

SAFE GUARDS

SGS CONSUMER TESTING SERVICES

HARDLINES

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NEW MALAYSIAN TOY SAFETY REQUIREMENTS

The Malaysian Government has published two Consumer Protection Regulations on July 30, 2009:

1. Consumer Protection (Certificate of approval and conformity mark of safety standards) regulations 2009.
2. Consumer Protection (Safety Standards for Toys) Regulations 2009.

Both Regulations come into operation on January 30, 2010.

Scope: these Regulations, define toys as any goods designed or intended for use in play by children of less than fourteen years of age, excluding the goods specified in Annex A (see page 3). Toys must comply with the safety standards as specified in Annex B (see page 3). Any person who places toys on the market that do not comply with the provisions of the new Regulations, commits an offence.

The new Regulations requirements:

- All toys must be tested to show compliance with the Malaysian toy safety standards. Original test reports¹ or a certified true copy issued by an accredited test laboratory are required for application for a Conformity Assessment Report (CAR). The test reports may not be older than 24 months,
- Manufacturers, importers or suppliers must obtain a Certificate of Approval (COA) which is issued by the Ministry before the toys can be imported or sold in Malaysia.
- Any person to whom a certificate of approval has been issued must mark the Malaysian Conformity Mark² (MC) on the toy or affix it to the toy. The Malaysian Conformity mark, as specified shall be visibly, intelligibly and indelibly marked on the toy or affixed to the toy together with the name and address of the manufacturer, importer or distributor of the toys.



Figure 1. Two Conformity Mark formats with illustrative approval number

¹ Test reports must be issued by an accredited laboratory. International toy standards that are equivalent or identical to the corresponding Malaysia Toys Safety Standards are acceptable to apply for CAR and COA through SIRIM QAS International Sdn. Bhd.

² The conformity mark size must be minimal 5 mm x 5 mm as shown in Figure 1. The Certificate of Approval number is to be placed below the conformity mark. The Ministry will decide on where to put the MC-mark when it is not practical to be marked or affixed on the toy it may be marked on or affixed to the packaging

Application for Conformity Assessment Report (CAR) and Certificate of Approval

- The applicant must obtain a Conformity Assessment Report (CAR) from the authorized agency³, SIRIM QAS, before applying for Certificate of Approval (COA),
- To apply for a CAR, an original or certified true copy of test reports, a detailed description of the toy,, a representative sample of the toys, filled relevant forms and fees must be submitted to Sirim QAS,
- New CAR reports must be requested in order to renew the COA,
- The application for COA must be submitted to Sirim QAS to grant Ministry's approval,
- The COA is valid for 5 years or less. The COA must be renewed not less than three months before the expiry date.

Special approval directly from the ministry without application for CAR can be requested for:

- Import of a representative sample needed to obtain CAR
- Research and development purposes
- Demonstration purposes

SGS will follow-up and inform interested parties as development on international legislations occur.



³ Application for CAR and COA can be sent to - Attn: Mr. Kamaruzaman Hussin. The Manager Product Certification and Inspection Section, SIRIM QAS International Sdn. Bhd. Block 25, SIRIM Complex No. 1, Persiaran Dato' Menteri, P. O. Box 7035, 40911 Shah Alam, SELANGOR

Application for Special Approval can be sent to- Attn: Dr. Mohd Mokhtar Tahar. Secretary General, Ministry of Domestic Trade, Co-operatives and Consumerism, Consumerism Division, Level 4, No. 13, Persiaran perdana, Precint 2, 62623 PUTRA'AYA



ANNEXES**Annex A – Goods not regarded as Toys**

1. Festival decorations
2. Equipment intended to be used collectively
3. Home and public playground equipment
4. Sporting goods and equipment, camping goods, athletic equipment, musical instruments and furniture
5. Aquatic equipment intended for children under 14 years of ages
6. Collectible products not intended for children under 14 years of age
7. Toys installed in public places (shopping centres, arcades, etc.)
8. Jigsaw puzzles having more than 500 pieces or without a picture, for specialists
9. Compressed air and gas operated guns and pistols
10. Fireworks including percussion caps, except percussion caps specifically designed for toys
11. Slingshots
12. Darts with metallic points
13. Electric ovens, irons or other functional products operated at nominal voltage greater than 24V
14. Products containing heating elements intended for use under the supervision of an adult in a teaching context
15. Models of aircrafts, rockets, boats and land vehicles powered by combustion engines
16. Toy steam engines
17. Bicycles, except bicycles with a maximum saddle height of 435mm
18. Video toys which can be connected to a video screen and which are operated at a voltage exceeding 24V
19. Babies' dummies
20. Faithful reproduction of real firearms
21. Fashion jewelry for children
22. Model kits, hobby and craft items in which the finished item is not primarily of play value
23. Bows for archery with an overall relaxed length exceeding 120mm
24. Kites, except kites with strings which have electrical resistance properties
25. Amusement machinery
26. Portable child-appealing luminaries

Annex B – Table of Malaysian Toy Safety Standards (MS)

<i>Specification number</i>	<i>Part</i>	<i>Year</i>	<i>Specification</i>	<i>Identical to</i>
MS ISO 8124-1		2001	Safety of Toys - Part 1: Safety aspects related to mechanical and physical properties	ISO 8124-1:2000
MS ISO 8124-2		1999	Safety of Toys - Part 2: Flammability	ISO 8124-2:1994
MS ISO 8124-3		2002	Safety of Toys - Part 3: Migration of certain elements	ISO 8124-3:1997
MS 1774	Part 4	1998	Safety of Toys - Part 4: Experimental sets for chemistry and related activities	EN71-4:1990
MS 1774	Part 5	1998	Safety of Toys - Part 5: Chemical toys (sets) other than experimental sets	EN71-5:1993
MS 1774	Part 6	1998	Safety of Toys - Part 6: Graphical symbol for age warning labelling	EN71-6:1994
MS 1725		2004	Safety of Electric Toys	not equivalent to international standards

FOR ENQUIRIES:

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