

# Public consultation for the targeted revision of the Toy Safety Directive

Fields marked with \* are mandatory.

## Introduction

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## About you

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### \* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
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- Latvian
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- Maltese
- Polish
- Portuguese
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- Slovenian
- Spanish
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\* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

\* First name

\* Surname

\* Email (this won't be published)

\* Organisation name

*255 character(s) maximum*

\* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)

- Large (250 or more)

## Transparency register number

*255 character(s) maximum*

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

27053044762-72

## \* Country of origin

Please add your country of origin, or that of your organisation.

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- Andorra
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- Anguilla
- Antarctica
- Antigua and Barbuda
- Argentina
- Armenia
- Aruba
- Australia
- Austria
- Azerbaijan
- Bahamas
- Bahrain
- Bangladesh
- Djibouti
- Dominica
- Dominican Republic
- Ecuador
- Egypt
- El Salvador
- Equatorial Guinea
- Eritrea
- Estonia
- Eswatini
- Ethiopia
- Falkland Islands
- Faroe Islands
- Fiji
- Finland
- France
- French Guiana
- French Polynesia
- French Southern and Antarctic Lands
- Libya
- Liechtenstein
- Lithuania
- Luxembourg
- Macau
- Madagascar
- Malawi
- Malaysia
- Maldives
- Mali
- Malta
- Marshall Islands
- Martinique
- Mauritania
- Mauritius
- Mayotte
- Mexico
- Micronesia
- Moldova
- Saint Martin
- Saint Pierre and Miquelon
- Saint Vincent and the Grenadines
- Samoa
- San Marino
- São Tomé and Príncipe
- Saudi Arabia
- Senegal
- Serbia
- Seychelles
- Sierra Leone
- Singapore
- Sint Maarten
- Slovakia
- Slovenia
- Solomon Islands
- Somalia
- South Africa
- South Georgia and the South Sandwich Islands

- Barbados
- Belarus
- Belgium
- Belize
- Benin
- Bermuda
- Bhutan
  
- Bolivia
- Bonaire Saint Eustatius and Saba
- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria
  
- Burkina Faso
- Burundi
  
- Cambodia
  
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
  
- Gabon
- Georgia
- Germany
- Ghana
- Gibraltar
- Greece
- Greenland
  
- Grenada
- Guadeloupe
  
- Guam
  
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau
  
- Guyana
  
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Hong Kong
  
- Hungary
  
- Iceland
- India
- Indonesia
- Iran
  
- Monaco
- Mongolia
- Montenegro
- Montserrat
- Morocco
- Mozambique
- Myanmar/Burma
  
- Namibia
- Nauru
  
- Nepal
  
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
  
- Niger
  
- Nigeria
- Niue
  
- Norfolk Island
- Northern Mariana Islands
- North Korea
- North Macedonia
- Norway
- Oman
- Pakistan
  
- South Korea
- South Sudan
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Sweden
- Switzerland
  
- Syria
  
- Taiwan
- Tajikistan
- Tanzania
- Thailand
  
- The Gambia
  
- Timor-Leste
- Togo
  
- Tokelau
- Tonga
  
- Trinidad and Tobago
- Tunisia
- Turkey
- Turkmenistan
- Turks and Caicos Islands

- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Costa Rica
- Côte d'Ivoire
- Croatia
- Cuba
- Curaçao
- Cyprus
- Czechia
- Democratic Republic of the Congo
- Denmark
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kiribati
- Kosovo
- Kuwait
- Kyrgyzstan
- Laos
- Latvia
- Lebanon
- Lesotho
- Liberia
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Philippines
- Pitcairn Islands
- Poland
- Portugal
- Puerto Rico
- Qatar
- Réunion
- Romania
- Russia
- Rwanda
- Saint Barthélemy
- Saint Helena  
Ascension and  
Tristan da Cunha
- Saint Kitts and Nevis
- Saint Lucia
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States
- United States  
Minor Outlying  
Islands
- Uruguay
- US Virgin Islands
- Uzbekistan
- Vanuatu
- Vatican City
- Venezuela
- Vietnam
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Futuna
- Western Sahara
- Yemen
- Zambia
- Zimbabwe

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Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

### Public

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

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## Part I - Strengthening the protection of children against possible risks in toys

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### 1. Strengthen the protection of children against chemical risks

