



FACTSHEET

Traceability in the 2009 Toy Safety Directive

October 2009

This document is one of a series of factsheets, aimed at providing a general overview of the changes introduced by the new Toy Safety Directive (2009 TSD) as adopted in 2009. The objective of the TIE/EC factsheets is to provide guidance to toy manufacturers across the EU regarding the implementation of the 2009 TSD. A particular focus is put on the obligation of manufacturers.

The 2009 TSD will strengthen the rules as laid down in the 1988 TSD. As a result, this new legislation will require adaptations in the manufacturing chain, as well as new procedures along the supply chain.

The 2009 TSD was published in the *Official Journal of the European Union* on 30 June 2009 and entered into force on 20 July 2009. The general provisions of the 2009 TSD will be applicable to toys placed on the market as of 20 July 2011, while the chemical provisions will be applicable to toys placed on the market as of 20 July 2013 (additional 2-year transition period for chemical properties). In practice, this means that the **toys compliant with the 1988 TSD will be allowed to be placed on the market until 19 July 2011 or 19 July 2013 in the case of certain chemical provisions.**

Traceability

What the 2009 TSD says

Every manufacturer must ensure that their toy can be identified. This can be done by using a type, batch, serial/model number or other element allowing the toy to be identified. The toy must also bear the manufacturer's name, registered trade name/mark. A single contact point address for the manufacturer must also be provided.

If the size or nature of the toy does not allow it to bear the identification element and the manufacturer's information, the manufacturer must place the required information on the packaging or in a document accompanying the toy. It is important to note that the single address at which the manufacturer can be contacted must be a street address or post box (a website will not be considered as a point of contact address).

If an importer places a toy on the market, the importer's name, registered trade name/mark, and single contact address point must also all be on the toy or, where that is not possible, on its packaging or in a document accompanying the toy.

Possible options for manufacturers

Manufacturers have the freedom to choose the element they wish to use on a toy to allow its identification, as long as traceability is in fact ensured.

Sources of information

The final text of the 2009 TSD is available here and as a backgrounder the text of the 1988 TSD is available here.

The two documents can also be found at the following URLs:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ%3AL%3A2009%3A170%3A0001%3A0037%3AEN%3APDF>
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1988L0378:20090112:EN:PDF>

Important notice:

This factsheet reflects our understanding of the 2009 TSD text published in the *Official Journal of the European Union* on 30 June 2009 and is intended merely to highlight in a general manner certain provisions of that text. TIE does not make any warranties about the completeness of the information herein and assumes no responsibility for any use of or reliance on this factsheet.

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