

SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDLINES

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NEW EU TOY DIRECTIVE ADOPTED BY THE EU PARLIAMENT JUST BEFORE CHRISTMAS

On Thursday 18th, December the EU Parliament accepted the revision of the EU toy directive. The old Directive 88/378/EC has been in force since 1989.

Major changes compared to the current toy directive 88/378/EEC are:

Definitions and specification of the obligations of economic operators are more detailed. The responsibilities are detailed per economic operator:

- Manufacturers (product files must be kept for 10 years, toys must bear type/serial numbers),
- Authorized representatives,
- Importers,
- Distributors.

A requirement for an EC declaration of conformity drawn up by the manufacturer is added. Similar to other CE directives the proposal is to supply a declaration. A copy of the declaration must be kept for 10 years after the toy has been placed on the market.

It is specified safety assessments/ risk assessments must be carried out. Manufacturers are obliged to identify any hazards that a toy may present. The assessment must be kept in the technical documentation.



Requirements for production control and import from third countries are more specified. Internal production control is based on the manufacturer's own responsibility and requires self verification and monitoring of the manufacturing process by the manufacturer in order ensure compliance of the manufactured products.

Entry into force:

It is expected the new directive will be published in the Official Journal in the EU beginning of 2009. The transitional period will be 2 years after publication of the new directive. For chemical requirements the transitional period will be 4 years. During the transitional period both (the old and the new) directives can be used to show compliance.

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Chemical properties

The revision strengthens the requirements for chemical properties:

- Substances that are susceptible to provoke cancer, classified as carcinogenic, mutagenic or toxic for reproduction (CMR) are not allowed in toys.
- 55 listed allergenic fragrances may not be used in toys, only technically unavoidable traces are allowed up to 100 ppm
- The current directive restricts the migration of 8 elements (antimony, arsenic, barium, cadmium, chromium, lead, mercury and selenium) for which limits and test methods are specified in the standard EN 71-3. Many new elements are added and migration limits allowed are specified. For already regulated elements the migration limits are reduced by an average reduction of 50%. Two types of material are distinguished :
 - Dry, brittle, powder-like or pliable toy material,
 - Liquid or sticky toy material.

Mechanical properties

The changes to the requirements for mechanical properties are:

- Toys firmly attached to food are prohibited,
- Toys sold together with food must have their own packaging,
- New provisions for noise emitted toys will be established. The Commission will mandate CEN to revise the standards regarding acoustic requirements,
- The Commission will mandate CEN to elaborate requirements for children's books made of cardboard and paper.

Warnings

- Strengthened rules regarding warnings: accurate, visible, clearly legible and easy to read warnings shall be visible at the point of sale, including on line shops,
- The misleading use of the warning " not suitable for children under 3 years" is now legally prohibited.



The proposed directive sets more stringent requirements for toys in different areas. SGS can support you developing new skills that will enable you to meet the new requirements.

- Risk assessment: PIE our product integrity engineering service can help you designing safety into toys starting from the design stage
- Production control: SGS can assist you setting up factory assessment and production control program's
- Chemical review: SGS can help you review and assess the chemicals used in your toys.
- Testing: although test methods still need to be developed, SGS can already provide comprehensive methods to assess if your products will comply with the new requirements. SGS will actively involve in method development.

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