

## Stricter rules for lead in toys?

Everything suggests that the migration limits of lead from toys will be greatly reduced by a factor of seven in the second half of 2018.

### Background

In our article of 13 September 2016, we wrote about a new limit for lead in other consumer products than toys. The reason that toys are not covered by this new limit is that the Toy Safety Directive (TSD) already sets strict limits on the migration of lead from toys. However, a proposal to dramatically lower those migration limits is expected to be adopted in early 2017. The proposal is based on the latest opinion from the European Food Safety Authority (EFSA) regarding exposure to lead.

### The proposed values

The TSD contains limits for lead migration which depend on the different type of toy material. Below is an overview of the current and the proposed values:

	mg/kg in dry, brittle, powder- like or pliable toy materials (e.g. crayons, modeling clay)	mg/kg in liquid or sticky toy materials (e.g. finger paint, soap bubbles)	mg/kg in scraped off toy materials (e.g. surface layer of paint, plastic, wood, metal, fabric)
Current migration limits	13,5	3,4	160
Expected migration limits	2	0,5	23

Both the current and the proposed limits apply to all toys except to those which, due to their accessibility, function, volume or mass, clearly exclude any possibility of sucking, licking, swallowing or prolonged contact with skin under foreseeable circumstances.

### Decision process

A proposal to lower the migration limits for lead in toys was presented by the European Commission a few years ago but, for various reasons, it was not adopted. The Commission has this autumn submitted the same proposal to the EU Council of Ministers and to the European Parliament, which have two and four months, respectively, to object. This means that, unless the European Parliament objects by 9 January 2017, the new limits will be officially adopted and Member States will have 18 months to transpose it into national legislation.

The EU Commission proposal which has been also notified to the WTO, is available here:

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016PC0560>