

# 欧盟玩具新安全指令

## 挑战



2008年12月18日，在位于法国斯特拉斯堡的欧洲议会以481票对73票一致通过关于玩具安全新指令提案，该指令预计于2009年春天在欧盟官方杂志上公告生效，此指令从公布之日起有18个月可转换为成员国法律。为使玩具制造商及其他经济体能够充分适应新要求，新指令将提供2年的过渡期，预计将于2011年在各成员国正式实施，为满足化学项目检测技术更新方面的要求，对化学安全要求将给予4年过渡期，即在2013年生效。在过渡期内，符合现行玩具安全指令（88/378/EC）的产品仍可生产并在欧盟市场销售。

## 解决方案



欧盟玩具新安全指令相对于现行的88/378/EEC指令做了非常大的变化，在安全方面，修订了化学安全、机械物理、电性能、卫生安全、标识要求等。尤其在化学安全方面，新指令进行了前所未有的修订，明确禁止限制有毒有害化学物质从8种增加到85种；首次禁用致癌、致基因突变、影响生育（CMR）物质（常见的有300多种物质）；

在欧盟新玩具指令的化学安全变化中，与88/378/EEC指令中的限制元素对比如下：

元素	新玩具安全指令			88/378/EEC
	干燥、易碎、粉状或易弯曲的玩具材料 (单位: ppm)	液态或粘性材料 (单位: ppm)	可以刮去玩具材料 (单位: ppm)	玩具材料, ppm
铝	5625	11.3	70000	--
铈	45	0.9	560	60
砷	3.8	1125	47	25
钡	4500	300	56000	1000
硼	1200	0.5	15000	--
镉	1.9	9.4	23	75
铬(III)	37.5	0.005	460	60
铬(VI)	0.02	2.6	0.2	--
钴	10.5	156	130	--
铜	622.5	3.4	7700	--
铅	13.5	300	160	90
锰	1200	1.9	15000	--
汞	7.5	18.8	94	60
镍	75	9.4	930	--
硒	37.5	1125	460	500
锶	4500	3750	56000	--
锡	15000	0.2	180000	--
有机锡	0.9	938	12	--
锌	3750	1406	46000	--

此外，欧盟玩具新安全指令还明确玩具产品应满足包括REACH指令在内的欧盟通用化学品法规要求，这为日后增加限制新的化学物质提供了明确法律依据。在市场监管方面，新指令强调了制造商、进口商、分销商进行产品合格验证的责任，同时增加了成员国市场监管的执法权力和违反指令行为的处罚条款。

参考资料：

[http://www.europarl.europa.eu/news/expert/infopress\\_page/063-45132-350-12-51-911-20081217IPR45123-15-12-2008-2008-true/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/063-45132-350-12-51-911-20081217IPR45123-15-12-2008-2008-true/default_en.htm)

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# New EU Toy Safety Directive

## The Challenge



On Dec 18, 2008 the European Parliament adopted new toy safety proposal with 481 votes in favor, 73 against. The directive will be published on EU's official journal in the spring of 2009, and EU member countries will have 18 months to convert the new requirement into their national laws. And a 2 years transition period will be given so that toy manufacturers and other economic bodies can make necessary adjustments to meet the new requirements. The directive will be officially implemented in the member countries in 2011 and for the requirement of chemical safety will be enforced in 2013 since a 4 years transition period will be given to fulfill the updated requirement of chemical testing technology. During the transition periods, toy products complying with the exiting toy safety directive (88/378/EC) can still be sold in the EU market.

## The Solution



The new EU toy safety directive changes a lot compared with 88/378/EEC directive. In terms of product safety, the requirements on chemical safety, mechanical and physical, electrical performance, sanitation and labeling are revised. Especially the chemical safety, the new directive made unprecedented revisions by increasing the number of restricted chemical substances from 8 to 85. In this directive, it firstly introduced the prohibition of substances that are carcinogenic, mutagenic or toxic for reproduction (CMR) (commonly over 300 kinds).

### Comparison between the restricted elements by the new EU toy directive and 88/378/EEC directive:

Element	New Toy Safety Directive			88/378/EEC
	In dry, brittle, powder-like or pliable toy material (ppm)	In liquid or sticky toy material (ppm)	Scraped off toy material (ppm)	Toy material (ppm)
Aluminium	5625	11.3	70000	--
Antimony	45	0.9	560	60
Arsenic	3.8	1125	47	25
Barium	4500	300	56000	1000
Boron	1200	0.5	15000	--
Cadmium	1.9	9.4	23	75
Chromium(III)	37.5	0.005	460	60
Chromium (VI)	0.02	2.6	0.2	
Cobalt	10.5	156	130	--
Copper	622.5	3.4	7700	--
Lead	13.5	300	160	90
Manganese	1200	1.9	15000	--
Mercury	7.5	18.8	94	60
Nickel	75	9.4	930	--
Selenium	37.5	1125	460	500
Strontium	4500	3750	56000	--
Tin	15000	0.2	180000	--
Organic tin	0.9	938	12	--
Zinc	3750	1406	46000	--

Furthermore, the new EU toy safety directive also requires that toy products shall comply with the general EU chemical regulations including REACH, which lays legal basis for adding new restricted chemical substances in the future. In terms of market supervision, the new directive emphasizes on the responsibility of manufacturers, importers and distributors for product certification, and also defines the enforcement authority of the member countries and punishment for violation.

### Reference:

[http://www.europarl.europa.eu/news/expert/infopress\\_page/063-45132-350-12-51-911-20081217IPR45123-15-12-2008-2008-true/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/063-45132-350-12-51-911-20081217IPR45123-15-12-2008-2008-true/default_en.htm).

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