



**Co-ordination of the Notified Bodies
NB-TOYS
under the Safety of Toys Directive**

**NB-TOYS/2014/070
10 June 2014**

**EC-type approval protocol No. 1
Categories of toys which have been submitted
to EC-type examination REV 4**

Agreed by:

NB-Toys group on: 13 March 2014

ADCO group on Toy Safety on: 23 May 2014

Expert group on Toy Safety on: 23 May 2014

Will be available at:

http://ec.europa.eu/enterprise/sectors/toys/documents/recommendations/index_en.htm

Changes made for rev 4

Below for each part of the document the changes made are listed.

Introduction:

The former introduction of the protocol wasn't very clear regarding the objectives of the document and the aim of the list. Discussing this item makes clear that the list is intended as a way to exchange information on the EC-type examinations performed by the NoBo's. This has been taken up in the text.

Annex:

- Toys launched with an elastic band: The definition of these toys is unclear. In order to clarify the issue has been brought forward to the ADCO group.
- Crystal growing sets: Have been deleted..
- Trampolines: With respect to the trampolines the formulation that the NB-Toys group follows the developments in CEN/TC 52 wasn't very clear. This had been adapted.
- Reference to harmonised standards: editorial changes have been made to the title of the columns
- Liquid filled toys: The reference to EN 71-9 has been reconsidered; the standard is published by CEN but does not give presumption of conformity as it is not referenced in the Official Journal of the EU With respect to the microbiological evaluation it is to be clarified in the introduction that this doesn't mean that liquid filled toys must be EC-type examined.
- Inflatable activity toys: Some NoBo's confirm that Inflatable activity toys have been subjected to EC-type examination (although under the old TSD). This type of toys has been added to the list.
- Impact of swing elements has been removed from the list because this hazard is covered in EN 71-8:2011.



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NB-TOYS/2014/027

EC-type approval protocol No. 1

CATEGORIES OF TOYS WHICH HAVE BEEN SUBMITTED TO EC-TYPE EXAMINATION

This document lists examples of toys that have been submitted to Notified Bodies for an EC-type examination (see Annex). It is intended for exchange of information between the Notified Bodies in order to keep each other up to date on areas where Notified Bodies have performed EC-type examinations. This list is regularly updated by the Notified Body Group.

Please note: this list should not be interpreted as a list of toys for which EC-type examination is obligatory, nor as an exhaustive list of hazards not covered by harmonised standards.

In their daily work, the Notified Bodies carry out EC-type examinations. During the co-ordination meetings of the Notified Bodies Toys group the Notified Bodies may report on categories of toys that have been submitted to an EC-type examination. In case where harmonisation is needed Notified Bodies may decide to draft a Notified Body protocol. The Notified Body protocols can be found at the EU Commission site. See [Notified Bodies Recommendations](#)

Notified Bodies perform EC-type examinations in cases as specified in the Toy Safety Directive, 2009/48/EC article 19.3:

- (a) where harmonised standards, the reference number of which has been published in the Official Journal of the European Union, covering all relevant safety requirements for the toy, do not exist;
- (b) where the harmonised standards referred to in point (a) exist but the manufacturer has not applied them or has applied them only in part;
- (c) where one or more of the harmonised standards referred to in point (a) has been published with a restriction;
- (d) when the manufacturer considers that the nature, design, construction or purpose of the toy necessitates third party verification.

An EC-type examination can be requested as specified in article 20 of the Toy Safety Directive 2009/48/EC.

ANNEX

TYPES OF TOYS WHICH HAVE BEEN SUBMITTED TO AN EC-TYPE EXAMINATION – INFORMATIVE EXAMPLES

Note: this list is not a list of toys for which EC-type examination is obligatory, nor is it an exhaustive list of hazards not covered by harmonised standards.

