

REPUBLIC OF ALBANIA

MINISTRY OF ECONOMIC COOPERATION AND TRADE

MINISTRY OF PUBLIC ECONOMY AND PRIVATIZATION

ORDER

No. 43, date 24.08.2000

**“ON THE TECHNICAL REGULATIONS CONCERNING THE PRODUCTION AND
TRADE OF TOYS”**

Pursuant to the article 102, paragraph 4 of the Constitution of the Republic of Albania, in order to protect the health and the life safety of a specific category of consumers – the children -, and in order to establish technical regulations concerning the production, trade, and usage of toys,

WE ORDER

The implementation of the following technical regulations concerning the production and trade of children toys. These regulations have been adapted to the European Council Directive No 88/378/EEc “On Toys’ Security”.

I. In the meaning of this order, “TOY” means a product or a material clearly projected or planned for usage in games from children younger than 14 years.

There are not considered as toys, the products shown in the following list:

1. Christmas Decorations;
2. Models in minute scales for adult collectors;
3. The equipment aimed for collective usage in playgrounds;
4. Sportive equipments;
5. Water equipments designed for usage under water;
6. Popular and decorative dolls and other similar articles for adult collectors;
7. “Professional” games installed in public places (commercial centers, stations, etc.);
8. Puzzles with more than 500 pieces with or without pictures, designed for specialists;
9. Rifles or pistols with air;
10. Fireworks, including the exploding percussion-caps;
11. Yokes and catapults;
12. Sets of arrows with metallic tongue;
13. Ovens, irons, and other functional products working with electricity in minimal voltage higher than 24 volts.
14. Products containing heating elements designed for being used under adult supervision in teaching frames;
15. Vehicles with combustion motor engines;
16. Toys with steam engines;

17. Bicycles projected for sports or for riding in public motorway;
18. Videogames that may be connected with a video screen, and functioning with a minimal voltage higher than 24 volts;
19. Infant manikins;
20. Loyal reproduction of real firearms;
21. Fashion jewelry for children.

II. The toys can be placed into the market only if they do not put into risk the safety and/or the health of the users or the third parties when used in a foreseen or non-foreseen way, by keeping into mind the normal children behavior.

The expression “place into the market” includes both the selling and the free distribution of the toys.

In the conditions of being placed into the market, by keeping in mind the foreseen and the normal usage period, a toy should fulfill the safety and health protection conditions foreseen in these technical regulations concerning the children protection from the general and specific risks, such as:

GENERAL RISKS

This group includes:

- Risks related with the projection, construction, or the contents of the toys;
- The risks that are inherent on the toy usage and cannot be completely eliminated by modifying the construction and the contents without changing their functions or without undressing them from their fundamental characteristics.

SPECIFIC RISKS

1. Psychological and mechanical characteristics

- a) The toys and their parts and, in the cases of the fastened toys, their anchorages/hasps, should have the appropriate mechanical durability and, in case of necessity, the firmness to resist to the pressures faced during their usage, without breaking up or without deformation possibilities with the risk of causing physical injuries.
- b) The penetrable edges, the exits outside the surface, the cables, the binders, and the rivets/the fastener equipments in the toy, shall be projected and constructed in a way that reduces, at the possible minimum, the risks of physical damages from the contact.
- c) The toys shall be projected and constructed in a way that can minimize the risks of damaging that may be caused from the movement of its parts.
- d) The toys, its components, and every tiresome part that are clearly aimed for the usage of the toys, which are planned for usage from the children under the age of 36 months, should have measures that prevent the swallowing or the entrance into the body through breathing.
- e) The toys, its parts, and the packaging where they are placed for retailing shall not allow the risk of blocking the breathing from the suffocation

