

Proposal for Amendments to the Legal Inspection Requirements of Toys

By the Bureau of Standards, Metrology and Inspection (BSMI), Ministry of Economic Affairs

Background:

1. With a view to enhancing the safety of toys, the Bureau of Standards, Metrology and Inspection (BSMI) is proposing to adopt the updated version of CNS and ISO 8124-1:2022 (contents related to flying toys only) as inspection standards.
2. The BSMI is proposing to remove 2 categories of toys (Stuffed toys and Blocks) from the list of products subject to Monitoring Inspection (MI) or Registration of Product Certification (RPC). These products are assessed to be of low risk and shall be subject to the conformity assessment procedure of Declaration of Conformity (DOC), which requires tests to be performed at designated testing laboratories and a declaration of conformity be issued for declaring that the products comply with relevant inspection standards.
3. The conformity assessment procedures remain the same, i.e. MI, RPC or DOC.

Proposed date of implementation: 1st January 2024

Products (HS/CCCN codes) covered and their applicable inspection standards and inspection scheme:

Updated			Current		
Description of Commodity	Inspection Standard (Note)	Inspection Scheme	Description of Commodity	Inspection Standard	Inspection Scheme
<u>Toys (those for children under 14 years old and specified in CNS 4797 and whole items listed on cognition toys, toy games for whole family, and parts items listed on entertainment toys (tattoo stickers, stickers, color picture games/collection cards), learning toys(fabric/figurine books, all kinds of toys that can promote vision sense/intelligence or agility of fingers), pre-school toys(toys for education/experiment/observation, such as telescopes, microscopes, and plant cultivation sets), intelligence toys(puzzles, domino games, toy books primarily designed for cutting and assembling), art craft toys(modeling card and art craft paper materials which can be assembled into a toy), stationery toys(toys</u>	1.CNS 4797:2019 2.CNS 4797-1:2014 3.CNS 4797-2:2022 4.CNS 4797-3:2015 5.CNS 4797-4:1996 6.CNS 4797-5:1996 7.CNS 14276:2020 Section 5 (5.7.6 excluded), 7, 8, 9 (9.8 and 9.10 excluded), 10.2, 12, 13(13.8 excluded),14, 15.1, 15.2, 16, 17, and 18. 8.CNS 4797-6:2020 Section 4.3, List1, 2C, and 2D (bisphenol A) 9.CNS 4797-9:2020	DOC	Toys (those for children under 14 years old and specified in CNS 4797)	1.CNS 4797:2015 2.CNS 4797-1:2014 3.CNS 4797-2:2004 4.CNS 4797-3:2015 5.CNS 4797-4:1996 6.CNS 4797-5:1996 7.CNS 14276:1998 8	DOC

<u>stamps, stickers, toy pens), and accessorial functions toys(piggy bank) in the Annex A of CNS 4797)</u>	<u>10.CNS 4797-11:2021 Section 4.4, 4.5.1, and 4.7</u>				
<u>Toys (those for children under 14 years old and specified in CNS 4797 and parts items listed on human-form/non-human form toys(stuffed toys), construction toys(assembly potential-development non-magnetic blocks), intelligence toys (blocks), and accessorial functions toys(hanging decorations, key ring) in the Annex A of CNS 4797)</u>	<u>11. For flying toys only, ISO 8124-1:2022 section 4.19, 5.24.6, 5.24.7, 5.36, Annex B.2.24, B.3.10, and E.33</u>	<u>DOC</u>			<u>MI or RPC (Module 2+3)</u>
<u>Toys (those for children under 14 years old and specified in CNS 4797 and whole items listed on accessory toys of cribs or playpens, bathroom/aquatic toys, ride-on or push toys, musical toys, inflatable toys, scenario toys, simulate toys, toys which children can enter, large-scale assembled facilities for playground, toy weapons, transportation toys, remote/voice control toys, electronic toys, traditional folklore and folkgame toys, food toys, festival/cosplay toys, sport/competition toys, scientific and technological education toys, and parts items listed on human-form/non-human form toys(non-stuffed toys), construction toys (assembly potential-development magnetic blocks), entertainment toys (ball house/pools, push-and-pull toys, rocking horses, bubble-blowing kits, kaleidoscopes, kites, prankish toys), pre-school</u>		<u>MI or RPC (Module 2+3)</u>			<u>MI or RPC (Module 2+3)</u>

<u>toys(drawing sets), intelligence toys(Rubik's cube, construction toys, assembling (model) toys, toys made of magnetic substances), art craft toys (clay, sand painting, art craft non-paper materials which can be assembled into a toy), stationery toys (toys made of magnetic substances), and accessorial functions toys(recorder, toy with suckers, toys sold with other commodities or as a gift) in the Annex A of CNS 4797)</u>					
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Note: For the following test items, the obligated person applying for RPC or DOC does not need to submit the type-test report, but the obligated person shall sign the “Declaration of Validating Materials of Toys” and ensure that the toys comply with the requirements.

