THE CABINET OF MINISTERS OF UKRAINE

RESOLUTION

No.901

of 8 October 2008

Kyiv

On Approval of the Technical Regulations

on the Safety of Toys

In accordance with Article 14 of Law of Ukraine "On Standards, Technical Regulations and Conformity Assessment Procedures" the Cabinet of Ministers of Ukraine resolves to:

1. Approve the Technical regulations on the safety of toys that are attached.

2. Ministry of Industrial Policy to carry out control over compliance with requirements of the Technical regulations approved by this resolution.

3. This resolution shall take effect six months from the day of its publication.

Prime Minister of Ukraine

Y. TIMOSHENKO

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APPROVED
by Resolution of the Cabinet of Ministers of Ukraine No.901
of 8 October 2008
GENERAL PROVISIONS

1. These Technical regulations set forth requirements relating to the safety of toys, a procedure
of assessment of their conformity to such requirements, establish rules for labeling and
introduction into circulation of toys of foreign and domestic production, their selling and free-of-
charge distribution (hereinafter - introduction of toys into circulation).

2. In these Technical regulations the term "toy" denotes a product (material for play) intended for
being played with by children of up to 14 years old.

3. These Technical regulations shall not apply to:

Christmas tree decorative items;

Replica models intended for adult collectors;

Articles intended for group playing on playgrounds;

Sports articles;

Deep-water diving equipment;

Folklore dolls, decorative and similar products which are intended for adult collectors;

Gambling machines set up in public places (trade centers, train stations, etc.);

Jigsaw puzzles with the number of the elements exceeding 500 or without a picture, which are
intended for experts;

Pneumatic guns and pistols;

fireworks, including pistons, except for pistons specifically designed for toys;

slings and catapults;

sets of darts with metal tips;

stoves, electric irons and other functional products that operate on electric power with nominal
voltage over 24 V;

products equipped with heating elements, which are intended for use under supervision of adults
and for educational purposes;

transport vehicle models equipped with internal combustion engines;

toys equipped with steam engines;

bicycles: road or racing bicycles;
video games which can be connected to the device equipped with a monitor that operates on the electric power with nominal voltage over 24 V;

dummy nipples for toddlers;

exact replicas of fire arms;

jewelry for children.

4. Introduction of toys into circulation is allowed only if the toys conform to requirements concerning ensuring safety of life and health of consumers in case of intended use and appropriate behavior of children.

5. A decision that is passed to implement these Technical regulations, in particular a decision that limits introduction of toys into circulation, must be substantiated and notified to interested parties, with simultaneous notification of the applicable appeal procedure provided for by law.

**Principal safety requirements**

6. Toys are required to be safe for consumers, not to pose, in case of their use, a risk for life and health, or a risk of a physical injury. A risk can be related to the design of a toy or composition of the materials from which it is made, in particular such that can not be fully eliminated by means of changing the design and composition of the materials without changing functions of the toy or eliminating it its important properties.

A risk level related to the use of a toy should not exceed the level of ability of children or their supervisors to eliminate such a risk.

7. The following data must be indicated on the packaging and (or) label, in the operating instructions for the toy:

a minimal age of a child for which the is intended, and, if required, information concerning obligatory adult supervision during the use of the toy;

information for children and supervising individuals concerning risks relating to the use of the toy and ways of eliminating such risks.

**Requirements concerning physical and mechanical characteristics**

8. Toys, parts and joints (hinges) thereof are required to have necessary mechanical strength, and if necessary – proper resistance to load/pressure during the use excluding the risk of physical injury.

9. Design of toys and their accessible edges, ends, wires, cables, moving parts and fastening units are required to be such that during the use of the toy no risk of a physical injury could occur.

10. Toys (their component parts and any parts that can be separated) intended for children under three years old will be required to have dimensions that would make impossible their accidental swallowing and (or) inhaling.
11. Toys, their component parts and packaging, in which they are placed for retail distribution, shall not pose a risk of suffocation of a child.

