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**Sanitary Control in Toys, Arts and Crafts and
Learning Materials for Children - Experiences
Developed in Peru**

Submitted by: Peru



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PERÚ
Ministry of Health

General Environmental Health Directorate



SANITARY CONTROL IN TOYS, ARTS AND CRAFTS AND LEARNING MATERIALS FOR CHILDREN.

EXPERIENCES DEVELOPED IN PERU

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PRESENTATION

GENERAL ENVIRONMENTAL HEALTH DIRECTORATE – (GEHD)

In Peru, **THE GENERAL ENVIRONMENTAL HEALTH DIRECTORATE** is responsible to regulate, supervise, monitor, evaluate and arrange with the regional and local governments and other components of the National Health System, as well as other aspects of Environmental Protection, Sanitation, Food Hygiene, Health and Zoonoses Occupational Control.

ORGANIZATION CHART OF G.E.H.D

GENERAL DIRECTION

LABORATORY

ECOLOGY AND ENVIRONMENTAL PROTECTION DIRECTORATE

BASIC SANITATION DIRECTORATE

FOOD HYGIENE AND CONTROL OF ZOOSES DIRECTORATE

OCCUPATIONAL HEALTH DIRECTORATE

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ASPECTS OF THE REGULATORY SCHEME OF TOYS AND ARTS AND CRAFTS AND LEARNING MATERIALS IN PERÚ

The work performed in Perú by GENERAL ENVIRONMENTAL HEALTH DIRECTORATE is focused on the sanitary control of toys and arts and crafts and learning materials for children, that are toxic or dangerous for health, in order to avoid the import, fabrication or commercialization of those goods that exceed the Maximum Permissible Limits of toxic substances established in the appendix IV of the Regulation of the Law N° 28376.

In this context two conditions are demanded for the import, fabrication or commercialization of those goods:

- 1.- Every trader must be registered before the Health Authority within their territorial jurisdiction. For that aim they will be issued a national register
- 2.- All the toys and arts and crafts and learning materials for children restricted in the appendixes I and III of the Supreme Decree 012-2007-SA, must have a sanitary authorization given by DIGESA

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THE CONTROL MECANISMS TO REACH THE OBJECTIVES ARE:

- Establishment of competencies and responsibilities in several organisms of the state.
- Administration procedures (National Register and Sanitary Authorization)
- *Sanitary vigilance and control of toys arts and crafts and learning materials for children, to national level that includes: Inspections to manufacturers, importers and traders, as well as Shopping centers, stores and toy markets. If it is necessary the health authority can take samples of goods, for the analysis in GEHD'S laboratory.*
- *National Publication of sanitary alerts, preventive periodic, and also informative campaigns will be led to the traders and consumers in general.*

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RESULTS OBTAINED

- GEHD until June 30, 2009 has issued:
 - 1554 National Registers
 - 4173 Sanitary Authorizations of import
 - 85 Sanitary Authorizations of manufacture
- In the environmental control laboratory of GEHD from september 15 – 2007 to July 07 – 2009 were made 3876 analyses from wich 2685 belong to toys and 1203 to arts and crafts and learning materials for children. From those analyses we have 31 toys and 03 arts and crafts and learning materials declared toxic.
- During the period september 15 – 2007 to July 07 – 2009, GEHD has issued 12 Sanitary Alerts in safeguard of the consumers' health in order to inform them and avoid their buying of toxic products.
- GEHD has regularly comunicated to the respective authorities to recall of the national market about the toxic products and at the same time avoid their import, manufacture and/or commercialization in the country.
- GEHD has supervised the destruction of toxic toys and arts and crafts and learning materials in landfill safety in 2 opportunities (December 06 – 2007 and June 16 – 2009).

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RESULTS OBTAINED (Continued)

- GEHD punished an enterprise for importing and commercializing toxic arts and crafts and learning materials for children without sanitary authorization.
- GEHD takes part of the committee of normalization of toys and arts and crafts and learning materials for children in Peru and until now has approved the Peruvian Technical Standard 324 001 – 3, and 324 001 – 4, which are an adoption of the European Technical Standards EN 71 – Part 3 and EN 71 – Part 6 and has the plan to approve other 4 similar Standards for the current year.
- The Peruvian society recognizes the work performed by GEHD which has improved the quality of the import of toys and arts and crafts and learning materials for children. The importers, manufactures and traders agree and contribute to the regulation of the law N° 28376, Law that prohibits and punishes the manufacture, import and commercialization of goods toxic or dangerous

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LIST OF TOYS AND ARTS AND CRAFTS AND LEARNING MATERIALS FOR CHILDREN RESTRICTED IN PERU

- **Toys.-** It includes all the toys for children under 6 years with parts and/or pieces of less than 5 cm.
- **ARTS AND CRAFTS AND LEARNING MATERIALS FOR CHILDREN .-** Include Crayons, pencils, pens, markers, paints, glazes, Clays and molding materials, playdough, plaster of Paris, Model sets (cars, airplanes, boats, figurines), glues, erasers and finger painting, between others.)

