



**2023/0290(COD)**

5.12.2023

# **AMENDMENTS**

## **268 - 456**

**Draft report**  
**Marion Walsmann**  
(PE754.649v01-00)

Safety of toys and repealing Directive 2009/48/EC

Proposal for a regulation  
(COM(2023)0462 – C9-0317/2023 – 2023/0290(COD))



**Amendment 268**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 11 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***A natural or legal person, other than the manufacturer, that substantially modifies the product within the meaning of Article 13 (3) of Regulation (EU) 2023/988, shall be deemed to be a manufacturer for the purposes of this Regulation and shall be subject to the obligations of the manufacturer set out in Article 7 for the part of the product affected by the modification or for the entire product if the substantial modification has an impact on its safety.***

Or. en

**Amendment 269**

**Morten Løkkegaard**

**Proposal for a regulation**

**Article 11 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***Where an online marketplace fails to comply with any of the requirements of Article 30 on the traceability of traders by providers of online platforms allowing consumers to conclude distance contracts with traders in Regulation (EU) 2022/2065, and where, as a result, the trader is or becomes untraceable, the online marketplace shall be considered to be the economic operator as set out in Article 4(1) of Regulation (EU) No 2019/1020 [the market surveillance Reg.] who is responsible for the tasks set out in Article 4(3) of Regulation (EU) 2019/1020***

*with respect to the toys of the untraceable trader.*

Or. en

### *Justification*

*The Digital Services Act (DSA) includes a new set of horizontal rules to regulate the responsibility of online intermediaries, including online marketplaces. The DSA obliges online platforms to conduct traceability due diligence on traders that conclude distance contracts with consumers on those platforms (Article 30 of the DSA). Where an online marketplace fails to carry out this due diligence, traders of non-compliant toys may remain untraceable. This new obligation on online marketplaces will therefore close this particular loophole. It would apply in the case of untraceable traders in the case of imported goods as well as to traders established in the EU that become untraceable. As established in relation to Article 11a, placing responsibility on online intermediaries is consistent with the "deemed importer" concept established under the proposal for a Regulation establishing the Union Customs Code and the European Union Customs Authority.*

### **Amendment 270**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Article 11 a (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 11a**

##### ***Providers of online marketplaces***

- 1. Without prejudice to the prohibition to conduct general monitoring as established under Regulation (EU) 2022/2065, providers of online marketplaces shall, before and after allowing the offering of the toy by the trader, make reasonable efforts to conduct simple random samples to check whether the toys offered on their interface have been identified as dangerous in the Safety Gate Portal.***
- 2. Providers of online marketplaces are subject to specific obligations in accordance with Regulation (EU) 2023/988 concerning the removal of content referring to an offer of a dangerous toy from their online interfaces***

*and regarding the cooperation with market surveillance authorities and relevant economic operators to facilitate any action taken to eliminate or, if that is not possible, to mitigate the risks presented by a toy that is or was offered online through their services.*

*3. Notwithstanding the requirement that an economic operator shall be established in the Union pursuant to Article 4 (1) of Regulation (EU) No 2019/1020, where a manufacturer of a toy cannot be identified or, where the manufacturer is established outside the Union, and where an importer, an authorised representative and a fulfilment service provider cannot be identified, any provider of online marketplaces that allows consumers to conclude distance contracts with traders and that is not a manufacturer, importer or distributor, provided that the conditions of Article 6(3) set out in Regulation (EU) 2022/2065 are fulfilled, shall be required by market surveillance authorities to provide adequate and proportionate remedies to consumers where:*

*(a) a market surveillance authority, upon a reasoned request, asks that provider of online marketplace to identify the economic operator or the person who supplied the provider of online marketplace with the toy; and*

*(b) the provider of online marketplace fails to identify the economic operator or the person who supplied the provider of online marketplace with the product within 1 month of receiving the request.*

*4. Notwithstanding the requirement that an economic operator shall be established in the Union pursuant to Article 4 (1) of Regulation (EU) No 2019/1020, where a manufacturer of a toy cannot be identified or, where the manufacturer is established outside the Union, and where an importer, an authorised representative and a fulfilment service provider cannot be identified, providers of online marketplaces that allow consumers to*

*conclude distance contracts with traders and that are not manufacturers, importers or distributors, shall be required by market surveillance authorities to provide adequate and proportionate remedies to consumers where such providers fail to comply with Article 30 of Regulation (EU) 2022/2065.*

Or. en

**Amendment 271**

**Stelios Kouloglou, Anne-Sophie Pelletier, Kateřina Konečná**

**Proposal for a regulation**

**Article 11 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 11a**

***Providers of online marketplaces***

***1. Providers of online marketplaces shall, before allowing to publish an offer for a toy, devote best efforts to verify whether such toy is identified as being subject to corrective measures published on the Safety Gate Portal or any other freely accessible database or online interface whose reference must be established by the European Commission by means of implementing acts following 12 months after the date of entry into force of this Regulation.***

***2. When providers of online marketplaces obtain information on measures taken against dangerous toys through the Safety Gate Portal, they shall devote best efforts to swiftly prevent the publication of the offer, remove or otherwise disable access to it if the offer has been published already.***

***Providers of online marketplaces shall inform authorities of the listings and the actions undertaken.***

***3. When cooperating with national authorities, consumer associations or***

*other civil society organisations, with relevant economic operators and traders to facilitate any action taken to eliminate or, if that is not possible, to mitigate the risks presented by a toy that is or was offered online through their services, providers of online marketplaces shall ensure that appropriate and timely corrective measures, including product recalls, are put in place by the relevant economic operators or, if these economic operators fail to do so by themselves or by third party operators under their responsibility.*

*4. Providers of online marketplaces responsible for the product safety recall shall offer the consumer an effective, cost-free and timely remedy pursuant to article 37 of Regulation (EU) 2023/988.*

Or. en

**Amendment 272**

**Morten Løkkegaard, Vlad-Marius Botoş**

**Proposal for a regulation**

**Chapter II a (new)**

*Text proposed by the Commission*

*Amendment*

***II a Providers of online marketplaces***

Or. en

**Amendment 273**

**Alessandra Basso, Isabella Tovaglieri, Marco Campomenosi, Antonio Maria Rinaldi**

**Proposal for a regulation**

**Article 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 12a***

***Obligations of economic operators in the case of distance sales***

*Where economic operators make toys available on the market online or through other means of distance sales, the offer of those toys shall clearly and visibly indicate at least the following information:*

*(a) name, registered trade name or registered trade mark of the manufacturer, as well as the postal and electronic address at which they can be contacted;*

*(b) where the manufacturer is not established in the Union, the name, postal and electronic address of the responsible person within the meaning of Article 16(1) of this Regulation or Article 4(1) of Regulation (EU) 2019/1020 and;*

*(d) any warning or safety information to be affixed to the toy or to the packaging or included in an accompanying document in accordance with this Regulation or the applicable Union harmonisation legislation in a language which can be easily understood by consumers, as determined by the Member State in which the toy is made available on the market.*

Or. en

**Amendment 274**  
**Morten Løkkegaard**

**Proposal for a regulation**  
**Article 12 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 12a**

*Without prejudice to the general obligations provided for in Article 31 of Regulation (EU) 2022/2065, providers of online marketplaces shall enable sellers on their platform to comply with the following requirements:*

*a) visibility of warnings as stipulated in*



**Article 6, paragraph 3;**

**b) visibility of the data carrier as stipulated in Article 17, paragraph 5.**

Or. en

*Justification*

*This new paragraph enables to further apply Article 31 of the Digital Services Act (Compliance by design for providers of online platforms allowing consumers to conclude distance contracts with traders) for toys.*

**Amendment 275**

**Morten Løkkegaard, Vlad-Marius Botoș**

**Proposal for a regulation**

**Article 12 b (new)**

*Text proposed by the Commission*

*Amendment*

**Article 12b**

***Providers of online marketplaces to which Section 4 of Regulation (EU) 2022/2065 applies, shall make reasonable efforts to randomly check before and after they allow a trader to offer a product on the online marketplace, whether it has been identified as being dangerous in any official, freely accessible and machine-readable online database or online interface, made available in a Member State or in the Union, in particular the Safety Gate Portal. The Commission shall provide guidelines on the practicalities of such random checks.***

Or. en

*Justification*

*This new paragraph addresses how the general provisions of the Digital Services Act related to reasonable efforts to check illegal content could be applied in the specific context of the Toy Safety Regulation, taking into account that the DSA is a horizontal regulation that allows other pieces of legislation to specify and complement it, including explicitly the legislation on product safety. It is consistent with Articles 2(4), 30 (2) and 31(3) of the DSA. The foreseen obligations for providers of online marketplaces are proportionate, especially given the high percentage of notifications on Safety Gate that relate to illegal toys that can still be fund*

*regularly on online marketplaces. They do not imply an imposition of a general monitoring obligation nor a general active fact-finding obligation, and they do not modify the DSA's general liability rules and exemptions.*

## **Amendment 276**

**Beata Mazurek**

### **Proposal for a regulation**

#### **Article 14 – paragraph 2 – subparagraph 1 – introductory part**

##### *Text proposed by the Commission*

The Commission may, *by means of* implementing acts, ***establish*** common specifications ***for*** the essential safety requirements where the following conditions are fulfilled:

##### *Amendment*

The Commission may ***adopt*** implementing acts ***establishing*** common specifications ***covering technical requirements that provide a means to comply with*** the essential ***health and*** safety requirements ***set out in this Regulation. Those implementing acts shall only be adopted*** where the following conditions are fulfilled:

***(a) the Commission has requested, pursuant to Article 10(1) of Regulation (EU) No 1025/2012, one or more European standardisation organisations to draft a harmonised standard for the essential health and safety requirements set out in this Regulation and:***

***(i) the request has not been accepted; or***

***(ii) the harmonised standards addressing that request are not delivered within the deadline set in accordance with Article 10(1) of Regulation (EU) No 1025/2012; or***

***(iii) the harmonised standards do not comply with the request; and***

***(b) no reference to harmonised standards covering the relevant essential health and safety requirements set out in this Regulation has been published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012 and no such reference is expected to be published within a reasonable period.***

*Justification*

*Align the text with the compromise established in the machinery regulation.*

**Amendment 277****Beata Mazurek****Proposal for a regulation****Article 14 – paragraph 2 – subparagraph 1 – point a***Text proposed by the Commission**Amendment*

*(a) there is no harmonised standard covering those requirements the reference of which is published in the Official Journal of the European Union or the standard does not satisfy the requirements it aims to cover;* *deleted*

Or. en

**Amendment 278****Beata Mazurek****Proposal for a regulation****Article 14 – paragraph 2 – subparagraph 1 – point b***Text proposed by the Commission**Amendment*

*(b) the Commission has requested, pursuant to Article 10(1) of Regulation 1025/2012, one or more European standardisation organisations to draft or to revise European standards for those requirements and either of the following conditions is fulfilled:* *deleted*

*(1) the request has not been accepted by any of the European standardisation organisations to which the request was addressed;*

*(2) the request has been accepted by at least one of the European standardisation organisations to which the request was addressed, but the European standards*

*requested:*

*(a) have not been adopted within the deadline set in the request;*

*(b) do not comply with the request; or*

*(c) do not satisfy the requirements they aim to cover.*

Or. en

## **Amendment 279**

**Christel Schaldemose**

### **Proposal for a regulation**

#### **Article 16**

*Text proposed by the Commission*

*Amendment*

#### *Article 16*

*deleted*

#### *Rules and conditions for affixing the CE marking*

*1.*

*The CE marking shall be affixed visibly, legibly and indelibly to the toy, to a label attached to the toy or to the packaging of the toy.*

*By way of derogation from the first subparagraph, in the case of small toys and toys consisting of small parts, the CE marking may be affixed to a leaflet accompanying the toy.*

*By way of derogation from the first subparagraph, in the case of toys sold in counter displays where it is not technically possible to affix the CE marking to each individual toy, the CE marking may be affixed to the counter display on the condition that the counter display was originally used as packaging for the toy.*

*Where the CE marking affixed to the toy is not visible from outside the packaging, it shall also be affixed to the packaging.*

*2. The CE marking shall be affixed before*

*the toy is placed on the market.*

**3. The CE marking shall, where applicable in accordance with Article 6, be followed by a pictogram or any other warning indicating a special risk or use.**

**4. Member States shall build upon existing mechanisms to ensure correct application of the regime governing the CE marking and shall take appropriate action in the event of improper use of that marking.**

Or. en

**Amendment 280**  
**Antonius Manders**

**Proposal for a regulation**  
**Article 16 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The CE marking shall be affixed visibly, legibly and indelibly to the toy, to a label attached to the toy or to the packaging of the toy.

*Amendment*

The ***physical or digital*** CE marking shall be affixed visibly, legibly and indelibly to the toy, to a label attached to the toy or to the packaging of the toy.

