Child health protection: phthalates, dangerous substances, safety of toys (amend. Directives 76 /769/EEC, 88/378/EEC)

1999/0238(COD) - 05/07/2005 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a resolution drafted by Antonios **TRAKATELLIS** (EPP-ED, EL) and voted in favour of a permanent ban on six phthalates in toys and childcare articles. The plenary approved the compromise reached by the rapporteur with the Council just after the vote that took place on 14/06 /2005 in the Environment Committee.

DINP, DIDP and DNOP shall not be used as substances or as constituents of preparations, at concentrations of greater than 0.1% by mass of the plasticised material, intoys and childcare articles which can be placed in the mouth by children.The ban applies irrespective of the age for which the toys and articles are made.

In addition a new definition of childcare articles includes any product intended to facilitate hygiene.

A new recital states that the Commission will review other applications of articles made from plasticised material or including parts made fromplasticised material which may expose people to risks, especially those used in medical devices.

Finally, there are two Statements annexed to the resolution. One concerns the fact that the Commission, in consultation with Member States' experts responsible for the management of Directive 76/769/EEC and stakeholders, will prepare a guidance document in order to facilitate the implementation of the Directive. The document will address in particular the provisions on restrictions of certain substances in toys and childcare articles intended for children insofar as they concern the condition "which can be placed in the mouth" as specified in the annex to the Directive. The aspects related to "accessible" plasticised material and "handheld" toys will be examined.

The second statement confirms the Commission's intention to address the issue of fragrances in toys in the framework of the revision of Council Directive 88/378/EEC on the safety of toys. This will identify exactly what should be understood as fragrances, consider the appropriate measures to deal with the risks identified and ensure consistency with the other legislative provisions of the said Directive.