The [evaluation](#) of the Toy Safety Directive identified several shortcomings – in particular concerning chemical risks – that could compromise the health and safety of children. In the EU, Regulation No 1272/2008 on Classification, Labelling and Packaging (CLP) determines whether a substance or mixture displays properties that lead to it being classified as hazardous. The Toy Safety Directive generally bans in toys substances that are classified as carcinogenic, mutagenic or toxic for reproduction (CMRs) under the CLP Regulation, with only a few derogations. Substances under other hazardous classifications in the CLP Regulation are not currently covered by the general bans in the Directive. The chemicals strategy for sustainability commits to better protecting from the most harmful chemicals in toys and to extend the general bans to other most harmful chemicals, i.e. chemicals that affect the endocrine system, chemicals affecting the immune, neurological or respiratory systems, and chemicals toxic to a specific organ. The Directive already preventively bans carcinogenic, mutagenic or toxic-for-reproduction substances based on their hazardous properties and generic exposure and risk considerations. Limited exemptions to the general bans are allowed.

Chemicals with adverse effects on the environment, including endocrine disruptors and chemicals that are persistent, bioaccumulative and toxic, are regulated under REACH.

### Question 1.

Do you agree or disagree that the EU rules on toy safety should set stricter requirements for chemicals in toys?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree
- No opinion

**Question 2.**

In your opinion, should the Toy Safety Directive address the following substances, and in what manner?

	They should be preventively banned from toys (generic risk assessment)	They should be banned only after they have been scientifically assessed and found unsafe for use in toys (specific risk assessment)	They should not be regulated in the Toy Safety Directive	I don't know /No opinion
Substances that are <b>known</b> or <b>presumed</b> to be disruptive to the endocrine system (endocrine disruptors for human health)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Substances that are <b>suspected</b> to be disruptive to the endocrine system (endocrine disruptors for human health)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Substances that affect the immune system	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Substances that affect the neurological system	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Substances that affect the respiratory system	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Substances toxic to a specific organ	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Substances that can cause an allergic response following skin contact (skin sensitizers)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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**Other substances – please clarify:**

The CSS acknowledges the vulnerability of children and commits to extend the generic approach to risk management (GRA) as the default option for the most harmful chemicals as regards their use in consumer products. CHEM Trust views this measure as the key piece of the revision of the toys directive to deliver enhanced protection.

CHEM Trust is concerned that the questionnaire only mentions endocrine disruptors for human health, but the CSS commitment covers endocrine disruptors in general. Therefore, endocrine disruptors for the environment (known, presumed and suspected) should also be included. This is relevant because endocrine disruptors affecting various species can be expected to also have impacts on the human endocrine system and should by default be considered relevant for human health unless proven otherwise. Moreover, it is important to cover the whole lifecycle of toys, including disposal stage.

The CSS commitment includes, in addition to CMRs and endocrine disruptors, also the following:

- Persistent, Bioaccumulative, and Toxic (PBT) substances according to the new hazard classes to be established under the CLP regulation
- Very Persistent and very Bioaccumulative (vPvB) substances according to the new hazard classes to be established under the CLP regulation

GRA covering CMRs, endocrine disruptors and PBT/vPvBs will ensure a preventive ban of the most harmful substances from all toys.

In CHEMTrust’s view, the GRA should also be extended to the new hazard classes for PMT/vPvM.

**Question 3.**

Currently, the Directive allows for a number of derogations to the general bans on substances. In line with the chemicals strategy for sustainability, other most harmful chemicals – i.e. those that affect the endocrine system, those that affect the immune, neurological or respiratory systems and those toxic to a specific organ – could also be subject to general bans.

**Do you agree or disagree that the Toy Safety Directive should, by way of exception, allow the presence of chemicals which are subject to current and new general bans?**

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	No opinion
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When these chemicals are contained in equal or smaller concentrations than required to be classified as hazardous under the relevant EU legislation (CLP Regulation)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
When these chemicals are inaccessible to children in any form, including inhalation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
When these chemicals are found to be safe for human health (as evaluated by a scientific committee) for that particular use in toys	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
When these chemicals are found to be safe for human health (as evaluated by a scientific committee) for that particular use in toys and there are no alternatives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
When the use of these chemicals in toys is proven to be essential for society	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
There should be no derogations to the general bans	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other – please specify:

#### Question 4.

How do you assess the likely overall impact of introducing general bans for the most harmful chemicals as described in the previous question, with some limited derogations if necessary?

