WELCOME TO THE SAICM/UCT CHEMICALS IN PRODUCTS COMMUNITY OF PRACTICE

Discuss the topic of Chemicals in Toys.

Date: 17th June 2021
- Time: 14h00 – 15h30 (GMT+2)
- Presenters: Olga Speranskaya, HEJSupport International
  - Varusan Gurjian, Mankan LLC
  - Gohar Khojayan, AWHHE
  - Thony Dizon, EcoWaste Coalition
  - Ram Charitra Sah, CEPHED
- Facilitator: Andrea Rother, University of Cape Town

NOTE:
If you are having technical issues, please join the Chemicals in Products WhatsApp group, using this link, and we will assist you: https://chat.whatsapp.com/DVwGix7x04d1Q9b5usaJcr

Discussion 3:
Topic: Chemicals in Toys
Olga Speranskaya is a Co-Director of Health and Environment Justice Support, an international organisation aimed to achieve a healthy environment and environmental justice for people. HEJSupport works at the global, regional and national policy level and directly with communities affected by toxic chemicals and waste. Dr. Speranskaya is also a Senior Advisor at the International Pollutants Elimination Network (IPEN), a global network of non-profit organisations in more than 120 countries working together for a toxic free environment. She received the 2009 Goldman and 2011 UNEP Earth Champion awards for grassroots environmental activism in Eastern Europe, the Caucasus, and Central Asia.

Varusan Gurjian is a director of Mankan LLC that is the leading toy manufacturer in Armenia. The first toy store was opened in Yerevan in 1998. The company produces toys for Armenia and other countries of the Eurasian Economic Union, and the EU.

Gohar Khojayan is a Communications Specialist at Armenian Women for Health and Healthy Environment (AWHHE) NGO based in Yerevan, Armenia. Since 1999 AWHHE has successfully implemented more than 140 projects. AWHHE is national SAICM NGO focal point and a member of the International Pollutants Elimination Network (IPEN). Ms. Gohar Khojayan is responsible for public education, advocacy and stakeholder involvement. She represents AWHHE in the SAICM related processes.

Thony Dizon has been working for the EcoWaste Coalition for more than 10 years. He handles the Chemical Safety campaign of the organization through the Project Toxic-Free for Human Rights and Sustainable Development in the Philippines (Project Toxic-Free Philippines).

Ram Charitra Sah, is having B.Sc., B.Sc. Forestry and M.Sc. Environmental Science. He is an Executive Director and Environment Scientist at Public Health and Environmental Development (CEPHED) dedicated for the protection of public health and environment through research, awareness and capacity building, and policy dialogue. CEPHED is IPEN participating organization and has been part of global and national campaigns and advocacy work on toxic chemicals, health, and environment. Mr. Charita Sah has pioneered the issue of Chemical Safety and Toxic Chemicals in Nepal through carrying out groundbreaking research in these areas, including lead in paints, lead in cosmetics, bio-monitoring of mercury in fish and humans, mercury in skin whitening creams and heavy metals and phthalates in children toys, pesticide in food products, etc.
Introduction:
Presented by: Olga Speranskaya, HEJSupport Codirector and IPEN senior advisor

**Topic of Discussion:** Chemicals and toys

- Children are more sensitive to the effects of toxic chemicals during development.
- An important way for toxic chemicals to enter a child's body is through toys.
- Few systems are developed to inform on what exactly is in such products.
- Regulations on toxic chemicals in toys differs between jurisdictions.
- No information on labels about the presence of hazardous substances in toys is available.
- Countries still lack transparency for chemicals in toys within and outside supply chains.
• Understand problems in disclosing chemicals of concern in toys;
• Suggest ways towards improving transparency of chemical information in toy sector to ensure toys are safe for children and the environment.
Part I of this discussion:
Regulating chemicals in toys
• Children are more sensitive to the effects of toxic chemicals.

• UN Special Rapporteur on toxics requests specific attention to the potential for children to be exposed to toxics through manufactured products.

• The global toy market is growing rapidly and is expected to be worth $131 billion by 2025.

• Children across the world play with toys made with toxic plastics, lead and endocrine disrupting chemicals.
Some countries and regions have advanced regulations, while many others lag behind.

