

PM 2005:3

Baby toys

**Market surveillance of toys for
very young children**

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Summary

The National Consumer Agency is the surveillance authority for monitoring compliance with the Swedish Toy Safety Act and the Product Safety Act. We therefore carried out a surveillance inspection of baby toys in the spring of 2004: in this context, 'baby toys' are those intended for babies still too young to sit up.

The purpose of the operation was to see if the baby toys on the market complied with the applicable safety requirements, and to see if they had improved since previous inspections. In 1994, rattles were the object of the inspection: 30 failed out of 60 examined. In 1998, 66 were tested, and 19 failed.

32 toys intended for the very youngest babies were tested in the 2004 inspection. Six of them failed the safety requirements in the Toy Safety Act: pictures of these six toys are reproduced in Appendix 2. A further four toys lacked satisfactory information.

It can be seen that the results have improved, but it is still not acceptable that so many toys intended for the very youngest children do not meet safety requirements.

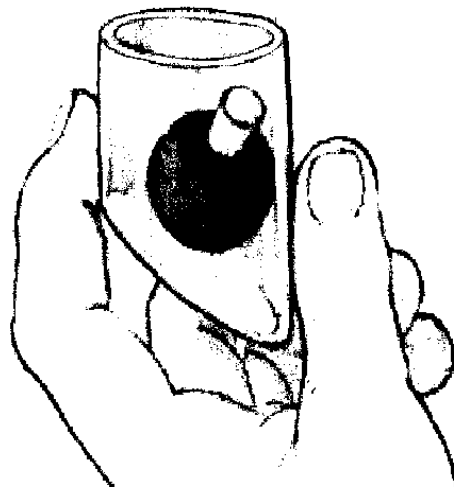


Figure 1. The test cylinder models a child's throat.

Background

Swedish and European safety regulations for toys include special requirements applicable to toys intended for the youngest children. Swedish Standard SS-EN 71-1:1998 sets out the detailed minimum requirements that toys must fulfil if they are to be assumed safe in accordance with the Toy Safety Act. These requirements cannot be got round by applying a warning text stating that the toy is not suitable for that age group.

Rattles and baby toys are intended to be used by babies in, for example, a cot, a cradle or a pram: in other words, in situations where the baby is not being watched all the time. It is therefore reasonable to require that such toys must be very safe. The standard says, for example, that they must not incorporate any small parts or long strings, tapes etc. In addition, toys that are intended for babies who cannot yet sit up must not have any projecting parts that could hurt the child's throat if he/she puts the toy into his/her mouth and then turns over on to his/her stomach. Toy mobiles, intended for hanging over the cot, cradle or pram, must comply with the requirements of the standard, as they are also given to children to play with.

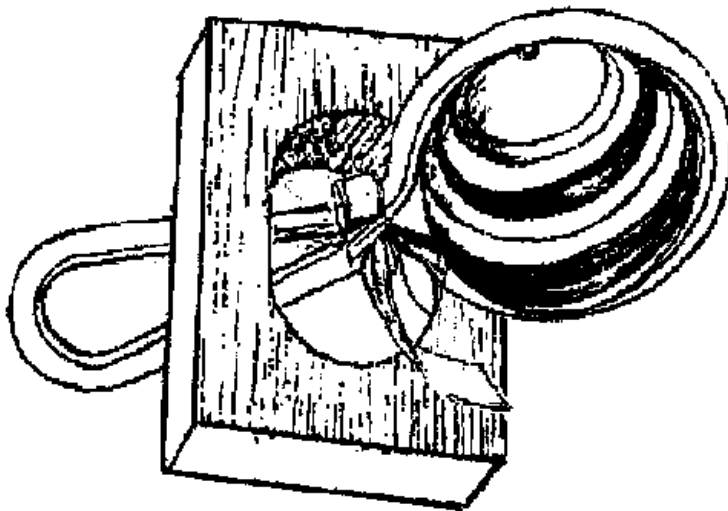


Figure 2. Gauge for testing projecting parts of baby toys.
(Models a baby's mouth.)

