

Christopher Dickison
Senior Assistant Clerk
Windsor Framework Democratic Scrutiny Committee (DSC)
By email only: committee.windsorframework@niassembly.gov.uk

7 April 2025

Dear Christopher

[COM/2023/462 Proposal for a Regulation on the safety of toys](#)

I am writing in response to your letter regarding the above matter which councils have now considered, as outlined below.

1. Whether it appears likely that the application of the proposed EU act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist.

Councils have not been formally consulted by the Department of Business and Trade on the proposed legislation, and are therefore not in a position to make a detailed and long-term assessment to quantify the impacts of applying the proposed legislation on communities in Northern Ireland.

It is our understanding that the proposed EU regulation aims to enhance toy safety by addressing the risks associated with harmful substances and ensuring stringent safety standards for toys within the EU Market.

The main changes to the proposed EU Regulation will increase protection from harmful chemicals in toys and provide for the introduction of a new digital product passport. Whilst these changes will pose a challenge to the toy industry, it will reduce the number of non-compliant and unsafe toys on the EU market by strengthening the enforcement of the legal requirements, in particular for toys both imported and sold online. By holding online marketplaces accountable, the regulations seek to ensure that only compliant and safe toys reach the consumer. This will significantly benefit consumers in Northern Ireland from a product safety perspective.

The introduction of enhanced rules on chemicals will mean better alignment with existing chemical regulations such as Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), and Classification, Labelling and Packaging (CLP), which district councils enforce. The proposed changes are also in line with the Chemicals Strategy for Sustainability (CSS), which protects public health and the environment from harmful chemicals, whilst promoting innovation for safer and more sustainable communities in Northern Ireland.

The digital product passport replaces the current Declaration of Conformity for Toys and provides information on the compliance of products to district councils, supply chain 'actors' and consumers. It will assist district councils in verifying compliance and helping to reduce the number of non-compliant and unsafe toys on the Northern Ireland market. Again, from a product safety perspective, this will significantly benefit consumers in Northern Ireland, but will be a burdensome administrative requirement

for toy manufacturers.

In summary, whilst the proposed EU Toy Safety regulations present challenges for the toy industry, it will greatly enhance consumer protection and toy safety.

2. *Whether it appears likely that not applying the proposed EU act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist.*

Councils have not been formally consulted by the Department of Business and Trade on the proposed legislation, and are not in a position to make a detailed and long-term assessment to quantify the impacts of not applying the proposed legislation on communities in Northern Ireland.

Currently the safety of toys is regulated by Directive 2009/48/EC, which establishes the requirements that toys, both EU-made and imported, must meet in order to be placed and sold on the EU/NI market. The new proposed legislation addresses certain weaknesses and responds to several new challenges introduced by digital (smart) toys and online shopping.


By not applying the proposed new legislation, the benefits outlined in point 1. above would be denied to consumers in Northern Ireland, and it will present difficulties for businesses who are already trying to navigate complex divergence issues.

3. *Details of any other matters regarding the proposed EU act which you wish to draw to the DSC's attention.*

The new legislation is in the form of a Regulation, with immediate effect and identical application in all EU member states, ensuring consistency in relation to the safety of toys.

There is already divergence between the UK and EU on toy regulations. If Northern Ireland does not apply the proposed EU Regulation, businesses will find themselves in a position where they are not aligned with either the UK or EU market. This will present challenges for Northern Ireland businesses and consumers. Additionally, consumer protection law is linked through numerous pieces of legislation, covering market surveillance, enforcement and responsibilities of economic operators. By not applying the proposed EU Regulation, this will create difficulties for district councils when providing advice and carrying out enforcement.

Yours sincerely



Marie Ward
Chair, Solace NI

CC: Solace NI