

# Toys safety regulations

## Trading Standards Information

[www.southwark.gov.uk](http://www.southwark.gov.uk)

### 1. Introduction

Toys have been subject to safety regulations for over 30 years. Current regulations implement a [European Directive](#) and have been successful preventing the supply of dangerous toys.

All toys must comply with the safety regulations and it is a criminal offence to supply (or offer for supply, expose for supply or possess for supply) toys that do not comply.

Toys are defined as any product or materials designed or clearly intended for use in play by children under the age of 14 years.

### 2. Main legal requirements

The regulations state that all toys must satisfy certain essential safety requirements. The requirements cover both general and particular health and safety risks.

In addition toys must also be labelled with the manufacturers or importers address, a **CE** mark and, where appropriate, warnings about the minimum age of the toy user.

The **CE** mark is a declaration by the manufacturer or importer that the toy meets the essential safety requirements. It is not a guarantee of safety but no toys should be supplied unless the mark is present.

Most toy manufacturers achieve compliance with the essential safety requirements by making their toys to the European Standard EN71 and for electrical toys EN62115.

The regulations apply to all retailers, wholesalers etc. **including second hand dealers and charity shops** but second hand toys are not required to carry the **CE** mark or the warnings.

### 3. How can I tell if my stock complies with the requirements?

The most obvious thing to look for is that the correct labelling is present on the toys or their packaging as detailed above. If you are importing stock from anywhere outside the EU to supply it in the UK then you will have to ensure it complies with the requirements and is labelled correctly.

If you cannot find any of the required markings you should assume that the goods do not meet the requirements and you should not supply them.

Certain toys must carry warning or precaution labels. Some examples are detailed below: -

<ul style="list-style-type: none"> <li>▪ Toys which are unsuitable for children under 3 years (36 months) must be labelled to that effect with the reasons why (unless the toy is of such a type that it is manifestly unsuitable for children under 3 years). The prescribed pictogram shown can here be used for this.</li> </ul>		<ul style="list-style-type: none"> <li>▪ Functional toys (i.e. scale models or replicas of adult appliances or installations) should have a warning about being used under the direct supervision of an adult.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Activity toys must be labelled 'only for domestic use'. Slides, swings, trapezes etc. must include instructions stating that regular checks and maintenance should be carried out.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Any plastic bags associated with the toy that are large enough to go over a baby's head should not be of very thin plastic and must carry a warning.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Aquatic toys should state 'only to be used in water in which the child is within its depth and under adult supervision'</li> </ul>
<ul style="list-style-type: none"> <li>▪ Skates and skateboards, scooters and toy bicycles should have a warning that protective equipment should be worn and not to be used in traffic.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Chemistry sets should specify the minimum recommended age for users, and that adult supervision is required.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Where toys are in food the label must say 'toy inside. Adult supervision recommended'.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Imitations of protective masks and helmets must state 'this toy does not provide protection'</li> </ul>	<ul style="list-style-type: none"> <li>▪ Toys intended to be strung across a cradle, cot or pram by means of strings, cords, elastics or straps must be labelled with a warning about being removed once the child starts trying to get up on its hands and knees in a crawling position</li> </ul>	

Other basic precautions include checking that there are no harmful sharp edges or points and that fingers cannot get trapped by moving parts. Also make sure the toy cannot be pulled apart easily to reveal dangerous components.

Be wary of toys containing fluids - they must not be toxic and remember even water can become contaminated and pose a health hazard.

Electric toys must run at 24 volts or less and be properly insulated to prevent the risk of shock. (All electric goods must have a fitted UK plug).

#### 4. What else can I do?

When you order or purchase stock you should state that the goods must comply with the Toys (Safety) Regulations 1995 and ask your supplier for a written assurance that the goods comply. Make sure you keep records/invoices of your purchases and any written assurances given.

Depending on the size and scope of your business simply looking at the labelling on products may not be sufficient. If you are a wholesaler, or are arranging to import a quantity of toys then you should consider getting a representative sample tested by a suitable test house and insist on getting copies of test reports carried out by the manufacturer.

Remember you could be held liable if a child is injured by a product you have sold.

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## 5. The Lion Mark

You may also come across the Lion Mark on some toys. This is the symbol promoted by the British Toy and Hobby Association and the use of it means the toy manufacturer or person using the mark has signed a Code of Practice which demands high standards of ethics in advertising and other matters, as well as toy safety. Toys with this mark must still be CE marked.



## 6. Are there any exemptions?

Many products are not regarded as toys (although they must still be safe) here are some examples for further exemptions contact Trading Standards;

- Sports equipment
- Collectors items labelled as for 14 and above age such as folk dolls, scale models, historical replicas etc
- Darts with metallic points
- Air guns and air pistols
- Fireworks
- Puzzles over 500 pieces for specialists
- Slings & catapults
- Babies dummies
- Reproduction firearms
- Christmas decorations etc.
- Video toys operating at over 24 volts
- Sports & road bicycles
- Children's fashion jewellery

## 7. Second-hand toys

These must still satisfy the essential safety requirements but the CE mark does not have to be present. Warning and precaution labels must specify the risks involved in using a toy and how to avoid them, for example as detailed in section 3.

## 8. What happens if I don't comply with these requirements?

These requirements are detailed in the Toys (Safety) Regulations 2011 which were made under the Consumer Protection Act 1987. General Product Safety Regulations 2005 provisions also apply. Failure to comply is an offence and any business persons in the chain of supply are liable for prosecution. On conviction a Crown courts may impose a fine of up to £20,000 and/or imprisonment for up to 12 months,

In addition goods may be seized by Trading Standards Officers and forfeited by the courts.

## 9. Further information

If you require further assistance on these requirements, or would like additional information leaflets, please contact us at the address given.

### Other related leaflets available:-

- *Toy safety - a guide for hobby & charity manufacturers.*
- *Toy safety – projectile firing toys*
- *Safety regulations for bunk beds*
- *Children's clothing & hood cords*