

TECHNICAL REGULATION OF THE CUSTOMS UNION

TP TC 008/2011

"On Safety of Toys"

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Foreword

1. This technical regulation of the Customs Union was developed in accordance with the Agreement on common principles and rules of technical regulation in the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation of November 18, 2010.
2. This technical regulation of the Customs Union is developed in order to establish uniform requirements for toys mandatory for implementation and enforcement in the common customs territory, to ensure free movement of toys placed on the market in the common customs territory of the Customs Union.
3. If there are other technical regulations of the Customs Union, the Eurasian Economic Community (hereinafter - EurAsEC) adopted which establish requirements for toys, toys must comply with the requirements of these technical regulations of the Customs Union, EurAsEC covering these toys

Article 1. Scope

1. This technical regulation of the Customs Union applies to toys placed on the market of the common customs territory of the Customs Union which were not previously in use.
2. This technical regulation of the Customs Union does not apply to items specified in Annex 1 to this technical regulation of the Customs Union which are not regarded as toys, as well as to custom-made toys, exhibition samples.
3. This technical regulation of the Customs Union sets requirements for toys with the aim of protecting the life and health of children and persons looking after them, as well as preventing actions misleading purchasers (consumers) of toys regarding their purpose and safety.

Article 2. Definitions

In this technical regulation of the Customs Union the following terms and their definitions are used:

- inflammation - the emergence of combustion under the influence of an ignition source accompanied by flames;
- flammability - potentiality of substances and materials for inflammation;
- playing kit containing chemical substances (not related to chemistry experiment kits) – plaster cast production kit; ceramic materials and enamels for glass vitrification supplied in kits for the equipment of mini-workshops for artists; kits containing molding mixtures based on plasticized polyvinyl chloride (with subsequent heating in a furnace); kits for art casting; molding kits; photo developer kits; adhesives, paints, lacquers, thinners and cleaners (reducers) supplied in designer kits;
- play set - a toy consisting of various items, materials, substances, intended to develop children's creativity and manual labor skills;
- toy - an article or material intended for games of a child (children) under 14;
- toy for games on the water - a toy (inflatable or non-inflatable) bearing a load of a child's body weight when swimming and (or) intended for games in shallow water;
- printed board game - a game made with the use of the printing method, with or without additional game elements;
- stuffed toy - a toy with or without a wireframe, with a soft surface and a filling material;
- scale toy – a toy whose dimensions are determined in reduced scale in accordance with the actual dimensions of the prototype;
- manufacturer - a legal or natural person as an individual entrepreneur engaged in production and sale of toys on their own behalf and responsible for their compliance with safety requirements of this technical regulation of the Customs Union;
- importer - a resident of a Member state of the Customs Union which concluded a foreign trade agreement for the transfer of toys with a non-resident of a Member state of the Customs Union, implements sales of these toys, and is responsible for their compliance with safety requirements of this technical regulation of the Customs Union;
- designer kit - a set of mechanical and (or) electrical (electronic) components designed for the assembly of various toys;

toy material - all the materials composing a toy;
 placing a toy on the market - the processes of transfer of toys from the manufacturer to the purchaser (consumer) in the common customs territory of the Customs Union covering the processes a toy undergoes after its manufacture;
 optical toy - a toy whose operation is based on the principles of geometrical optics;
 user – a child using a toy according to its intended purpose, as well as a person looking after them;
 purchaser (consumer) - natural or legal person intending to purchase or purchasing a toy;
 intended use - the use of toys in accordance with their purpose specified by the manufacturer on the toys and (or) in operational documents;
 child – a person under 14 years old;
 risk - a combination of probability of causing harm and consequences of such harm for life or health of a child and a person looking after him;
 standard sample of a toy - a toy chosen from a group of similar toys designed for one age group (for children under 3 years, over 3 years and older) manufactured in accordance with a unified technical document, technological process, from the same materials for which the same safety requirements are specified;
 person authorized by the manufacturer - a legal or natural person duly registered by the Customs Union Member state specified by the manufacturer under a contract with the aim of performing conformity assessment on his behalf and placing toys on the common customs territory of the Customs Union, as well as imposing liability for non-conformity of toys to requirements of the technical regulation of the Customs Union;
 functional toy - a toy which is a reduced scale model of a product or device used by adults that simulates the purpose and performance of its functions;
 chemical toy - a kit for chemical experiments by children consisting of one or several chemical substances and (or) reagents, supplied with or without the equipment;
 electric toy - a toy at least one function of which is performed by means of electric power.

Article 3. Market circulation procedures

1. Toys are placed on the market under their compliance with this technical regulation of the Customs Union, as well as other technical regulations of the Customs Union, EurAsEC, covering these toys.
2. Toys the compliance of which with the requirements of this technical regulation of the Customs Union has not been confirmed shall not be labeled with a unified marking of conformity for products of the Customs Union Member states and shall not be allowed for placing on the market.
3. Toys which are not marked with the unified marking of conformity for products of the Customs Union Member states shall not be allowed for placing on the market.