- **EU Toy Safety Directive** – Database contains 77 substances:
  - substances and mixtures classified as carcinogenic, mutagenic or toxic for reproduction under the Classification, Labelling and Packaging (CLP) Regulation;
  - heavy elements like lead, mercury, cadmium
  - allergenic fragrances
- **Technical Regulation on Toy Safety in the Eurasian Economic Union (Armenia, Belarus, Russia, Kazakhstan, Kyrgyzstan) of 2011 with changes of 17 March 2017**

### Migration limits, from toys or components of toys, shall not exceed (mg/kg)

<table>
<thead>
<tr>
<th>Materials</th>
<th>Antimony (Sb)</th>
<th>Arsenic (As)</th>
<th>Barium (Ba)</th>
<th>Cadmium (Cd)</th>
<th>Chromium (Cr)</th>
<th>Lead (Pb)</th>
<th>Mercury (Hg)</th>
<th>Selenium (Se)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any material for toys except sculpting masses and paints, which are applied by fingers</td>
<td>60</td>
<td>25</td>
<td>1000</td>
<td>75</td>
<td>60</td>
<td>90</td>
<td>60</td>
<td>500</td>
</tr>
<tr>
<td>Molding masses and paints that can be applied with fingers</td>
<td>60</td>
<td>25</td>
<td>250</td>
<td>50</td>
<td>25</td>
<td>90</td>
<td>25</td>
<td>500</td>
</tr>
<tr>
<td>In dry, brittle, powder-like or pliable toy material</td>
<td>45</td>
<td>3.8</td>
<td>4500</td>
<td>1.9</td>
<td>37.5 [Cr (III)] 0.02 [Cr (VI)]</td>
<td>13.5</td>
<td>7.5</td>
<td>37.5</td>
</tr>
<tr>
<td>In liquid or sticky toy material</td>
<td>11.3</td>
<td>0.9</td>
<td>1125</td>
<td>0.5</td>
<td>9.4 [Cr (III)] 0.005 [Cr (VI)]</td>
<td>3.4</td>
<td>1.9</td>
<td>9.4</td>
</tr>
</tbody>
</table>
Restrictions on phthalates in toys in the EU

EU sets restrictions on phthalates in toys that are included in the list of carcinogenic, mutagenic or toxic to reproduction (CMR) substances under the Classification, Labelling and Packaging (CLP) Regulation in a concentration equal to or greater than 0.1% by weight of the plasticised material in the article (individually or in combination):

- BBP (benzyl butyl phthalate)
- DBP (dibutyl phthalate)
- DEHP (di-(2-ethylhexyl) phthalate)
- DIBP (diisobutyl phthalate)

For toys and childcare products that might be placed in the mouth, REACH also sets a restriction of 0.1% by weight (individually or in combination) for the following phthalates:

- DINP (Diisononyl phthalate)
- DIDP (Diisodecyl phthalate)
- DNOP (Di-n-octyl phthalate)

<table>
<thead>
<tr>
<th>Name</th>
<th>Level of migration</th>
<th>Level of migration</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Materials, products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Identifiable harmful</td>
<td>Aquatic environment (mg/Nm³), no more than</td>
<td></td>
</tr>
<tr>
<td>substance</td>
<td>air (mg/m³), no more than</td>
<td></td>
</tr>
<tr>
<td><strong>Polyvinyl chlorides</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>dibutyl phthalate **</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
<tr>
<td>dimethyl phthalate</td>
<td>0,3</td>
<td>1,007</td>
</tr>
<tr>
<td>diocetyl phthalate</td>
<td>2,0</td>
<td>0,02</td>
</tr>
<tr>
<td>diethyl phthalate</td>
<td>3,0</td>
<td>0,1</td>
</tr>
<tr>
<td><strong>Polyethylene terephthalate</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>dimethyl terephthalate</td>
<td>1,5</td>
<td>0,01</td>
</tr>
<tr>
<td><strong>Rubber-latex compositions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>dimethyl phthalate</td>
<td>0,3</td>
<td>0,007</td>
</tr>
<tr>
<td>dibutyl phthalate **</td>
<td>Not allowed</td>
<td>Not allowed</td>
</tr>
<tr>
<td>diocetyl phthalate</td>
<td>2,0</td>
<td>0,02</td>
</tr>
<tr>
<td>diethyl phthalate</td>
<td>3,0</td>
<td>0,01</td>
</tr>
</tbody>
</table>

Phthalates restrictions under Technical Regulation on Toy Safety in the Eurasian Economic Union
Background to Question 1
Presented by: Olga Speranskaya, HEJSupport

Some toy manufacturers are willing to go beyond the chemicals already regulated and use safer alternatives.