Or. en

*Justification*

*CE marking means that the manufacturer indicates that the toy is in conformity with the applicable requirements, this could also be done in the product passport which manufacturers should create to provide information on the compliance of toys with this Regulation and with any other Union legislation applicable.*

**Amendment 281**  
**Beata Mazurek**

**Proposal for a regulation**  
**Article 16 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

By way of derogation from the first subparagraph, in the case of small toys and

*Amendment*

By way of derogation from the first subparagraph, in the case of small toys and

toys consisting of small parts, the CE marking may be affixed to a leaflet accompanying the toy.

toys consisting of small parts, the CE marking may be affixed to a leaflet accompanying the toy *or a product passport*.

Or. en

#### **Amendment 282**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

#### **Proposal for a regulation**

##### **Article 17 – title**

*Text proposed by the Commission*

*Amendment*

Product passport

**Digital** product passport

Or. en

#### **Amendment 283**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

#### **Proposal for a regulation**

##### **Article 17 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Before placing a toy on the market, manufacturers shall create a product passport for that toy. The product passport shall meet the requirements laid down in this Article and Article 18.

1. Before placing a toy on the market, manufacturers shall create a **digital** product passport for that toy. The **digital** product passport shall meet the requirements laid down in this Article and Article 18.

Or. en

#### **Amendment 284**

**Beata Mazurek**

#### **Proposal for a regulation**

##### **Article 17 – paragraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

(a) correspond to a specific toy model;

(a) correspond to a specific toy model,

*unless the differences between the models are meaningless for the purpose of ensuring the safety of that toy;*

Or. en

**Amendment 285**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 17 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) state that compliance of the toy with the requirements set out in this Regulation and, in particular, the essential safety requirements, has been demonstrated;

*Amendment*

(b) state that compliance of the toy with the requirements set out ***in Union legislation applicable to toys and in particular*** in this Regulation and, in particular, the essential safety requirements, has been demonstrated;

Or. en

**Amendment 286**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Article 17 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) state that compliance of the toy with the requirements set out in this Regulation and, in particular, the essential safety requirements, has been demonstrated;

*Amendment*

(b) state that compliance of the toy with the requirements set out in ***Union legislation applicable to toys and in particular*** this Regulation and, in particular, the essential safety requirements, has been demonstrated;

Or. en

**Amendment 287**

**Andreas Schwab, Maria da Graça Carvalho, Lara Comi, Arba Kokalari, Geoffroy Didier, Andrey Kovatchev, Tom Vandenkendelaere, Ivan Štefanec, Pablo Arias Echeverría**

**Proposal for a regulation**

**Article 17 – paragraph 2 – point d**

*Text proposed by the Commission*

*Amendment*

(d) be up to date;

(d) be up to date, ***while not presenting outdated information older than three months.***

Or. en

*Justification*

*Update obligation puts a high administrative burden on the companies. This can be mitigated by introducing a de minimis limit of 3 months, which would allow companies to update their product passes quarterly and therefore ensure a greater compliance.*

**Amendment 288**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Article 17 – paragraph 2 – point d**

*Text proposed by the Commission*

*Amendment*

(d) be up to date;

(d) be ***kept*** up to date;

Or. en

**Amendment 289**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 17 – paragraph 2 – point f**

*Text proposed by the Commission*

*Amendment*

(f) be accessible to consumers or other end-users, market surveillance authorities, customs authorities, notified bodies, the

(f) be accessible to consumers or other end-users, market surveillance authorities, customs authorities, notified bodies, ***civil***



Commission and other economic operators;

***society organisations, researchers, trade unions,*** the Commission and other economic operators;

Or. en

#### **Amendment 290**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

#### **Proposal for a regulation**

#### **Article 17 – paragraph 2 – point f**

*Text proposed by the Commission*

(f) be accessible to consumers or other end-users, market surveillance authorities, customs authorities, notified bodies, the Commission and other economic operators;

*Amendment*

(f) be accessible to consumers or other end-users, market surveillance authorities, customs authorities, notified bodies, the Commission and other economic operators ***in accordance with the Directive (EU) 2016/943;***

Or. en

#### **Amendment 291**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 17 – paragraph 2 – point g**

*Text proposed by the Commission*

(g) be available for a period of 10 years after the toy is placed on the market, also in cases of insolvency, a liquidation or a cessation of activity in the Union of the economic operator that created the product passport;

*Amendment*

(g) be available for a period of ***at least the expected lifetime or*** 10 years after the ***last model of*** toy is placed on the market, ***whichever is longer,*** also in cases of insolvency, a liquidation or a cessation of activity in the Union of the economic operator that created the product passport;

Or. en

#### **Amendment 292**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Article 17 – paragraph 2 – point g**

*Text proposed by the Commission*

(g) be available for a period of 10 years after the **toy** is placed on the market, also in cases of insolvency, a liquidation or a cessation of activity in the Union of the economic operator that created the product passport;

*Amendment*

(g) be available for a period of **at least** 10 years after the **last toy model** is placed on the market, also in cases of insolvency, a liquidation or a cessation of activity in the Union of the economic operator that created the product passport;

Or. en

**Amendment 293**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 17 – paragraph 2 – point g a (new)**

*Text proposed by the Commission*

*Amendment*

**(g a) be based on open standards, developed with an inter-operable format and shall be machine-readable, structured, searchable, and shall be transferable through an open interoperable data exchange network without vendor lock-in, in accordance with the essential requirements set out in the Ecodesign Regulation;**

Or. en

**Amendment 294**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 17 – paragraph 2 – point i**

*Text proposed by the Commission*

*Amendment*

(i) fulfil the specific and technical requirements laid down pursuant to paragraph 10.

(i) fulfil the specific and technical requirements laid down pursuant to paragraph 10 ***in order to facilitate the verification of product compliance by competent national authorities;***

Or. en

#### **Amendment 295**

**Beata Mazurek**

#### **Proposal for a regulation**

#### **Article 17 – paragraph 2 – point i a (new)**

*Text proposed by the Commission*

*Amendment*

***(i a) be compatible for the purpose of transmitting product information via the Safety Gate Rapid Alert System and Safety Business Gateway outlined in accordance with Articles 25, 26 and 27 provided for in Regulation (EU) 2023/988.***

Or. en

#### **Amendment 296**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 17 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. By creating the product passport, the manufacturer shall assume responsibility for the compliance of the toy with this Regulation.

4. By creating the product passport, the manufacturer shall assume responsibility for the compliance of the toy with this Regulation ***and with any other Union legislation applicable to toys.***

Or. en

#### Amendment 297

Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini

on behalf of the Verts/ALE Group

#### Proposal for a regulation

#### Article 17 – paragraph 5

##### *Text proposed by the Commission*

5. The data carrier shall be physically present on the toy or on a label attached to the toy, in accordance with the implementing act adopted in accordance with paragraph 10. In the case of small toys and toys consisting of small parts, the data carrier may alternatively be affixed to its packaging. It shall be clearly visible to the consumer before any purchase and to market surveillance authorities, including in cases where the toy is made available through distance sales.

##### *Amendment*

5. The data carrier shall be physically present on the toy or on a label attached to the toy, in accordance with the implementing act adopted in accordance with paragraph 10. In the case of small toys and toys consisting of small parts, the data carrier may alternatively be affixed to its packaging. It shall be clearly visible to the consumer before any purchase and to market surveillance authorities, including in cases where the toy is made available through distance sales. ***In addition, the data carrier shall be accompanied by the statement ‘More information on the product is available online’ or by a similar statement.***

Or. en

#### Amendment 298

Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques

#### Proposal for a regulation

#### Article 17 – paragraph 5

##### *Text proposed by the Commission*

5. The data carrier shall be physically present on the toy or on a label attached to the toy, in accordance with the implementing act adopted in accordance with paragraph 10. In the case of small toys and toys consisting of small parts, the data carrier ***may alternatively*** be affixed to its packaging. It shall be clearly visible to the

##### *Amendment*

5. The data carrier shall be physically present on the toy or on a label attached to the toy, in accordance with the implementing act adopted in accordance with paragraph 10. In the case of small toys and toys consisting of small parts, the data carrier ***shall*** be affixed to its packaging. It shall be clearly visible to the consumer

consumer before any purchase and to market surveillance authorities, including in cases where the toy is made available through distance sales.

before any purchase and to market surveillance authorities, including in cases where the toy is made available through distance sales. ***It shall also be accompanied by the statement “More information on the product is available on the website of the manufacturer” or by a similar statement.***

Or. en

#### **Amendment 299**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 17 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5 a. The economic operator placing the toy on the market shall provide other economic operators involved in the distribution of the toy with a digital copy of the data carrier to allow them to make it accessible to consumers and market surveillance authorities where they cannot physically access the product. The economic operator shall provide that digital copy free of charge and within 5 working days of receiving a request.***

Or. en

#### **Amendment 300**

**Beata Mazurek**

#### **Proposal for a regulation**

#### **Article 17 – paragraph 8**

*Text proposed by the Commission*

*Amendment*

***8. By way of derogation from paragraph 2, point (c), where information requirements relating to substances of***

***deleted***

*concern in toys are established in a delegated act adopted in accordance with Article 4 of Regulation .../... [OP please insert: the Ecodesign for Sustainable Products Regulation], the information referred to in Part I, point (k), of Annex VI to this Regulation is no longer required.*

Or. en

#### **Amendment 301**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 17 – paragraph 8**

##### *Text proposed by the Commission*

8. By way of derogation from paragraph 2, point (c), where information requirements relating to substances of concern in toys are established in a delegated act adopted in accordance with Article 4 of Regulation .../... [OP please insert: the Ecodesign for Sustainable Products Regulation], the information referred to in Part I, point (k), of Annex VI to this Regulation is no longer required.

##### *Amendment*

8. By way of derogation from paragraph 2, point (c), where information requirements relating to substances of concern in toys are established in a delegated act adopted in accordance with Article 4 of Regulation .../... [OP please insert: the Ecodesign for Sustainable Products Regulation], the information referred to in Part I, point (k), of Annex VI to this Regulation is no longer required *insofar as the information requirements established in the delegated act are equivalent.*

Or. en

#### **Amendment 302**

**Andreas Schwab, Maria da Graça Carvalho, Lara Comi, Arba Kokalari, Geoffroy Didier, Andrey Kovatchev, Tom Vandenkendelaere, Ivan Štefanec, Pablo Arias Echeverría**

#### **Proposal for a regulation**

#### **Article 17 – paragraph 10 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall adopt implementing acts determining the specific and technical requirements related to the product passport for toys. Those requirements shall cover in particular the following:

The Commission shall **prior to the application of this regulation pursuant Article 56** adopt implementing acts determining the specific and technical requirements related to the product passport for toys. Those requirements shall cover in particular the following:

Or. en

**Amendment 303**

**Beata Mazurek**

**Proposal for a regulation**

**Article 17 – paragraph 10 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall adopt implementing acts determining **the** specific and technical requirements related to the product passport for toys. Those requirements shall cover in particular the following:

The Commission shall adopt implementing acts determining **only the essential,** specific and technical requirements related to the product passport for toys. Those requirements shall cover in particular the following:

Or. en

**Amendment 304**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**

**Article 17 – paragraph 10 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall adopt **implementing** acts determining the specific and technical requirements related to the product passport for toys. Those requirements shall cover in particular the following:

The Commission shall adopt **delegated** acts determining the specific and technical requirements related to the product passport for toys. Those requirements shall cover in particular the following:

Or. en

## Amendment 305

Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard

### Proposal for a regulation

Article 17 – paragraph 10 – subparagraph 1 – point d

*Text proposed by the Commission*

*Amendment*

(d) *the actors that may introduce or update the information in the product passport, including where needed the creation of a new passport, including manufacturers, notified bodies, competent national authorities, and the Commission, or any organisation acting on their behalf, and the types of information they may introduce or update.* **deleted**

Or. en

## Amendment 306

Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini

on behalf of the Verts/ALE Group

### Proposal for a regulation

Article 17 – paragraph 10 – subparagraph 1 – point d

*Text proposed by the Commission*

*Amendment*

(d) the actors that may introduce or update the information in the product passport, including where needed the creation of a new passport, including manufacturers, notified bodies, competent national authorities, and the Commission, or any organisation acting on their behalf, and the types of information they may introduce or update.

(d) ***the actors that shall have access to information in the product passport and to what information they shall have access and*** the actors that may introduce or update the information in the product passport, including where needed the creation of a new passport, including manufacturers, ***importers and distributors, dealers, repairers, refurbishers, remanufacturers, recyclers,*** notified bodies, competent national authorities, ***public interest organisations*** and the Commission, or any organisation acting on their behalf, and the types of information they may introduce or update.

Or. en



**Amendment 307**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 17 – paragraph 10 – subparagraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

*(d a) the period for which the product passport shall remain available by specifying the minimum period of time during which the actors of the value chain storing the data shall guarantee continuous availability of those data.*

Or. en

**Amendment 308**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**

**Article 17 – paragraph 10 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

Those **implementing** acts shall be adopted in accordance with the procedure set out in Article 50(3).