Article 4. Safety requirements

1. Toys must be designed and manufactured in such a way that when used as directed they would present no hazard to life and health of children as well as persons looking after them and ensure the absence of risk:
 - inherent with the design of the toy;
 - inherent with the materials used;
 - related to the use of the toy which can not be eliminated when modifying the design of the toy without changing its functions and basic characteristics, replacing the material.
 The risk of using toys must be correlated with the age peculiarities of children.
2. Materials
 - The materials composing toys shall be clean (with no dirt), uninfected, and shall meet this technical regulation as well as standards specified in subparagraph 1.2 of Article 5 of this technical regulation of the Customs Union.
 - In toys for children under 3 years of age the use of fur, leather, glass, porcelain, raised rubber, cardboard and paper, stuffing pellets measuring 3 mm or less without an inner case, fillings for toys such as rattles, whose size increases by more than 5% under humid conditions is not permitted.

In toys intended for children under 3 years of age migration of chemical substances of hazard class 1 is not permitted.

In toys the use of recycled materials derived from recycling used materials is prohibited. The use of own production waste for manufacturing toys is permitted.

Protective-decorative coating of toys must be suitable for wet treatment, interaction with saliva and sweat.

3. Toys must be designed and manufactured in such a way that when used as directed they would present no hazard to life and health of children, persons looking after them.

3.1 Organoleptic properties

Toys shall comply with requirements to organoleptic properties of hygienic safety specified in Annex 2 to this technical regulation of the Customs Union.

3.2. Physical and mechanical properties

A toy and its components, including fasteners, must withstand the mechanical loads resulting from the use of the toy according to its intended purpose, in addition it must not break and must retain its application properties.

Accessible edges, sharp ends, rigid parts, springs, fasteners, clearances, corners, protrusions, cords, ropes, and mountings of toys must eliminate the risk of causing injury to a child.

Leakage of liquid fillings in toys is not permitted.

Moving components of a toy must eliminate the risk of causing injury to children. Driver mechanisms must be out of reach for the child.

A toy and removable parts intended for use by children under 3 years old, as well as toys fixed directly on food products must have the size sufficient to avoid penetration into the upper airways.

A stuffed toy must not contain hard or sharp objects in the filling. Seams of a stuffed toy must be durable.

A toy contained in food products and (or) entering the retail market together with food products must have its own packaging. The size of such packaging must not cause a risk of suffocation of the child. Placing of a plastic toy without its own packaging on the outside of the food product package is permitted.

A toy and its components must eliminate the risk related to suffocation of the child.

Masks and helmets for games made of an impermeable material completely covering the child's head must be designed and manufactured in such a way that the risk of suffocation caused by insufficient ventilation is eliminated.

A toy intended to maintain the child's body on the surface of water must be designed and manufactured in a way to be leak-proof and durable.

A toy which can fit a child and presenting a confined space for him must have a hole for exit that can be easily opened from the inside and have a surface with ventilation holes.

A toy bearing the body weight of a child and intended for riding must be durable and stable (except for bicycles). Toys with a mechanical or electrical drive with a free-wheel mechanism or a transmission neutral position must have a brake mechanism. Toys bearing the weight of a child and intended for riding in which the motion to the wheel is transmitted directly by hand or foot of the child or through mechanical transmission, as well as electrically operated toys are allowed to produce without the brake mechanism. Toys with a chain belt must be equipped with protective shields. The bearing surfaces must have parts preventing slippage.

A toy bearing the weight of the child and not intended for riding must be durable and resistant to rollover.

A toy with a projectile released by the trigger mechanism, as well as projectiles which have kinetic energy must minimize the risk of causing injury to a child and (or) the persons looking after him.

In construction kits and assembly model kits for children under 10 years of age soldering is not allowed.

A toy containing heating elements must be manufactured in such a way to ensure the following:

the temperature of all surfaces available for contact must not lead to a burn on contact;

the intensity level of the integrated flux of infrared radiation must meet the hygienic safety requirements specified in Annex 2 to this technical regulation of the Customs Union;

liquids, vapours, or gases contained in a toy which, when released (if such a release is necessary for the operation of the toy), can cause burns or other injuries must not have increased temperature or pressure values.

The level of local vibration in toys which have a vibration source, the sound level in sound toys must meet the hygienic safety requirements specified in Annex 2 to this technical regulation of the Customs Union.

Surface painting, as well as painting of rattles and toys contacting with the mouth of the child is not allowed.

In printed board games the text and images must be distinct and hard on the main background. Scuffing on paper and cardboard is not allowed.

An optical toy must be designed and manufactured in a way to minimize the risks associated with the vision correction of the child.

Toys with LED's must not adversely affect the visual organs of the child, cause harmful emissions.

In toys the use of laser systems of all types is prohibited.

3.3. Flammability

Stuffed toys, costumes, and carnival toy products (such as beards, mustaches, wigs, masks, crowns), as well as toys which can hold a child must be fireproof.

A playing kit including chemical substances and not related to kits for chemical experiments must not contain flammable substances or reagents which can ignite when mixed, as well as form harmful vapours and gases.

A toy must not be explosive or contain components (substances, materials) which become explosive when using a toy.

A toy, including chemical toys, shall not contain any substances or reagents which:
are capable of forming explosive mixtures a