

EVALUATION ROADMAP

Roadmaps aim to inform citizens and stakeholders about the Commission's work to allow them to provide feedback and to participate effectively in future consultation activities. Citizens and stakeholders are in particular invited to provide views on the Commission's understanding of the problem and possible solutions and to share any relevant information that they may have.

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| TITLE OF THE EVALUATION | Toy Safety Directive – evaluation |
| LEAD DG – RESPONSIBLE UNIT | Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs Directorate for Consumer, Environmental and Health Technologies Unit Biotechnology and Food Supply Chain |
| INDICATIVE PLANNING (PLANNED START DATE AND COMPLETION DATE) | Q2 2018 – Q2 2019 |
| ADDITIONAL INFORMATION | http://ec.europa.eu/growth/sectors/toys/ |

The Roadmap is provided for information purposes only. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described by the document, including its timing, are subject to change.

A. Context, purpose and scope of the evaluation

Context

Directive 2009/48/EC on the safety of toys regulates the safety of toys and the functioning of the internal market on toys. It was adopted on 18 June 2009 and started applying in the Member States on 20 July 2011, except for its extensive chemical provisions which started applying on 20 July 2013.

The Directive aims at

- ensuring a high level of safety of toys, with a view to ensuring the health and safety of children, and
- guaranteeing the functioning of the internal market of toys, by setting harmonised safety requirements for toys and minimum requirements for market surveillance.

Following the Member States' reports on the application of the Directive, in 2014, and an external study analysing the performance of the Directive with regard to its effectiveness, efficiency, relevance, coherence with other legislation (whether EU or Member States' national legislation) and EU added value, in 2015 (both at http://ec.europa.eu/growth/sectors/toys/safety/legislation_en), the Commission considered it necessary, almost five years after the full applicability of the Directive in the Member States, to conduct an evaluation of the performance of the Directive, in order to consolidate the information collected so far and to complement it with its own observations.

Purpose and scope

The overarching purpose of this evaluation is to assess the performance of the Toy Safety Directive 2009/48/EC in relation to its objectives of ensuring a high level of safety of toys with a view to ensuring the health and safety of children, and of guaranteeing the functioning of the internal market. It will assess the effectiveness, efficiency, coherence with other legislation (whether EU or Member States' national legislation), relevance and EU added value of the Directive.

The scope of this evaluation is defined as follows:

- Legislation: Directive 2009/48/EC on the safety of toys;
- Period to be evaluated: period since the entry into force of the Directive in 2009, bearing in mind that its provisions only started applying on 20 July 2011 (chemical provisions: 20 July 2013), until June 2018;
- Territory: EU, which is the territory where the protection of children's health and safety as well as where the functioning of the internal market is to be achieved, and the world, as obligations for manufacturers apply to both EU and non-EU manufacturers whose toys are placed on the EU market.

B. Better regulation

Consultation of citizens and stakeholders

Identified Stakeholders: general public including consumers; Authorities in 28 Member States and EEA-EFTA

countries; industry including SMEs: manufacturers, importers, distributors; consumer associations: ANEC (The European consumer voice in standardisation), BEUC (The European Consumer Organisation). Notified Bodies: NB-Toys Group; European Standardisation organisations: CEN, CENELEC.

Both public and targeted consultations will be considered in this evaluation:

- A public consultation is planned to be launched in October 2018 and will be accessible on the Commission's central consultation web page [Have your Say](#) for at least 12 weeks in 23 EU languages. It will be promoted by widely informing Member States and other stakeholders concerned with toy safety.
- A targeted consultation with economic operators to collect data on costs and benefits of the Directive will equally be launched.
- Within the framework of the 2015 external study direct interviews with economic operators, consumer representatives, test laboratories' representatives and the relevant European Standardisation Organizations (ESOs) were conducted.

A Synopsis Report summarising the results of different consultations activities will be included in a Commission Staff Working document.

Data collection and methodology

Information on the application of the Directive in the EU is available through Member States' reports, of 2014, and the associated Commission summary. The report of an external consultant, dating from 2015, analysed existing evidence relating to the functioning of the Toy Safety Directive 2009/48/EC, including literature data as well as views and suggestions of Member States, industry, a consumer association, standardisation organisations and Notified Bodies. Such data will be updated and complemented where appropriate via additional research. In addition, several Fitness Check and related studies on chemicals legislation will be taken into account as far as they are referring to toys or to the Directive:

<http://ec.europa.eu/DocsRoom/documents/17784/attachments/1/translations/>

http://ec.europa.eu/growth/sectors/chemicals/ec-support_en

<http://ec.europa.eu/DocsRoom/documents/22063/attachments/3/translations/>

<https://publications.europa.eu/en/publication-detail/-/publication/b43d720c-9db0-11e7-b92d-01aa75ed71a1/language-en>

http://ec.europa.eu/environment/chemicals/non-toxic/index_en.htm

<https://publications.europa.eu/en/publication-detail/-/publication/07ad8b92-dbca-11e7-a506-01aa75ed71a1/language-en/format-PDF>