



## Home Toy Producers

Just because you work from home you are not exempt from business safety regulations.

### What is a Toy?

Toys are products designed or intended (whether or not exclusively) for use in play by children under 14 years old. Some items which may appear to be categorised as toys are exempt from the regulations.

These include

- Christmas decorations.
- Detailed scale models for adult collectors.
- Folk and decorative dolls for adult collectors.
- Specialist puzzles with more than 500 pieces.
- Toy steam engines.
- Children's fashion jewellery.

If you think the things you make are not toys, you should seek further advice. For additional peace of mind you should also consider attaching a clear warning to your products (preferably permanently) that they are unsuitable for children.

The law says that toys must be safe. In particular, you should give special attention to the following points when making them.

### Physical and mechanical properties

- Toys must have strength and stability.
- They must be free from sharp edges, spikes or points.

- There must be a minimal risk of injury from any of the toy's moving parts.
- If a toy is made up of parts, they must not be detachable unless they are too big to swallow.
- The toy and its packaging must not present a strangulation or suffocation risk.
- Toys which can be accessed by a child must have any easy means of exit, e.g. playhouses.

### **Flammability**

- Toys must not present a fire risk.

### **Chemical properties**

- Toys must be clean and hygienic.
- Toys must not present a health risk due to swallowing poisons – for example lead, or other heavy metals in paint coatings.

You are advised to obtain written assurances from your raw material suppliers. You should ask for confirmation that they are of a type suitable for making toys, and comply with all the relevant safety standards.

It is a good idea to regularly screen your finished toys for such things as security of facial features, and keep a record of the number of each type of toy you make.

Where it is appropriate your toys should carry warnings to reduce risks. This is particularly important where a toy is unsuitable for a child under three years old. It is not necessary to attach warnings to soft-bodied toys, which are considered safe for children under three as a matter of course. All new toys must be labeled with the CE mark (minimum size 5mm), your name and traceable address.

### **Manufacturing toys**

If you are thinking of making toys there are certain requirements you must meet.

Toys must satisfy the essential safety requirements of the

Toys (Safety) Regulations 2011. The European Standard, EN71 (Safety of Toys), is a means of testing compliance with the Regulations. Copies of the standard can be obtained from the British Standards Institute.

A manufacturer must not place a toy on the market unless it complies with the essential safety requirements during its foreseeable and normal period of use.

### **Manufacturer's obligations**

A manufacturer must, draw up the following documents and carry out safety & conformity assessments:

- An EC declaration of conformity; and
- Technical documentation

The above documents must be retained for a period of 10 years after the day on which the toy is placed on the market.

### **Technical documentation**

The **technical documentation** referred to above shall contain:

- a detailed description of the design and manufacture, including a list of components and materials used in the toy as well as the safety data sheets on chemicals used, to be obtained from the chemical suppliers;
- a **safety assessment**;
- a description of the **conformity assessment** procedure followed;
- a copy of the **EC declaration of conformity**;
- the address of the places of manufacture and storage;
- copies of documents that the manufacturer has submitted to a notified body (if involved),
- test reports and description of the means whereby the manufacturer ensured conformity of production with the harmonised standards, if the manufacturer followed the internal production control procedure.

- a copy of the EC-type examination certificate (if applicable).

### Toy labelling

Ensure the following are marked on the toy; or where the size or nature of the toy precludes the information from being marked on the toy, on the toy's packaging; or in a document accompanying the toy.



- A CE mark (it should be at least 5mm high and in the following format)
- Age, warnings & instructions – where appropriate
- Your name, registered trade name or registered trade mark and address
- A type, batch, serial or model number or other information enabling the toy to be identified.

	<p><b>Disclaimer</b></p> <p>The above advice is merely a summary of legislation, compiled in the light of current available information and may be subject to change. As always we must advise that only the courts can give an authoritative opinion on statute law.</p> <p><b>Business Advice Line 020 8921 8223</b></p> <p><b>Address</b></p> <p>Published by Royal Borough of Greenwich, Trading Standards, The Woolwich Centre, 35 Wellington Street, Woolwich SE18 6HQ.</p> <p>This information can be provided in alternative formats such as large print, Braille or audio cassettes on request.</p> <p>September 2013</p>
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