

THE GULF TOYS SAFETY REGULATION

NIST Standards in Trade Workshop
for the GCC Standardization Organization (GSO)
on the Gulf Cooperation Council (GCC) Regulatory System for Product Control
as Applied to Low Voltage Equipment and Toys

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CHAPTERS & ANNEXES

❑ CHAPTERS

❖ As presented

❑ ANNEXES

1. List of products that, in particular, are not considered as toys within the meaning of this Directive
2. PARTICULAR SAFETY REQUIREMENTS
3. GCC DECLARATION OF CONFORMITY
4. TECHNICAL DOCUMENTATION
5. WARNINGS
6. CONFORMITY ASSESSMENT PROCEDURES
7. Adopted Standards for toys safety Regulation

GENERAL PROVISIONS

Subject:

- ❑ ...lays down rules on the safety of toys and on their free movement in the Community

Scope:

- ❑ ...products designed or intended, whether or not exclusively, for use in play by children under 14 years of age.

Beyond Scope:

- ❑ Art2 2 and Annex 1

GENERAL PROVISIONS - Definitions

Clear definitions of

- ❑ Making available on the market & Placing on the market
- ❑ Manufacturer, Importers & Distributors
- ❑ Technical Regulation & Standard
- ❑ Conformity Assessment & Market Surveillance
- ❑ Recall & Withdrawal
- ❑ ...

OBLIGATIONS OF ECONOMIC OPERATORS

- ❑ Clarifying each category of operators roles & obligations:
- ❑ Manufacturers
- ❑ Legal Representative
- ❑ Importers
- ❑ Distributors

OBLIGATIONS OF ECONOMIC OPERATORS -

Manufacturers

- ❑ Ensuring compliance with the essential and specific safety requirements;
- ❑ Drawing up the technical documentation and proceed to Conformity Assessment;
- ❑ Establishing the “GCC” declaration of conformity and affixing the GCC marking on toys;
- ❑ Keeping Technical documentation and maintaining compliance;
- ❑ Ensuring traceability and providing information and warnings;
- ❑ Taking correctives measures;
- ❑ Cooperating with competent authorities

OBLIGATIONS OF ECONOMIC OPERATORS -

Legal Representative

- ❑ may be appointed by a written mandate;
- ❑ shall perform the tasks specified in the mandate...;
 - ❖ keep the EC declaration of conformity and the technical documentation
 - ❖ ...Provide authorities with all the information and documentation necessary...
 - ❖ cooperate with the competent national authorities...
- ❑ Could not:
 - ❖ draw up the technical documentation

OBLIGATIONS OF ECONOMIC OPERATORS -

Importers

- ❑ place only compliant toys on the market;
- ❑ ensure that the appropriate CAP has been carried out by the manufacturer;
- ❑ ensure that:
 - ❖ manufacturer has drawn up technical documentation,
 - ❖ toy bears the required conformity marking, and is accompanied by the required documents, and
 - ❖ manufacturer has complied with requirements on traceability
- ❑ Take correctives measures...& cooperate in safety monitoring
- ❑ ...while a toy is under their responsibility, storage or transport conditions do not jeopardize its compliance...

OBLIGATIONS OF ECONOMIC OPERATORS -

Distributors

- ❑ Before making a toy available on the market,
- ❑ shall verify that the toy bears the required conformity marking,
- ❑ is accompanied by the required documents and by instructions and safety information
- ❑ and that the manufacturer and the importer have complied with the requirements on traceability.
- ❑ Take corrective measures and participate to safety monitoring
- ❑ Ensure, while a toy is under their responsibility, storage or transport conditions do not jeopardize its compliance
- ❑ ..., provide authorities with all the information and documentation necessary to demonstrate the conformity of the toy...

OBLIGATIONS OF ECONOMIC OPERATORS

Cases in which obligations of manufacturers apply to importers and distributors (art 8)

- ❑ An importer or distributor shall be considered a manufacturer for the purposes of this Regulation and be subject to the obligations of the manufacturer under Article 4 where it places a toy on the market under **its name or trademark or modifies** a toy already placed on the market in such a way **that compliance** with the applicable requirements **may be affected**.

CONFORMITY OF TOYS

- ❑ Essential safety requirements (art 10)
 - ❖ ...toys may not be placed on the market unless they comply with the essential safety requirements... (§2 & Annex 2)
 - ❖ Toys, including the **chemicals** they contain, shall **not jeopardize** the safety or health of **users or third parties** when they are used **as intended** or in a **foreseeable** way, bearing in mind the **behavior of children** (particular attention for children under **36 months**)...
 - ❖ Toys... shall comply... during their foreseeable and normal period of use

CONFORMITY OF TOYS – chemical properties

- ❑ ...no risks of adverse effects on human health due to exposure to the chemical substances or mixtures...
- ❑ Refers to European legislation relating to certain categories of products or to restrictions for certain substances and mixtures.
- ❑ CMR substances not allowed, or under certain conditions and limits.