Examples of toys which have been EC-type examined by Notified Bodies	Potential reasons for carrying out an EC-type examination			
	Toy not covered by the harmonised EN 71 or EN 62115 standards	A specific part of the toy is not covered by requirements of the harmonised EN 71 or EN 62115 standards	Fails requirements in harmonised EN 71 or EN 62115 standards	Status / remark
1. <i>Chemical toys and chemical moulding sets containing chemical compounds not fully covered by EN71-4 and -5</i>			Presence of chemicals compounds not included in the positive list of substances authorised in EN71-4 or EN 71-5	
2. <i>Liquid filled toys</i>		No specific requirement regarding microbiological risks in case of ingestion or contact with the liquid if the toy breaks and the liquid is accessible		The NB toys group has agreed on the EC-type approval protocol No 2 'Microbiological safety of toys containing aqueous media'. ¹ This might be used in case a toy is submitted to EC-type examination
3. <i>Trampolines</i>	EN 71 does not cover the specific risks related to toy trampolines			CEN/TC 52 is working on requirements for toy trampolines. In an EC-type examination of these toys, the content of the draft standard prEN 71-14 should be taken into account.
4. <i>Remote controlled toy helicopters</i>	EN 71 does not cover specific risks related to remote controlled toy helicopters where the rotor does not have a ring around the perimeter			The NB-toys group has agreed on the EC-type approval protocol No. 3 'Physical and mechanical properties for rotor blades used in remote controlled flying toys (helicopters)'. ² This might be used in case a toy is submitted to EC-type examination.
5. <i>Inflatable activity toys</i>	EN 71 does not fully cover all physical and mechanical hazards of these toys			

¹

Available on:

http://ec.europa.eu/enterprise/sectors/toys/files/recommendations/protocol_no_2_microbiological_safety_of_toys_rev_1_en.pdf

²

Available on:

http://ec.europa.eu/enterprise/sectors/toys/files/recommendations/protocol_no_3_rotor_blades_in_helicopter_toys_rev_3_en.pdf

TYPES OF TOYS WHERE EC-TYPE EXAMINATION MAY NO LONGER BE NEEDED, BUT WHICH HAVE BEEN SUBMITTED TO AN EC-TYPE EXAMINATION IN THE PAST (UNDER DIRECTIVE 88/378/EEC)

List of toys which have been submitted to an EC-type examination	Reasons why EC-type examination is no longer needed
<i>Toy scooters</i>	The standard EN 71-1 has been amended incorporating requirements for toy scooters. (EN 71-1:2005 and EN 71-1:2005/A3 2006)
<i>Toys containing suction cups intended for children under three</i>	The standard EN 71-1 has been amended incorporating requirements for suction cups. Requirements for suction cups intended for children under 3: EN 71-1: 2005, clause 5.13. Requirements for suction cups
<i>Hazardous magnets in toys</i>	The standard EN 71-1 has been amended incorporating requirements for hazardous magnets in toys. (EN 71-1: 2005/A8 2009)
<i>Small balls (as defined in the standard as 'spherical, ovoid, or ellipsoidal object') intended for children under 3 that are NOT designed or intended to be thrown, hit, kicked, rolled, dropped or bounced.</i>	The standard EN 71-1; 2005 has been amended by broadening the small ball definition in line with Commission Communication 2005(C188)02. EN 71-1: 2005 +A6
<i>Cup-shaped, bowl-shaped or one half of egg-shaped toys having a nearly round, oval or elliptical opening for children under 3 which are intended for drinking.</i>	The standard EN 71-1:2005 has been amended by A6 including hemispheric toys intended for drinking for children under 3 years in line with Commission Decision 2007/184/EEC.. EN 71-1: 2005 +A6

Remark. For the following type of toys EC-type examination was necessary under Directive 88/378/EEC but not under Directive 2009/48/EC

- Free-wheeling toy bicycle with a maximum saddle height greater than 435 mm. Directive 2009/48/EC excludes bicycles with a maximum saddle of more than 435 mm.
- Toys with cosmetics intended to be applied on a toy. These cosmetics are not intended to be used on a child's skin, but it is foreseeable children will use them on their skin. The new Directive 2009/48/EC has specific requirements for toys with cosmetics.

TYPES OF TOYS WHERE EC-TYPE EXAMINATION MAY NO LONGER BE NEEDED, BUT WHICH HAVE BEEN SUBMITTED TO AN EC-TYPE EXAMINATION IN THE PAST (UNDER **DIRECTIVE 2009/48/EC**)

List of toys which have been submitted to an EC-type examination	Reasons why EC-type examination is no longer needed
Not applicable yet	