**Toxic free toys:**
- natural woods
- natural rubber
- organic cotton
- plastics that are free from PVC, phthalates, 
- Natural colorants
Case study from Armenia
Ensuring the safety of children's toys in Armenia
MANKAN: about us

• In June 1998, Mankan LLC was established and the first toy store opened in Yerevan
Mankan: our production

<table>
<thead>
<tr>
<th>Production sold at markets</th>
<th>Materials used</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local – Armenia</td>
<td>Local production</td>
</tr>
<tr>
<td>Eurasia Union countries</td>
<td>Imported from Eurasia Union</td>
</tr>
<tr>
<td>EU countries</td>
<td>Imported from other countries</td>
</tr>
</tbody>
</table>
Development of a safe toy industry in Armenia: compliance with the legislation

For local market and Eurasia Union market


• The Technical Regulations of the Customs Union "On Safety of Toys" (TR CU 008/2011)

For EU market

MANKAN’s contribution to development of a safe toy industry in Armenia

• Content of chemicals in products: regular monitoring and certification of materials used for toys, final products
  • The nationally certified lab where analysis is done: National Body for Standardization and Metrology CJSC
  • The certificates of compliance are issued National Body for Standardization and Metrology CJSC, the Ministry of Economy of Armenia

• Working with suppliers
  • Long-term contracts with reliable partners
  • Actions to ensure safety of products
  • Monitoring the supply market, identification of new safe materials

• Working with the customers: publicity

• Keeping up with the standards: quality control, work culture
Development of a safe toy industry in Armenia: ways forward

• Adherence to the national legislation and international standards: where the private sector could refer for support?
  • National authorities
  • Civil society sector
  • Independent expertise

• Labeling: What could be added/ improved (based on experience interacting with customers)?

• Unregulated chemicals:
  • Is there a need to review/update the regulations?
  • Example of chemicals that may need regulation?
<table>
<thead>
<tr>
<th>PROBLEM</th>
<th>SOLUTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>There are a number of existing chemicals of concern</td>
<td>Participation in policy discussions to update the list of regulated</td>
</tr>
<tr>
<td>that are not currently regulated; new substances may emerge on the</td>
<td>chemicals</td>
</tr>
<tr>
<td>market</td>
<td></td>
</tr>
<tr>
<td>Double standards: difference between the requirements of various</td>
<td>Advocating with decision-makers for adoption of more advanced approaches</td>
</tr>
<tr>
<td>markets (e.g. EU and Eurasia)</td>
<td></td>
</tr>
<tr>
<td>Insufficient involvement of various stakeholders in resolving the issue</td>
<td>Forming national partnerships with involvement of stakeholders from</td>
</tr>
<tr>
<td></td>
<td>various sectors such as the civil society (NGOs, academia, media,</td>
</tr>
<tr>
<td></td>
<td>activist groups, etc.), private sector, government (ministries,</td>
</tr>
<tr>
<td></td>
<td>certification and monitoring agencies, etc.)</td>
</tr>
<tr>
<td>Low awareness and low public demand</td>
<td>Educating the public, promoting access to information (labeling),</td>
</tr>
<tr>
<td></td>
<td>fostering public demand for safer products</td>
</tr>
</tbody>
</table>
Thank you

Mankan LLC store and production site
Address: 70 Karapet Ulnetsi Street, Yerevan 0069, Armenia
Tel. (store): +374 10 201009
Tel. (production): +374 10 201008

http://www.mankan.am

Armenian Women for Health and Healthy Environment NGO
Address: 24 Baghramyan Street, Yerevan 0019, Armenia
Tel.: +374 10 523604

http://www.awhhe.am
Question 1:

- Does your country have regulations on chemicals of concern in toys, are these functioning and enforced and which chemicals in toys are currently regulated?

This question will be discussed for 20 minutes.
Please use chat only, mute your microphone, and turn your video off.
Thank you!

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Part II of this discussion: Monitoring of chemicals in toys
Background to Question 2

Presented by: Olga Speranskaya, HEJSupport

- Toxic chemicals are still detected in different jurisdictions around the world.
  - ipen-sccps-report-v2_1-en.pdf

- Some chemicals already banned internationally are identified in toys because of unsafe recycling.
  - POPs Recycling Contaminates Children’s Toys with Toxic Flame Retardants | IPEN
  - Toxic Loophole: Recycling Hazardous Waste Into New Products | IPEN
Background to Question 2
Presented by: Olga Speranskaya, HEJSupport

• Some jurisdictions have systems in place to recall toys for safety reasons.

• Many toys are recalled for chemical safety reasons.

