

Magnets in Toys

On April 21, 2008, the European Commission adopted the decision 2008/329/EC requiring member states to ensure that magnetic toys placed or made available on the market display a warning about the health and safety risks they pose. This requirement comes into effect on July 21, 2008.

For the purpose of the decision, 'magnetic toy' means a toy that contains or consists of one or more magnets or one or more magnetic components that are of ingestible shape and size and are accessible to children. 'Accessible to children' means loose or capable of becoming detached from the toy under normal or reasonably foreseeable conditions of use by children, even if originally contained, encapsulated, recessed or collared in the toy.

The current use and abuse tests in the toys standard EN71-1 may not be sufficient to demonstrate if a magnet is 'able to become detached'. We therefore recommend that the required labeling should be applied where a magnet or a part of the magnet can fit into the small parts cylinder specified in EN71-1 even if it is not released under the EN71-1 test. This would also apply in the case of 'soft magnets' where small parts could be broken off.

Please note that unlike the USA ASTM F963 toys specification there is no exclusion for low power magnets.

The following warning (or one with an equivalent easily understandable wording that clearly conveys the same content) should appear in a clearly visible and legible manner on the packaging or attached to the magnetic toy in such a way as to be visible to the consumer at the point of purchase.

'Warning! This toy contains magnets or magnetic components. Magnets sticking together or becoming attached to a metallic object inside the human body can cause serious or fatal injury. Seek immediate medical help if magnets are swallowed or inhaled.'

The warning must appear in the official language of the member state in which the product is placed or made available.

**For further information contact Keith Richards at 0118 939 8700
or via email: keith.richards@struk.co.uk.**