Those **delegated** acts shall be adopted in accordance with the procedure set out in Article 50(3).

Or. en

**Amendment 309**

**Beata Mazurek**

**Proposal for a regulation**

**Article 17 – paragraph 10 a (new)**

*Text proposed by the Commission*

*Amendment*

**10 a. The Commission is obliged to ensure substantial assistance, either directly or through relevant national authorities, to SMEs and micro-**

*enterprises in establishing a product passport for their toys. This support shall encompass the provision of complimentary training sessions, financial allocations for training initiatives, and access to cost-free software solutions. The Commission shall issue comprehensive guidelines and tailored guidance to facilitate the effective setup and operation of the product passport, including the development of an automatic translation tool for the languages specified in paragraph 2(e). These support measures shall be fully operational no later than [OP to insert date = 12 months after the entry into force of this Regulation].*

Or. en

#### **Amendment 310**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

#### **Proposal for a regulation**

##### **Article 18 – title**

*Text proposed by the Commission*

Technical design and operation of the product passport

*Amendment*

Technical design and operation of the **digital** product passport

Or. en

#### **Amendment 311**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

#### **Proposal for a regulation**

##### **Article 18 – paragraph 2**

*Text proposed by the Commission*

2. All information included in the product passport shall be based on open standards developed with an interoperable format and shall be machine readable,

*Amendment*

2. All information included in the product passport shall be based on open standards developed with an interoperable format and shall be machine readable,

structured and searchable.

structured and searchable. *The product passport shall be designed and operated in an accessible manner, and incorporate the principle of security and privacy by design.*

Or. en

#### **Amendment 312**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

#### **Proposal for a regulation**

#### **Article 18 – paragraph 3**

##### *Text proposed by the Commission*

3. Consumers or other end-users, economic operators and other relevant actors shall have access to the product passport free of charge.

##### *Amendment*

3. Consumers or other end-users, economic operators and other relevant actors shall have access to the product passport, *in accordance with the Union legislation*, free of charge.

Or. en

#### **Amendment 313**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

#### **Proposal for a regulation**

#### **Article 18 – paragraph 3 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

**3 a. Consumers shall not be requested to register, download, or to provide a password to access the product passport. A functionality shall allow consumers to place alerts about toys that present a risk to their health and safety through a separate section of the Safety Gate Portal pursuant to Article 34(3) of Regulation EU/2023/988.**

Or. en

**Amendment 314**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 18 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3 a. Product passports shall be designed and operated so that they are user-friendly and accessible.**

Or. en

**Amendment 315**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 18 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

**3 b. Consumers shall not be requested to register, download or install applications, or to provide a password to access the product passport. A functionality shall allow consumers to place alerts about toys that present a risk to their health and safety through a separate section of the Safety Gate Portal pursuant to article 34 (3) of Regulation (EU) 2023/988.**

Or. en

**Amendment 316**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 18 – paragraph 3 c (new)**

**3 c. Manufacturers shall provide, on oral or written demand or when the product passport is temporarily unavailable at the time of purchase of the toy, the information provided in the product passport by alternative means on a durable medium. Manufacturers shall provide that information independently of a purchase and free of charge.**

Or. en

**Amendment 317**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**

**Article 18 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. The data included in the product passport shall be stored by the economic operator responsible for its creation or by operators authorised to act on their behalf.

4. The data included in the product passport shall be stored by the economic operator responsible for its creation or by operators authorised to act on their behalf **or by competent authorities.**

Or. en

**Amendment 318**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 18 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

6. Economic operators **may** not track, analyse or use any usage information for purposes other than what is absolutely necessary for providing the information on the product passport online.

6. Economic operators **and any other relevant natural or legal person shall** not track **or profile end-users or otherwise process any personal data in line with Regulation (EU) 2016/679**, analyse or use

any usage information for purposes other than what is absolutely ***and strictly*** necessary for providing the information on the product passport online. ***End-users must not be required to install any software, register or otherwise process personal data to access the digital product passport online.***

Or. en

#### **Amendment 319**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

#### **Proposal for a regulation**

#### **Article 18 – paragraph 6**

##### *Text proposed by the Commission*

6. Economic operators ***may*** not track, analyse or use any usage information for purposes other than what is absolutely necessary for providing the information on the product passport online.

##### *Amendment*

6. Economic operators ***shall*** not track, analyse or use any usage information for purposes other than what is absolutely ***and strictly*** necessary for providing the information on the product passport online. ***End-users shall not be required to install any software, register or otherwise process personal data to access the digital product passport online.***

Or. en

#### **Amendment 320**

**Stelios Kouloglou, Anne-Sophie Pelletier, Kateřina Konečná**

#### **Proposal for a regulation**

#### **Article 18 – paragraph 6**

##### *Text proposed by the Commission*

6. Economic operators ***may*** not track, analyse or use any usage information for purposes other than what is absolutely necessary for providing the information on the product passport online.

##### *Amendment*

6. Economic operators ***shall*** not track, analyse or use any usage information for purposes other than what is absolutely ***and strictly*** necessary for providing the information on the product passport online.

**Amendment 321**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 18 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**6 a. The rights to access and to introduce, modify or update information in product passport shall be restricted based on the access rights specified in delegated acts adopted pursuant to paragraph 10 of Article 17.**

Or. en

**Amendment 322**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 18 – paragraph 6 b (new)**

*Text proposed by the Commission*

*Amendment*

**6 b. Data authentication, reliability and integrity shall be ensured.**

Or. en

**Amendment 323**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 18 – paragraph 6 c (new)**

*Text proposed by the Commission*

*Amendment*

**6 c.    *The product passport shall be designed and operated so that a high level of security and privacy is ensured and fraud is avoided.***

Or. en

**Amendment 324**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**

**Article 19 – title**

*Text proposed by the Commission*

*Amendment*

Product passport registry

**Digital** product passport registry

Or. en

**Amendment 325**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 19 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2 a.    *To make controls more efficient, the registry should be automatically accessible from other data sharing platforms used by authorities, such as customs IT systems.***

Or. en

**Amendment 326**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**

**Article 20 – title**



*Text proposed by the Commission*

*Amendment*

Customs controls relating to the product passport

Customs controls relating to the **digital** product passport

Or. en

**Amendment 327**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 20 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

5. The verifications referred to in paragraphs 3 and 4 of this Article shall take place electronically and automatically using the interconnection between the registry referred to in Article 19(1) **and** the EU Customs Single Window Certificates Exchange System referred to in [Article 13 of [P.O. insert serial number for Regulation (EU) .../... on Ecodesign Requirements for Sustainable Products]].

5. The verifications referred to in paragraphs 3 and 4 of this Article shall take place electronically and automatically using the interconnection between the registry referred to in Article 19(1) the EU Customs Single Window Certificates Exchange System referred to in [Article 13 of [P.O. insert serial number for Regulation (EU) .../... on Ecodesign Requirements for Sustainable Products]] **and any future customs IT systems.**

Or. en

**Amendment 328**

**Stelios Kouloglou, Anne-Sophie Pelletier, Kateřina Konečná**

**Proposal for a regulation**

**Article 21 – paragraph 2 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) cover all the chemical, physical, mechanical, electrical, flammability, hygiene and radioactivity hazards and the potential exposure to such hazards;

(a) cover all the chemical, physical, mechanical, electrical, flammability, hygiene, **cybersecurity, privacy** and radioactivity hazards and the potential exposure to such hazards;

**Amendment 329**

**Christel Schaldemose**

**Proposal for a regulation**

**Article 21 – paragraph 2 – subparagraph 1 – point a**

*Text proposed by the Commission*

(a) cover all the chemical, physical, mechanical, electrical, flammability, hygiene and radioactivity hazards and the potential exposure to such hazards;

*Amendment*

(a) cover all the chemical, physical, mechanical, electrical, flammability, hygiene, **cybersecurity**, **privacy** and radioactivity hazards and the potential exposure to such hazards;

Or. en

**Amendment 330**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 21 – paragraph 2 – subparagraph 1 – point a**

*Text proposed by the Commission*

(a) cover all the chemical, physical, mechanical, electrical, flammability, hygiene and radioactivity hazards and the potential exposure to such hazards;

*Amendment*

(a) cover all the chemical, physical, mechanical, electrical, **cybersecurity**, flammability, hygiene and radioactivity hazards and the potential exposure to such hazards;

Or. en

**Amendment 331**

**Stelios Kouloglou, Anne-Sophie Pelletier, Kateřina Konečná**

**Proposal for a regulation**

**Article 21 – paragraph 2 – subparagraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(c a) assess the risks, including to mental and physical health, that may arise when the smart or connected toy or game is used in accordance with its intended purpose or under conditions of reasonably foreseeable misuse.*

Or. en

**Amendment 332**  
**Christel Schaldemose**

**Proposal for a regulation**  
**Article 21 – paragraph 2 – subparagraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(c a) assess the risks, including to mental and physical health, that may arise when the smart or connected toy or game is used in accordance with its intended purpose or under conditions of reasonably foreseeable misuse.*

Or. en

*Justification*

*Whereas Recital 14 explains that safety requirements regarding e.g. cybersecurity and protection of personal data should not be set out in the TSR as they are addressed in other legal instruments, such as the Delegated Act for the Radio Equipment Directive, the proposal for a Cyber-Resilience Act and for an AI Act. However, the proposal for a Cyber-Resilience Act and for an AI Act are currently being negotiated. As these pieces of legislation are not finalised yet and they do not specifically address toys, it's difficult to say if they will offer a satisfactory level of child protection. Based on the reasoning that digital risks are a similar issue to chemical risks (i.e. there are general rules on chemicals in the CLP/REACH and there are specific rules on chemicals in toys), it is important to include this here as well*

**Amendment 333**  
**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**  
**Article 21 – paragraph 2 – subparagraph 1 – point c a (new)**

***(c a) assess the risks, including to mental health, that may emerge when the toy is used in accordance with its intended purpose and under conditions of reasonably foreseeable misuse.***

Or. en

**Amendment 334**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 21 – paragraph 2 – subparagraph 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(c a) assess the risks, including to mental health, that may emerge when the toy is used in accordance with its intended purpose and reasonably foreseeable use.***

Or. en

**Amendment 335**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 22 – paragraph 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

3. In the following cases, the manufacturer shall use the EU-type examination procedure set out in Part II of Annex IV together with the conformity to type procedure set out in Part III of that Annex:

3. In the following cases, the manufacturer shall use the EU-type examination procedure set out in Part II of Annex IV together with the conformity to type procedure set out in Part III of that Annex ***and, where applicable, a European cybersecurity certification scheme at assurance level ‘high’ pursuant to Regulation (EU) 2019/881:***

**Amendment 336**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**

**Article 22 – paragraph 3 – point c**

*Text proposed by the Commission*

(c) where one or more of the harmonised standards referred to in point (a) has been published with a restriction;

*Amendment*

(c) where one or more of the harmonised standards referred to in point (a) has been published with a restriction ***that is relevant for the toy to be examined*** ;

Or. en

**Amendment 337**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Article 22 – paragraph 3 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(d a) toys for children under 36 months which contain chemical mixtures;***

Or. en

**Amendment 338**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Article 22 – paragraph 3 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(d b) connected toys or toys that make use of artificial intelligence systems as defined in Regulation xxx.***

**Amendment 339**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 22 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4 a. Manufacturers shall use the EU-type examination procedure set out in Part II of Annex IV together with the conformity to type procedure set out in Part III of that Annex and, where applicable, a European cybersecurity certification scheme at assurance level ‘high’ pursuant to Regulation (EU) 2019/881, for toys for children under 36 months, toys which include artificial intelligence, internet-connected toys, toys which are chemical mixtures, toys which for functional reasons cannot be designed to eliminate all risks and toys which in case of a failure can lead to severe health consequences for children. The Commission should be empowered to adopt delegated acts in accordance with Article 46 (5 a new) to amend this list, also contained in Annex IV, after consulting the stakeholders concerned, in the light of technical progress, advances in knowledge or new scientific evidence, by adding to the list of toys a new category of toys or by withdrawing an existing category of toys from this list.***

Or. en

**Amendment 340**

**Stelios Kouloglou, Anne-Sophie Pelletier**

**Proposal for a regulation**

**Article 22 – paragraph 4 a (new)**

**4 a. Manufacturers shall use either the EU-type examination procedure set out in Part II of Annex IV together with the conformity to type procedure set out in Part III of that Annex or, where applicable, a European cybersecurity certification scheme at assurance level ‘substantial’ or ‘high’ pursuant to Regulation (EU) 2019/881, for toys for children under 36 months, toys that are connected or powered with AI, toys which are chemical mixtures, toys which for functional reasons cannot be designed to eliminate all risks and toys which in case of a failure can lead to severe health impacts of a child.**

**The Commission is empowered to adopt delegated acts in accordance to article [xxx] to amend this list, after consulting the stakeholders concerned, in the light of technical progress, advances in knowledge or new scientific evidence by adding to the list of toys a new category of toys, withdrawing an existing category of toy from this list.**

Or. en

#### **Amendment 341**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation Article 23 – paragraph 1**

*Text proposed by the Commission*

1. The technical documentation shall contain all relevant data or details of the means used by the manufacturer to ensure that the toy complies with the essential safety requirements. It shall, in particular, contain the documents listed in Annex V.

