

Proposal for Amendment to Legal Inspection of Toys

By the Bureau of Standards, Metrology and Inspection (BSMI), Ministry of Economic Affairs

Background:

With a view to adopting a risk-based approach to regulating toy safety, the Bureau of Standards, Metrology and Inspection is proposing removing 9 categories of toys from the list of products subject to Monitoring Inspection or Registration of Product Certification. These products are assessed to be of low risk and shall be subject to the conformity assessment procedure of Declaration of Conformity, which requires tests to be performed at designated testing laboratories and a declaration of conformity be issued declaring that the products comply with relevant inspection standards.

Proposed date of implementation: To be determined

Products (HS/CCCN codes) covered in this notice:

The following toys designed for playing by children under the age of 14 years old, as defined in CNS4797:

1. Books (such as early development toys, learning toys, puzzle toys)
2. Construction paper, paper craft toys (arts and crafts toys)
3. Piggy banks (piggy bank with cartoon/animal shape or interactions)
4. Sticker toys, sticker books, transfer stickers , tattoo stickers, nail stickers
5. Colored figure games/cards, playing cards
6. Educational/observing toys such as telescope/camera, planting sets
7. Flat puzzle toys, dominoes (flat puzzle toys and dominoes less than 500 pieces)
8. Pile-up game, Monopoly, Chess, Table-top game toys
9. Toy stamps (set), toy pens

Note: The CCC Codes (same as HS Code in the first 6 digits) that may be involved for the listed toys are provided below for references.

3919.90.90.00-6, 3923.10.10.00-4, 4821.10.00.00-7, 4823.90.00.31-1, 4903.00.10.00-8, 4908.90.00.00-6, 4911.91.00.10-8, 4911.99.00.00-2, 9504.40.00.00-5, 9608.10.00.00-6, 9608.20.00.00-4, 9608.30.10.00-0, 9608.30.90.00-3, 9608.40.00.00-0, 9608.50.00.00-7, 9608.99.00.00-0, 9611.00.10.00-1, 3924.90.00.90-9-B, 3926.40.00.00-7-B, 9503.00.81.00-6-B, 9503.00.91.90-5-B, 9503.00.91.90-5-C, 9504.90.90.00-5-C

Inspection standards:

CNS 4797:2015, CNS 4797-1:2014, CNS 4797-2:2004, CNS 4797-3:2015, CNS 4797-4:1996
CNS 4797-5:1996, CNS 14276:1998

Conformity assessment procedure: Declaration of Conformity

1. Persons obligated to complete the procedure and bearing the responsible for compliance of products with inspection standards:
 - (1) The manufacturer or exporter of a commodity involved if it is manufactured domestically. For commodities that are entrusted to be manufactured and sold or exported under the name of the entrusting person who has a domicile or business place in the Republic of China (Taiwan), the entrusting person shall be the obligatory inspection applicant.
 - (2) The importer of a commodity involved if it is manufactured overseas. For commodities that are entrusted to be imported and sold domestically under the name of the entrusting person who has a domicile or business place in the Republic of China (Taiwan), the entrusting

person shall be the obligatory inspection applicant.

- (3) The seller of a commodity involved in case the manufacturer, exporter/importer or the entrusting person of manufacturing, export or import is unknown or cannot be located.
 - (4) The manufacturer mentioned above may be referred to either the assembler (for commodities assembled for sale from individual parts and components) or the modifier (for commodities conforming to the inspection requirements and modified for the purpose of sale before being placed on the market).
2. The obligated person shall apply to the BSMI or BSMI branch office, depending on the jurisdiction area the BSMI assigned, for registration and a registration number (D00000) will be given to be affixed to the products. The fee for registration is NT\$ 1,000.
 3. Technical documents and declaration of conformity:
 - (1) The obligated person shall prepare relevant technical documents to assure that the commodity conforms to the inspection standards, and shall, based on such technical documents, execute and issue a declaration of conformity.
 - (2) The obligated person shall be registered with the BSMI by following related provisions before the declaration of conformity it issued becomes valid.
 - (3) Where the inspection standards of commodities described in declaration of conformity are revised, for purposes of safety, health, environmental protection, efficiency of resource utilization or other public interests, the BSMI may notify, by public notice, the obligated person to issue a new declaration of conformity based on the revised inspection standards within a given time limit.
 4. The testing of the commodity described in a declaration of conformity shall be conducted by the BSMI or the designated testing laboratories recognized by the BSMI.
 5. For a commodity described in a declaration of conformity, the manufacturer thereof shall adopt control measures during the manufacture thereof to ensure that the product conforms to the specifications set forth in the technical documents. The quality of such products shall be consistent with that of the samples used in the testing described in the test reports annexed to the technical documents.
 6. Upon the issuance of a declaration of conformity, a commodity shall conform to the content of the declaration. In case the commodity is altered, the obligated person shall execute and issue a new declaration to ensure the conformity of the commodity with the inspection standards.
 7. The obligated person shall keep the declaration of conformity and relevant technical documents for 5 years.

Marking:

1. The Commodity Inspection Mark shall be affixed to the body of the products, with the designated registration number placed below or right next to the graphic symbol.
2. The size of the Mark can be applied proportionally on a prominent location of the commodities. The Mark shall use materials that are not easily altered, and the content shall be in a clearly identifiable and indelible form affixed permanently to the commodity.
3. Examples of the Commodity Inspection Mark are illustrated below.

