

The EU Toy Safety Directive 2009/48/EC

Cost - £45.4m per year average ([UK Regulatory Impact Assessment p.41](#))

Talking Points

Complexity

A poll by the consultants Bureau Veritas Consumer Products Services UK found that 30% of companies manufacturing, importing or retailing toys are unsure how the directive will affect them when it came into force June 2011. ([PR Web](#))

Companies must review existing products

The directive forces changes in all product testing, labelling and design. Packaging needs to be redesigned to provide further information on toy components and the producer. Items that were previously not toys, such as crayons and musical instruments, will now need re-testing and to go through the rigorous process of having the toy assessed, labelled correctly and cleared for sale in the EU. ([Regulatory Impact Assessment p.52-3](#))

Costly

The European Commission estimates that all costs will rise, but could rise as much as 1.9% for multinationals and 8.9% for SMEs. It is worth noting that these do not include chemical testing. ([Regulatory Impact Assessment p.54](#))

What is it?

A directive setting EU-wide standards for toy safety. The directive sets down procedures to ensure toys are safe before they hit the market. The directive also sets limits on the types of chemicals and elements that can be used in toys for sale.

The Directive applies to manufacturers, importers and retailers of toys to be sold in the European market. [Bureau Veritas](#) say the Directive “substantially” amends the original directive across all aspects of toy safety.

Toys are [defined](#) in the Directive as "products designed or intended, whether or not exclusively, for use in play by children under 14 years of age" with the exception of playground equipment such as swings, automatic or coin operated machines, toys equipped with combustion engines, slings and catapults.

Under the rules of the Directive, manufacturers are compelled to carry out a full safety assessment which analyses the chemical, physical, mechanical, electrical, flammability, hygienic and radioactivity hazards that the toy may present, and an assessment of the potential exposure to them.

All toys need a ‘declaration of conformity’ showing they have been tested according to harmonised standards. They also need a CE stamp for sale within the EU to show it is for sale within the EU.

Manufacturers must also maintain a [‘technical file’](#) containing all information about the composition of the toy for 10 years after the product has been on the market in the EU.

The toy must be compliant with chemical limits imposed in the directive and other directives on the use of chemicals in the EU. The limits can be found [here](#).

All cleared goods on the market have to have:

- The name and address or trademark of the manufacturer or importer.
- Instructions for use, if required.
- Advice on the safe use of the toy.
- If the product has detachable parts, it should be marked "unsuitable for children under 36 months".
- Any particular hazard that exists should be listed on the packaging.
- Magnetic products also need to be listed where used in the toy.

Third Party Opinions

“The research we’ve conducted amongst our customers shows that a substantial number of toy professionals are not yet comfortable with the revised Toy Safety Directive. This is not a real surprise knowing that the Directive brings a lot of crucial changes.” [Bureau Veritas Research](#)