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CHEMICAL ELEMENTS CONTROLS in Appendix IV of the Regulation Supreme Decree 008-2007-SA

Element	Maximun Migration of Element in mg/kg							
	Sb	As	Ba	Cd	Cr	Pb	Hg	Se
	Antimony	Arsenic	Barium	Cadmium	Chromium	Lead	Mercury	selenium
Any material of the toy, excepting molding materials and finger painting	60	25	1000	75	60	90	60	500
molding material and finger painting	60	25	250	50	25	90	25	500

- **Orgánic Chemical Substances** Include phthalates, benzene, toluene, ammonium polysulfides, bromoacetate and other substances derived from creosote and tar.

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CONSIDERATIONS ADOPTED TO IMPROVE THE TOY SAFETY IN PERU

- The Supreme Decree 008-2007-SA, regulation of the Law N° 28376, adopted as reference the Technical Standards of voluntary consensus American ASTM F-963 and European EN 71, both referred to the toy safety.
- The pursuance of the maximum permissible limits is mandatory due to it is part of the regulation since September 15, 2007, when came into force. This is mandatory for all manufacturers, importers and/or traders of toys and arts and crafts and learning materials for children.
- GEHD as the respective sanitary authority has implemented the mechanisms of control (National Register and Sanitary Authorization) and also the procedure of sanitary vigilance to national level including the implementation of the analysis method in the laboratory of environmental control of GEHD (Migration of certain elements)

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CONSIDERATIONS WITH OTHER REGULATOR ORGANISMS - BENEFITS

- GEHD entity responsible for elaborating the scheme of regulation of toys and arts and crafts and learning materials for children. It coordinates with other Peruvian regulators as well as The NATIONAL INSTITUTE OF DEFENSE OF THE CONSUMER AND INTELLECTUAL PROPERTY (INDECOPI) about the technical normalization of toys and arts and crafts and learning materials, and the EXTERNAL COMMERCE AND TOURISM MINISTRY (MINCETUR) concerning the international agreements signed by Peru. E.g. OMC and CAN.
- The GEHD did not directly coordinate with other regulators at international level, but these were channeled through the institutions mentioned.
- The benefits of such coordinations were the implementation of the Technical Committee of Normalization of safety of toys and arts and crafts and learning materials for children of Peru; this committee elaborated and approved in 2008, two Peruvian Technical Standards, and has the plan to elaborate and approve four more Peruvian Technical Standards in 2009.

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ABOUT THE PARTICIPATION OF THE INDUSTRY IN REGULATORY SCHEME

- The regulatory scheme of emergency in Peru was given at the initiative of the Peruvian government, without the participation of industry of toys and arts and crafts and learning materials, due to the alarming situation created throughout Latin America for the cases of intoxication and positive results of tests of toys during the months of July and August 2007.

- However the final Regulations of Law N° 28376 which will replace the Emergency Regulations (Supreme Decree 008-2007-SA and 012-2007-SA), was elaborated for consensus with the participation of all the involved agents through all the productive chain of toys and arts and crafts and learning materials, i.e. Association of manufacturers, importers, distributors, traders of toys and arts and crafts and learning materials; there also participated, The Association of Consumer of Peru (ASPEC), some sectorial Authorities like: The Customs Officer (ADUANAS), The National Institute of Defense of the Consumer and Intellectual Property (INDECOPI), Commercial Associations, representatives of External Commerce and Turism Ministry (MINCETUR), The Economy and Finance Ministry, and the Town Hall of Lima between others); we have transmitted the international notification both the WORLD TRADE ORGANIZATION (OMC) and the ANDEAN COMMUNITY OF NATIONS (CAN),