1. CNS 4797 (formamide and biohazard);
2. CNS 4797-2 (migration of 8 elements);
3. Section 4.3, List 1, List 2C and List 2D (bisphenol A) of CNS 4797-3;
4. CNS 4797-9;
5. Section 4.5.1 and Section 4.7 of CNS 4797-11; and
6. CNS 14276 [electric ride-on toys and remote control toys (flying toys) are excluded]

HS/CCCN codes:

3213.10.00.00.5;3307.30.00.00.8;3407.00.10.00.1;3824.99.99.90.3;3918.90.10.00.4;3923.50.00.90.8;3924.90.00.90.9;3926.40.00.00.7;3926.10.00.00.3-A;3926.90.90.90.8;4006.90.90.00.8-A;4016.92.00.00.3-A;4202.12.00.10.2-A;4202.22.00.20.8;4202.92.90.92-7;4823.90.00.31.1-B;6114.30.00.00.5;6114.90.90.00.3;6211.43.00.90.3;6306.29.10.00.4;6306.22.00.00.3;6306.29.90.00.7;6307.90.90.90.1-D;6506.99.90.10.8;8306.10.00.00.3;8306.29.00.00.2;8414.59.90.00.5-B;8472.90.30.00.8-A;8505.11.00.00.1;8505.19.00.00.3;8516.79.00.00.7-Z;8543.70.99.90.6-F;8715.00.00.00.0-B;8806.21.00.00.5-A;8806.22.00.10.2-A;8806.90.00.00.0-A;8806.92.00.10.7-A;9208.10.00.00.0;9404.90.90.19.5-C;9404.90.90.90.7-C;9503.00.11.00.1-B;9503.00.21.00.9;9503.00.22.00.8;9503.00.23.00.7;9503.00.24.00.6;9503.00.29.00.1;9503.00.31.00.7;9503.00.41.00.5;9503.00.51.00.2;9503.00.61.00.0;9503.00.62.00.9;9503.00.71.00.8;9503.00.81.00.6;9503.00.91.10.2;9503.00.91.20.0;9503.00.91.90.5;9503.00.92.10.1;9503.00.92.90.4;9503.00.93.10.0;9503.00.93.20.8;9503.00.93.30.6;9503.00.93.90.3;9504.50.00.90.3-D;9504.90.90.00.5;9505.10.00.90.1;9505.90.00.00.3;9506.62.90.00.7;9506.69.90.00.0;9506.91.00.00.1; and 9506.99.00.90.4-B.

Description of the conformity assessment procedures:

1. MI:

- (1) The Monitoring Inspection Scheme is a simplified batch-by-batch inspection scheme, based on a confidence building process. When a number of batches of a certain commodity have successfully passed batch-by-batch inspection, the inspection of that commodity may be conducted in the manner of batch-by-batch verification, randomly selected batch inspection, document examination or monitoring program.
 - (2) An application shall apply to the inspection authority of the entry port upon arrival of the commodities or to the one located at the manufacturing location before domestically-manufactured commodities are shipped out of the production premises. The application for inspection can be made through visit in person, mail or the Internet.
 - (3) When making the application, an applicant shall complete an application form and pay the inspection fees. Fee for Monitoring Inspection is 0.25% of CIF per batch.
 - (4) The obligated person shall apply to the BSMI or BSMI branch office, depending on the jurisdiction area the BSMI assigned, for registration and a registration number (M00000) will be given to be affixed to the products.
2. RPC:
- (1) Under this procedure, manufacturers or importers must have their products type-tested by the BSMI or BSMI-designated testing laboratories [type test (Module 2)] before applying for registration of their products. Manufacturers or importers are also required to ensure by declaration [declaration of conformity to type (Module 3)] that all products made at their manufacturing facilities are in conformity with the prototypes submitted for type testing in Module 2.
 - (2) Products will be allowed to use the Commodity Inspection Mark with the letter “R” and the identification number given by the BSMI, after they are certified and registered with the BSMI. These products can then clear customs directly without any further inspection. The application fee and the annual fee for RPC are NT\$5,000 and NT\$200 respectively for each type of product, and a RPC certificate is valid for three years.
3. DOC:
- (1) Under this procedure, manufacturers or importers shall apply to the BSMI or BSMI branch office, depending on the jurisdiction area the BSMI assigned, for registration and a registration number (D00000) will be given to be affixed to the products. The fee for registration is NT\$ 1,000.
 - (2) The manufacturer or importer shall prepare relevant technical documents to assure that the commodity conforms to the inspection standards, and shall, based on such technical documents, execute and issue a declaration of conformity.
 - (3) The testing of the commodity shall be conducted by the BSMI or BSMI-designated testing laboratories. The manufacturer shall adopt control measures to ensure that the product conforms to the specifications set forth in the technical documents. The quality of such products shall be consistent with that of the samples used in the testing described in the test reports annexed to the technical documents.
 - (4) In case the commodity is altered, the importer or manufacturer shall execute and issue a new declaration to ensure that the commodity conforms to the inspection standards.
 - (5) The obligated person shall keep the declaration of conformity and relevant technical documents for 5 years.

Related requirements:

1. Toys specified in the above table shall also comply with “Directions Governing the Inspection of Toy Commodities.”
2. The inspection standards of the commodities listed in the table shall be the version published in this announcement. If any updated version is available, the BSMI will publish the implementation date of the updated version in further announcements.

3. The CCCN Codes listed in the table are used for reference only. The listed products shall still comply with the requirements before entering into the market, even though their CCCN Codes are identified differently by the Customs Administration, Ministry of Finance or Bureau of Foreign Trade, Ministry of Economic Affairs.