



WELL-INFORMED CIRCLES

1610

TOYS

Toy Safety in Europe

The European Toy Safety Directive 2009/48/EC (TSD) is amongst the strictest product compliance regulations in the world.

The European Commission financed an education campaign that was carried out by Toy Industries of Europe (TIE) between 2012 and 2014.

Part of the campaign was the publication of a practical guide, this edition of Circles quotes directly from parts of that guide.

SAFETY ASSESSMENT

"The safety assessment is the responsibility of the manufacturer and must be carried out before the toy is put on the EU market. It must cover the various chemical, physical, mechanical, electrical, flammability, hygienic and even radioactivity hazards that the toy may present. Many of the safety requirements related to these hazards are addressed in harmonised toy safety standards; however, the manufacturer remains obliged to assess any features in the toy that could present a potential hazard that would not be sufficiently covered by these standards. The results of the safety assessment will determine which conformity assessment procedure is required, and any appropriate risk mitigation and/or testing".

WARNINGS

"Where appropriate, warnings which specify user limitations need to accompany the toy for safer use. In addition to the mandatory requirements set out in the TSD, the harmonised standards also specify warnings that should accompany certain categories of toys. The warnings need to be written in language(s) easily understood by consumers.

Warnings must be marked on the toy, an affixed label or the packaging, as defined by the TSD and harmonised standards, and could also be required to be included in the instructions. It is important to note that in cases where the toy is sold without packaging, the warning needs to be affixed on the toy itself. Affixing warnings on a counter display box is not sufficient to meet the requirements of the TSD.

Warnings which determine the purchase decision, such as minimum and maximum user age indications and the specific warnings described in the directive, must appear on the consumer packaging or be otherwise clearly visible to the consumer before the purchase, also in cases where the purchase is made online.

User limitations must contain at least the minimum or maximum age of the user. If appropriate, they must also contain the abilities or characteristics required by a user to be able to use the toy safely (e.g. ability to sit unaided, maximum and minimum weight of the user, need to use the toy under supervision).

In order to indicate that a toy is not suitable for children under 36 months for safety reasons, manufacturers may choose between a warning phrase or pictogram (or both).



Not suitable for children under 36 months.

In both cases the phrase and/or the pictogram must be preceded by the word "Warning(s)" in the required language(s).

The age warning alone is not sufficient. It needs to be accompanied by a short indication of the specific hazard calling for this precaution, which may appear in the instructions for use. The hazard is the potential harm, such as physical injury or any other damage to health, including adverse long term health effects.

Examples of acceptable warnings, together with brief indications of the specific hazard (and harm), are:

- "Warning. Not suitable for children under 36 months. Small parts".
- "Warning. Not suitable for children under 36 months. Long cord. Strangulation hazard".

The complete guide (English version) can be downloaded here:
<http://ec.europa.eu/DocsRoom/documents/15985/attachments/1/translations>

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