
STATUTORY INSTRUMENTS

2010 No. 1928

The Toys (Safety) (Amendment) Regulations 2010

Amendments to the 1995 Regulations taking effect on 1st December 2010

3.—(1) The 1995 Regulations (as amended by regulation 2) are amended as follows.

(2) In regulation 3(1) (interpretation), in the definition of “the Toys Directive”, for “paragraph 1 of Article 2” substitute “paragraphs 1, 2, 4 and 6 of Article 2”.

(3) In Schedule 2 (essential safety requirements for toys), Part II (particular risks)—

(a) for sub-paragraph (b) of paragraph 2 (flammability) substitute—

“(b) Toys must not contain, as such, substances or mixtures which may become flammable due to the loss of non-flammable volatile components if, for reasons essential to their functioning, in particular materials and equipment for chemistry experiments, model assembly, plastic or ceramic moulding, enamelling, photography or similar activities, such toys contain mixtures which are dangerous as defined in Directive [67/548/EEC](#)(**1**) or substances fulfilling the criteria for any of the following hazard classes or categories set out in Annex I to Regulation [\(EC\) No 1272/2008](#) of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures(**2**):

(i) hazard classes 2.1 to 2.4, 2.6 and 2.7, 2.8 types A and B, 2.9, 2.10, 2.12, 2.13 categories 1 and 2, 2.14 categories 1 and 2, 2.15 types A to F;

(ii) hazard classes 3.1 to 3.6, 3.7 adverse effects on sexual function and fertility or on development, 3.8 effects other than narcotic effects, 3.9 and 3.10;

(iii) hazard class 4.1;

(iv) hazard class 5.1.”;

(b) for the first paragraph of sub-paragraph 3 of paragraph 3 (chemical properties) substitute—

“Toys must not contain mixtures which are dangerous within the meaning of Directive [1999/45/EC](#) of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations(**3**) or substances fulfilling the criteria for any of the following hazard classes or categories set out in Annex I to Regulation [\(EC\) No 1272/2008](#):

(a) hazard classes 2.1 to 2.4, 2.6 and 2.7, 2.8 types A and B, 2.9, 2.10, 2.12, 2.13 categories 1 and 2, 2.14 categories 1 and 2, 2.15 types A to F;

(b) hazard classes 3.1 to 3.6, 3.7 adverse effects on sexual function and fertility or on development, 3.8 effects other than narcotic effects, 3.9 and 3.10;

(c) hazard class 4.1;

(d) hazard class 5.1,

(1) OJNo. 196, 16.8.1967, p.1.

(2) OJ L 353, 31.12.2008, p.1.

(3) OJ L 200, 30.7.1999, p.1.

in amounts which may harm the health of children using them. In any event it is strictly forbidden to include, in a toy, such substances or mixtures if they are intended to be used as such while the toy is being used.”.

(4) In Schedule 4 (warnings and indications of precautions to be taken when using toys), for subparagraph (a) of paragraph 4 (toys containing inherently dangerous substances or mixtures; chemical toys) substitute—

“(a) Without prejudice to the application of the provisions laid down in Regulation (EC) No 1272/2008, the instructions for use of toys containing mixtures which are inherently dangerous or substances fulfilling the criteria for any of the following hazard classes or categories set out in Annex I to Regulation (EC) No 1272/2008:

- (i) hazard classes 2.1 to 2.4, 2.6 and 2.7, 2.8 types A and B, 2.9, 2.10, 2.12, 2.13 categories 1 and 2, 2.14 categories 1 and 2, 2.15 types A to F;
- (ii) hazard classes 3.1 to 3.6, 3.7 adverse effects on sexual function and fertility or on development, 3.8 effects other than narcotic effects, 3.9 and 3.10;
- (iii) hazard class 4.1;
- (iv) hazard class 5.1;

shall bear a warning of the hazardous nature of these substances or mixtures and an indication of the precautions to be taken by the user in order to avoid hazards associated with them, which shall be specified concisely according to the type of toy. The first aid to be given in the event of serious accidents resulting from the use of this type of toy shall also be mentioned. It shall also be stated that the toys must be kept out of reach of very young children.”.