*Amendment*

1. The technical documentation shall contain all relevant data or details of the means used by the manufacturer to ensure that the toy complies with the essential safety requirements. It shall, in particular, contain the documents listed in Annex V.  
***In case the toy or any part of it complies***

*with European standards or common specifications, the list of the relevant European standards and common specifications shall also be indicated.*

Or. en

**Amendment 342**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 23 – paragraph 2**

*Text proposed by the Commission*

2. The technical documentation shall be drawn up in one of the official languages of the Union.

*Amendment*

2. The technical documentation shall be drawn up ***and kept up-to-date by the manufacturer*** in one of the official languages of the Union.

Or. en

**Amendment 343**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**

**Article 26 – paragraph 4**

*Text proposed by the Commission*

4. A notifying authority shall not offer or provide any activities that conformity assessment bodies perform, nor shall they offer or provide consultancy services on a commercial or competitive basis.

*Amendment*

4. A notifying authority shall not offer or provide any activities that conformity assessment bodies perform, nor shall they offer or provide consultancy services on a commercial or competitive basis, ***however the notifying authority shall provide information to the economic operators about the procedures for the assessment and the conformity assessment bodies if so requested.***

Or. en



#### Amendment 344

Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard

#### Proposal for a regulation

##### Article 26 – paragraph 6

*Text proposed by the Commission*

6. A notifying authority shall have a sufficient number of competent personnel at their disposal for the **proper** performance of their tasks.

*Amendment*

6. A notifying authority shall have a sufficient number of competent personnel **and adequate resources** at their disposal for the **efficient** performance of their tasks.

Or. en

#### Amendment 345

Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard

#### Proposal for a regulation

##### Article 28 – paragraph 6 – subparagraph 3

*Text proposed by the Commission*

A conformity assessment body shall have the **means** necessary to perform the technical and administrative tasks connected with the conformity assessment activities in an appropriate manner and shall have access to all necessary equipment or facilities.

*Amendment*

A conformity assessment body shall have the **resources** necessary to perform the technical and administrative tasks connected with the conformity assessment activities in an appropriate manner and shall have access to all necessary equipment or facilities.

Or. en

#### Amendment 346

Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard

#### Proposal for a regulation

##### Article 28 – paragraph 7 – point b

*Text proposed by the Commission*

(b) **satisfactory** knowledge of the requirements of the assessments they carry out and adequate authority to carry out those assessments;

*Amendment*

(b) **very good** knowledge of the requirements of the assessments they carry out and adequate authority to carry out those assessments;

**Amendment 347**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**

**Article 28 – paragraph 7 – point c**

*Text proposed by the Commission*

(c) **appropriate** knowledge and understanding of the requirements set out in this Regulation, of the applicable harmonised standards referred to in Article 13 of this Regulation and the common specifications referred to in Article 14 of this Regulation;

*Amendment*

(c) **very good** knowledge and understanding of the requirements set out in this Regulation, of the applicable harmonised standards referred to in Article 13 of this Regulation and the common specifications referred to in Article 14 of this Regulation;

Or. en

**Amendment 348**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**

**Article 28 – paragraph 10**

*Text proposed by the Commission*

10. The personnel of a conformity assessment body shall **observe** professional secrecy with regard to all information obtained in carrying out their tasks under Annex IV, except in relation to the competent authorities of the Member State in which its activities are carried out. Intellectual property rights shall be protected.

*Amendment*

10. The personnel of a conformity assessment body shall **respect** professional secrecy with regard to all information obtained in carrying out their tasks under Annex IV, except in relation to the competent authorities of the Member State in which its activities are carried out **or to the competent authorities of the European Union**. Intellectual property rights shall be protected.

Or. en

**Amendment 349**

**Alessandra Basso, Isabella Tovaglieri, Marco Campomenosi, Antonio Maria Rinaldi**

**Proposal for a regulation**  
**Article 28 – paragraph 10**

*Text proposed by the Commission*

10. The personnel of a conformity assessment body shall observe professional secrecy with regard to all information obtained in carrying out their tasks under Annex IV, except in relation to the competent authorities of the Member State in which its activities are carried out. Intellectual property rights shall be protected.

*Amendment*

10. The personnel of a conformity assessment body shall observe professional secrecy with regard to all information obtained in carrying out their tasks under Annex IV, except in relation to the competent authorities of the Member State in which its activities are carried out. Intellectual property rights **and trade secrets, in accordance with Directive (EU) 2016/943** shall be protected.

Or. en

**Amendment 350**  
**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**  
**Article 31 – paragraph 1**

*Text proposed by the Commission*

1. A conformity assessment body shall submit an application for notification under this Regulation to the notifying authority of the Member State in which it is established.

*Amendment*

1. A conformity assessment body shall submit an application for notification under this Regulation to the notifying authority of the Member State in which it is established **or in any other Member State where he wants to perform his activity**.

Or. en

**Amendment 351**  
**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 41 – paragraph -1 (new)**

*Text proposed by the Commission*

*Amendment*

***-1. When market surveillance authorities of the Member States take measures as provided for in this Regulation, they shall take due account of the precautionary principle.***

Or. en

**Amendment 352**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Article 41 – paragraph -1 (new)**

*Text proposed by the Commission*

*Amendment*

***-1. Market surveillance authorities of the Member States shall perform their activities taking due account of the precautionary principle.***

Or. en

**Amendment 353**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**

**Article 41 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

Where the market surveillance authorities of one Member State have sufficient reason to believe that a toy covered by this Regulation presents a risk to the health or safety of **persons**, they shall carry out an evaluation in relation to the toy concerned covering all the requirements laid down in this Regulation. The relevant economic operators shall cooperate, as necessary, with the market surveillance authorities for that purpose.

Where the market surveillance authorities of one Member State have sufficient reason to believe that a toy covered by this Regulation presents a risk to the health or safety **of children**, they shall carry out an evaluation in relation to the toy concerned covering all the requirements laid down in this Regulation. ***Upon dully motivated request from the market surveillance authorities the relevant economic operators shall cooperate, as necessary, with the market surveillance authorities for that purpose.***

**Amendment 354**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 41 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

Where the market surveillance authorities of one Member State have sufficient reason to believe that a toy covered by this Regulation presents a risk to the health or safety of persons, they shall carry out an evaluation in relation to the toy concerned covering all the requirements laid down in this Regulation. The relevant economic operators shall cooperate, as necessary, with the market surveillance authorities for that purpose.

*Amendment*

Where the market surveillance authorities of one Member State have sufficient reason to believe that a toy covered by this Regulation presents a risk to the health or safety of persons, they shall carry out an evaluation in relation to the toy concerned covering all the requirements laid down in this Regulation. The relevant economic operators ***and providers of online marketplaces*** shall cooperate, as necessary, with the market surveillance authorities for that purpose.

Or. en

**Amendment 355**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

**Proposal for a regulation**

**Article 41 – paragraph 4 – subparagraph 2**

*Text proposed by the Commission*

The market surveillance authorities shall inform the Commission and the other Member States, without delay, of those measures.

*Amendment*

The market surveillance authorities shall inform the Commission and the other Member States, without delay, of those measures. ***Based on the information of the Member State who took the provisional measures to prohibit or restrict the toy, other Member States may decide to take appropriate provisional measures.***

Or. en

**Amendment 356**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 41 – paragraph 5 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(c a) shortcomings in the EU-type examination procedure referred to in Article 22;***

Or. en

**Amendment 357**

**Alessandra Basso, Isabella Tovaglieri, Marco Campomenosi, Antonio Maria Rinaldi**

**Proposal for a regulation**

**Article 41 – paragraph 9**

*Text proposed by the Commission*

*Amendment*

9. The information referred to in paragraphs 2, 4, 6 and 8 of this Article shall be communicated through the information and communication system referred to in Article 34 of Regulation (EU) 2019/1020. That communication shall not affect the obligation on market surveillance authorities to notify measures taken against products presenting a serious risk in accordance with Article 20 of Regulation (EU) 2019/1020.

9. The information referred to in paragraphs 2, 4, 6 and 8 of this Article shall be communicated through the information and communication system referred to in Article 34 of Regulation (EU) 2019/1020. That communication shall not affect the obligation on market surveillance authorities to notify measures taken against products presenting a serious risk in accordance with Article 20 of Regulation (EU) 2019/1020 ***and strictly enforce Article 19 of Regulation (EU) 2019/1020 given the vulnerability of children to defective, unsafe or counterfeit products.***

Or. en

**Amendment 358**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 42 – paragraph -1 (new)**

*Text proposed by the Commission*

*Amendment*

**-1. On duly justified imperative grounds of urgency relating to the protection of health and safety of children and other persons, the Commission shall adopt an immediately applicable implementing act in accordance with the procedure referred to in Article 50.**

Or. en

**Amendment 359**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 42 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

Where, on completion of the procedure set out in Article 41(3) and (4), objections are raised against a measure taken by a Member State, or where the Commission has reasons to believe that a national measure could be contrary to Union legislation, the Commission shall without delay enter into consultation with the Member States and the relevant economic operator or operators and shall evaluate the national measure.

Where, on completion of the procedure set out in Article 41(3) and (4) **and in Article 44 (2) and (2a new)**, objections are raised against a measure taken by a Member State, or where the Commission has reasons to believe that a national measure could be contrary to Union legislation, the Commission shall without delay enter into consultation with the Member States and the relevant economic operator or operators and shall evaluate the national measure.

Or. en

**Amendment 360**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

## **Proposal for a regulation**

### **Article 43 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Without prejudice to Article 41, where a market surveillance authority makes one of the following findings with regard to a toy, it shall require the relevant economic operator to put an end to the non-compliance concerned:

*Amendment*

1. Without prejudice to Article 41, where a market surveillance authority makes, *inter alia*, one of the following findings with regard to a toy, it shall require the relevant economic operator to put an end to the non-compliance concerned:

Or. en

## **Amendment 361**

**Christel Schaldemose**

## **Proposal for a regulation**

### **Article 43 – paragraph 1 – point a**

*Text proposed by the Commission*

*(a) the CE marking has been affixed in violation of Article 15 or 16;*

*Amendment*

*deleted*

Or. en

## **Amendment 362**

**Christel Schaldemose**

## **Proposal for a regulation**

### **Article 43 – paragraph 1 – point b**

*Text proposed by the Commission*

*(b) the CE marking has not been affixed;*

*Amendment*

*deleted*

Or. en

## **Amendment 363**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**



on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 43 – paragraph 1 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

***(e a) the toy is not in conformity with the product requirements in accordance with Article 5;***

Or. en

**Amendment 364**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 43 – paragraph 1 – point e b (new)**

*Text proposed by the Commission*

*Amendment*

***(e b) the toy does not bear, where appropriate, a general warning in accordance with Article 6;***

Or. en

**Amendment 365**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 43 – paragraph 1 – point e c (new)**

*Text proposed by the Commission*

*Amendment*

***(e c) the conformity assessment procedures laid down in Article 22 are not fulfilled;***

Or. en

## Amendment 366

Stelios Kouloglou, Anne-Sophie Pelletier, Kateřina Konečná

### Proposal for a regulation

#### Article 44 – paragraph 1

##### *Text proposed by the Commission*

1. Where, having carried out an evaluation under Article 41(1), a market surveillance authority finds that, although a toy made available on the market is in compliance with the particular safety requirements it poses a risk to the health and safety of persons, it shall require the relevant economic **operator** to take all appropriate measures, within a reasonable period of time prescribed by the market surveillance authority taking into account the nature of the risk to ensure that the toy, when made available on the market, no longer presents that risk, to withdraw the toy from the market or to recall it.

##### *Amendment*

1. Where, having carried out an evaluation under Article 41(1), a market surveillance authority finds that, although a toy made available on the market is in compliance with the particular safety requirements it poses a risk to the health and safety of persons, it shall require the relevant economic **operators, including providers of online marketplaces**, to take all appropriate measures, within a reasonable period of time prescribed by the market surveillance authority taking into account the nature of the risk to ensure that the toy, when made available on the market, no longer presents that risk, to withdraw the toy from the market or to recall it.

