



national consumer agency

putting **consumers** first



National Consumer Agency

Who are we?

The National Consumer Agency is an independent national agency that was established by the Irish government under the Consumer Protection Act 2007.

Our activities incorporate the work that was previously done by the Office of the Director of Consumer Affairs (ODCA). We also have additional areas of focus, which are outlined below, and we have extensive new powers. Among other things, these powers allow us to deal with unfair, misleading or aggressive commercial practices.

What do we do?

Our aim is to provide strong and modern consumer protection, safeguarding consumers in Ireland and empowering them to understand and to exercise their rights.

To achieve our aim, we:

- inform consumers of their rights through **consumer information**;

- promote a strong consumer culture in Ireland through consumer **education and awareness**;
- help businesses obey consumer law through our enforcement activities; and
- represent consumer interests at all levels of local and national consumer policy development through targeted research and forceful advocacy.

Our consumer website, www.consumerconnect.ie, provides a broad range of consumer-related information, news, top tips and an email enquiry service. If you can't find what you are looking for on our website, ring our friendly and helpful advisors on **LoCall 1890 432 432** or **(01) 402 5555**.

Our corporate website, www.nca.ie, helps businesses understand their obligations. It also provides useful references for the media and researchers. Further information is available in our leaflet ***A Guide To The National Consumer Agency***.

a guide to toy safety

Every year thousands of new toys and other products designed for children go on sale on the Irish market. As consumers it is important that we know what the law says about their safety.

When you buy a toy, you want it to give joy and pleasure. You also want to know that it is safe and will not put your child in danger. You want to know the same things when you buy other children's products such as a pushchair or a nightdress.

Safety should be your first priority when you buy anything for a child. To help you make a safe choice this booklet:

- Explains the importance of the European Union CE mark
- Describes the safety guidelines toy manufacturers must follow
- Gives you practical advice about how to buy safe products; and
- Provides a safety checklist for the next time you buy a product for a child.

Current Legislation	4
What is the European Union CE mark?	4
What is a toy?	4
Safety Rules	5
Safety Warnings – Magnetic Toys	6
Safety Recalls	6
Toy Safety Advice	7
Labelling Information	8
Common Sense Checklist	9
When you are buying a toy, ask yourself the following questions	9
What should I do if I am concerned?	10



current legislation



Ireland and the EU have rules for manufacturers that are designed to help parents to buy a safe product. All toys and products for sale in the EU that will be used by children must meet strict safety requirements.

These rules also state that any toy placed on the market (including free giveaways) in the EU must carry a CE mark to show that it conforms to safety requirements.

What is the European Union CE mark?



This mark is an indication that the toy is up to the relevant Irish and European standards of safety in design, for example it is made from non-toxic material.

Look for the CE mark (see above) whenever you are shopping around for toys. You should find the mark attached to the

product itself or on its packaging in a way that is visible and easily legible and cannot be rubbed off or erased.

The CE mark is a commitment from the toy manufacturer that the toy meets all EU safety rules. When buying a toy always follow the checklist outlined later in this booklet.

What is a toy?

Sometimes, it can be difficult to define a toy. The law defines a 'toy' as a product or material designed, or clearly intended, for use in play by children aged less than 14 years old.

Examples of toys include:

- dolls;
- teddy bears;
- sit-on or ride-on toys;
- building blocks;
- toy guns; and
- imitation adult equipment such as toy cookers.



A 'plaything' is regarded as being different from a toy and is covered by the General Product Safety Directive. Playthings do not have to carry the CE mark. Items like sports equipment and fashion jewellery for children are considered to be playthings.

However, if something is intended for children, or is likely to be used by them, it must be constructed to as high a standard as a toy.

Safety Rules

Toy manufacturers must obey the following rules:

- toys must be made of materials that do not burn easily;
- toys should be made of non-toxic materials;
- folding toys or toys with hinges must be designed so that they will not trap little fingers or cause injury;
- toys with tubes, bars or levers should have adequate protection against trapping or cutting little fingers;
- toys should be made so that movable parts cannot escape. This includes toys containing reeds, balls or other movable items that can be put in the mouth, such as whistles, mouth organs and rattles;
- tricycles and cars must be stable, and must have a safety brake;
- toys should be strong and sturdy and should not break easily leading to injury;
- any parts of a toy that can come loose should be too large for a child to swallow



Safety Warnings – Magnetic Toys

A decision taken by the European Commission means that from 21st July 2008, all toys containing magnets must display a warning regarding possible health and safety risks posed by magnets if swallowed by children.

Placing a magnetic toy on the market without a warning is not allowed. The warning should be displayed at the point of sale, on the packaging or attached to the toy.