Safety requirements for baby toys

Swedish Standard SS-EN 71-1. 1998 sets out detailed requirements concerning rattles and other toys for babies who cannot sit up, as follows:

- Parts that are so small that they can fit in the test cylinder shown in Figure 1 must not be loose, nor come loose when subjected to the tension test.
- Stuffing or filling materials must not contain any hard or sharp foreign materials, while hard pieces of the stuffing or filling that fit in the test cylinder (see Figure 1) must not be accessible after pull testing of the seams.
- Parts that come loose in the soak test must not be so small that they fit into the test cylinder.
- Large pieces of thin plastic film must not come off in the pull test.
- The toys must not have any sharp edges, tips or points.
- Strings or tapes on toys must not be so long that they could strangle the child (220 mm), and nor may they be so thin that they could cut into fingers etc.
- There must be no protruding parts that are sufficiently long to injure the child's airways or induce the retching reflex (see Figure 2).
- Liquid-filled rattles and teething rings must display a warning that they must be cooled only in a refrigerator, and not in a freezer.
- Toys intended for stringing across a cot, cradle or pram must show a warning that they must be removed when the child starts to get up on his/her hands and knees (see Figure 3).

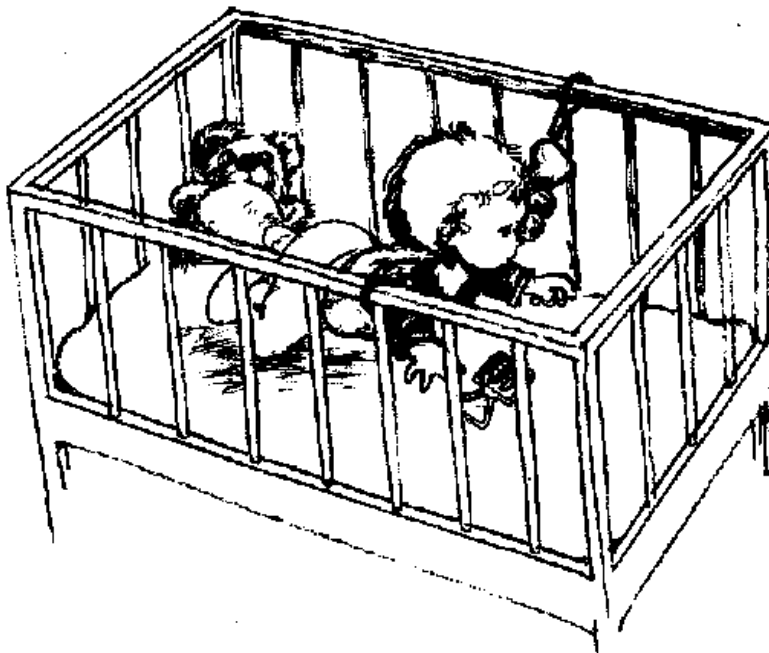


Figure 3. Babies who can get on to their knees are at risk of hanging over toys stretched across their cots.

Buying the toys

32 rattles were purchased by local authority consumer advisers in twelve cities/towns: Borås, Gothenburg, Huddinge, Kristinehamn, Luleå, Malung, Nybro, Piteå, Skellefteå, Södertälje, Västerås and Östersund. Some of the rattles were bought in hypermarkets, but most were bought in toy shops.

B	Borås	Gö	Gothenburg	Hu	Huddinge
Kr	Kristinehamn	Lu	Luleå	Ma	Malung
Nyb	Nybro	P	Piteå	Sk	Skellefteå
Sö	Södertälje	Vå	Västerås	Ös	Östersund

Table 1. Abbreviations for the city/town names in the survey

Testing

The toys were tested in April 2004 by SP Swedish National Testing and Research Institute in Borås in accordance with SS-EN 71-1:1998, Toys - Safety Regulations - Mechanical and Physical Properties. They were tested for strength and geometric shape. Strings, tapes etc. were measured, and warning labels/texts and other marks were also examined. SP's project number for the work was P4-00872.

Results

32 baby toys were tested. Six did not meet the safety requirements. They are:

Kr 3 - Jolly Baby from **Libro** have parts that protrude the template (Figure 2), which means that there is a risk of the child injuring his/her airways on parts that project too far into his/her mouth/throat.

Lu - The rubber band on the **Babyproffsen** pram toy is too long, creating a risk of strangulation if the child gets it around his/her neck.

P 3 - Jolly Baby from **Libro** have parts that protrude the template (Figure 2), and lack fitting instructions. Risk of injury to airways, and risk of incorrect fitting.

Vå1, Mobil from **Trademan** have small parts that come loose. Risk of suffocation (Figure 1).

Ös 2 - Jolly Baby from **Libro** have parts that protrude the template (Figure 2).

Ös 3 - The **Micki** pram rattle has small parts that come loose. Risk of suffocation (Figure 1).

(See Appendix 2 for pictures of these items.)

Four other toys received comments, as certain information was inadequate. There was, for example, no information to say that the toy should be cooled only in a refrigerator, or that it must not be given to a baby once he/she has started to get on to his/her hands and knees. Some rattles were marked as unsuitable for children younger than three, and a mobile for fastening to a cot had no fitting instructions.

