

# Implementation of the Toy Safety Directive

The 2009 Toy Safety Directive has been protecting children in the EU for more than 10 years, imposing some of the world's strictest requirements on toys, in particular concerning hazardous chemicals. As the European Commission prepares to update the directive, the European Parliament's Committee on the Internal Market and Consumer Protection has examined the directive's implementation and proposed ways to amend it. Parliament is expected to vote on the committee's own-initiative report during its February plenary session.

## Background

Almost [60 000 people](#) were directly employed in the EU toy sector in 2016. The value of the EU toy market was about €18 billion, with imports accounting for half of toy sales, and sales increasingly on-line. Meanwhile, Eurostat figures for 2017 show that [more than 80 %](#) of imported toys come from China.

All toys placed on the EU market must comply with the [Toy Safety Directive](#). It sets out requirements for products designed for, or intended for use in play by, children under 14 years of age, as well as rules on their conformity assessment and market surveillance. Toys are subject to other legislation as well, such as the Registration, Evaluation, Authorisation and Restriction of Chemicals ([REACH](#)) Regulation and the Classification, Labelling and Packaging ([CLP](#)) Regulation. Despite the strict rules, many toys on the EU market are still not safe. According to the European Commission's [2020 annual report](#) on Safety Gate (the EU rapid alert system for dangerous non-food products), toys accounted for 27 % of all products notified through the system – more than any other product category.

## European Commission evaluation

The Commission announced its intention to revise the Toy Safety Directive in its October 2020 [chemicals strategy for sustainability](#). Its [evaluation](#) of the directive identified a number of shortcomings, primarily regarding hazardous chemicals, where the directive has not kept up with the latest scientific knowledge. There are several reasons for this, including provisions allowing the Commission to update limit values for chemicals only for toys for children under 36 months, and for toys intended to be placed in the mouth. The possibility of derogations for concentrations of carcinogenic, mutagenic or toxic-for-reproduction chemicals (CMR) has also resulted in limits that are now considered too high. The evaluation also found issues with market surveillance and inadequate coverage of new risks, for instance from 'connected' toys.

## European Parliament position

Parliament's Committee on the Internal Market and Consumer Protection (IMCO) adopted its own-initiative [report](#) on implementation of the directive on 9 December 2021. The report calls on the Commission to consider measures relating to chemicals in toys, such as: consolidating all limits for toys in one piece of legislation; reducing the possibility of derogations for CMR chemicals; identifying and banning endocrine disruptors in toys; and extending the lower limit values for chemicals in toys for children under 36 months to all toys. The report calls for better enforcement of new market surveillance rules and for measures to step up coordination of Member States' market surveillance activities. The Committee urges the Commission to explore ways to protect children against the new risks posed by connected toys and to require online marketplaces to take on more responsibility for identifying and removing non-compliant toys from their platforms. Parliament's vote on the own-initiative report is scheduled for the February plenary session.

Own-initiative report: [2021/2040\(INI\)](#); Committee responsible: IMCO; Rapporteur: Brando Benifei (S&D, Italy).  
For further information see the EPRS 'Implementation in action' [briefing](#).

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