

Directive 2009/48/EC of the European Parliament and of the Council
of 18 June 2009 on the safety of toys (Text with EEA relevance)

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

ANNEX V

WARNINGS

(as referred to in Article 11)

PART A

GENERAL WARNINGS

The user limitations referred to in Article 11(1) shall include at least the minimum or maximum age of the user and, where appropriate, the abilities of the user, the maximum or minimum weight of the user and the need to ensure that the toy is used only under adult supervision.

PART B

SPECIFIC WARNINGS AND INDICATIONS OF PRECAUTIONS TO BE TAKEN WHEN USING CERTAIN CATEGORIES OF TOYS

1. Toys not intended for use by children under 36 months

Toys which might be dangerous for children under 36 months of age shall bear a warning such as 'Not suitable for children under 36 months' or 'Not suitable for children under three years' or a warning in the form of the following graphic:



These warnings shall be accompanied by a brief indication, which may appear in the instructions for use, of the specific hazard calling for this precaution.

This point shall not apply to toys which, on account of their function, dimensions, characteristics or properties, or on other cogent grounds, are manifestly unsuitable for children under 36 months.

2. Activity toys

Activity toys shall bear the following warning:

Only for domestic use.

Activity toys attached to a crossbeam as well as other activity toys, where appropriate, shall be accompanied by instructions drawing attention to the need to carry out checks and maintenance of the main parts (suspensions, fixings, anchorages, etc.) at intervals, and pointing out that, if these checks are not carried out, the toy may cause a fall or overturn.

Instructions must also be given as to the correct assembly of the toy, indicating those parts which can present a danger if incorrectly assembled. Specific information regarding a suitable surface on which to place the toy shall be given.

3. Functional toys

Functional toys shall bear the following warning:

To be used under the direct supervision of an adult.

In addition, these toys shall be accompanied by directions giving working instructions as well as the precautions to be taken by the user, with the warning that failure to take these precautions will expose the user to the hazards – to be specified – normally associated with the appliance or product of which the toy is a scale model or imitation. It shall also be indicated that the toy must be kept out of the reach of children under a certain age, which shall be specified by the manufacturer.

4. **Chemical toys**

Without prejudice to the application of the provisions laid down in applicable Community legislation on the classification, packaging and labelling of certain substances or mixtures, the instructions for use of toys containing inherently dangerous substances or mixtures shall bear a warning of the dangerous nature of these substances or mixtures and an indication of the precautions to be taken by the user in order to avoid hazards associated with them, which shall be specified concisely according to the type of toy. The first aid to be given in the event of serious accidents resulting from the use of this type of toy shall also be mentioned. It shall also be stated that the toy must be kept out of reach of children under a certain age, which shall be specified by the manufacturer.

In addition to the instructions provided for in the first subparagraph, chemical toys shall bear the following warning on their packaging:

Not suitable for children under⁽¹⁾ years. For use under adult supervision.

In particular, the following are regarded as chemical toys: chemistry sets, plastic embedding sets, miniature workshops for ceramics, enamelling or photography and similar toys which lead to a chemical reaction or similar substance alteration during use.

5. **Skates, roller skates, online skates, skateboards, scooters and toy bicycles for children**

Where these toys are offered for sale as toys, they shall bear the following warning:

Protective equipment should be worn. Not to be used in traffic.

Moreover, the instructions for use shall contain a reminder that the toy must be used with caution, since it requires great skill, so as to avoid falls or collisions causing injury to the user or third parties. Some indication shall also be given as to recommended protective equipment (helmets, gloves, knee-pads, elbow-pads, etc.).

6. **Aquatic toys**

Aquatic toys shall bear the following warning:

Only to be used in water in which the child is within its depth and under adult supervision.

7. **Toys in food**

Toys contained in food or co-mingled with food shall bear the following warning:

Toy inside. Adult supervision recommended.

8. **Imitations of protective masks and helmets**

Imitations of protective masks and helmets shall bear the following warning:

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

This toy does not provide protection.

9. **Toys intended to be strung across a cradle, cot or perambulator by means of strings, cords, elastics or straps**

Toys intended to be strung across a cradle, cot or perambulator by means of strings, cords, elastics or straps shall carry the following warning on the packaging, which shall also be permanently marked on the toy:

To prevent possible injury by entanglement, remove this toy when the child starts trying to get up on its hands and knees in a crawling position.

10. **Packaging for fragrances in olfactory board games, cosmetic kits and gustative games**

Packaging for fragrances in olfactory board games, cosmetic kits and gustative games that contain the fragrances set out in points 41 to 55 of the list set out in the first paragraph of point 11 of Part III of Annex II and of the fragrances set out in points 1 to 11 of the list set out in third paragraph of that point shall contain the following warning:

Contains fragrances that may cause allergies.

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- (1) Age to be specified by the manufacturer.