Or. en

## Amendment 367

Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini

on behalf of the Verts/ALE Group

### Proposal for a regulation

#### Article 44 – paragraph 1

##### *Text proposed by the Commission*

1. Where, having carried out an evaluation under Article 41(1), a market surveillance authority finds that, although a toy made available on the market is in compliance with the particular safety requirements it poses a risk to the health and safety of persons, it shall require the relevant economic operator to take all appropriate measures, within a reasonable period of time prescribed by the market

##### *Amendment*

1. Where, having carried out an evaluation under Article 41(1), a market surveillance authority finds that, although a toy made available on the market is in compliance with the particular safety requirements it poses a risk to the health and safety of persons, it shall require the relevant economic operator, **including providers of online marketplaces**, to take all appropriate measures, within a

surveillance authority taking into account the nature of the risk to ensure that the toy, when made available on the market, no longer presents that risk, to withdraw the toy from the market or to recall it.

reasonable period of time prescribed by the market surveillance authority taking into account the nature of the risk to ensure that the toy, when made available on the market, no longer presents that risk, to withdraw the toy from the market or to recall it.

Or. en

#### **Amendment 368**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 44 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2 a. Where the relevant economic operator does not take adequate corrective actions within the period referred to in paragraph 1, the market surveillance authorities shall take appropriate provisional measures to prohibit or restrict the toy being made available on their national market, to withdraw the toy from that market or to recall it.***

Or. en

#### **Amendment 369**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

#### **Proposal for a regulation**

#### **Article 45 a (new)**

*Text proposed by the Commission*

*Amendment*

#### ***Article 45a***

#### ***Pan -European Injury Database***

***1. A Pan-European Injury Database covering all types of injuries caused by toys shall be set up and coordinated by the***

*European Commission.*

*2. The relevant market surveillance authorities established by the Member States shall contribute to the establishment of the database and deliver injury data to the database, based on a common methodology, comprehensive and in accordance with European and national laws on data protection.*

*3. The Commission shall support the co-ordination of the collection of data from Member States and the operation of the database.*

Or. en

**Amendment 370**

**Stelios Kouloglou, Anne-Sophie Pelletier**

**Proposal for a regulation**

**Article 45 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 45a**

***Pan-European Injury Database***

*1. A Pan-European Injury Database covering all types of injuries caused by toys shall be set up and coordinated by the European Commission.*

*2. The relevant market surveillance authorities established by the Member States shall contribute to the establishment of the database and deliver injury data to the database, based on a common methodology, comprehensive and in accordance with European and national laws on data protection.*

*3. The Commission shall support the co-ordination of the collection of data from Member States and the operation of the database.*

Or. en

**Amendment 371**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 45 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 45a**

***Pan-European Injury Database***

***1. A Pan-European Injury Database covering all types of injuries caused by toys shall be set up and coordinated by the European Commission.***

***2. The relevant market surveillance authorities established by the Member States shall contribute to the establishment of the database and deliver injury data to the database, based on a common methodology, comprehensive and in accordance with European and national laws on data protection.***

***3. The Commission shall support the co-ordination of the collection of data from Member States and the operation of the database.***

Or. en

**Amendment 372**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Article 46 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

5. The Commission is empowered to adopt delegated acts in accordance with Article 47 to amend Annex III in order to adapt it to technical and scientific progress.

5. The Commission is empowered to adopt delegated acts in accordance with Article 47 to amend Annex ***I and*** III in order to adapt it to technical and scientific

progress.

Or. en

**Amendment 373**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 46 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5 a. The Commission is empowered to adopt delegated acts in accordance with Article 47 to amend Article 22 (4 a new) by adding to the list of toys that are required to comply with the EU-type examination procedure set out in Annex IV a new category of toys or by withdrawing an existing category of toys from that list.**

Or. en

**Amendment 374**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 46 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

6. The Commission is empowered to adopt delegated acts in accordance with Article 47 to amend Part C of the Appendix to Annex II in order to permit a certain use in toys of a specific substance or mixture that is prohibited under Part III, point 4, of Annex II, or to limit a certain use that has been permitted.

6. The Commission is empowered to adopt delegated acts in accordance with Article 47 to amend Part C of the Appendix to Annex II in order to permit **for a specified period of time** a certain use in toys of a specific substance or mixture that is prohibited under Part III, point 4, of Annex II, or to limit a certain use that has been permitted.

**Amendment 375**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 46 – paragraph 9**

*Text proposed by the Commission*

9. For the purposes of paragraphs 6 **and 7**, the Commission shall systematically and regularly evaluate the occurrence of hazardous chemical substances or mixtures in toys. In those evaluations, the Commission shall take into account reports of market surveillance bodies and scientific evidence presented by Member States and stakeholders.

*Amendment*

9. For the purposes of paragraphs 6, 7 **and 8**, the Commission shall systematically and regularly evaluate the occurrence of hazardous chemical substances or mixtures in toys. In those evaluations, the Commission shall take into account reports of market surveillance bodies and scientific evidence presented by Member States and stakeholders.

Or. en

**Amendment 376**

**Stelios Kouloglou, Anne-Sophie Pelletier, Kateřina Konečná**

**Proposal for a regulation**

**Article 46 – paragraph 9**

*Text proposed by the Commission*

9. For the purposes of paragraphs 6 **and 7**, the Commission shall systematically and regularly evaluate the occurrence of hazardous chemical substances or mixtures in toys. In those evaluations, the Commission shall take into account reports of market surveillance bodies and scientific evidence presented by Member States and stakeholders.

*Amendment*

9. For the purposes of paragraphs 6, 7 **and 8** the Commission shall systematically and regularly evaluate the occurrence of hazardous chemical substances or mixtures in toys. In those evaluations, the Commission shall take into account reports of market surveillance bodies and scientific evidence presented by Member States and stakeholders.

Or. en

**Amendment 377**  
**Christel Schaldemose**

**Proposal for a regulation**  
**Article 46 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 46a**

***Pan-European Injury Database***

- 1. A Pan-European Injury Database covering all types of injuries caused by toys shall be set up and coordinated by the European Commission.***
- 2. The relevant market surveillance authorities established by the Member States shall contribute to the establishment of the database and deliver injury data to the database, based on a common methodology, comprehensive and in accordance with European and national laws on data protection.***
- 3. The Commission shall support the co-ordination of the collection of data from Member States and the operation of the database.***

Or. en

*Justification*

*Data on injuries are scarce and unevenly collected across the EU, making it hard to assess the effect of the toy safety regulatory framework on the protection of consumers' health and safety. Moreover, and contrary to article 48 of the TSD, the draft provisions on the evaluation of the TSR do not include anymore a requirement for Member States to contribute with data on the application of the regulation. This legislative proposal constitutes an occasion to ensure a proper monitoring of the impact and effectiveness of EU safety rules. Injury related data will also inform the work of manufacturers, standardisers and future decision makers. The feasibility of implementing a product-related injury surveillance system within Member States has been amply demonstrated, as well as its cost-efficiency. The Single Market Programme could provide a sound financial base for its setting-up.*

**Amendment 378**  
**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**



**Proposal for a regulation**  
**Article 47 – paragraph 2**

*Text proposed by the Commission*

2. The power to adopt delegated acts referred to in Article 46 shall be conferred on the Commission for *an indeterminate* period *of time*.

*Amendment*

2. The power to adopt delegated acts referred to in Article 46 shall be conferred on the Commission for *five years from ... [the date of entry into force of the Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than 9 months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

Or. en

*Justification*

*standard legal wording to better frame the power of delegation*

**Amendment 379**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 47 – paragraph 4**

*Text proposed by the Commission*

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

*Amendment*

4. Before adopting a delegated act, the Commission shall consult *relevant stakeholders and* experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

Or. en

#### **Amendment 380**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

#### **Proposal for a regulation**

##### **Article 47 – paragraph 6**

###### *Text proposed by the Commission*

6. Delegated acts adopted pursuant to Article 46 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or of the Council.

###### *Amendment*

6. Delegated acts adopted pursuant to Article 46 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or of the Council.

Or. en

#### **Amendment 381**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Article 51 – paragraph 1 – introductory part**

###### *Text proposed by the Commission*

1. Competent national authorities, notified bodies and the Commission shall respect the confidentiality of the following information and data obtained in carrying out their tasks in accordance with this Regulation:

###### *Amendment*

1. Competent national authorities, notified bodies, **ECHA** and the Commission shall respect the confidentiality of the following information and data obtained in carrying out their tasks in accordance with this Regulation:

Or. en

#### **Amendment 382**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Article 51 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(b a) the effective implementation of this Regulation, in particular for the purpose of inspections, investigations or audits;***

Or. en

**Amendment 383**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 52 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive.. Member States by ... [P.O. insert date: the first day of the month following 30 months after the date of entry into force of this Regulation] notify the Commission of those rules and shall notify it without delay of any subsequent amendment affecting them.

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive ***and shall be increased if the relevant economic operator has previously committed infringements of this Regulation*** .. Member States by ... [P.O. insert date: the first day of the month following 30 months after the date of entry into force of this Regulation] notify the Commission of those rules and shall notify it without delay of any subsequent amendment affecting them.

Or. en

**Amendment 384**

**Beata Mazurek**

**Proposal for a regulation**  
**Article 54 – paragraph 1**

*Text proposed by the Commission*

1. Toys placed on the market in conformity with Directive 2009/48/EC before ... [OP please insert the date = the first day of the month following **30** months after the date of entry into force of this Regulation] may continue to be made available on the market ***until ... [OP please insert the date = the first day of the month following 42 months after the date of entry into force of this Regulation].***

*Amendment*

1. Toys placed on the market in conformity with Directive 2009/48/EC before ... [OP please insert the date = the first day of the month following **54** months after the date of entry into force of this Regulation] may continue to be made available on the market.

Or. en

**Amendment 385**

**Andreas Schwab, Maria da Graça Carvalho, Lara Comi, Arba Kokalari, Geoffroy Didier, Andrey Kovatchev, Tom Vandenkendelaere, Ivan Štefanec, Pablo Arias Echeverría**

**Proposal for a regulation**  
**Article 54 – paragraph 1**

*Text proposed by the Commission*

1. Toys placed on the market in conformity with Directive 2009/48/EC before ... [OP please insert the date = the first day of the month following 30 months after the date of entry into force of this Regulation] may continue to be made available on the market until ... [OP please insert the date = the first day of the month following **42** months after the date of entry into force of this Regulation].

*Amendment*

1. Toys placed on the market in conformity with Directive 2009/48/EC before ... [OP please insert the date = the first day of the month following 30 months after the date of entry into force of this Regulation] may continue to be made available on the market until ... [OP please insert the date = the first day of the month following **54** months after the date of entry into force of this Regulation].

Or. en

**Amendment 386**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 54 – paragraph 1**

*Text proposed by the Commission*

1. Toys placed on the market in conformity with Directive 2009/48/EC before ... [OP please insert the date = the first day of the month following **30** months after the date of entry into force of this Regulation] may continue to be made available on the market until ... [OP please insert the date = the first day of the month following **42** months after the date of entry into force of this Regulation].

*Amendment*

1. Toys placed on the market in conformity with Directive 2009/48/EC before ... [OP please insert the date = the first day of the month following **18** months after the date of entry into force of this Regulation] may continue to be made available on the market until ... [OP please insert the date = the first day of the month following **30** months after the date of entry into force of this Regulation].

Or. en

**Amendment 387**  
**Stelios Kouloglou, Anne-Sophie Pelletier, Kateřina Konečná**

**Proposal for a regulation**  
**Article 54 – paragraph 1**

*Text proposed by the Commission*

1. Toys placed on the market in conformity with Directive 2009/48/EC before ... [OP please insert the date = the first day of the month following 30 months after the date of entry into force of this Regulation] may continue to be made available on the market until ... [OP please insert the date = the first day of the month following **42** months after the date of entry into force of this Regulation].

*Amendment*

1. Toys placed on the market in conformity with Directive 2009/48/EC before ... [OP please insert the date = the first day of the month following 30 months after the date of entry into force of this Regulation] may continue to be made available on the market until ... [OP please insert the date = the first day of the month following **12** months after the date of entry into force of this Regulation].

Or. en

**Amendment 388**  
**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**  
**Article 54 – paragraph 1**

*Text proposed by the Commission*

1. Toys placed on the market in conformity with Directive 2009/48/EC before ... [OP please insert the date = the first day of the month following 30 months after the date of entry into force of this Regulation] may continue to be made available on the market until ... [OP please insert the date = the first day of the month following **42** months after the date of entry into force of this Regulation].

*Amendment*

1. Toys placed on the market in conformity with Directive 2009/48/EC before ... [OP please insert the date = the first day of the month following 30 months after the date of entry into force of this Regulation] may continue to be made available on the market until ... [OP please insert the date = the first day of the month following **30** months after the date of entry into force of this Regulation].

Or. en

**Amendment 389**

**Brando Benifei**

**Proposal for a regulation**

**Article 54 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1 a. Toys placed on the market in conformity with Directive 2009/48/EC and compliant with the substantive provisions of this Regulation shall not be considered non compliant solely due to the lack of a product passport, provided that the same information contained in the passport is made available by the manufacturer upon request of the parties entitled under this Regulation.***

Or. en

**Amendment 390**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Article 54 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Chapter VII of this Regulation shall apply mutatis mutandis instead of Article 42, 43 and 45 of Directive 2009/48/EC to toys which were placed on the market in conformity with that Directive before ... [PO insert date: the first day of the month following **30** months after the date of entry into force of this Regulation], including toys for which a procedure has already been initiated under Article 42 or 43 of Directive 2009/48/EC before ... [PO insert date: the first day of the month following **30** months after the date of entry into force of this Regulation].

