



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

The new legal requirements covering chemicals in toys will not apply on July 20, 2011, as the existing chemical requirements of Directive 88/378/EEC will not be repealed until July 20, 2013. Nevertheless, to better prepare for the several upcoming chemical challenges within a limited time frame, many manufacturers have started looking into one of the major new restrictions with regards to CMR chemicals in toys. CMRs refer to chemicals that are carcinogenic, mutagenic and/or toxic to reproduction. In principle, CMRs are classified as category 1A, 1B or 2 under Regulation 1272/2008 (referred to as the CLP Regulation).

The Challenge:

The new Directive 2009/48/EC requires that CMRs shall not be used in toys, components of toys or micro-structurally distinct parts of toys. The latter term is similar to the term "homogeneous material" as applied to the ROHS directive and is intended to ensure that all areas of the toys that could be of relevance for the safety of the child are considered.

There are a huge number of CMRs classified by the EU at the moment, and majority of them are chemicals derived from petroleum and coal. CMRs of utmost concern will be those volatile CMRs which are frequently used in solvents or as monomers of plastics, and hence may be found in residual amounts if the toy or its components contain paint coatings, plastics (especially soft plastics), adhesive, etc. Typical examples of these CMRs include benzene, toluene, phenol, dichloromethane, vinyl chloride and n-hexane. Toy manufacturers are highly advised to evaluate the possible presence of these CMRs in their products in order to address the possible impact of the new toy directive.

Notes:

Category 1A: Known to have carcinogenic potential for humans largely based on human evidence

Category 1B: Presumed to have carcinogenic potential for humans largely based on animal evidence

Category 2: Suspected human carcinogens with limited evidence

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Disclaimer

Intertek made all reasonable efforts to ensure the accuracy of the information. However, the information provided should not be relied upon as legal advice or regarded as a substitute for legal advice. The reader should exercise his own care and judgment before relying on this information in any important matter.

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There are also several other new chemical requirements/restrictions under the new toy directive which include allergenic fragrances, nitrosamines and nitrosatable levels, and migration limits for 19 chemicals. Please stay tuned while Intertek continues to furnish detailed information of each new requirement as well as our solution to help you get prepared well ahead.

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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