12. Design of toys intended for play in shallow water and supporting children floating in the water must prevent, in case of intended use of the toy, the risk of the toy’s losing its ability to float, and the risk of a child’s losing one’s ability to stay afloat.

13. Design of a toy with a possibility of accessing the inside part of the toy, in particular ventilated parts, must ensure the possibility of exiting the toy without outside help.

14. Toys which allow free movement or are intended for riding with free rotation of their wheels shall be required to have an easily managed brake or a braking system that would let reduce the kinetic energy of their movement to prevent accidents.

15. The shape of the rockets (bullets) and their component parts that develop kinetic energy during the launch must be such so that to ensure that during the use of the toys no risk would occur of physically injuring a child or a third person.

16. Design of toys with heating elements must ensure:

that maximum temperature of any accessible part of the surface would not cause a burn if touched;

that liquid and gas held inside of the toy should not reach the temperature and pressure which could, in case of their release from the toy on condition of it’s being used as intended, cause burning, scolding or other physical injuries.

17. In toys equipped with a piston the level of noise (the noise during the use of the toy on condition of single shots) should not exceed 95 decibels.

18. A toy should not change its color due to the paint being washed off, not its shape or mass during the service (washing, cleaning, etc.).

Materials, from which the decorative and protective cover of the toy is made, are required to resist saliva, sweat, neutral soap (household soap, soap for children, etc.) used in the course of wet cleaning.

**Requirements relating to fire safety of the materials**

19. Toys must be made of such materials that do not include hazardous easily inflammable substances which pose a thread to children, specifically such that:

- do not take fire when subjected to a flame or sparkle or other potential sources of fire;
- are not easy to inflame (the flame dies immediately after the elimination of the cause of fire);
- if inflamed, burn slowly (fire spreads slowly);
- regardless of its chemical composition, are treated so that the process of burning is slow.

Such substances should not cause a risk of other materials used in the toy taking fire.
20. Toys, in particular materials and equipment used for chemical tests, assembly models from plastics or ceramics, enameling, photography, which include hazardous substances or compounds, permitted for use in conformity with documents of the central executive authority in the area of protection of health, should not include substances or compounds that can become inflammable due to evaporation of non-inflammable volatile elements.

21. Toys should not:

be potentially explosive or include elements or substances that can explode when used. This requirement shall not apply to pistons that are specifically designed for toys;

include substances and compounds which can be explosive due to chemical reactions, heating or mixing with oxidizing substances, or such that include volatile components that take fire in the air and can form an inflammable or potentially explosive combination (gas mixture).

Requirements relating to chemical properties

22. Chemical composition of a toy or its separate component parts should not have an adverse effect on the organism of a child during the use of the toy, in particular in connection with incidental swallowing, inhaling or touching with the skin, mucous membranes or eyes.

23. The amount of substances in the form of a solution that can get into the organism of a child during the use of a toy may not exceed the following quantities (milligrams per day): antimony – 0.2, arsenic – 0.1, barium – 0.5, cadmium – 0.6, chromium – 0.3, plumbum – 0.7, mercury – 0.5, selenium – 5, or other quantities for these or other substances the toxic risk of which can be scientifically substantiated and specified in documents of the central executive authority in the area of protection of health.

24. In the event where a limited quantity of hazardous substances or compounds is necessary for use of particular toys (materials and equipment for chemical tests, assembling models from plastics or ceramics, enameling, photography), their concentration may not exceed the maximum permitted level set for each of the substances or compounds by the central executive authority in the area of protection of health.

Requirements relating to electric characteristics

25. Power for electric toys may be provided from sources of electric current with nominal voltage that does not exceed 24 V. No part of a toy should be subjected to the voltage exceeding 24 V.

Parts of toys that are connected to sources of electric power that can cause an electric shock shall have properly insulated and mechanically protected wires or other conductors through which electric current is supplied for the purpose of prevention of the risk of such a shock.