Conclusions

The inspection shows that toys are still being sold that do not meet the requirements applicable to their safety. Despite the fact that most of them were bought in ordinary toy shops, they did not meet the requirements.

In 1994, 30 out of 60 rattles that were tested failed the tests. In 1998, the figures had improved to 19 failures out of 66 tested.

This 2004 market test examined 32 toys intended for the very youngest babies. Six of them failed the safety requirements in the Toys Act, and a further four lacked satisfactory information.

It seems as if the safety of these toys has improved, but it is still not acceptable that so many toys intended for the very youngest children do not meet safety requirements. All of them were CE-marked, which means that the manufacturer/importer guarantees that they fulfil the safety requirements. Nevertheless, six products showed serious safety shortcomings.

What has happened since?

All the suppliers selling the toys with safety shortcomings have stopped selling them, and have recalled them from retailers. The suppliers of the toys with the less serious non-compliances have been notified of the requirements and told to deal with the non-compliances. The case references for the toys are 2004/3972, 2004/3976, 2004/3977, 2004/3978, 2004/3979 and 2004/3980.

Appendix 1

Tabel of the tested toys

Co- de	Name/mark and a short description of the toy	Importer/ manufac- turer to Sweden name and adress	Retailer name and place	Markning: warning and CE-mark	Fulfil the re- quire- ments of me- chanical safety	Fulfil the re- quire- ments of label- ling
Gö 1	Wooden Rat- tle with Ball	TopToy A/S ROSKILDE Danmark	BR GÖTE- BORG	CE	Yes	Yes
Gö 2	Doll in bag to be worn on arm	TopToy A/S ROSKILDE Danmark	BR GÖTE- BORG	CE	Yes	Yes
Gö 4	Trumpet rattle	TopToy A/S ROSKILDE Danmark	BR GÖTE- BORG	CE	Yes	Yes
Hu 2	Bambino Pram rattle	TopToy A/S ROSKILDE Danmark	BR Leksa- ker, HUD- DINGE	CE Info to re- move the toy accord- ing to EN 71 p7.12	Yes	Yes
Hu 3	Brio Joker teether	BRIO 283 83 OSBY	Stuvsta Lek o hobby- hörna HUD- DINGE	CE Info to cool in re- fridgerator according to EN 71-1 p.7.13	Yes	Yes
Hu 1	Kids II Rattle "Twist 'N Whirl"	Rätt start AB Kemistv. 10 183 14 TÄBY	Babyland KUNGENS KURVA	CE	Yes	Yes
Kr 5	Winnie the Pooh, Wrist rattle	Carlo i Jön- köping AB, Betav. 10, 556 52 JÖNKÖ- PING	BRIO KRISTI- NEHAMN	CE	Yes	Yes

Co- de	Name/mark and a short description of the toy	Importer/ manufac- turer to Sweden name and adress	Retailer name and place	Markning: warning and CE-mark	Fulfil the re- quire- ments of me- chanical safety	Fulfil the re- quire- ments of label- ling
B 2	Baby Joker, Ring with pieces in shape of fruits	BRIO, 283 83 OSBY	Överskotts- bolaget BORÅS	CE	Yes	Yes
Kr 2	Baby Buddy Rattle/liquid filled teether	VN, Kvarnhags- gatan 4, 165 54 HÄSSEL- BY	BRIO KRISTI- NEHAMN	CE Info to cool in re- fridgerator according to EN 71-1 p.7.13	Yes	Yes
Kr 1	Baby Joker Cylinder shaped rattle	BRIO 283 83 OSBY	Leksaks- boden, KRISTI- NEHAMN	CE	Yes	Yes
Kr6	Soft toy with rustling and squeezing sound	Rätt start, Box 1402, 183 14 TÄBY	Leksaks- boden KRISTI- NEHAMN	CE	Yes	Yes
Ma 1	Pram toy "Bamse"	Kärnan HELSING- BORG	Dalaridå MALUNG	CE Info to remove the toy accord- ing to EN- 71 p7.12	Yes	Yes
Ma 2	"Ponny Pal"	Grossist- service Box 1430 17127 SOLNA	Hemköp MALUNG	CE	Yes	Yes
Ny 1	Baby Joker, Liquid filled teether	Brioleksaker 283 83 OSBY	Överskotts- bolaget NYBRO	CE Info to cool in re- fridgerator according to EN 71-1 p.7.13	Yes	Yes
P2	Joker. Baby Rattle	Playmix BRIO 283 83 OSBY	Barnens Hus, PITEÅ	CE	Yes	Yes

