



European Office of Crafts, Trades and Small and Medium-sized Enterprises for Standardisation  
Bureau Européen de l'Artisanat et des Petites et Moyennes Entreprises pour la Normalisation  
Europäisches Büro des Handwerks und der Klein- und Mittelbetriebe für die Normung

## Key elements of NORMAPME position paper on:

A PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE SAFETY OF TOYS COM (2008) 9 final

NORMAPME amendments are focused on the five following issues

1. Definitions
2. CE marking (Small and non series production / Shared ITT and Shared test results)
3. Scalability of conformity assessment procedures
4. Accreditation of conformity assessment bodies
5. Record keeping

### **1. Definition of non series and small series production**

European SMEs propose that these two definitions should be included in the Directive for the sake of the understanding of the proposed amendments in line with the provisions on the "Decision on a common framework for the marketing of products". Namely the definitions for:

- Non series production (amendment 3)
- Small series production (amendment 4)
- Initial Type Testing (ITT) (amendment 5)
- Shared ITT (amendment 6)
- Shared test results (amendment 7)

### **2. CE marking**

European SMEs support the willingness of the European Commission to only require third party certification when toys do not comply with harmonised standards.

The Decision on a common framework for the marketing of products COM (2007) 53 mentions that conformity assessment procedures for non series and small series production should be facilitated: as the cost of conformity assessment is very high and can only be affordable when large series of a toy are manufactured (amendments 1 and 8).

**Therefore, European SMEs propose that small series and non series production of toys should only require a declaration of conformity by the manufacturer whether or not the products comply fully with harmonised standard**

Even when module A is only required the costs of tests and analysis may be very expensive for small and Medium-sized as this often require in house equipment that SMEs might not be able to afford and third party intervention is needed. Hence means like documentation and calculation tables that can reduce these costs should be possible.(amendment 20)

**Therefore, European SMEs propose that analysis and tests could be based on documentation and calculations. In addition, their need should be limited only when explicitly required in the harmonised standards**

As mentioned above, regardless the module used, tests are the main expenses when considering conformity assessment procedures. Hence, shared ITT results and shared test results shall be considered as a way to reduce conformity assessment costs. (Amendments 12 and 13)

**Therefore European SMEs welcome the inclusion of shared ITT results and shared tests results as solutions to limit test expenses.**

### **3. Scalability of conformity assessment procedures**

The amendments proposed by the European SMEs are in line with the “goods package” and we believe they should be included in this Directive.

- From the “Decision on a common framework for the marketing of products”
  - Conformity assessment bodies have the obligation to act in a proportionate manner and consider the serial character of the production (amendments 2, 14, 16 and 17)
  - Conformity assessment bodies shall have at its disposal the necessary procedures to perform their activities taking into consideration the size, the sector, the structure of the undertakings, the degree of complexity of the product technology in question and the mass or serial nature of the production process (amendments 16 and 17)
- From the “Regulation on setting out the requirements for accreditation and market surveillance relating to the marketing of products”
  - Notifying authorities have to ensure that conformity assessments are carried out in a proportionate manner (amendment 14)

**European SMEs believe that the proposed amendments should be included in the Directive to allow and ensure their implementation.**

#### **4. Accreditation of conformity assessment bodies**

In line with the “goods package” and **in order to better answer SMEs needs involved in the toys sector**, laboratories and conformity assessment structures belonging to business intermediary organisations and/or sectoral organisations should be entitled to be accredited. (Amendment 15)

#### **5. Record keeping**

European SMEs propose to change the time of keeping technical documentation and declaration of conformity to 5 years as we believe it is a fair and reasonable time, considering the average usage cycle of a toy, **in order to protect the consumer without imposing excessive burden to the manufacturer or its authorised representative**. (Amendments 8 and 9)