26. Design of a toy must ensure that the maximum temperature on its external, open and (or) accessible surface would not cause scalding.

Sanitary and hygiene requirements

27. Designing of toys shall be carried out in accordance with hygiene requirements set forth by the central executive authority in the area of protection of health.
Requirements relating to radioactivity

28. Toys should not include radioactive elements or substances in forms or concentrations that can cause harm to the health of a child. A content of natural radioactive substances shall not exceed the level established by the central executive authority in the area of protection of health.

A procedure of assessment of conformity, requirements relating to labeling

29. Assessment of conformity of toys to requirements of these Technical regulations shall be carried out by the producer or his designated representative using conformity assessment procedures in accordance with the Technical regulations on modules for assessment of conformity and requirements relating to application of the national mark of conformity, which are used in technical regulations, approved by Resolution of the Cabinet of Ministers of Ukraine of 7 October 2003 # 1585 (Official gazette of Ukraine, 2003, # 41, p. 2175).

30. In the event where a process of production of toys conforms to requirements of national standards, a procedure of assessment of conformity under module Aa (internal control of production) shall be applied.

Producer or his designated representative shall prepare a declaration of conformity of toys to the requirements of the Technical regulations using the form presented in the Annex and shall affix the national mark of conformity to each toy or its packaging in conformity with Resolution of the Cabinet of Ministers of Ukraine of 29 November 2001 # 1599 "On approval of the description and rules for application of the national mark of conformity" (Official gazette of Ukraine, 2001, # 49, p. 2188).

Producer or his designated representative shall keep, together with the technical documentation, a copy of the declaration of conformity of the toy to the requirements of the Technical regulations during three years following the production of the last toy and shall provide them for examination in cases specified by legislation.

31. If the producer during the production of particular types of toys did not apply national standards or did not apply them fully, or if no standards applicable to manufacture of such toys exist, for verification of conformity of the toys to principal requirements of these Technical regulations module B (type examination) in combination with module C (type conformity) will be used.

Assessment of conformity of toys to requirements of these Technical regulations shall be carried out at the choice of the producer or his authorized representative by the authority responsible for conformity assessment. A sample end product must be examined and tested for conformity to the requirements of national standards.

Producer will be required:

To take measures to ensure that the production process ensures conformity of the produced toys to technical documentation and to the requirements of these Technical regulations;

To affix to the toy (or its packaging) an identification number for of the chosen by the producer authority responsible for conformity assessment.

After conducting an examination, the producer or his designated representative will keep technical documentation together with a copy of the certificate of examination of the type during
three years after the production of the last toy and will submit them on demand to executive authorities specified by law.

In the event if the producer is not a resident of Ukraine and there is no his designated representative, the technical documentation and declaration of conformity of toys to requirements of these Technical regulations will be kept by the person who has introduced the toy into circulation.

32. To the toy and (or) its label (packaging) the national mark of conformity and identification number of the authority responsible for conformity assessment in accordance with the state registry of such authorities will be affixed.

33. Marks must be easily readable, clear, and understandable and should not be washed away. For small toys and such toys that consist of small parts it will be allowed to affix marks to the labels (packaging) or accompanying documentation.

Marking will include:

A trade mark and (or) name/title of the producer or his authorized representative or person responsible for introduction of the toy into circulation (in the event where the producer or his designated representative is not carrying out an activity in the territory of Ukraine);

Address of the producer and (or) his authorized representative or person responsible for introduction of the toy into circulation (in the event where the producer or his designated representative is not carrying out an activity in the territory of Ukraine).

In the event if the specified data are not indicated on the toy, consumer should be advised to keep a label (packaging) or accompanying documentation.

It shall be prohibited to affix to toys, their labels (packaging) marks or texts similar to the national mark of conformity.

Amount of information indicated on the label (packaging) or in the accompanying documentation shall be sufficient for identification of the producer or his authorized representative or person responsible for introduction of the toy into circulation (in the event where the producer or his designated representative is not carrying out an activity in the territory of Ukraine).

