including those modified and those identified as potentially having faulty door mechanisms. I believe that this is a major test of the OPSS's ability to deal rapidly with a national product safety issue, of the robustness of the new Code of Practice on Recalls and of the UK's product safety regime as a whole.

Your response to our Report indicated that you have had an ongoing dialogue with Whirlpool on product safety issues. Please can you tell me what issues the Department and the OPSS

have discussed with Whirlpool and what actions you have agreed they will take? Can you also tell me after the most recent developments, whether the OPSS intends to have further discussions with Whirlpool and whether the OPSS will require them to take additional actions, including a recall of all defective tumble dryers or a major rethink in its approach to defective and modified machines (i.e. lint build-up) and those models vulnerable to defective door mechanisms? Finally, can you tell me more specifically how the OPSS and BEIS is interpreting relevant UK legislation on product safety and product recalls in relation to Whirlpool and whether the new Code of Practice on Product Recalls will be used to deal with the problems I have raised?

I would appreciate it if you could provide a response by 23 May.

with best wishes

Rachel Reeves.

Rachel Reeves MP

**Chair of the Business, Energy and
Industrial Strategy Committee**