Co- de	Name/mark and a short description of the toy	Importer/ manufac- turer to Sweden name and adress	Retailer name and place	Markning: warning and CE-mark	Fulfils the re- quire- ments of me- chanical safety	Fulfils the re- quire- ments of label- ling
Sk 3	Baby (Joker) Rattle with small soft toy	BRIO AB 283 00 OS- BY	Lek & Hobby SKELLEF- TEÅ	CE 0+	Yes	Yes
Sk2	"Baby Baby" Sand fish rat- tle	Alrico för- säljning AB Box 358 871 27 HÄRNÖ- SAND	Jacks Im- port & Va- ruhus SKELLEF- TEÅ	CE 3m+	Yes	Yes
Sö	Joker Musical dog	Playmix BRIO 283 83 OSBY	Södertälje leksaker ab SÖDER- TÄLJE	CE Info to remove the toy accord- ing to EN 71 p7.12	Yes	Yes
Vå 2	Bambino Rat- tle with mirror	ICA Hem o fritid, Spe- cial AB 351 82 VÄXJÖ	Ica Maxi Stormark- nad VÄSTER- ÅS	CE	Yes	Yes
Vå 3	Bambino Liquid filled music rattle	Top Toy A/S DK 4000 ROSKILDE Danmark	Toys R Us VÄSTER- ÅS	CE	Yes	Yes
Ös 1	Liquid filled teether	Babyproff- sen Mårtensg 11 33230 GISLAVED	Baby-Mys AB ÖSTER- SUND	CE Info to cool in re- fridgerator according to EN 71-1 p.7.13	Yes	Yes
Kr 4	The first years liquid filled teether	Carlo i Jön- köping AB, Betav. 10, 556 52 JÖNKÖ- PING	Leksaksbo- den, KRISTI- NEHAMN	CE 3m+ Info about cooling only in English	Yes	No Instruc- tion about cooling is miss- ing

Co- de	Name/mark and a short description of the toy	Importer/ manufac- turer to Sweden name and adress	Retailer name and place	Markning: warning and CE-mark	Fulfils the re- quire- ments of me- chanical safety	Fulfils the re- quire- ments of label- ling
Ny 2	The first Years, liquid filled teether.	Carlo i Jön- köping AB, Betav. 10, 556 52 JÖNKÖ- PING	Briobutiken NYBRO	CE 3m+ Info about cooling only in English	Yes	No. Instruc- tion about cooling is miss- ing
P1	4 Evertos. Baby First Toys. 3 rattles	Alrico Fö- räljnings AB Box 358 871 27 HÄRNÖ- SAND	Sabels Låg- prisvaru- hus, ÖJEBYN	CE Age warn- ing 3 years, small parts	Yes	No Wrong label- ling. A rattle is in- tended for chil- dren <3
Sk 1	Hand Bells Handheld toy	Tiimari OY Haapalanki 152 40 LAHTI	Tiimari SKELLEF- TEÅ	CE Age warning 3 years, small parts	Small parts came de- tached	This toy could be in- tended for chil- dren over 3
B 1	Activity jun- gle suction toy	Matell, Ringager4C, 2605 BRÖNDBY DK		CE	Part (big) came de- tached	Yes

Co- de	Name/mark and a short description of the toy	Importer/ manufac- turer to Sweden name and adress	Retailer name and place	Markning: warning and CE-mark	Fulfils the re- quire- ments of me- chanical safety	Fulfils the re- quire- ments of label- ling
P3	Jollybaby. Musical Mo- bile	Libro- gruppen AB Box 221, 421 23 VÄSTRA FRÖ- LUNDA	Robin Hood, PITEÅ	CE Info to re- move the toy accord- ing to EN 71 p7.12	No protro- ded tem- plate A and B	No. As- sembly instruc- tion is missing in Swe- dish
Vå 1	Mobil of wood	Trademan AB Box 13014 250 13 HELSING- BORG	Aros Baby VÄSTER- ÅS	CE Age warn- ing 3 years, small parts	No. Small parts came de- tached	No. This toy is in- tended for chil- dren under 3
Ös 2	Jolly Baby "Nalle"soft rattle with clip	Libro Grup- pen AB Box 221, VÄSTRA FRÖ- LUNDA	BarnensHus ÖSTER- SUND	CE Info to re- move the toy accord- ing to EN- 71 p7.12	No Pro- troded tem- plate A and B	Yes
Lu	Babyproffsen Pram rattle. To be fixed over the pram or bed.	Baby- proffsen Mårtensg 11 332 30 GISLAVED	Barnvagnen LULEÅ	CE Info to remove the toy accord- ing to EN 71 p7.12	No. The pe- rimeter of the noose is too long	Yes
Kr 3	Jollybaby "Discovery Pram rattle" with clip	Librogrupp Box 221, V:A FRÖ- LUNDA		CE	No Pro- troded tem- plate A and B	Yes
Ös 3	K's Kids "Wayne, Julia and Barbara" Pram rattle	Micki Lek- saker 332 30 GEMLA	Lekstugan ÖSTER- SUND	CE Info to remove the toy accord- ing to EN 71 p7.12	No. Small part came de- tached	Yes