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TOYS AND ARTS AND CRAFTS AND LEARNING MATERIALS FOR CHILDREN DECLARED TOXIC BY POSITIVE RESULTS IN LABORATORY of GEHD and OTHERS Total 35 Products since September 15, 2007 Until July 13, 2009

1. Toy: Small Car Jeep Military, Without code.
2. Toy: Bird Cock, Without code.
3. Toy: Mini Car Tip Sonic Super Car friction, code: 8806
4. Toy: The Simpsons, code: 07009
5. Toy: Microphone Starparty Music, Model C42574/20468 - N° 20468
6. Toy: Small Cars Patrol of several colors, 10 cm long, Without code.
7. Toy: Car Remote Control "Super Excellent Modern Car New", code N° 008
8. Toy: Car Remote Control CROSS COUNTRY HUNTER, Without code.
9. Toy: Funny Safari Park, code: JH-920
10. Toy: Plastic Masks of several cartoons, Without code.
11. Toy: Wooden Didactic Games, 27 colors pieces, Without code.
12. Toy: Set Small Cars WorldClass SAVAGE X, Without code.
13. Toy: Set Race Car make DINOCO, code N° 6665
14. Toy: Puzzle, Miscellaneous Designs Kungfu Panda, Without code.
15. Toy: Small Car Jop Mix Super Powerful, code N° 2033
16. Toy: Masks different designs, Without code.
17. Toy: Masks of several designs cartoons, Without code
18. Toy: Didactic, Without code

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TOYS AND ARTS AND CRAFTS AND LEARNING MATERIALS FOR CHILDREN DECLARED TOXIC BY POSITIVE RESULTS IN LABORATORY of GEHD and OTHERS

Total 35 Products since September 15, 2007 Until July 13, 2009, (Continued)

19. Toy: Spiderman Super Warriors, Without code
20. Toy: Army Military, Series, code: 9907 AB
21. Toy: Chicks drinking, codes: RCH 392, RCH 393, RCH 394, RCH 395, RCH 396.
22. Toy: Set Collection Kung Fu Panda, Without code.
23. Toy: Game Bag My Farm, Without code.
24. Toy: Didactic The Tower of Hanoi, code: 9907 AB.
25. Toy: MP3 Player, Without code.
26. Arts and Crafts and Learning Materials for Children: Set of pens trademark Stabilo x 4 units, code N° 338FBL3.
27. Toy: Set Chinese, Wooden Game ABACO, Without code.
28. Toy: Wooden Puzzles, Without code.
29. Toy: Wooden Puzzles, (Backyardigans) of 19.5 x 29.5 cm, Without code.
30. Arts and Crafts and Learning Materials for Children: Color pencils x 12 units trademark PATITA, + pencil sharpener, barcode 7750840969854
31. Arts and Crafts and Learning Materials for Children: Set of Pencils decorated x 12 Units + Rubber keychains, Without code.
32. Toy: Cars x 4 units, 284 "RUCING CAR", Without code.
33. Toy: Car Remote Control TORNADO 100, Without code.
34. Toy: Bright Sword, Without code.
35. Toy: Set Batman The Dar Night x 06 pieces, Without code.

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HERE ARE SOME PHOTOS AND SOME RESULTS

For all cases we used the method of the European Technical Standard EN 71 Part 3, dealing with the migration of certain elements

<p><i>Description/ Code</i></p>	<p>Arts and Crafts and Learning Materials for Children: Set of Pencils decorated x 12 Units + Rubber keychains, Without code.</p>	
<p><i>Result of Laboratory and Observations</i></p>	<p>Test Report N° 0254-2009 – The Laboratory of GEHD of 09/06/2009. From the analysis we have the following results: <u>The Green Surface</u>: Gave a value of 159 mg/kg of Lead. This value exceeds in 76.67% the Maximum Permissible Limits of Lead</p>	

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For all cases we used the method of the European Technical Standard EN 71 Part 3, dealing with the migration of certain elements

Description/ Code	Toys: The Spiderman Super Warriors
Result of Laboratory and Observations	<p>Test Report N° 01150 – 2008, The Laboratory of GEHD of 12/12/2008. From the analysis we have the following results:</p> <p><u>The Red Surface:</u> Gave a value of 332 mg/kg of Chromium and 2785 mg/kg of Lead. These values exceed in 453.33% and 2994.44% the Maximum Permissible Limits of Chromium and Lead respectively that is, they exceed in 4 and 30 times the Maximum Permissible Limits of Chromium and Lead respectively</p>