Impact on:

*Scale from 5 (very positive), through 3 (neutral) to 1 (very negative)*

	5	4	3	2	1	No opinion
Costs for companies to adapt to new chemical requirements	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Administrative burden for businesses	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Administrative burden for public authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Protection of children	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consumer demand	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Price of toys	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Choice of toys	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Incentives for companies to place innovative products on the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Free movement of toys within the EU single market	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Competitiveness of small- and medium-sized enterprises (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Competitiveness of larger firms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Other – please specify:

### Question 5.

Comments: (if appropriate)

There is no scale to explain the answer options. We have used the scale from Question 9: Scale from 5 (very positive), through 3 (neutral) to 1 (very negative)

### Question 6.

The Directive currently only empowers the Commission to set limit values for additional chemicals in toys for children under 36 months and in toys intended to be put in the mouth.

**To what extent do you agree or disagree with the following statements?**

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	No opinion
The toy safety rules should continue to allow different requirements to be set for chemicals in toys for younger children (under 3 years) compared to older children	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The toy safety rules should continue to allow different requirements to be set for chemicals in toys intended to be put in the mouth	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

The toy safety rules should allow new requirements to be set for chemicals in any toy should new scientific knowledge emerge



Other – please specify:

It is unclear how the first question should be interpreted. The main thing is that that the Commission should be able to set rules for any toy to ensure that children of all ages are protected against harmful chemicals. In addition, there should be the possibility to adapt specific rules which may still be needed for toys meant for children under 3 years.

In general, a revised TSD/regulation should in line with the CSS to regulate harmful substances by a grouping approach rather than setting specific limit values for individual substances to avoid regrettable substitution, see also CHEM Trust report: 'From BPA to BPZ - a toxic soup?' <https://chemtrust.org/toxicsoup/>

Moreover, it will be important to consider combination effects to chemicals from other sources and avoid a single substance assessment leading to a false sense of safety. Read more in CHEM Trust report: 'Chemical mixtures - The neglected threat of toxic mixtures and how to fix it'.

### Question 7.

The evaluation concluded that the current limits for (the carcinogenic) nitrosamines and their precursors, the nitrosatable substances, appear to be too high.

**Do you agree or disagree that limit values in the Directive for nitrosamines and nitrosatable substances should be lowered?**

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree
- No opinion

### Question 8.

Do you think toys should be labelled with their chemical composition?

- Yes
- No
- No opinion

### Question 8b.

Which toys should be labelled with their chemical composition? (multiple replies possible)

- All toys
- Toys which are chemical mixtures and lead to intense exposure (such as modelling clay, slimes, soap bubbles, finger paints, water paints or toy pens)
- Toys containing specific allergenic fragrances, as is the case in the current Toy Safety Directive
- Toys intended for children under 36 months (as these children are more vulnerable or more likely to put toys in their mouth)
- Other – please specify

**Question 8c.**

Which chemical substances in toys should be included on the label? (multiple replies possible)

- All chemical substances
- Allergenic fragrances
- Substances subject to general bans which may still be present in toys due to derogations
- Other – please specify

**Question 9.**

How do you assess the likely overall impacts of requiring the labelling of chemical substances in toys?

Impact on:

*Scale from 5 (very positive), through 3 (neutral) to 1 (very negative)*

	5	4	3	2	1	No opinion
Costs for companies to adapt to new chemical requirements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Administrative burden for companies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Administrative burden for public authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Protection of children	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consumer demand	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Price of toys	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Choice of toys	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Incentives for companies to place innovative products on the market	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Free movement of toys within the EU single market	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Competitiveness for small- and medium-sized enterprises (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Competitiveness of larger firms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Other – please specify:

**Question 10.**

Comments: (if appropriate)

**2. Adapting the Directive to other risks**

Digital technologies in toys may pose new risks for children, for example in terms of protection of data, privacy or risks linked to cybersecurity. The Directive is currently focused on the physical health and safety of children. Other pieces of horizontal EU legislation addressing aspects like cybersecurity and the protection of data or privacy in a more general manner (such as the Radio Equipment Directive, the General Data Protection Regulation or the proposed regulatory framework for artificial intelligence) also apply to toys.

