



Consumer protection: Nintendo agrees to offer free repairs of irresponsible Nintendo Switch controllers

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Following an alert from the European Consumer Organisation (BEUC), the European Commission and EU consumer authorities ([Network of Consumer Protection Cooperation \(CPC\) Authorities](#)) contacted Nintendo to address a recurring technical problem with irresponsible controllers. Following this action, Nintendo has agreed to offer all consumers the right to repair for affected controllers of the “Nintendo Switch” gaming console free of charge, even beyond the legal guarantee. The joint action was led by the Greek Ministry of Development and Investments and the German Environment Agency, and coordinated by the European Commission.

Consumers using the Nintendo Switch console had reported to CPC authorities and consumer associations that they have been dealing with deterioration and a loss of control of the console. As the problem rendered controllers useless, consumers who could not repair them easily or free of charge were obliged to replace them, resulting in unnecessary electronic waste. As a result of the action, Nintendo agreed to offer and indicate clearly that defective Joy-Con controllers will be repaired without charge by Nintendo's repair centers, irrespective of whether this has been caused by a defect or by wear and tear, and even if the manufacturer's guarantee given by Nintendo has expired.

Background

The [Consumer Protection Cooperation \(CPC\)](#) is a network of authorities responsible for the enforcement of EU consumer protection laws. To address cross-border issues, their actions are coordinated at EU level by the European Commission.

National authorities are responsible for the enforcement of EU consumer protection laws. Under the updated [Consumer Protection Cooperation Regulation](#), they now have stronger powers to detect irregularities and take speedy action against rogue traders.

This technical problem known as the “Joy-Con drift” affected both Nintendo Switch and Nintendo Switch Lite consoles. BEUC's member organisations had received nearly [25,000 consumer complaints](#) about the Nintendo Switch console by January 2021.

On 22 March, the Commission adopted a [proposal on the right to repair](#). The proposal will make it easier and more cost-effective for consumers to repair as opposed to replace goods. Once the new rules are in place, they will ensure that more products are repaired within the legal guarantee, and that consumers have **easier and cheaper options to repair** products that are technically repairable (such as electronic displays for example) when the legal guarantee has expired or when the good is not functional anymore as a result of wear and tear. The Commission's proposal has to be adopted by the European Parliament and the Council.

Moreover, the Commission [proposed](#) to update the EU consumer rules to empower consumers for the green transition. Additionally, the initiative on [Substantiating Green Claims](#) will make it easier for consumers to make sustainable purchasing choices and stop companies from making misleading claims about environmental merits of their products and services.

The proposed revisions in EU consumer law were announced in the [New Consumer Agenda](#) and the [Circular Economy Action Plan](#). The revisions aim to support the changes needed in consumer behaviour to achieve climate and environmental objectives under the European Green Deal by ensuring that consumers have better information on the durability and reparability of products, as well as protecting consumers from commercial practices that prevent them from shopping more sustainably.

For More Information

[Common position of national authorities of the CPC Network concerning the commercial practices of Nintendo of Europe GmbH](#)

Quotes:

I am pleased that Nintendo voluntarily took the steps to address concerns about compliance with EU consumer law, addressing the early obsolescence of certain controllers, and offering a lifelong right to free repair for this specific issue. This will prevent the disposal of unrepaired controllers and unnecessary waste. In line with our proposal on the right to repair, we expect companies to effectively improve the reparability of their products and the information available on it, in order to empower consumers to become real actors in the green transition.
Didier Reynders, Commissioner for Justice - 04/04/2023

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