Magnets sticking together or becoming attached to a metal object inside the human body can cause serious or fatal injury. The warning should also advise that If your child swallows a magnet, you should seek immediate medical help for them.

Safety Recalls

If a safety hazard is found in a toy the manufacturer must “withdraw” or “recall” it. A manufacturer can withdraw the item by instructing the shop to stop selling it. A recall

is where the manufacturer calls for the item to be returned to them or to the shop where it was bought. They can do this by putting a notice in the paper and also in shops where the item was sold. Manufacturers must tell the National Consumer Agency of all recalls.

The European Union uses a rapid alert system to share information about dangerous products across all the member states. This means that if a dangerous toy is found anywhere in the EU, all the member states will know about it and be able to take action.



toy safety advice



No matter how strict safety standards are, they cannot guarantee that toys will be used safely. Although it is illegal to put them on the market, unsafe toys may still be found on sale so it is vital to shop with care. In addition to checking for the CE mark, always check the product for the following:

Strength

Make sure the product is strong and resilient - so it won't break easily and cause injury.

Small parts

A child's product that contains detachable or small parts should be marked as 'Not suitable for children under 36 months'.

Appropriate for the age

Make sure the toys are suitable for the age of the child. Some children, particularly those under three, are more vulnerable and less able than older children to cope with particular toys. Pay attention to the 'minimum-age' warnings.

Electrical toys

You need to be particularly careful if you are buying a toy with electrical parts or a transformer. No electrical toy that is more than 24 volts may be sold or given as a free gift in Ireland.

Electrical toys must be properly insulated and protected to prevent a risk of contact with live wires. When buying electrical toys pay particular attention to age warnings and the CE mark. Make sure any safety instructions are clear and precise and read them carefully.

Bicycles and go-karts

There should be adequate brakes and guards for chains and other moving parts. If bicycles are being used on public roads, they should carry adequate lighting and meet the requirements of the Road Traffic Acts.

Flammability

Check for tags or labels to ensure that the product is made of materials that do not burn easily.



Other safety marks

As well as the CE mark, there may be the 'EN71' mark, which is a European technical standard for toy safety. Both marks show that the toy complies with safety regulations and that it is safe as long as it is not abused.

Other hazards

Any possible danger that exists should be pointed out on the packaging. In some products, children's fingers can easily become trapped by moving parts, for example, toys that fold or that have hinges and clasps. This should be pointed out on the packaging.

Reputable seller

Buy the product from a shop with a good reputation. If you are buying toys from a market, jumble sale or car boot sale take extra care.

Labelling Information

Always check the label or packaging for the following information:

- name and address or trademark of the manufacturer, their agents or importer within the EC;
- instructions for use, if needed; and
- advice on the safe use of the toy.

common sense checklist



When you are buying toys, ask yourself the following questions:

Before you buy

- Never buy a toy which does not have the CE mark on the toy or on its packaging.
- Is there a warning about the age group the toy is suitable for and is it suitable for the age of the child?
- Is there a younger child in the household who might be in danger if they play with the toy?
- Are there clear and precise safety instructions and are any hazards brought to your attention?

When you get the toy home, check the following

- If there are instructions inside the packaging, are they clear and precise, and, do they warn of any possible dangers? Keep the instructions in a safe place.
- Remove all packaging. Make sure that children do not play with plastic packaging as there is a danger of suffocation.

- Are there any detachable small parts that could lodge in ears, nose or throat?
- Does the toy fire bullets or other items that could be dangerous?
- Are there sharp edges or nails or screws sticking out?
- Are there broken or missing parts?
- Are 'sit-and-ride' toys stable?
- Could fold-up toys trap little fingers?
- If the toy uses batteries, are the batteries in a sealed area that a child can't open?
- Is there information about the flammability of the materials in the item?
- If it is intended to make noise, does it seem too loud?
- Are there strong or strange smells from the item. If there are, it could mean that the toy might contain a lot of chemicals



Always Remember!

- look for the CE Mark!
- pay attention to the safety instructions!
- pay attention to any warnings on the product!

What should I do if I am concerned?

If you come across a toy that seems unsafe or that you feel does not meet the standard, don't buy it. If you buy any product that you later think is dangerous, act quickly. It is important that you contact:

- the trader you bought it from;
- the manufacturer; and
- the National Consumer Agency
4 Harcourt Road
Dublin 2
Consumer Helpline: 1890 432 432
or (01) 402 5555
Corporate enquires: +353 1 402 5500
Fax: +353 1 402 5501
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You can get copies of this booklet and all our publications by:

- downloading them from www.consumerconnect.ie; or
- contacting our Consumer Helpline at 1890 432 432*

*Note that the rates charged for the use of 1890 (LoCall) numbers may vary among different service providers.