

## REGULATION

### on the Safety of Toys and Dangerous Imitations

(A consolidated version of regulation No. 408/1994  
of 12 July 1994 and regulation No. 293/1995 of 15 May  
1995  
amending regulation No. 408/1994)

## CHAPTER I

### Scope

#### Article 1

This Regulation applies to toys which are clearly designed for use in play by children of less than 14 years of age. It also applies to products which, although not foodstuffs, possess a form, odour, colour, appearance, packaging,

labelling, volume or size, such that it is likely that consumers, especially children, will confuse them with foodstuffs and in consequence place them in their mouths, or suck or ingest them.

For the purposes of this Regulation the products listed in Annex I to this Regulation are not considered toys.

## CHAPTER II

### Definitions

#### Article 2

Party responsible shall mean a party responsible for marketing toys and/or imitations in this country. The party responsible can be a producer or an importer. The party responsible has certain obligations beyond other suppliers.

A CE marking symbolizes that a product conforms to all defined essential requirements in regulations and harmonized standards. Council Decision 93/465/EEC provides for the type and usage of the marking.

Chemical toys shall mean toys such as chemistry sets or plastic embedding sets, miniature workshops for ceramics, enamelling or photography and similar toys.

Imitation shall mean a product likely to be confused with foodstuffs because it seems to differ from what it is.

Accreditation shall mean a method applied by the certification department of the Icelandic Metrology and Accreditation Service to grant a formal approval to parties when they are qualified to do certain undertakings in accordance with rules in force.

Producer shall mean the manufacturer of the product and any other person presenting himself as the manufacturer by affixing to the product his name, trade mark or other distinctive mark. A producer can also be a person who reconditions the product or acts as the manufacturer's representative established in the European Economic Area, when the manufacturer is not established in this area.

Producer can also mean other parties in the supply chain of a product who have manufactured components which may affect safety properties of a product.

Market surveillance shall mean an effective and organized supervision of products on the market. Market surveillance

is divided into market inspection on the one hand and indirect surveillance through sources of information and complaints on the other hand, inter alia by receiving notifications concerning products which are considered dangerous. The market surveillance shall be carried out by an accredited inspection body.

Market inspection shall mean an examination of a product and determination as to whether it meets the special or general requirements. The conformity of a product is assessed according to fixed and defined operating procedures.

Consumer shall mean a person who purchases a product and uses it.

Functional toys shall mean toys which are used in the same way as appliances or installations intended for adults.

Harmonized standard shall mean a standard drawn up in accordance with essential requirements and approved by the European Committee for Standardization (CEN) and the European Committee for Electrotechnical Standardization (CENELEC), on mandates given by the European Union and

the European Free Trade Association.

Declaration of conformity shall mean a declaration by the producer that he certifies that a product, process or service complies with standards and other required documents.

Cooperation committee shall mean the body for cooperation between the Icelandic Metrology and Accreditation. Service and an accredited inspection body responsible for the implementation of the market inspection.

Supplier shall mean the manufacturer of the product, the manufacturer's representative, importer, intermediary at later stages, distributor and retailer.

Notified body shall mean a testing laboratory, certification body or accredited inspection body appointed by competent authorities to supervise conformity assessment according to a European Union directive and an agreement between the member states of the European Free Trade Association on Mutual approval of test results and verification of conformity from 15 June 1988 (The Tampere Agreement).