



**Asia-Pacific
Economic Cooperation**

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Health Canada – Toy Safety

Submitted by: Canada



**APEC Regulator Dialogue on Toy Safety
Singapore
1-2 August 2009**



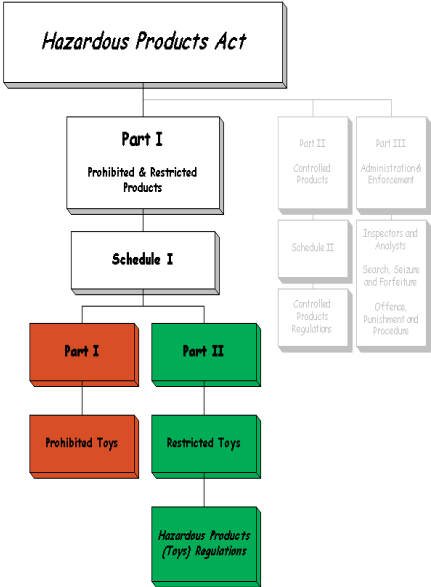
Health Canada – Toy Safety

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APEC TOY SAFETY INITIATIVE
REGULATOR TO REGULATOR DIALOGUE

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Current Framework - Overview



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    HPA[Hazardous Products Act] --> P1I[Part I Prohibited & Restricted Products]
    HPA --> P2II[Part II Controlled Products]
    P1I --> S1I[Schedule I]
    P1I --> P3III[Part III Administration & Enforcement]
    S1I --> P1I_T[Part I Prohibited Toys]
    S1I --> P2II_T[Part II Restricted Toys]
    P2II --> S2II[Schedule II Controlled Products Regulations]
    P2II --> P3III
    P3III --> IAI[Inspectors and Analysts Search, Seizure and Forfeiture]
    P3III --> OPA[Offences, Punishment and Procedure]
    P2II_T --> HPT[Hazardous Products (Toys) Regulations]
  
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Canadian requirements and test methods are similar to but not identical with those in other jurisdictions

Prohibited Toys – cannot be imported, advertised or sold in Canada

- e.g. yoyo balls, lead >600mg/kg, sound emission >100db, carbon tetrachloride, benzene, etc.

Restricted Toys – can be imported, advertised or sold if meet requirements set out in the regulations:

- design, construction, contents
- hazards – mechanical (reasonable foreseeable force testing), electrical, thermal, toxicity, corrosivity, flammability

On-going guidance to industry, inspection and sampling, review of shipments at ports of entry, customs targets and recalls.

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Canada's Experience and Current Trends in Toy Regulatory Modernization

- Canada's Toy Regulations – complex and in need of renewal
 - Challenges: new hazards constantly emerging, diverse product group that is ever evolving, worldwide push for harmonization,
 - Voluntary Standards (e.g. ASTM, ISO) and other requirements in other jurisdictions have been updated over the years
- Health Canada initiated in late 2007 a "Toy Safety Legislative Modernization Project" (TSLMP)
 - Comparison of current Canadian requirements with other international jurisdictions / standards
 - Phase I – focus on mechanical requirements; future phases will cover toxicological, flammability, etc.
 - Canadian requirements being compared with:
 - US CFR – Code of Federal Regulations
 - ASTM F-963 – Standard Consumer Safety Specification for Toy Safety
 - ISO 8124:1 – Safety of Toys – Part I: Safety Aspects related to mechanical and physical properties
 - EN 71-1: Safety of Toys – Part I: Mechanical and Physical Properties

Current Trends in Toy Regulatory Modernization

Magnetic Toys

- Health Canada is very concerned about the hazard of ingesting multiple powerful magnets and plans to publish a proposal to regulate the use of small powerful magnets in toys in 2009
 - The proposal will address magnets and magnetic components that:
 - fit within the small parts cylinder
 - have a Flux Index greater than 50 kilogauss²millimetre² (kG²mm²)
 - Toys for children of all ages will be covered
 - The proposal will be very similar to the new requirements published in April 2009 under the EN71-1 standard

Sound Emitting Toys

- A proposal to amend the sound emitting toy prohibition and test methods is planned for publication in 2009
- The proposal aims to improve protection to children's hearing when they play with toys by:
 - reducing the allowable sound level from 100 decibels to approximately 90 decibels
 - adding requirements for impulsive sounds
 - maintain current requirements for child-actuated toys, e.g. xylophones
- The proposal will include a recommendation to align the measurement methods for sound with methods used in international standards

Current Trends in Toy Regulatory Modernization

Phthalates (outside of the scope of TSLMP)

- A regulation entitled, Phthalates Regulations, was proposed in June 2009 – consultation underway
- Proposes to restrict, in soft vinyl children's toys and child care articles, the following phthalates:
 - DEHP (di(2-ethylhexyl) phthalate), DBP (dibutyl phthalate), BBP (benzyl butyl phthalate), DINP (diisononyl phthalate), DIDP (diisodecyl phthalate), DNOP (di-n-octyl phthalate)
- The proposal is in harmony with requirements for phthalates in the United States and European Union

Lead (outside of the scope of TSLMP)

- Canada has developed a Lead Risk Reduction Strategy – comprised of phased approach in four Groups
- Group 1 – proposed regulations in June 2009 – Consumer Products Containing Lead (Contact with Mouth) Regulations
- Toys for children < 3 years of age, baby bottles, nipples, rattles, etc.
- Proposed limit of 90mg/kg total lead

Legislative Modernization

- **Bill C-6 – the proposed - Canada Consumer Product Safety Act**
 - will replace Part I of the current *Hazardous Product Act*
 - introduces a general safety requirement, recall authority, mandatory incident reporting, document retention, increased fines and penalties, etc.
 - currently before the Senate (final stage of legislative approval process)

Visit: http://www.hc-sc.gc.ca/cps-spc/legislation/acts-lois/bill_c6-loi-eng.php

Thank You

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