• The EU Rapid Alert System for dangerous non-food products. In 2018 toys were among five most notified products (31%), and chemicals were among five most notified risks (25%).
Monitoring of toxic chemicals in toys can trigger important legislative decisions

- **EU Withdraws its Toxic Recycling Exemption**

- **Canada responded to NGO request to stop the recycling of products with globally banned toxic flame retardants**
Case study from the Philippines
NGO Monitoring of Chemicals in Toys Sold in the Philippines

Presented by Thony Dizon, Chemical Safety Campaigner, EcoWaste Coalition
17 June 2021
As part of our work to promote zero waste and a toxics-free future, especially to safeguard children’s health from harmful chemicals, the EcoWaste Coalition has undertaken these toy-related initiatives:

A. Periodic sampling of toys, especially during the “ber” months (September to December)
B. Screening of outdoor playground equipment for lead content
C. Selective laboratory analysis for certain toy samples

Our efforts will demonstrate how the monitoring of chemicals in toys can influence important policy decisions.
Data generated from our periodic market investigation were used to build the legal case filed by the EcoWaste Coalition, Laban Konsyumer and 20 mothers in 2018 to compel designated government agencies to issue the Implementing Rules and Regulations (IRR) of Republic Act 10620, or the Toy and Game Safety Labeling Act. The IRR was finally promulgated in 2019.
Outcome:

Data gathered from XRF chemical screening, as well as laboratory testing, of toy samples contributed to the issuance of the Environmental Management Bureau (EMB) Memorandum Circular No. 2016-010 reiterating the ban on the use of paint with lead content above 90 ppm in the production of toys and other children’s products.

The results of our chemicals in toys monitoring had earlier resulted in the inclusion of an explicit ban on lead in the production of toys under the country’s lead paint regulation promulgated in 2013.
Data from the EcoWaste Coalition served as reference for the development of a proposed law called the “Safe and Non-Hazardous Children’s Product Act,” which the House of Representatives approved in 2017 (unfortunately, the processing of the Senate version of the said bill got stalled).

The pending legislation would have prohibited children’s products containing hazardous chemicals such as heavy metals, phthalates and BPA that exceed permissible levels, and also placed the burden of proof of product safety upon the manufacturers.
Outcome:

Data generated from the study “Lead in Playground Equipment in the Philippines” were used to encourage local government units to take remedial actions, including refurbishing or replacing lead painted play equipment.
Thank you.
Question 2:

• If your country conducts monitoring of chemicals in toys, is the information available to the public?

• If your country does not conduct monitoring of chemicals in toys, what is needed for this to occur?

This question will be discussed for 20 minutes.
Please use chat only, mute your microphone, and turn your video off.
Thank you!

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Part III of this discussion:
What information on chemicals in toys is available to consumers?
Information for consumers is often limited to that on toy labels which becomes an obstacle to sound decision-making by stakeholders outside the supply chain.

Toy labelling rules and schemes differ from region to region and from country to country.

Information on the labels is usually limited to:

- the name of the toy;
- the name of the country where the toy was manufactured;
- name and location of the manufacturer, importer, information for communication with them;
- trademark of the manufacturer (if any);
- the minimum age of the child for which the toy is intended or a pictogram indicating the age of the child;
- the basic construction material (for children under 3 years old) (if necessary);
- ways of caring for the toy (if necessary);
- date of manufacture (month, year);
- the service life or shelf life (if established);
- conditions of storage (if necessary).
Background to Question 3:

Presented by: Olga Speranskaya, HEJSupport

- Labels do not contain information about toxic chemicals present in toys
- Some labels may contain false information
Potential consequences of lack of information on labels:

- Negative environmental effects of toxic toys, especially when products are discarded, dumped in landfills, or disposed of by open burning or incineration;
- Toxic chemicals in toys can be released into the environment, causing pollution and affecting health;
- Recirculation of toxic chemicals via recycled materials.
Case study from Nepal
Disclosing information on chemicals in toys in Nepal

Ram Charitra Sah,
Executive Director/ Environment Scientist
Center for Public Health and Environmental Development (CEPHED)
Tel/Fax: 01 5201786, Mob: 9803047621
Web: www.cephed.org.np, Email: info@cephed.org.np

June 17, 2021, SAICM COP on CIP
• Constitution of Nepal 2015 has recognized Children Right as fundamental Right
• Nepal is party to the Convention on the Rights of the Children since 1990.

• Nepal adopted the SAICIM in 2006 and UN Recommendation on CiP

• In 2012/13, CEPHED for the first time in Nepal tested 100 toys for its chemicals contamination with help of UNEP/EPLC South Korea. **Found 54% of the toys contaminated with multiple heavy metals like Pb, Cd, Cr, Hg, & Br in them.**

• January 16, 2017 the Government of Nepal MOFE (the then MOPE) enacted mandatory toy standard **through gazette notification on 16th January 2017 (2073/10/03 BS), Effective since July 15, 2017 (2074/03/31 BS).**

• Standard had included 12 chemicals: Lead, Mercury, Cadmium, Chromium, Arsenic, Zinc, Selenium, Antimony, Barium, Bromine, BPA and Phthalates

• Private Sectors & Diplomatic Mission pressurized enough to Government to suspend the standards.