**Question 11.**

Do you agree or disagree that the Toy Safety rules should address the following, in addition to the EU legislation on these aspects referred to above? (multiple replies possible)

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	No opinion
Privacy breaches (for example, in relation to information or data on the child being shared)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cybersecurity risks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Psychological harm	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other – please specify:

**Question 12.**

What would be your preferred option to ensure that children are protected from new risks posed by the use of digital technologies?

- No action is needed
- Toys should comply with specific requirements for cybersecurity and privacy, additional to those for other connected consumer products
- Toys should comply with general requirements for cybersecurity and privacy for connected consumer products
- Toy safety rules should protect children from risks in toys not only for their physical health, but also for their mental health or cognitive development

Other – please clarify:

**Question 13.**

How do you assess the likely overall impacts of your preferred option for adapting the Directive to risks posed by the use of digital technologies?

Impact on:

*Scale from 5 (very positive), through 3 (neutral) to 1 (very negative)*

	5	4	3	2	1	No opinion
Costs for companies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Administrative burden for companies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Administrative burden for public authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection of children	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consumer demand	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Price of toys	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Choice of toys	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Incentives for companies to place innovative products on the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Free movement of toys within the EU single market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Competitiveness of small- and medium-sized enterprises (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Competitiveness of larger firms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other – please specify:

## Part II - Single market

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The evaluation of the Directive found that many non-compliant toys are sold in the EU and that it is difficult to enforce the Directive, in particular for online sales. Enforcing the Toy Safety Directive in online sales is challenging: for instance because it is more difficult to reach online providers who place non-compliant products on the market, or to obtain the necessary documentation to assess the compliance of the toy with the Directive’s requirements.

### Question 14.

To what extent do the following issues hamper the application of the Directive?

	To a very large extent	To a large extent	To a moderate extent	To a small extent	Not at all
The chemical requirements for toys are set out in different pieces of legislation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Directive and its regular adaptations to new scientific knowledge need to be transposed into national law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Testing and safety/conformity assessment is done by the manufacturer itself without the intervention of a qualified conformity assessment body	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Documentation on the conformity of the product is provided only at the request of the authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There are no specific requirements for online sales	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other – please specify:

### 1. Conformity assessment of toys

#### Question 15.

The Toy Safety Directive requires the manufacturer to demonstrate that the toy they produce conforms to the safety requirements applicable. Currently, third-party verification by a notified body is required only in very limited cases (i.e. when

harmonised standards do not exist or are not applied, or when the manufacturer considers that the nature, design, construction or purpose of the toy necessitates third-party verification). A notified body is a test laboratory of recognised quality which has been designated by a Member State (where the test laboratory is located) for this purpose. The notified body then examines a prototype of the toy and delivers a certificate (EU-type certificate) on the conformity of the prototype with the requirements of the Directive.

**Do you think the toy safety rules should extend the obligation of third-party verification to more toys (EU-type examination)?**

- Yes
- No
- No opinion

**Question 16.**

How do you assess the likely overall impacts of extending the requirements to apply third-party verification to other toys as in the previous question?

Impact on:

*Scale from 5 (very positive), through 3 (neutral) to 1 (very negative)*

	5	4	3	2	1	No opinion
Costs for companies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Administrative burden for companies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Administrative burden for public authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection of children	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Compliance of toys with the Directive	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consumer demand	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Price of toys	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Choice of toys	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Incentives for companies to place innovative products on the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Free movement of toys within the EU single market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Competitiveness of small- and medium-sized enterprises (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Competitiveness of larger firms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**2. Obtaining compliance information and performing checks**



In market surveillance, experience has shown that checks on toys can be difficult – mainly because key documents such as the EU declaration of conformity are difficult to obtain, are incorrect or of questionable quality, and/or are drafted only after a request from authorities. An option would be to require that products be accompanied by a digital product passport – including information on compliance of the product – which would ensure that information is immediately available to market surveillance and customs authorities.

**Question 17.**

Should the following information be available through digital tools?

	Should be available in paper /on the product	Basic information should be available on the product /paper and more details can be available digitally	Should be available only digitally	No opinion
Name and address of the manufacturer	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EU declaration of conformity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EU-type examination certificates, where they exist	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Instructions for use	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Safety information	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Information on allergenic fragrances or any other chemical substance which may be subject to labelling obligations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Question 18.**

If any of this information is provided through digital tools, what digital solution would you prefer to use to access the information online?

