

SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDLINES

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NEW EU TOY DIRECTIVE PUBLISHED ON 30 JUNE 2009

A new European Toy Safety Directive 2009/48/EC has been published on the 30th of June in the Official Journal of the EU ¹. The Directive will replace the 20 year old 88/378/EEC Toy Directive.

The Directive will come into force on the 20th of July.

To become a legal document in European Member States the Directive has to be implemented in national legislation. Member States have 18 months to do so.

I. Transitional periods

- 2 years: Both the old and the new Directive may be used during the transitional period (until 20th of July 2011)
- 4 years: For the chemical requirements; the transitional period is 4 years. (Until 20th of July 2013)

Major changes compared to the current Toy Directive 88/378/EEC are:

II. EC declaration of conformity

A requirement for an EC declaration of conformity drawn up by the manufacturer is added. Similar to other CE directives.

III. Safety assessments/risk assessments

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.



¹. [Official Journal of European Union](#)

IV. Production control

Requirements for production control are more specific. 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 to ensure compliance of the manufactured products

V. New chemical requirements

- Substances that are susceptible to provoke cancer, classified as carcinogenic, mutagenic or toxic for reproduction, (CMR) are not allowed in toys. (the EU commission Scientific Committee will review how best to deal with CMR's)
- Allergenic fragrances as specified in the Cosmetics Directive may not be used in toys. (assessment of fragrances can be done by declaration)
- The old 88/378/EC 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 EN71-3. The standard EN 71-3 will be amended accordingly during the 4 year transitional period. Many new elements are added and the permitted limits specified. For current regulated elements the limits have been revised. Three types of material are distinguished :
 - ⇒ Dry, brittle, powder-like or pliable toy material
 - ⇒ Liquid or sticky toy material
 - ⇒ In scraped-off toy material
- Nitrosamines and nitrosable substances may not be used in toys for children under 36 months

VI. New mechanical requirements

- Toys firmly attached to food are prohibited
- Toys sold together with food must have their own packaging

SGS can support your development of new skills that will enable you to meet the new requirements.

- Risk assessment: PIE our Product Integrity Engineering service can help you design safety into toys beginning at the design stage.
- Production control: SGS can assist in implementing factory assessment and production control program's
- Chemical review: SGS can help you review and assess the chemicals used in your toys.

Note: See our previous publication — [SafeGuards 10708 new EU toy directive adopted by the parliament just before christmas](#) [SafeGuards 01208 toys directive](#)

On 1st September 2009, SGS will hold a free webinar: New EU Toy Directive and Safety/Risk Assessment, Are You Ready? [Register](#) now!

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