Appendix 2

Pictures of toys that did not meet the safety requirements



Kr3



Foto 16 LU-Barnvagnsleksak

Lu



Foto 23 P3-Masukmobil



Foto 24 P3-Musiknobil, monterad

P3



Foto 29 VÅ1-Hängmobil

Vå1

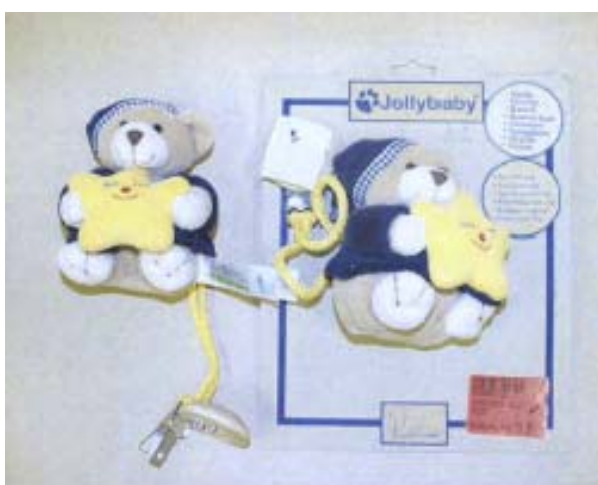


Foto 33 ÖS2-Vagnleksaker

Ös 2



Foto 34 ÖS3-Barnvagnleksaker

Ös3

Appendix 3

The Toy Safety Act and the mark

Special safety requirements apply for toys in accordance with the Toy Safety Act, a government directive, and the guidelines defined by the Swedish Consumer Agency (KOV). The legislation for this is based on a direct translation of the EU Directives pertaining to the safety of toys (88/378/EEG). A toy may only be sold if it fulfils the demands made in law regarding safety, information and marking. If a toy is manufactured in full compliance with the European standard for toy safety, then it is also considered to have fulfilled the Toy Safety Act. However, should the manufacturer chose not to make the toy in accordance with the legislation or in complete compliance with the standard, the toy must be type-approved by a third party (a so called Registered Body).

The Swedish Consumer Agency can, supported by the Product Safety Act, take action should a toy fail to fulfil the safety regulations, even if the toy lives up to the requirements of the standard or if it has been type-approved. In this instance the requirements of the standard may have been set too low, or an application of the standard or regulations has not been established.

If a toy is to fulfil the requirements of the Toy Safety Act, then it must carry the  symbol. The manufacturer (or the importer/representative) has the right to use the  symbol in a process commonly termed self-certification. Through this action, the manufacturer, thereby, confirms that the toy has been made in accordance with the relevant safety requirements.

Toys that do not carry the  symbol may not be sold. It is also against the law to sell a  marked product that does not fulfil the requirements of the act with regard to safety, information and marking.

As many consumers regard the  symbol as a sign of quality, which indicates that a toy has been tested and declared safe, then it can be very misleading if it is displayed on a toy that fails to fulfil the requirements of the standard.



A retailer who breaks the law by selling toys that do not fulfil the requirements as stated in the standard can be tried in a court of law and fined or sent to prison for a maximum sentence of one year. This applies irrespective of whether the retailer acts intentionally or unintentionally. Responsibility for taking legal action resides with the Swedish Consumer Agency.

Appendix 4

The Product Safety Act

The Swedish Product Safety Act transposes the General Product Safety Directive of the European Union (2001/95/EC).

If a product that is sold in the open market does not fulfil relevant safety legislation and does not comply with the demands as stated in the standard, then the company responsible for that product should, in accordance with the Product Safety Act, take any actions necessary to increase safety. The company can, for example, be ordered by the enforcement authority to cease sales of a particular product. Non-compliance will result in a fine being imposed. The company can also be ordered to recall products that have already been sold. Recalls can be made either from the retailer or from consumers. Information about recalls is usually published in newspapers to ensure that as many people as possible are aware that the item should be returned. The company can also be ordered to include a warning text or other safety information with the product.

If a company is made aware that a product or service, which it provides or has provided, is unsafe, the company must report this to the Swedish Consumer Agency or to another relevant authority.