2. Chapter VII **and 5.1** of this Regulation shall apply mutatis mutandis instead of Article 42, 43 and 45 of Directive 2009/48/EC to toys which were placed on the market in conformity with that Directive before ... [PO insert date: the first day of the month following **12** months after the date of entry into force of this Regulation], including toys for which a procedure has already been initiated under Article 42 or 43 of Directive 2009/48/EC before ... [PO insert date: the first day of the month following **12** months after the date of entry into force of this Regulation].

Or. en

**Amendment 391**  
**Beata Mazurek**

**Proposal for a regulation**  
**Article 54 – paragraph 2**

*Text proposed by the Commission*

2. Chapter VII of this Regulation shall apply mutatis mutandis instead of Article 42, 43 and 45 of Directive 2009/48/EC to toys which were placed on the market in conformity with that Directive before ... [PO insert date: the first day of the month following **30** months after the date of entry into force of this Regulation], including toys for which a procedure has already been initiated under Article 42 or 43 of Directive 2009/48/EC before ... [PO insert date: the first day of the month following **30** months after the date of entry into force of this Regulation].

*Amendment*

2. Chapter VII of this Regulation shall apply mutatis mutandis instead of Article 42, 43 and 45 of Directive 2009/48/EC to toys which were placed on the market in conformity with that Directive before ... [PO insert date: the first day of the month following **54** months after the date of entry into force of this Regulation], including toys for which a procedure has already been initiated under Article 42 or 43 of Directive 2009/48/EC before ... [PO insert date: the first day of the month following **54** months after the date of entry into force of this Regulation].

Or. en

**Amendment 392**  
**Andreas Schwab, Maria da Graça Carvalho, Lara Comi, Arba Kokalari, Geoffroy Didier, Andrey Kovatchev, Tom Vandenkendelaere, Ivan Štefanec, Pablo Arias Echeverría**

**Proposal for a regulation**  
**Article 54 – paragraph 3**

*Text proposed by the Commission*

3. EC type-examination certificates issued in accordance with Article 20 of Directive 2009/48/EC shall remain valid until ... [PO insert date: the first day of the month following **42** months after the date of entry into force of this Regulation], unless they expire before that date.

*Amendment*

3. EC type-examination certificates issued in accordance with Article 20 of Directive 2009/48/EC shall remain valid until ... [PO insert date: the first day of the month following **54** months after the date of entry into force of this Regulation], unless they expire before that date.

Or. en

**Amendment 393**  
**Beata Mazurek**

**Proposal for a regulation**  
**Article 54 – paragraph 3**

*Text proposed by the Commission*

3. EC type-examination certificates issued in accordance with Article 20 of Directive 2009/48/EC shall remain valid until ... [PO insert date: the first day of the month following **42** months after the date of entry into force of this Regulation], unless they expire before that date.

*Amendment*

3. EC type-examination certificates issued in accordance with Article 20 of Directive 2009/48/EC shall remain valid until ... [PO insert date: the first day of the month following **66** months after the date of entry into force of this Regulation], unless they expire before that date.

Or. en

**Amendment 394**  
**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**  
**Article 54 – paragraph 3**

*Text proposed by the Commission*

3. EC type-examination certificates issued in accordance with Article 20 of Directive 2009/48/EC shall remain valid

*Amendment*

3. EC type-examination certificates issued in accordance with Article 20 of Directive 2009/48/EC shall remain valid



until ... [PO insert date: the first day of the month following **42** months after the date of entry into force of this Regulation], unless they expire before that date.

until ... [PO insert date: the first day of the month following **30** months after the date of entry into force of this Regulation], unless they expire before that date.

Or. en

#### **Amendment 395**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 55 – paragraph 1**

##### *Text proposed by the Commission*

1. By ... [OP please insert the date = the first day of the month following 60 months after the date of entry into force of this Regulation] and every 5 years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall submit a report to the European Parliament and to the Council on the main findings.

##### *Amendment*

1. By ... [OP please insert the date = the first day of the month following 60 months after the date of entry into force of this Regulation] and every 5 years thereafter, the Commission shall carry out an evaluation of this Regulation. ***On request, Member States shall provide the Commission with information necessary for the evaluation of this Regulation.*** The Commission shall submit a report to the European Parliament and to the Council on the main findings ***and draw up a summary that is made available to the public. The report shall assess whether this Regulation, and in particular the provisions in Chapter IV achieved the objective of ensuring a high level of protection of health and safety of children and other persons and shall assess the possibility to include adaptive toys in the scope of this Regulation.***

Or. en

#### **Amendment 396**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

#### **Proposal for a regulation**

## Article 55 – paragraph 1

### *Text proposed by the Commission*

1. By ... [OP please insert the date = the first day of the month following **60** months after the date of entry into force of this Regulation] and every 5 years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall submit a report to the European Parliament and to the Council on the main findings.

### *Amendment*

1. By ... [OP please insert the date = the first day of the month following **36** months after the date of entry into force of this Regulation] and every 5 years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall submit a report to the European Parliament and to the Council on the main findings.

Or. en

## Amendment 397

Beata Mazurek

### Proposal for a regulation

#### Article 55 – paragraph 1

### *Text proposed by the Commission*

1. By ... [OP please insert the date = the first day of the month following **60** months after the date of entry into force of this Regulation] and every 5 years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall submit a report to the European Parliament and to the Council ***on the main findings.***

### *Amendment*

1. By ... [OP please insert the date = the first day of the month following **72** months after the date of entry into force of this Regulation] and every 5 years thereafter, the Commission shall carry out an evaluation of this Regulation. The Commission shall submit a report to the European Parliament and to the Council.

Or. en

## Amendment 398

Beata Mazurek

### Proposal for a regulation

#### Article 55 – paragraph 1 a (new)

### *Text proposed by the Commission*

### *Amendment*

***1 a. The report shall include an assessment on the Regulation's effect on***

*the safety of toys' users and the proper functioning of the internal market, as well as a detailed summary of positive and negative effects on businesses, including costs of operations and competitiveness, in particular for small and medium-sized enterprises. The report shall include analysis based on quantified data;*

Or. en

#### **Amendment 399**

**Beata Mazurek**

#### **Proposal for a regulation Article 55 – paragraph 2**

*Text proposed by the Commission*

2. Where *the Commission finds it* appropriate, the report shall be accompanied by a legislative proposal for amendment of the relevant provisions of this Regulation.

*Amendment*

2. Where appropriate, the report shall be accompanied by a legislative proposal for amendment of the relevant provisions of this Regulation.

Or. en

#### **Amendment 400**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

#### **Proposal for a regulation Article 56 – paragraph 2**

*Text proposed by the Commission*

It shall apply from ... [OP please insert the date = the first day of the month following **30** months after the date of entry into force of this Regulation].

*Amendment*

It shall apply from ... [OP please insert the date = the first day of the month following **24** months after the date of entry into force of this Regulation].

Or. en

#### **Amendment 401**

**Beata Mazurek**

**Proposal for a regulation  
Article 56 – paragraph 2**

*Text proposed by the Commission*

It shall apply from ... [OP please insert the date = the first day of the month following **30** months after the date of entry into force of this Regulation].

*Amendment*

It shall apply from ... [OP please insert the date = the first day of the month following **54** months after the date of entry into force of this Regulation].

Or. en

**Amendment 402**

**Andreas Schwab, Maria da Graça Carvalho, Lara Comi, Arba Kokalari, Geoffroy Didier, Andrey Kovatchev, Tom Vandenkendelaere, Ivan Štefanec, Pablo Arias Echeverría**

**Proposal for a regulation  
Article 56 – paragraph 3**

*Text proposed by the Commission*

However, Articles 17(10), 24 to 40, and 46 to 52, shall apply from ... [OP: please insert the date of entry into force of this Regulation].

*Amendment*

However, Articles **2(3)**, 17(10), 24 to 40, and 46 to 52, shall apply from ... [OP: please insert the date of entry into force of this Regulation].

Or. en

**Amendment 403**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation  
Annex I – Part II – point 3**

*Text proposed by the Commission*

3. sports equipment, including roller skates, inline skates, **and** skateboards intended for children with a body mass of more than 20 kg;

*Amendment*

3. sports equipment, including roller skates, inline skates, skateboards, **scooters and other means of transport** intended for children with a body mass of more than 20 kg;

**Amendment 404**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Annex I – Part II – point 3**

*Text proposed by the Commission*

3. sports equipment, including roller skates, inline skates, **and** skateboards intended for children with a body mass of more than 20 kg;

*Amendment*

3. sports equipment, including roller skates, inline skates, skateboards, **scooters and other means of transport** intended for children with a body mass of more than 20 kg;

**Amendment 405**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Annex I – Part II – point 5**

*Text proposed by the Commission*

5. **scooters and other means of transport designed for sport or which are intended to be used for travel on public roads or public pathways;**

*Amendment*

**deleted**

*Justification*

*moved up to point 3*

**Amendment 406**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**

## **Annex I – Part II – point 5**

*Text proposed by the Commission*

*Amendment*

**5.        *scooters and other means of transport designed for sport or which are intended to be used for travel on public roads or public pathways;***        ***deleted***

Or. en

### **Amendment 407**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

### **Proposal for a regulation Annex I – Part II – point 8**

*Text proposed by the Commission*

*Amendment*

**8.        *puzzles with more than 500 pieces;***        ***deleted***

Or. en

### **Amendment 408**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

### **Proposal for a regulation Annex I – Part II – point 8**

*Text proposed by the Commission*

*Amendment*

**8.        *puzzles with more than 500 pieces;***        ***deleted***

Or. en

### **Amendment 409**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

### **Proposal for a regulation**

## Annex I – Part II – point 14

### *Text proposed by the Commission*

14. electronic equipment, such as personal computers and game consoles, used to access interactive software and their associated peripherals, unless the electronic equipment or the associated peripherals are specifically designed for and targeted at children and have a play value on their own, such as specially designed personal computers, key boards, joy sticks or steering wheels;

### *Amendment*

14. electronic equipment, such as personal computers and game consoles, used to access interactive software and their associated peripherals ***or components***, unless the electronic equipment or the associated peripherals are specifically designed for and targeted at children and have a play value on their own, such as specially designed personal computers, key boards, joy sticks or steering wheels;

Or. en

## Amendment 410

Stelios Kouloglou, Anne-Sophie Pelletier, Kateřina Konečná

### Proposal for a regulation

#### Annex I – Part II – point 15

### *Text proposed by the Commission*

15. interactive software, intended for leisure and entertainment, ***such as computer games***, and their storage media;

### *Amendment*

15. interactive software, intended for leisure and entertainment, and their storage media; ***unless the interactive software is either specifically designed for and targeted at children or can be reasonably expected to be played by children, such as computers and smart phones games***

Or. en

## Amendment 411

Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques

### Proposal for a regulation

#### Annex I – Part II – point 15

### *Text proposed by the Commission*

15. interactive software, intended for leisure and entertainment, ***such as***

### *Amendment*

15. interactive software, intended for leisure and entertainment, and their storage

*computer games*, and their storage media;

media, *unless the interactive software is either specifically designed for and targeted at children or can be reasonably expected to be played by children, such as computer and smartphone games*;

Or. en

#### **Amendment 412**

**Andreas Schwab, Maria da Graça Carvalho, Lara Comi, Arba Kokalari, Geoffroy Didier, Andrey Kovatchev, Ivan Štefanec, Pablo Arias Echeverría**

#### **Proposal for a regulation**

#### **Annex I – Part II a (new)**

*Text proposed by the Commission*

*Amendment*

***II a Books for children older than 36 months, that are made entirely of paper and/or cardboard, without additional materials or components.***

Or. en

#### *Justification*

*Books for children, which are made only of paper and cardboard do not pose any risks to children in relation to the safety concerns covered by this Regulation. Their categorization as toys is currently based on Commission guidelines dating from 2011, that do not provide enough legal certainty. The guidance itself states, that ordinary reading books and ordinary educational books are not toys. For legal clarity, this should be clarified in the Annex itself. Paper/cardboard books for children aged 4, 8, and even 12 or 13 are sometimes required to pass numerous costly tests, with no justification other than the fact that they are considered to be toys according to entirely non-objective criteria like the number of pages or the colours used. Two books identical in shape and composition can be considered to be a toy or not, purely on the basis of the number of illustrations they contain, which makes no sense from a safety point of view. Books are still covered by the General Product Safety Regulation and REACH, which ensures the safety level required. As soon as other materials as paper or cardboard is used in the book, such as glitter or plastic, the book should of course remain subject of this Regulation. It is not clear, why Puzzles with less than 500 pieces, should be outside the scope, while paper books remain inside.*

#### **Amendment 413**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

#### **Proposal for a regulation**



## Annex II – Part I – point 9

### *Text proposed by the Commission*

9. Toys shall be designed and manufactured in such a way, in terms of the maximum values for impulse noise and continuous noise, that the sound from them is not able to impair children's hearing.

