



national consumer agency
gníomhaireacht náisiúnta tomhaltóirí

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**.

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 enter 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. When you buy a pushchair or a nightdress, you want to know that the product is safe and will not put your child in danger.

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

- describes the manufacturer's responsibility to make safe products;
- gives you basic guidelines about how to buy safe products; and
- provides a checklist for the next time you buy a product for your child.

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current legislation



Ireland and the EU have rules designed to protect children from playing with or using unsafe products. All toys and products for sale in the EU that will be used by children must meet strict safety requirements.

EU 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 the safety requirements.

What is the European Union CE mark?



The CE mark on a product means that it is safe as long as it is used as intended.

Look for the CE mark (see above) whenever you are shopping around for these items. 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.

A 'toy' is defined as a product or material designed, or clearly intended, for use in play by children aged less than 14 years old.

Toys include:

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

The CE mark means 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. So if you're looking for a toy that's safe, look for the CE mark.



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. Things 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.

Basic safety guidelines

Toy manufacturers must follow the following guidelines:

- 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;
- toys with tubes, bars or levers should have adequate protection against trapping or cutting;
- 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;
- bicycles must have a proper chain guard;
- toys should be strong and sturdy and should not break easily;
- any parts that a child can take off should be too large for them to swallow.



toy safety advice

No matter how strict safety standards are, they cannot guarantee that toys will be used safely. Although illegal, 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.

Flammability

Make sure the product is made of materials that do not burn easily.

Reputable seller

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

Suitable toys

Make sure the toys are suitable. Some children, particularly those under three, are more vulnerable and less able than older children to cope with particular toys.

Appropriate for the age

Pay attention to the 'minimum-age' warnings. These are often good guides to whether or not you should buy the toy for your child, as they show the producer's idea of who should use it.

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.

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. Use the following guidelines to help decide if an electrical toy is safe:



- are safety instructions clear and precise?
- is it a suitable toy for the age of the child?
- would it prove dangerous in the hands of a younger child?
- is it properly insulated and protected from the risk of live parts?
- does it carry the CE safety mark?

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.

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.

Small parts

A child's product that contains detachable or small parts should be marked as 'Unsuitable for children under 36 months'.

Other hazards

Any particular hazard 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 cots that have hinges and clasps.

And while the toy may be flame resistant what about the nightdress?

common sense checklist



When you buy a toy, ask yourself the following:

- is it suitable for the age of the child?
- are there any detachable small parts that could lodge in ears, nose or throat?
- are there sharp edges?
- are materials like paints, crayons and markers non-toxic?
- is it safe for the age group for which it is intended?
- is the material flame resistant?
- does it carry the CE safety mark?
- are 'sit-and-ride' toys stable?
- do wooden toys have nails or screws sticking out?
- are fold-away toys likely to trap little fingers?
- is the material flame resistant?
- are any hazards well labelled?
- will a child easily understand the leaflet?
- does a dangerous missile form part of the toy?
- are the safety instructions clear and precise?
- is there a younger child in the household who may be at risk from the toy?
- if it makes noise, is it louder than expected?
- does it smell funny? If it does it could mean that too many chemicals were used when it was being made.



What should I do if I am concerned?

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

- the trader you bought it from;
- the manufacturer; and
- the National Consumer Agency

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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.