- QR code
- Other barcodes
- Contactless technologies such as NFC or RFID tags
- Website address
- Doesn't matter as long as it works with my preferred device
- Other (please specify below)
- I don't know/cannot answer

**Question 19.**

How do you assess the likely overall impacts of requiring the provision of certain

information through digital means?

Impact on:

*Scale from 5 (very positive), through 3 (neutral) to 1 (very negative)*

	5	4	3	2	1	No opinion
Costs for companies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Administrative burden for companies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Administrative burden for public authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection of children	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Compliance of toys with the Directive	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Efficiency of market surveillance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consumer demand	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Price of toys	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Choice of toys	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Incentives for companies to place innovative products on the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Free movement of toys within the EU single market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Competitiveness of small- and medium-sized enterprises (SMEs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Competitiveness of larger firms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Question 20.**

While a Regulation is directly applicable in every Member State, a Directive has to be transposed by Member States into national legislation. The evaluation concluded that unequal transposition – as regards both substance and time – of the numerous amendments to the Directive into national law are a further obstacle to the single market.

**Do you agree or disagree that the Toy Safety Directive should be converted into a Regulation?**

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree
- No opinion

Other – please specify:

### Question 21.

What would be your preferred measures to be included in the Directive to improve compliance and enforcement? (multiple replies possible)

- No action needed
- The toy should have digital information on compliance that should also be available at customs (digital product passport)
- More toys should be tested by a third party before they can be marketed in the EU
- The Directive should be converted into a Regulation

Other – please specify:

It is essential that a revised toy safety legislation will result in uniform and robust regulation in the EU that ensures safe and toxic free toys for children of all ages, regardless of how they are marketed.

## Part III - Additional feedback

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### Question 22.

What other aspects, if any, do you think could be improved if the Toy Safety Directive were revised?

Children need to be better protected from chemicals that could compromise their health and safety, in particular from substances that can disrupt the hormone system. Therefore, it is of utmost importance that the GRA approach in the TSD is extended to also cover endocrine disrupting chemicals. See CHEM Trust comments to the public consultation on GRA: <https://chemtrust.org/wp-content/uploads/CT-comments-on-GRA-CARACAL-Apr22.pdf>

However, the extended GRA - including EDs - will only bring the necessary increased protection, if Category 2 EDs, the Suspected EDs, are covered by GRA. See our joint NGO policy paper on Identification of EDs in categories: [https://chemtrust.org/wp-content/uploads/Joint-CT\\_HEAL\\_CE-proposal-on-CLP-ED-criteria-March-2021-final-with-date.pdf](https://chemtrust.org/wp-content/uploads/Joint-CT_HEAL_CE-proposal-on-CLP-ED-criteria-March-2021-final-with-date.pdf)

Also, it would be wrong to exclude endocrine disruptors for the environment (known, presumed and suspected) from the GRA provision. Endocrine disruptors affecting various species can be expected to also have impacts on the human endocrine system and should by default be considered relevant for human health unless proven otherwise. Moreover, it is important to cover the whole lifecycle of toys, including the disposal stage, and remove harmful EDCs from supply chains.

Another crucial aspect for the forthcoming revision of the TSD, in line with the CSS commitments, is the

consideration of combination effects and resulting impacts from combined exposures to multiple chemicals from various sources. Decades of research have demonstrated that combined exposure to several chemicals can result in toxic mixture effects. Importantly, adverse impacts from mixture effects can be triggered even when each chemical is present at low concentrations, below a level considered safe in single substance assessment. Children are particularly vulnerable. Therefore, it is crucial to ensure that the risk from simultaneous exposure to multiple chemicals will be taken into account when assessing the safety of toys. A mixture assessment factor (MAF) should be considered as a pragmatic tool.

See also CHEM Trust report on Chemical Cocktails : [https://chemtrust.org/wp-content/uploads/Chemical-cocktails\\_CHEMTrust-report\\_March-2022.pdf](https://chemtrust.org/wp-content/uploads/Chemical-cocktails_CHEMTrust-report_March-2022.pdf)

### **Question 23.**

If you would like to share a document in connection with the possible revision of the Toy Safety Directive, please upload it below:

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

### **Contact**

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