- f) The toys projected for usage in shallow waters – toys that can keep a child on the water - shall be projected and constructed in a way that, keeping in mind the recommended usage of the toy reduces, in the possible minimum, the risk of loss of sailing and keeping the child on the water.
- g) The toys where somebody can enter inside by constituting thus a closed space for the user, shall have an exit instrument and this instrument shall be easily opened from inside.
- h) The toys that conduct movement to their user shall have a braking system adapted to the type of the toys and be in accordance with the kinetic energy developed by them. This system shall be easily used by the user, without the risk of falling, throwing, or incurring physical injury for the user or third parties.
- i) The form and the composition of the striking flying objects and the kinetic energy that may be developed when there are thrown from a toy projected for this scope, shall be in a way that, keeping in mind the toy's nature, do not have the irrational risk for physical injury of the user or the third parties.
- j) The toys that contain heating elements shall be constructed in a way that ensures that:
- The maximal temperature of the external penetrable surfaces do not cause combustion when touched,
 - The liquid and the gases inside the toys do not reach similar temperatures and pressures that their release from the toys, except the fundamental reasons connected with the appropriate functioning of the toys, can cause combustions, singes, or other physical injuries.

2. The Combustibility

- a) The toys shall not constitute a hazardous combustible element in the children environment. Consequently, they shall be composed of material that:
- Do not burn in direct exposure to the flame, the sparks, or a potential bearer of fire; or
 - Do not burn immediately (the flame disappears as soon as the fire cause vanishes); or
 - In cases of fire, it burns slow and represents a lower scale of fire extension; or
 - Despite the chemical composition of the toys, they are treated in a way that delays the burning process.

These combustible materials shall not constitute burning risks for other materials used in the toy.

- b) The toys that, for fundamental functioning reasons, contain dangerous material or preparations, as defined in the Directive of the European Commission 67/548/EEC, especially the materials and the equipments used for chemical experiments, montage models, plastic or ceramic fasteners, enamel, photography or similar activities, shall not contain substances or preparations that may become combustible due to the loss of its incombustible fluoride components.
- c) The toys shall not be explosives or contain elements or material that may explode while being used as foreseen or in a predictable way, keeping in mind the normal children behavior. This disposition shall not be implemented in the explosive detonators, for which it shall have a reference in point 10 of the Annex I and the respective annotation.
- d) The toys and, in particular, the chemical toys and games, shall not contain material or preparations that:
- When mixed, may explode;

- Through chemical reactions or heating;
- When mixed with oxidizing material,
- Contain fluoride components combustible in air and may form combustible or explosive mixtures air/steam.

3. Chemical Characteristics

a) The toys shall be projected and constructed in a way that, when used as foreseen or in a predictable way, keeping into mind the normal behavior of the children, they shall not present risks for the health or risks for a physical injury through swallowing, breathing, or skin contact to mucus tissues or eyes.

b) Especially for protecting the children health, the bioavailability derived from the usage of the toys shall not pass the following levels in a day, as an objective:

0,2 mg for antimony,

0,1 mg for arsenic,

25,0 mg for barium,

0,6 mg for cadmium,

0,3 mg for chrome,

0,7 mg for leaden,

0,5 mg for mercury,

5,0 mg for selenium,

or other similar values that may be established for these or other materials in our legislation based on the scientific proves.

The bioavailability of these materials means that the digestible extract has toxic importance.

c) The toys shall not contain dangerous materials or preparations in the meaning of the Directives 67/548/EEC and 88/379/EEC, in quantities that may damage the health of the children that use them. In all the cases, it is severely forbidden that a toy include dangerous materials if they aim to be used as similar during the usage of the toy.

However, when a limited number of materials or preparations are essential for functioning of specific toys, particularly, materials and equipments used for chemical experiments, model montages, plastic or ceramic fasteners, enamel, photography or other similar activities, they are allowed to be used until a maximal concentration level established for every material or preparation with a mandate of the European Committee for Standardization (CEN) based on the procedure of the commission created by the Directive 83/189/EEC, with the condition that the materials and preparations permitted shall be in conformity with the classification rules of the Community concerning the labeling “without prejudging the point 4 of the Annex IV.

