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MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 103(2) of the Rules of Procedure

by André Brie, Marco Rizzo, Helmuth Markov, Eva-Britt Svensson, Dimitrios Papadimoulis, Mary Lou McDonald and Roberto Musacchio

on behalf of the GUE/NGL Group

on dangerous toys

European Parliament resolution on dangerous toys

The European Parliament,

- having regard to Directive 88/378/EEC¹ on the safety of toys,
 - having regard to Directive 2001/95/EC² on general product safety,
 - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas in the last few months a series of large-scale voluntary recall campaigns concerning toys that are unsafe and dangerous to health has been announced in the EU,
- B. whereas these recalls have raised awareness of the problem of unsafe products still reaching the EU market, and this requires urgent remedial action,
- C. whereas outsourcing to non-European countries by Western companies often leads to social dumping and very low quality and safety levels in products,
- D. whereas a high level of consumer protection is a political and social priority,
- E. whereas the responsibility for consumer protection rests on the entire chain of economic operators (suppliers, manufacturers, exporters, importers),
- F. whereas opinions from the Commission's Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE) and the Commission's Scientific Committee on Health and Environment Risks (SCHER), as well as various studies commissioned by the Commission, have shown that Council Directive 88/378/EEC on the Safety of Toys has failed to provide adequate safety of toys,
- G. whereas Directive 2005/84/EC banned the use of three phthalates that are classified as toxic for reproduction (DEHP, DBP, BBP) in all toys and childcare articles,
- H. whereas Regulation (EC) No 1907/2006³ concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) requires Community-established importers, as of 1 June 2008, to notify the European Chemicals Agency of substances of very high concern present in articles meeting the requirements set out in Article 7(2) of that regulation,
- I. whereas 48% of detected unsafe products have their origin in China and 27% are of unidentified origin,
- J. whereas 25% of all detected unsafe products are children's toys,

¹ OJ L 187, 16.7.1988, p. 1.

² OJ L 11, 15.1.2002, p. 9.

³ OJ L 396, 12.2006, p. 1.

1. Calls on the Commission to present a legislative proposal for a complete revision of the Toy Safety Directive before the end of the year, ensuring a certain level of parliamentary control over the implementing measures by adopting the key implementing measures in comitology under the regulatory procedure with scrutiny;
2. Calls on the Commission to include a prohibition of CMR (carcinogenic, mutagenic and toxic for reproduction) substances and endocrine disruptors in its revised legislative proposal;
3. Calls on the Commission to ensure that the CE marking is a guarantee of safety and quality and to take measures to prevent its abuse;
4. Calls on the Commission to clarify the responsibility of importers and producers in case of misuse;
5. Calls on the Commission and the Member States to set up citizen-awareness and -information campaigns, educating consumers on the added value of the CE mark;
6. Calls on the Commission to increase the effectiveness of the RAPEX system to ensure detection of a maximum number of unsafe products from China and other third countries reaching the EU market;
7. Urges the Commission to take urgent action to tackle the problem of dangerous products of unidentified origin;
8. Calls on the Member States to strictly apply bans or any other measures adopted by the EU to control access to the EU market of unsafe products;
9. Calls on the Member States to ensure strict enforcement of product laws, particularly toy safety laws, and to step up efforts to improve market surveillance and national inspections;
10. Calls on the Commission to create measures for enforcing safety rules on non-food products;
11. Calls on the Commission to apply bans to unsafe products intended for the EU market;
12. Calls on the Member States to make full use of all the possible ways legally available to them of ensuring that non-compliant or unsafe toys are prevented from being placed on the market or are withdrawn or recalled from the market;
13. Calls on the Commission to create instruments to ensure that EU companies operating in third countries fulfil European standards of labour and environment law;
14. Calls on the Commission to promote traceability and guarantee systems to certify goods produced within the EU;
15. Instructs its President to forward this resolution to the Commission, the Council and the governments and parliaments of the Member States.