### *Amendment*

9. Toys ***that are intended to emit sounds*** shall be designed and manufactured in such a way, in terms of the maximum values for impulse noise and continuous noise, that the sound from them is not able to impair children's hearing. ***The limit values shall be set through a delegated act considering age categories after consultations with medical experts.***

Or. en

## Amendment 414

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

### **Proposal for a regulation**

#### **Annex II – Part I – point 9**

### *Text proposed by the Commission*

9. Toys shall be designed and manufactured in such a way, in terms of the maximum values for impulse noise and continuous noise, that the sound from them is not able to impair children's hearing.

### *Amendment*

9. Toys shall be designed and manufactured in such a way, in terms of the maximum values for impulse noise and continuous noise, that the sound from them is not able to impair children's hearing. ***The maximum values shall not exceed half of those set in Directive 2003/10/EEC.***

Or. en

## Amendment 415

**Stelios Kouloglou, Anne-Sophie Pelletier, Kateřina Konečná**

### **Proposal for a regulation**

#### **Annex II – Part I – point 9**

### *Text proposed by the Commission*

9. Toys shall be designed and manufactured in such a way, in terms of

### *Amendment*

9. Toys shall be designed and manufactured in such a way, in terms of

the maximum values for impulse noise and continuous noise, that the sound from them is not able to impair children's hearing.

the maximum values for impulse noise and continuous noise, that the sound from them is not able to impair children's hearing.

***The maximum values shall not exceed those set in Directive 2003/10/EEC.***

Or. en

#### **Amendment 416**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Annex II – Part I – point 9**

##### *Text proposed by the Commission*

9. Toys shall be designed and manufactured in such a way, in terms of the maximum values for impulse noise and continuous noise, that the sound from them is not able to impair children's hearing.

##### *Amendment*

9. Toys shall be designed and manufactured in such a way, in terms of the maximum values for impulse noise and continuous noise, that the sound from them is not able to impair children's hearing.

***The maximum values shall not exceed those set in Directive 2003/10/EEC.***

Or. en

#### **Amendment 417**

**Beata Mazurek**

#### **Proposal for a regulation**

#### **Annex II – Part I – point 9**

##### *Text proposed by the Commission*

9. Toys shall be designed and manufactured in such a way, in terms of the maximum values for impulse noise and continuous noise, that the sound from them is not able to impair children's hearing.

##### *Amendment*

9. Toys shall be designed and manufactured in such a way, in terms of the maximum values for impulse noise and continuous noise, that the sound from them is not able to impair children's hearing, ***provided that such toys are designed to emit a sound.***

Or. en

#### Amendment 418

Andreas Schwab, Maria da Graça Carvalho, Lara Comi, Arba Kokalari, Geoffroy Didier, Andrey Kovatchev, Tom Vandenkendelaere, Ivan Štefanec, Pablo Arias Echeverría

#### Proposal for a regulation

##### Annex II – Part I – point 9

*Text proposed by the Commission*

9. Toys **shall** be designed and manufactured ***in such a way, in terms of*** the maximum values for impulse noise and continuous noise, that the sound ***from them*** ***is not able to*** impair children's hearing.

*Amendment*

9. Toys ***intended to generate sound*** ***must*** be designed and manufactured ***with regard to*** the maximum values for impulse noise and continuous noise ***in such a way*** that the sound ***they emit cannot*** impair children's hearing.

Or. en

*Justification*

*Companies should not be liable for unintended noises, their products produce, since it is unclear how to measure such unintended sounds.*

#### Amendment 419

Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini  
on behalf of the Verts/ALE Group

#### Proposal for a regulation

##### Annex II – Part II – point 2 – point a – point 5

*Text proposed by the Commission*

(5) hazard classes 3.9 ***and 3.10***;

*Amendment*

(5) hazard classes 3.9, ***3.10 and 3.11***;

Or. en

#### Amendment 420

Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini  
on behalf of the Verts/ALE Group

#### Proposal for a regulation

##### Annex II – Part II – point 2 – point a – point 6

*Text proposed by the Commission*

*Amendment*

(6) hazard class 4.1;

(6) hazard class 4.1, **4.2, 4.3 and 4.4**;

Or. en

#### **Amendment 421**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

#### **Proposal for a regulation**

#### **Annex II – Part III – point 2**

*Text proposed by the Commission*

*Amendment*

2. Toys that are themselves substances or mixtures shall comply also with Regulation (EC) No 1272/2008 .

2. Toys that are themselves substances or mixtures, ***such as fingerprint or modeling clay***, shall comply also with Regulation (EC) No 1272/2008 ***as well as with the labelling requirements laid down in Regulation (EC) No 1223/2009***.

Or. en

#### **Amendment 422**

**Vlad-Marius Botoș, Jordi Cañas, Morten Løkkegaard**

#### **Proposal for a regulation**

#### **Annex II – Part III – point 7 – point c**

*Text proposed by the Commission*

*Amendment*

(c) toy components ***necessary for electronic or electric functions of the toy*** where the substance or mixture is fully inaccessible to children, including by inhalation.

(c) toy components where the substance or mixture is fully inaccessible to children, including by inhalation.

Or. en

#### **Amendment 423**

**Beata Mazurek**

**Proposal for a regulation**  
**Annex II – Part III – point 7 – point c**

*Text proposed by the Commission*

(c) toy components ***necessary for electronic or electric functions of the toy*** where the substance or mixture is fully inaccessible to children, including by inhalation.

*Amendment*

(c) toy components where the substance or mixture is fully inaccessible to children, including by inhalation, ***when the toy is used as specified in the first subparagraph of Article 5(2).***

Or. en

**Amendment 424**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**  
**Annex II – Part III – point 8**

*Text proposed by the Commission*

8. Cosmetic toys, such as play cosmetics for dolls, shall comply with the compositional and labelling requirements laid down in Regulation (EC) No 1223/2009 of the European Parliament and of the Council<sup>43</sup>.

*Amendment*

8. Cosmetic toys, such as play cosmetics for dolls ***or children***, shall comply with the compositional and labelling requirements laid down in Regulation (EC) No 1223/2009 of the European Parliament and of the Council<sup>43</sup>.

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<sup>43</sup> Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (OJ L 342, 22.12.2009, p. 59).

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<sup>43</sup> Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (OJ L 342, 22.12.2009, p. 59).

Or. en

**Amendment 425**  
**Beata Mazurek**

**Proposal for a regulation**  
**Annex II – Part IV – point 1 – paragraph 2**

*Text proposed by the Commission*

Internal voltages shall not exceed 24 volts DC or the equivalent AC voltage unless it

*Amendment*

Internal voltages shall not exceed 24 volts DC or the equivalent AC voltage unless it

is ensured that the voltage and the current combination generated do not lead to any risk for health and safety or any electric shock, even when the toy is broken.

is ensured that the voltage and the current combination generated do not lead to any risk for health and safety or any ***harmful*** electric shock, even when the toy is broken.

Or. en

*Justification*

*In line with the existing directive. The electrostatic discharge is not dangerous to health and occurs commonly.*

**Amendment 426**

**Stelios Kouloglou, Anne-Sophie Pelletier, Kateřina Konečná**

**Proposal for a regulation**

**Annex II – Part IV a (new)**

*Text proposed by the Commission*

*Amendment*

***IV a Toys shall be designed, developed, produced, manufactured, and updated ensuring an appropriate level of cybersecurity and privacy protection proportionate to the risks they pose to the health and safety of children, taking into account the intended use or reasonably foreseen misuse, any risk of adverse impact to health and safety of children and bearing in mind their behaviour.***

***Toys shall comply with relevant Union legislation relating to cybersecurity, privacy and artificial intelligence systems, notably with the requirements of Annex I of Regulation [...] on horizontal cybersecurity requirements for products with digital elements and amending Regulation (EU) 2019/1020 (Cyber Resilience Act).***

Or. en

**Amendment 427**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**  
**Annex II – Part V – point 2**

*Text proposed by the Commission*

2. A toy intended for use by children under 36 months shall be designed and manufactured in such a way that it can be cleaned. A textile toy shall, to this end, be washable, except if it contains a mechanism that may be damaged if soak washed. The toy shall fulfil the safety requirements also after having been cleaned in accordance with this point and the manufacturer's instructions.

*Amendment*

2. A toy intended for use by children under 36 months ***or intended to be put in the mouth*** shall be designed and manufactured in such a way that it can be cleaned. A textile toy shall, to this end, be washable, except if it contains a mechanism that may be damaged if soak washed. The toy shall fulfil the safety requirements also after having been cleaned in accordance with this point and the manufacturer's instructions.

Or. en

**Amendment 428**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Annex II – Part VI a (new)**

*Text proposed by the Commission*

*Amendment*

***VI a Part VIa***

***Cybersecurity***

***1. Toys shall be designed, developed, and produced and, where applicable, updated, in such a way that they ensure a level of cybersecurity protection proportionate to the risks to health and safety of children that can be caused by a cybersecurity incident. Toys shall be designed and manufactured so as to eliminate cybersecurity incidents or reduce the associated risks by an inherent security, taking into account the intended use or reasonably foreseen misuse, any risk of adverse impact to the health and safety of its users bearing in mind the behaviour of children.***

**2. Toys shall comply with the relevant Union legislation relating to cybersecurity. In particular, toys shall comply with the specific cybersecurity requirements set out in Annex I of the Regulation XX/XX on horizontal cybersecurity requirements for products with digital elements and amending Regulation (EU) 2019/1020 (Cyber Resilience Act).**

Or. en

#### **Amendment 429**

**Morten Løkkegaard, Vlad-Marius Botoș**

#### **Proposal for a regulation Annex II – Part A – point 2**

*Text proposed by the Commission*

2. ***Nitrosamines and nitrosable*** substances are prohibited in toys ***intended for use by children under 36 months or in other toys intended to be placed in the mouth*** where the migration of those substances is equal to or higher than ***0,01 mg/kg for nitrosamines and 0,1 mg/kg for nitrosable*** substances.

*Amendment*

2. ***N-nitrosamines and N-nitrosatable*** substances are prohibited in toys where the migration of those substances is equal to or higher than:

***Table - Limit values for elastomers***

#### ***PRODUCT TYPE***

***a) toys intended for use by children under 36 months and intended or likely to be placed into the mouth***

***N-nitrosamines mg/kg: 0,01***

***N-nitrosatable substances mg/kg: 0,1***

***b) toys intended for use by children under 36 months not covered by a)***

***N-nitrosamines mg/kg: 0,05***

***N-nitrosatable substances mg/kg: 1***

***c) toys intended for use by children of 36 months and over and intended to be placed into the mouth***



*N-nitrosamines mg/kg: 0,05*

*N-nitrosatable substances mg/kg: 1*

*d) balloons*

*N-nitrosamines mg/kg: 0,05*

*N-nitrosatable substances mg/kg: 1*

*e) finger paints*

*N-nitrosamines mg/kg: 0,02*

*N-nitrosatable substances mg/kg: 1*

Or. en

#### **Amendment 430**

**Alessandra Basso, Isabella Tovaglieri, Marco Campomenosi, Antonio Maria Rinaldi**

#### **Proposal for a regulation**

#### **Annex II – Part A – point 2**

##### *Text proposed by the Commission*

2. *Nitrosamines and nitrosable substances are prohibited in toys **intended for use by children under 36 months or in other toys intended to be placed in the mouth** where the migration of those substances is equal to or higher than **0,01 mg/kg for nitrosamines and 0,1 mg/kg for nitrosable** substances.*

##### *Amendment*

2. *N-nitrosamines and N-nitrosatable substances are prohibited in toys where the migration of those substances is equal to or higher than:*

*a) toys intended for use by children under 36 months and intended or likely to be placed into the mouth:*

*N-nitrosamines mg/kg: 0,01; N-nitrosatable substances mg/kg: 0,1*

*b) toys intended for use by children under 36 months not covered by a):*

*N-nitrosamines mg/kg: 0,05; N-nitrosatable substances mg/kg: 1*

*c) toys intended for use by children of 36 months and over and intended to be placed into the mouth:*

*N-nitrosamines mg/kg: 0,05; N-nitrosatable substances mg/kg: 1*

**d) balloons:**

***N-nitrosamines mg/kg: 0,05; N-nitrosatable substances mg/kg: 1***

**e) finger paints:**

***N-nitrosamines mg/kg: 0,02; N-nitrosatable substances mg/kg: 1***

Or. en

#### **Amendment 431**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Annex II – Part A – point 2**

##### *Text proposed by the Commission*

2. Nitrosamines and nitrosable substances are prohibited in toys ***intended for use by children under 36 months or in other toys intended to be placed in the mouth where*** the migration of those substances ***is equal to or higher than*** 0,01 mg/kg for nitrosamines and 0,1 mg/kg for nitrosable substances.

