

SAFEGUARDS

CONSUMER GOODS AND RETAIL

TOYS & JUVENILE PRODUCTS

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EU RESTRICTS BISPHENOL A UNDER TOY SAFETY DIRECTIVE

The Toy Safety Directive 2009/48/EC has recently been amended to include the restriction of bisphenol A (BPA) in certain toys. The new law will take effect on 21 December 2015.

In March 2014, we informed you that the EU Commission Committee for Toy Safety voted in favour of adoption of BPA and three flame retardants under the Toy Safety Directive 2009/48/EC (TSD)¹.

On 24 June 2014, Directive 2014/81/EU was published in the Official Journal of the European Union (OJEU) to restrict the migration of BPA to no more than 0.1 mg/L; a concentration limit identical to EN 71-9 '**ORGANIC CHEMICAL COMPOUNDS – REQUIREMENTS**'. The new law refers to the standards EN 71 Parts 9-11 for the limit, sample preparation and instrumentation procedures² to be used by toy industry to ensure that there is no unsafe exposure of BPA in toys.

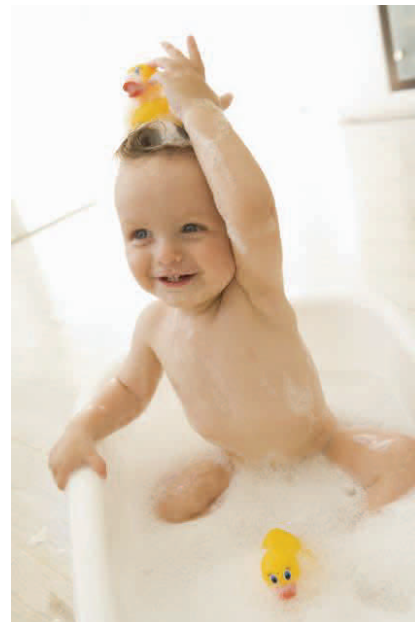
To accommodate the new requirements for BPA, Member States must transpose the Directive into their National Laws by 21 December 2015. The enforcement date for the new law will be 21 December 2015.

In addition to the BPA restriction, Directive 2014/79/EU was published in the OJEU to restrict three flame retardants under the TSD^{3,4} on 21 June 2014. The three flame retardants are:

- Tris(2-Chloroethyl) Phosphate (TCEP, CAS 115-96-8)
- Tris(2-Chloro-1-methylethyl) Phosphate (TCPP, CAS 13674-84-5)
- Tris[2-Chloro-1-(chloromethyl)ethyl] Phosphate (TDCEP, CAS 13674-87-8)

The substance TCEP is also known to be used as a plasticiser in polymers.

Highlights of the new law on BPA migration and the three flame retardants under Directive 2014/79/EU are summarised in Table 1.



¹ [SGS-Safeguard 048/14](#)

² [Directive 2014/81/EU](#)

³ [Directive 2014/79/EU](#)

⁴ [SGS-Safeguard 124/14](#)

TABLE 1.

APPENDIX C OF ANNEX II UNDER THE TOY SAFETY DIRECTIVE 2009/48/EC						
ITEM	CITATION	SUBSTANCE	SCOPE	REQUIREMENT (CONTENT, UNLESS OTHERWISE STATED)	METHOD	EFFECTIVE DATE
1	Directive 2014/81/EU	BPA	<ul style="list-style-type: none"> Toys intended for children under 36 months 	≤ 0.1 mg/L (migration)	EN 71 Parts 10-11	21 December 2015
2	Directive 2014/79/EU	TCEP		<ul style="list-style-type: none"> Other toys intended to be placed in the mouth 	≤ 5 mg/kg	
3		TCCP	≤ 5 mg/kg			
4		TDCP	≤ 5 mg/kg			

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for BPA, flame retardants and other restricted substances in toys for the EU and International markets. Please do not hesitate to contact us for further information.



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