

WRITTEN QUESTION P-2839/09
by Christel Schaldemose (PSE)
to the Commission

Subject: The precautionary principle with respect to toys

On Tuesday 31 March, the Danish TV channel DR1 described how small children had suffered facial injuries after using cosmetics that came with Bratz dolls.

The manufacturer and the Danish market surveillance authorities do not want to withdraw the product: the manufacturer because it does not believe the cosmetics contain any banned products, and the authorities because there is no legal basis for withdrawing the product.

Does the Commission agree with the Danish authorities that products cannot be withdrawn from the market, even when there is proof of harm done to children, if it is not possible to identify which substance in the product is harmful?

The revised Toys Directive that was adopted in December 2008 incorporates the precautionary principle. Does the Commission think that the precautionary principle can be applied in such cases? If not, how does the Commission think the precautionary principle should be interpreted?