Toys are required to include warning information concerning risks relating to their use and ways of preventing such risks.

If supervision authorities, designated by law, have established that toys bearing the national mark of conformity are not used as intended or can create a risk for life and (or) health of consumers, the executive authorities will take (in accordance with legislation) relevant measures to exclude the toys from the circulation. The decision concerning application of such measures the grounds for such a decision must be specified, in particular:

Failure to conform to principal requirements of these Technical regulations (if a toy does not conform to requirements of national standards);

Incorrect application of requirements of national standards;
Flaws in the safety standards.

Executive authorities will take in accordance with the legislation the measures to ensure selective control of the toys introduced into circulation for the purpose of verification of their conformity to requirements of these Technical regulations.

34. Packaging of toys which may prove dangerous for children younger than three years old will be required to include warnings like "For children older than three years old" or "Attention! Not for use of children under three years of age" and a brief explanation of the danger involved.

35. The operating instructions for playground chutes, swings, rings, trapeze, ropes and other toys that are attached to cross-beams, must contain information concerning mandatory:

- regular examinations of fastening and joints and compliance with instructions, with a warning that incompliance may cause falling;
- compliance with the procedure for assembly of a toy, with a warning regarding parts that may pose a risk in case of improper use.

36. Packaging of a functional toy that is a scale model of devices or installations intended for adults must bear the following warning: "Attention! For use under direct supervision of adults". Such toys must be complemented with operating instructions containing information concerning safety rules that the consumer is to follow, concerning nature of the risk relating to incompliance with safety requirements, necessary measures concerning first aid and the need to keep the toys in places not accessible for children under three years old.

37. Operating instructions (or the packaging) of the toys made with the use of materials that include hazardous substances and compounds, must include:

- warning information concerning dangerous nature of the said substances or compounds and safety measures that the user should use;
- the list of measures concerning provision of first aid;
- information concerning the need to keep the toys in places not accessible for children less than three years old.

The packaging of toys, in particular, containing materials and equipment for chemical tests, assembling of models from plastics or ceramics, enamel, photography, should contain the following warning: "Attention! Only for children of age over ... years. Use under adult supervision". The minimum age allowing the use of the toy shall be set by the producer.

38. The packaging of skates and rollers (if introduced into circulation as toys) must have the following warning: "Attention! Use of protective equipment is obligatory". In addition to that, the operating instructions for such toys must contain a warning concerning a careful use to prevent falling or colliding that may cause injuries to the child or third persons, as well as recommendations relating to possible protective equipment (helmets, gloves, knee pads, elbow pads, etc.).

39. The toys intended for play in shallow water and keeping children afloat must have the following warning: "Attention! Use only in shallow water and only under adult supervision".
40. Labeling and accompanying documentation must be presented in the national language.
DECLARATION
of conformity of toys to requirements of the Technical regulations

_____________________________________________________________________________________
(name/title of the producer or authorized representative or person responsible for introduction of the toy into circulation, their location, code in conformity with EDRPOU (if available) represented by
_____________________________________________________________________________________
(job title, surname, first and second name of the authorized person)

confirms that __________________________________________, produced under __________________________________________, conforms to requirements of the Technical regulations safety of toys, as well as __________________________________________, (specify regulatory documents, which verify conformity of toys to requirements of the Technical regulations)

A procedure of conformity assessment is carried out according to the Technical regulations.

Certificate of conformity* __________________________________________ (date of registration and number of the certificate of conformity, period of validity; name/title and location of the designated conformity assessment authority)

This declaration is prepared under full responsibility of the producer or authorized representative or the person responsible for introduction of the toys into circulation (cross out the irrelevant part).

_____________________________________________________________________________________
(job title of individual who prepared the declaration)

______________________ (signature)

______________________ (initials and surname)
* Provided that the producer uses a module under which a procedure of conformity assessment of the toys is to be carried out by the designated authority.

Place for the mark concerning registration of the declaration of conformity.