##### *Amendment*

2. Nitrosamines and nitrosable substances are prohibited in toys. The migration of those substances ***from toys, components of toys or micro-structurally distinct parts of toys, shall not exceed*** 0,01 mg/kg for nitrosamines and 0,1 mg/kg for nitrosable substances.

Or. en

#### **Amendment 432**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

#### **Proposal for a regulation**

#### **Annex II – Part A – point 2 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

***2 a. Toys shall not contain per- and polyfluorinated alkyl substances (PFASs) and bisphenols, unless their presence in the toy is technically unavoidable under good manufacturing practice and does not exceed the limit of detection in the***

*homogeneous material.*

Or. en

**Amendment 433**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Annex II – Part A – point 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3 a. Toys intended for use by children under 36 months or toys intended to be placed in the mouth shall not contain any fragrances.***

Or. en

**Amendment 434**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Annex II – Part A – point 4 – introductory part**

*Text proposed by the Commission*

*Amendment*

4. Toys shall not contain the following fragrance allergens unless their presence in the toy is technically unavoidable under good manufacturing practice and does not exceed **100 mg/kg**:

4. Toys shall not contain the following fragrance allergens unless their presence in the toy is technically unavoidable under good manufacturing practice and does not exceed ***the limit of detection***:

Or. en

**Amendment 435**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Annex II – Part A – point 4 – introductory part**

*Text proposed by the Commission*

*Amendment*

4. Toys shall not contain the following fragrance allergens unless their presence in the toy is technically unavoidable under good manufacturing practice and does not exceed **100 mg/kg**:

4. Toys shall not contain the following fragrance allergens unless their presence in the toy is technically unavoidable under good manufacturing practice and does not exceed ***the limit of detection***.

Or. en

**Amendment 436**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Annex II – Part B – point 1**

*Text proposed by the Commission*

*Amendment*

**[...]**

***deleted***

Or. en

**Amendment 437**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**  
**Annex II – Part B – point 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. The names of the following fragrance allergens shall be listed on the toy, on an affixed label, on the packaging or in an accompanying leaflet, as well as in the product passport, if those allergens are added to a toy, where they are present in the toy or any component thereof at concentrations exceeding **100 mg/kg**:

1. The names of the following fragrance allergens shall be listed on the toy, on an affixed label, on the packaging or in an accompanying leaflet, as well as in the product passport, if those allergens are added to a toy, where they are present in the toy or any component thereof at concentrations exceeding **10 mg/kg**:

Or. en

#### **Amendment 438**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Annex III – point 1 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

All warnings shall be preceded by the word 'Warning' or, alternatively, by **a generic pictogram such as** the following:

***Warnings shall have the following characteristics:***

***a) they shall stand out clearly from the background;***

***b) a single font shall be used that is easily legible and without serifs;***

***c) the x-height of the font size shall be equal to or greater than 1,4 mm;***

***d) the distance between two lines shall be appropriate for the selected font size to be easily legible;***

***e) the letter spacing shall be appropriate for the selected font to be easily legible.***

All warnings shall be preceded by the word 'Warning' or, alternatively, by the following **pictogram**:

Or. en

#### **Amendment 439**

**Beata Mazurek**

#### **Proposal for a regulation**

#### **Annex III – point 1 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

***All warnings shall be preceded by the word 'Warning' or, alternatively, by a generic pictogram such as the*** following:

***The 'warning sign' shall be displayed in a prominent way to inform about a*** warnings ***by a*** following **pictogram**:

Or. en

### *Justification*

*In order to avoid confusion, a single, prominent warning sign shall be placed on the packaging. Numerous requirements imposed on the manufacturers lead to a densely packed box. The inflation of warning signs leads the customer to lose sight of the most critical elements of the provided information and to disregard important information.*

#### **Amendment 440**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

#### **Proposal for a regulation**

##### **Annex III – point 1 – paragraph 2 – introductory part**

###### *Text proposed by the Commission*

All warnings shall be preceded by the word ‘Warning’ or, alternatively, by a generic pictogram *such as the following*:

###### *Amendment*

All warnings shall be preceded by the word ‘Warning’ or, alternatively, by a generic pictogram *as follows*:

Or. en

#### **Amendment 441**

**Christel Schaldemose**

#### **Proposal for a regulation**

##### **Annex IV – Part I – point 4**

###### *Text proposed by the Commission*

###### **4. CE marking and product passport**

*deleted*

**4.1. The manufacturer shall affix the CE marking to each individual toy that satisfies the applicable requirements of this Regulation.**

**4.2. The manufacturer shall draw up the product passport for a toy model and ensure that together with the technical documentation, it remains available for 10 years after the product has been placed on the market. The product passport shall identify the toy for which it has been drawn up.**

###### *Amendment*

Or. en

**Amendment 442**  
**Christel Schaldemose**

**Proposal for a regulation**  
**Annex IV – Part I – point 4 – point 4.1**

*Text proposed by the Commission*

*Amendment*

**4.1. The manufacturer shall affix the CE marking to each individual toy that satisfies the applicable requirements of this Regulation.** *deleted*

Or. en

**Amendment 443**  
**Antonius Manders**

**Proposal for a regulation**  
**Annex IV – Part I – point 4 – point 4.1**

*Text proposed by the Commission*

*Amendment*

4.1. The manufacturer shall affix the CE marking to each individual toy that satisfies the applicable requirements of this Regulation.

4.1. The manufacturer shall affix the ***physical or digital*** CE marking to each individual toy that satisfies the applicable requirements of this Regulation.

Or. en

*Justification*

*CE marking means that the manufacturer indicates that the toy is in conformity with the applicable requirements, this could also be done in the product passport which manufacturers should create to provide information on the compliance of toys with this Regulation and with any other Union legislation applicable.*

**Amendment 444**  
**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Annex IV – Part I – point 4 – point 4.2**

*Text proposed by the Commission*

4.2. The manufacturer shall draw up the product passport for a toy model and ensure that together with the technical documentation, it remains available for 10 years after the product has been placed on the market. The product passport shall identify the toy for which it has been drawn up.

*Amendment*

4.2. The manufacturer shall draw up the product passport for a toy model and ensure that together with the technical documentation, it remains available for ***at least the expected lifetime of*** 10 years after ***the last model of*** the product has been placed on the market, ***whichever is longer***. The product passport shall identify the toy for which it has been drawn up.

Or. en

**Amendment 445**  
**Christel Schaldemose**

**Proposal for a regulation**  
**Annex IV – Part I – point 4 – point 4.2**

*Text proposed by the Commission*

4.2. The manufacturer shall draw up the product passport for a toy model and ensure that together with the technical documentation, it remains available for 10 years after the product has been placed on the market. The product passport shall identify the toy for which it has been drawn up.

*Amendment*

4.2. The manufacturer shall draw up the product passport for a toy model and ensure that together with the technical documentation, it remains available for ***at least*** 10 years after the product has been placed on the market. The product passport shall identify the toy for which it has been drawn up.

Or. en

**Amendment 446**  
**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Annex IV – Part II – point 9**

*Text proposed by the Commission*

9. The manufacturer shall keep a copy of the EU-type examination certificate, its annexes and additions together with the

*Amendment*

9. The manufacturer shall keep a copy of the EU-type examination certificate, its annexes and additions together with the



technical documentation at the disposal of the national authorities for 10 years after the toy has been placed on the market.

technical documentation at the disposal of the national authorities for **at least** 10 years after the **last model of** toy has been placed on the market.

Or. en

#### **Amendment 447**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Annex IV – Part II a (new)**

*Text proposed by the Commission*

*Amendment*

***II a Part II - Module B (a new): Toys required to undergo the EU-type examination procedure***

- 1. Toys for children under 36 months;***
- 2. Toys which include artificial intelligence;***
- 3. Internet-connected toys;***
- 4. Toys which are chemical mixtures;***
- 5. Toys which for functional reasons cannot be designed to eliminate all risks;***
- 6. Toys which in case of a failure can lead to severe health consequences for children.***

Or. en

#### **Amendment 448**

**Christel Schaldemose**

#### **Proposal for a regulation**

#### **Annex IV – Part III – point 3 – point 3.1**

*Text proposed by the Commission*

*Amendment*

***3.1. The manufacturer shall affix the CE marking to each individual product that is in conformity with the type***

***deleted***

*described in the EU-type examination certificate and satisfies the applicable requirements of the legislative instrument.*

Or. en

#### **Amendment 449**

**Katrin Langensiepen, Alexandra Geese, Kim Van Sparrentak, Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Annex IV – Part III – point 3 – point 3.2**

##### *Text proposed by the Commission*

3.2. The manufacturer shall create a product passport for a toy model and ensure that it remains available for 10 years after the toy has been placed on the market. The product passport shall identify the toy for which it has been drawn up.

##### *Amendment*

3.2. The manufacturer shall create a product passport for a toy model and ensure that it remains available for ***at least the expected lifetime or*** 10 years after the ***last model of*** toy has been placed on the market, ***whichever is longer***. The product passport shall identify the toy for which it has been drawn up.

Or. en

#### **Amendment 450**

**Christel Schaldemose**

#### **Proposal for a regulation**

#### **Annex IV – Part III – point 3 – point 3.2**

##### *Text proposed by the Commission*

3.2. The manufacturer shall create a product passport for a toy model and ensure that it remains available for 10 years after the ***toy*** has been placed on the market. The product passport shall identify the toy for which it has been drawn up.

##### *Amendment*

3.2. The manufacturer shall create a product passport for a toy model and ensure that it remains available for ***at least*** 10 years after the ***last toy model*** has been placed on the market. The product passport shall identify the toy for which it has been drawn up.

Or. en

#### **Amendment 451**

**Brando Benifei, Christel Schaldemose, Laura Ballarín Cereza, Maria-Manuel Leitão-Marques**

#### **Proposal for a regulation**

#### **Annex V – point 5**

*Text proposed by the Commission*

*Amendment*

(5) Copies of documents that the manufacturer has submitted to any notified body,

(5) Copies of documents that the manufacturer has submitted to any notified body, ***where relevant***;

Or. en

#### **Amendment 452**

**Christel Schaldemose**

#### **Proposal for a regulation**

#### **Annex V – point 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**(6 a) The CE marking and**

Or. en

*Justification*

*While the CE marking is a way for manufacturers to indicate that their toy is in conformity with the applicable requirements in this legislation, it's not a guarantee of toy safety. Its appearance on toys and many other products is misleading for consumers, also because not all consumer goods are required to bear it. It leads to curious examples like a bed for a baby being exempted from having to bear the CE marking, contrary to a bed for a baby doll, which as toy, must carry it. The CE Marking should therefore be removed from the toy or its packaging and relegated to the technical file (as well as to the DPP pursuant to article 17 and annex VI of this Regulation). In this regard, it is also important to add an indent about the CE marking in annex V regarding the elements to be included in the technical documentation.*

#### **Amendment 453**

**Andreas Schwab, Maria da Graça Carvalho, Lara Comi, Arba Kokalari, Geoffroy Didier, Andrey Kovatchev, Tom Vandenkendelaere, Ivan Štefanec, Pablo Arias Echeverría**

#### **Proposal for a regulation**

#### **Annex VI – Part I – point d**

*Text proposed by the Commission*

*Amendment*

(d) object of the passport  
(identification of toy allowing traceability,  
***including a colour image of sufficient  
clarity to enable the identification of the  
toy;***

(d) object of the passport  
(identification of toy allowing traceability);

Or. en

#### **Amendment 454**

**Andreas Schwab, Maria da Graça Carvalho, Lara Comi, Arba Kokalari, Geoffroy  
Didier, Andrey Kovatchev, Tom Vandenkendelaere, Ivan Štefanec, Pablo Arias  
Echeverría**

**Proposal for a regulation  
Annex VI – Part I – point k**

*Text proposed by the Commission*

*Amendment*

***(k) any substance of concern that is  
present in the toy.***

***deleted***

Or. en

#### **Amendment 455**

**Beata Mazurek**

**Proposal for a regulation  
Annex VI – Part I – point k**

*Text proposed by the Commission*

*Amendment*

***(k) any substance of concern that is  
present in the toy.***

***deleted***

Or. en

#### *Justification*

*Removing the requirement is vital because it can mislead consumers into thinking a product is unsafe. Overall, it goes beyond what's necessary to keep products safe and further technical information could be included in the more detailed technical documents available to market surveillance authorities.*

**Amendment 456**

**Andreas Schwab, Maria da Graça Carvalho, Lara Comi, Arba Kokalari, Geoffroy Didier, Andrey Kovatchev, Tom Vandenkendelaere, Ivan Štefanec, Pablo Arias Echeverría**

**Proposal for a regulation  
Annex VI – Part II a (new)**

*Text proposed by the Commission*

*Amendment*

***II a image or drawing of the toy.***

Or. en

*Justification*

*Ecodesign does not require a picture. Coherence shall be maintained.*