

Legal Arguments to avoid using Copper Clad Aluminium (CCA) cables

We have recently taken Legal Council on these market-focused questions as we continue to see CCA grade cables sold as Ethernet Network Category Patch cables.

Seller and Buyer Beware

Question: Must you declare this in your product description if you sell cables with CCA conductors?

The Business Protection from Misleading Marketing Regulations 2008 prohibits advertising (which includes product descriptions) that mislead traders. Advertising is misleading if it in any way (including its presentation) deceives or is likely to deceive the traders to whom it is addressed, and because of its deceptive nature, it:

1. Is likely to affect their economic behaviour,

or

2. Injures, or is likely to injure, a competitor.

On this basis, failing to disclose that a cable has a CCA conductor when the conductor is made from CCA, may well be misleading. Any definitive view though would also need to take into account the context, including all of the information and pictures provided at the point of sale.

Question: You cannot call any of these cables "Category cables or patch leads" as this is an industry technical reference that belongs to the USA TIA and the ISO International Standards Committees. Category cables or patch leads can only use pure copper.

We understand that the specifications set out in relevant standards of cat 5e, 6 and 6a cables require the conductors to be made of pure copper. If so, any product descriptions/advertisements advertising CCA cables as category cables are likely to be misleading as it may cause traders to buy CCA cable instead, thinking that CCA cables comply with the relevant standards. Companies advertising CCA cables in this way are likely to be committing a criminal offence.

Question: The expanding PoE (Power Over Ethernet) standard and application are also based on the TIA/ISO standard use of pure copper cables, and again, CCA cannot support PoE. Should Suppliers declare that these are not suitable for PoE use?

In b2b sales, we are not aware of any explicit requirement for your competitors to declare whether certain products are unsuitable for certain applications, though this would certainly be a helpful thing to do as a reputable retailer. However, under product safety law, your competitors have a general duty to act with due care in order to help ensure compliance

with applicable safety requirements. If the unsuitability is related to safety, our view is that your competitors should be flagging to its customers that CCA cable is unsuitable for PoE applications.

Question: Is calling Category cables with CCA conductors against the UK trade description act as they are not Category cables?

The same regulations above apply to this scenario – the Trade Descriptions Act 1968 has been largely superseded by new consumer focused regulations and the Business Protection from Misleading Marketing Regulations 2008.

However, the PoE standards refer to ANSI/TIA 568, ISO/IEC 11801 and BS EN 50173 and the Category standards that are an electrical requirement defined by these international and UK standards which all refer to the use of only annealed pure copper as the conductor material.

Question. Should a CCA cable have a CE and or UKCA mark?

Any CCA cables that carries the CE Mark and or UKCA mark must comply with the low voltage directive and any published national or international standards that form the basis for the Declaration. Any product containing CCA will not comply with any standards and therefore, should not display any form of CE and or UKCA mark on either the product or the packaging, unless the product is constructed in conformity with the essential requirements of the low voltage directive and the manufacturer has declared this in a formal “declaration of conformity”.

For further information, please contact us via [email](#) or telephone on [+44 \(0\)1276 405300](#).