



Implications of the New Toy Directive (2009/48/EC)

With increasing consumer concerns on toys safety, a new EU Toys Directive, 2009/48/EC, is published in order to cope with new safety issues and improve enforcement activities.

The current EU Toys Directive, 88/378/EEC, has been mandated more than 20 years ago. During the past 2 decades, toys have been evolving and the current directive can no longer provide comprehensive coverage on the safety of toys.

The Challenge:

- New migration limits for 19 restricted elements
- Toys shall comply with the EU REACH regulation
- Ban on substances classified as CMR (Carcinogenic, Mutagenic or Toxic for Reproduction)
- 55 allergenic fragrances may not be used in toys, only technically unavoidable traces are allowed up to 100 ppm
- Cosmetic toys shall comply with Directive 76/768/EEC
- 11 allergenic fragrances in Annex II of 76/768/EEC shall be listed on toys at concentration exceeding 0.01% by weight
- Toys contained in food must have their own packaging
- Toys that are firmly attached to food are prohibited
- New provisions on sound-emitting toys
- New rules on warnings and labelings
- Nitrosamines and Nitrosatable substances banned in toys for children under 36 months or mouth-contact toys
- A toy intended for use by children under 36 months must be designed and manufactured in such a way that it can be cleaned

Other requirements include drawing up of the EC declaration of conformity, carrying out of safety assessments under Article 18, and production control on manufacturing process.

The New Toys Directive has been published in the Official Journal in June 2009, and will be effective from July 2011 onwards, while the current Directive 88/378/EEC will be repealed. The new chemical requirements will be effective from July 2013 onwards.

The Solution:

Intertek, through our extensive global network, has a variety of services available to help you overcome the challenges related to complying with the new directive. Besides keeping you updated on any new developments from time to time, Intertek provides legal, regulatory and strategic consulting, testing, and implementation programs for compliance to the new directive, enabling you to meet your business objectives.

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