CONFORMITY OF TOYS - Warnings

- ❑ Art 11 General rules
- ❑ Annex V, Part B, gives details on warnings
- ❑ ...in a clearly visible, easily legible and understandable and accurate manner on the toy, on an affixed label or on the packaging and, if appropriate, on the instructions for use which accompany the toy.
- ❑ ...Small toys sold without packaging shall have appropriate warnings affixed to them.
- ❑ Language : Arabic

CONFORMITY OF TOYS –

Presumption of conformity & Free movement

Free movement : (Art 12)

- ❑ Free making available on the market ... of toys which comply with this Regulation.

Presumption of conformity : (Art 13)

- ❑ ...conformity with GSO standards or parts thereof, must result in conformity with the requirements covered by those standards or parts thereof set out in Article 10 and Annex II.

Referenced Standards :

- ❑ EN 71 series , ISO 8124

CONFORMITY OF TOYS – Safety & Conformity Assessment

Article 18 : Safety assessments

- ❑ Manufacturers shall, before placing a toy on the market, carry out an analysis of the chemical, physical, mechanical, electrical, flammability, hygiene and radioactivity hazards that the toy may present, as well as an assessment of the potential exposure to such hazards.

Module A (A1) : Internal production control

- ❑ when using referenced Standards covering all safety aspects

Modules B + C : (GCC type examination & Conformity to type based on internal production control)

- ❑ In others cases

CONFORMITY ASSESSMENT – Module A

- ❑ Technical Documentation:
- ❑ ...make it possible to assess product's conformity to the relevant requirements
- ❑ ...include an adequate analysis and assessment of the risk(s)...
- ❑ test reports.
- ❑ affix the required conformity marking
- ❑ draw up a written declaration of conformity...and
- ❑ keep it with Technical documentation at the disposal of the national authorities for 10 years

CONFORMITY ASSESSMENT – Module A1

- ❑ Test(s) on one or more specific aspects of the product
For each individual product...
- ❑ carried out by the manufacturer or on his behalf...
- ❑ tests are carried out either by an accredited in-house body or under the responsibility of a notified body chosen by the manufacturer.
- ❑ Where the tests are carried out by a notified body, the manufacturer shall, under the responsibility of the notified body, affix the notified body's identification number during the manufacturing process.

CONFORMITY ASSESSMENT – Module B

- ❑ ...a notified body examines the technical design of a product and verifies and attests that the technical design of the product meets the requirements of the legislative instrument...
- ❑ The manufacturer shall lodge an application for GCC-type examination with a single notified body of his choice
- ❑ Information on manufacturer & product
- ❑ Technical documentation...
- ❑ the specimens representative of the production envisaged: the notified body may request further specimens if needed for carrying out the test programme.

CONFORMITY ASSESSMENT – Module C

- ❑ Conformity to type based on internal production control
- ❑ manufacturer shall take all measures necessary so that the manufacturing process and its monitoring ensure conformity of the manufactured products with the approved type described in the EC-type examination certificate and with the requirements of the legislative instrument that apply to them.
- ❑ affix the required conformity marking ... to each individual product that is in conformity with the approved type
- ❑ draw up a written declaration of conformity for a product model and keep it at the disposal of the national authorities for 10 years...
- ❑ A copy of the declaration of conformity shall be made available to the relevant authorities upon request.

NOTIFICATION OF CONFORMITY ASSESSMENT BODIES

- ❑ Process being set up by member states
- ❑ To ensure for approved (notified) bodies:
 - ❖ Competency
 - ❖ objectivity
 - ❖ Impartiality
- ❑ Member states have appointed notifying authorities
- ❑ ...began examining requests for notification
- ❑ A committee of responsible for notification will be created soon to harmonize the process of notification.

OBLIGATIONS AND POWERS OF MEMBER STATES

- ❑ Market surveillance (safety monitoring...)
- ❑ Measures to deal with arising risks
 - ❖ Warnings...
 - ❖ Imposing urgent corrective actions...
 - ❖ Withdrawal and recall
 - ❖ ...
- ❑ Dealing with complaints
- ❑ Accident Databases
- ❑ Cooperation between authorities
- ❑ ...

GSO PROCEDURES

- ❑ Conducted by the Gulf Committee on Conformity Assessment (GCCA)
- ❑ To monitor the implementation of the regulation
- ❑ To propose any modification
- ❑ Particularly on safety requirements (such as chemical limitations...)
- ❑ Will be assisted by a scientific committee

SPECIFIC ADMINISTRATIVE PROVISIONS

- General administrative provisions...
 - ❖ Member states report on the enforcement of the Regulation (first 2014 & every five years thereafter)
 - ❖ GSO summarizes and publishes
- Article 50 (Transparency and confidentiality)
 - ❖ When adopting measures under the regulation ... member states must observe transparency,
- Article 51 (exposing causes...)
 - ❖ Obligation to inform economic operators before taking measures

FINAL AND TRANSITIONAL PROVISIONS

- ❑ Application of the regulation without prejudice to General Safety Regulation (& Defective product liability)
- ❑ Measures to adopt by the member states to transpose the Regulation
- ❑ Enforcement date...

THANK YOU

ANY QUESTIONS ?



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