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Description/ Code	Toy: Didactic toy without Code
Result of Laboratory and Observations	<p>Test Report N° 01132-2008, The Laboratory of GEHD of 11/12/2008. From the analysis we have the following results:</p> <p><u>The Green Surface:</u> Gave a value of 67 mg/kg of Chromium and 886 mg/kg of Lead; these values exceed in 11.67% and in 884.44% the Maximum Permissible Limits of Chromium and Lead respectively.</p> <p><u>The Red Surface:</u> Showed a value of 72 mg/kg of Chromium and 587 mg/kg of Lead, these values exceed in 20.0% and in 552.22% the Maximum Permissible Limits of Chromium and Lead respectively.</p> <p><u>The Orange Surface:</u> Showed a value of 161 mg/kg of Chromium and 1682 mg/kg of Lead; these values exceed in 168.33% and in 1768.89% the Maximum Permissible Limits of Chromium and Lead respectively.</p> <p><u>The Yellow Surface:</u> Showed a value of 232 mg/kg of Chromium and 2212 mg/kg of Lead; these values exceed in 286.67% and in 2357.78 % the Maximum Permissible Limits of Chromium and Lead respectively.</p>

For all cases we used the method of the European Technical Standard EN 71 Part 3, dealing with the migration of certain elements



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Description/ Code		Toys: Car to Remote Control "Modern Car New, Code 008"			
Result of Laboratory and Observations		Test Report Nº 0038-2008 - Laboratory of GEHD of 22/01/2008. From the analysis we have the following results: Yellow Surface: Gave a value of 1292,95 mg/kg of Lead; and 228,34 mg/kg of Chromium. These values exceed in 1336.61% and 153.71%, the Maximum Permissible Limits of Lead and Chromium respectively.			
<div style="border: 1px solid blue; padding: 5px; color: blue; width: fit-content;"> Please, look at the bright yellow color that has stained the transparent plastic </div>					
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 PERÚ Ministry of Health		General Environmental Health Directorate			
Description/ Code		Toys: The Simpsons (Código: 07009)			
Result of Laboratory and Observations		Test Report Nº 1228/2007 - Laboratory of GEHD of 29/11/2007. From the analysis we have the following results: Red Surface: Gave a value of 455,24 mg/kg of Lead. This value exceeds in 405.82% the Lead Maximum Permissible Limit			
					
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<i>Description/ Code</i>	Toys: Small Cars Jeep Military (Without Code)
<i>Result of Laboratory and Observations</i>	<p>Test Report N° 781/2007 - Laboratory of GEHD of 20/08/2007. From the analysis we have the following results:</p> <p>Green Surface: Gave as a result 1175,41 mg/kg of Lead and 231,92 mg/kg of Chromium; whereas the analysis of the black surface showed a value of 331,57 mg/kg of lead. These values exceed in 1206.1% and 309.23% The Maximum permissible limits of Lead and Chromium for the green surface and exceed in 368.41% the Lead Maximum permissible limit for the black surface.</p>
	<p>The complete list with images and details of the 35 toys and arts and crafts and learning materials for children are on the website of the GEHD, in the link: http://www.digesa.sld.pe/noticias/juguetes/juguetes_toxicos_dic2008.asp</p>
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CONCLUSIONS

1. The implementation of Peru's regulatory scheme has been beneficial for the Peruvian society in general (consumers and traders), so we believe it is necessary to do this kind of sanitary control in other countries to safeguard the health of the user population and specifically the children who are the most vulnerable.
2. The values of the contents of toxic substances of the toys and arts and crafts and learning materials for children, exceed enormously the maximum Permissible Limits established by the European Norms EN-71 part 3 and also by the Peruvian law.
3. The percentage of toxic toys is very small compared with the total sample (32 toxic toys of 2685; this is equivalent to 1.19% and 3 toxic arts and crafts and learning materials for children of 1203; this is equivalent to 0.25%), of which the vast majority comes from China. However, this does not mean that all Chinese toys are toxic; since there are a large percentage of them that meet the safety requirements of toys; it's just a warning to strengthen controls .
4. We should not expect the presence of case of severe intoxications, deep coma or death of the kids to take the corrective actions.

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Ladies and gentlemen
This is all by now.
Thank you very much.
I do invite you to visit Perú and know
**MACHUPICCHU, one of the New
Seventh World Wonders.**

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Thanks very much

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