4. Electrical characteristics

a) The electrical toys, shall not be placed in function with electricity power having a nominal voltage value higher than 24 volts and no one part of the toys shall pass these 24 volts.

b) The parts of the toys that are related, or may enter in contact with an energy source able to cause electrical shock together with cables or other wires, through which the energy passes into

these parts, shall be installed as appropriate and shall be mechanically protected in a way that prevents the risk of this electrical shock.

c) The electrical toys shall be projected and constructed to ensure that the maximized temperatures reached from the directly outside surfaces not cause combustion when touched.

5. Hygiene

The toys shall be projected and constructed for fulfilling the hygiene and cleanliness requirements in order to avoid the risks of infections, diseases, or contaminations.

6. Radioactivity

The toys shall not contain radioactive elements or materials in forms or proportions that may be hazardous for the health of the child. In this case, the Directive 80/836/Euratom of the European Commission shall be implemented.

III. The producers and the marketers shall be constrained to accompany the toys with using instructions clearly readable, in order to reduce the potential risks derived from their usage, described in the fundamental requirements of the technical regulations.

More concretely:

a) The toys not to be used from children younger than 36 months.

The toys that may be dangerous for children younger than 36 months shall have a warning, such as “This item is not suitable for children under 36 months”, or “This item is not suitable for children under 3 years”, and also a short indication, which can be placed in using instructions, concerning the risks that compel this limitation.

This disposition is not valid for the toys that, due to their functioning conditions, measures, characteristics, attributes, or other strong reasons, are evident to be inappropriate for children under 36 months.

b) The skates, the yokes and independent rings, the trapezes, the cords and similar toys connected with traverses.

These toys shall be accompanied with instructions that call the attention concerning the necessity of performing inspections and the necessity of the maintenance in intervals for their principal parts (suspensions, fasteners, anchorages, etc.), and the necessity of demonstrating that the lack of these inspections may cause backwards fallings or collapsing.

There shall be given instructions concerning the appropriate assemblage of the toys, by showing the parts that may represent risks if not appropriately assembled.

c) Functional toys

The expression “functional toys” means toys used in the same way with devices and instruments designed for adults and, very often, represent their draughts or models.

The functional toys or their packaging shall contain the warning: “Careful: to be used under direct adult supervision.”

In addition, these toys shall be accompanied with directions that give functioning instructions and recommend preventive measures to be taken from the user with the warning that the lack of these preventive measures would put the user in front of specific risks normally related with the

device or the product whose model the toys represents. They shall also explain that the toy shall be kept out of the reach of small children.

d) The toys that contain potentially dangerous material or preparations.

Concerning the chemical toys:

- They shall contain a warning concerning the dangerous nature of these materials or preparations, and an indicator of the preventive measures to be taken from the user, in order to avoid the risks that accompany them, which shall be exactly specified based of the toy type. It shall also mention the first help to be given in cases of severe accidents caused by the use of the toy. In addition, it shall emphasize that the toy shall be kept out of the reach of small children.

- They shall contain in their packaging this warnings: “Careful: only for children over ____ years old (the age to be decided by the producer). For usage under the adult supervision.”

In particular, these toys are considered as chemical toys: chemical sets, plastic sets, miniature units for ceramic processing, enamel, photography and similar toys.

e) The skis and skiing tiles for children.

In the cases when these products are offered in sale as toys, they shall contain the warning: “Careful: it is necessary to wear protective equipments.”

In addition, the using instructions contain a reminder that the toy shall be used carefully, since it requires high ability, in order to avoid the fallings or the collisions that may cause injuries to the user or to third parties.

They shall also offer some indications concerning the recommended protective equipments (helmets, gloves, kneecaps, elbow-protectors, etc.).

f) Toys designed for usage under the water.

These toys shall contain the warning: “Careful! To be used in water only on the child appropriate deepness and under adult supervision.”

This order enters into power after its publication in the Official Gazette.

MINISTER OF PUBLIC ECONOMY AND PRIVATIZATION

MUSTAFA MUÇI

MINISTER OF ECONOMIC COOPERATION AND TRADE

ERMELINDA MEKSI