• CEPHED with the help of IPEN/SAICM carried out second series of Children Toys study including phthalates in 2018, **Still found 71% toys highly contaminated with multiple heavy metals and phthalates.**
Chemicals Found in Children
Toy Sample 2013

<table>
<thead>
<tr>
<th>Chemical</th>
<th>Percentage of Toys</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detected</td>
<td>54</td>
</tr>
<tr>
<td>ND</td>
<td>46</td>
</tr>
<tr>
<td>Lead</td>
<td>28</td>
</tr>
<tr>
<td>Mercury</td>
<td>9</td>
</tr>
<tr>
<td>Cadmium</td>
<td>1</td>
</tr>
<tr>
<td>Bromine</td>
<td>40</td>
</tr>
<tr>
<td>Chromium</td>
<td>14</td>
</tr>
</tbody>
</table>

Status of Chemicals

Chemicals Found in Children
Toy Sample 2018

Samples No. with Chemical Contamination

<table>
<thead>
<tr>
<th>Chemical</th>
<th>Samples No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead (Pb)</td>
<td>7</td>
</tr>
<tr>
<td>Cadmium (Cd)</td>
<td>3</td>
</tr>
<tr>
<td>Bromine (Br)</td>
<td>6</td>
</tr>
<tr>
<td>Chromium (Cr)</td>
<td>4</td>
</tr>
<tr>
<td>Barium (Ba)</td>
<td>5</td>
</tr>
<tr>
<td>Zinc (Zn)</td>
<td>25</td>
</tr>
</tbody>
</table>
### Status of Labeling in Children Toys

<table>
<thead>
<tr>
<th>Labels</th>
<th>No. of toys Samples</th>
<th>% Percentage</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labeling</td>
<td>22</td>
<td>42.31</td>
<td>Only 42.3 % (22 out of 52) toys samples have some labeling</td>
</tr>
<tr>
<td>Non labeling</td>
<td>30</td>
<td>57.69</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>52</td>
<td>100.00</td>
<td></td>
</tr>
</tbody>
</table>

### Category of Labeling

<table>
<thead>
<tr>
<th>Labeling categories</th>
<th>No. of toys Samples</th>
<th>% of different labels</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Choking hazard and not suitable for under 3 years</td>
<td>17</td>
<td>77.27</td>
<td>Labeling about the choking hazards and age of the children are only found in labeling. But none of the samples have labeling about the chemical constituents of toys.</td>
</tr>
<tr>
<td>Not suitable for under 3 years</td>
<td>4</td>
<td>18.18</td>
<td></td>
</tr>
<tr>
<td>Remove polybag, staples and card</td>
<td>1</td>
<td>4.55</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>100.00</td>
<td></td>
</tr>
</tbody>
</table>

NONE OF TOYS HAVE LABELING ON ANY CHEMICALS
Conclusion & Recommendation

- Information disclosure about chemicals of concern in toys throughout the lifecycle should become a political priority.
- Children Toy Standards in Nepal should be reinstated.
- Compliance monitoring of toxic chemicals in toys should be conducted regularly and the results should be made public.
- Information on the chemical ingredients in toys on labels should be mandatory.
Background to Question 3:
Presented by: Olga Speranskaya, HEJSupport

**ECHA database on Substances of Concern in products (SCIP Database)**

All SVHC in concentrations of all constituent components of products, including waste and waste materials traded to be reused or recycled must be reported to ECHA in a concentration above 0.1% by weight.

The information in the database is made available to waste operators and consumers.
Thank you for your attention!

Contact

Olga Speranskaya, PhD
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Health and Environment Justice Support (HEJSupport)
IPEN Senior Advisor
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Skype olga.speranskaya
www.hej-support.org
@hej_support
Question 3:

- How will knowing what chemicals of concern are in toys help consumers in your country make the right choice?
THANK YOU for attending the Chemicals in Products CoP Discussion

SAVE THE DATE:
CiP CoP Discussion
Date: 11th November 2021
Topic: Chemicals in textiles

All resources and summaries of previous CiP CoP discussions are available at the following link:
https://saicmknowledge.org/topic/community-practice

This activity is supported by the Global Environment Facility (GEF) project ID: 9771 on Global Best Practices on Emerging Chemical Policy Issues of Concern under the Strategic Approach to International Chemicals Management (SAICM).