



Toy Industry Association, Inc.

Toy Safety - Advantages of Standards Alignment and Good Regulatory Practices

Alan P. Kaufman - Senior Vice-President, Technical Affairs

Washington, DC | December 2015

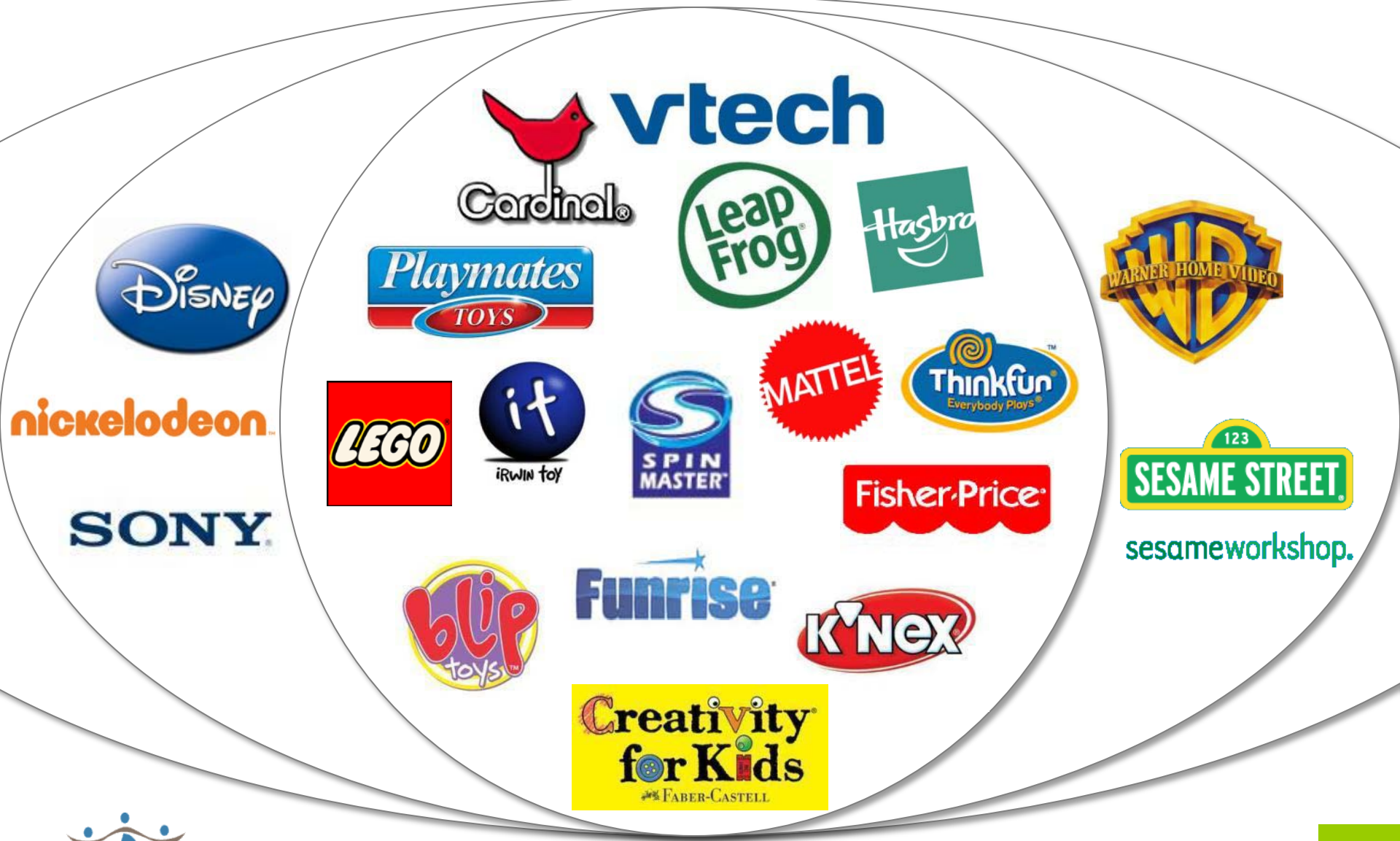
Toy Industry Association (TIA)

- **Trade association** for North American-based manufacturers, importers, licensors and toy retailers (regular members)
- **Associate members include** inventors, designers, testing labs
- Canadian Toy Association is affiliate
- Formed in 1916
- Over 750 members
- Represent approx 85% of the North American market



Toy Industry Association

Toy Companies, Licensors, Inventors and Designers, Manufacturers Reps, Retailers



A History of Leadership in Standards Development

1930s	1940s	1950s	1970s	1990s	2000s	2010-2015
TIA institutes its Safety Standards Committee and begins partnership with the National Safety Council (NSC).	TIA and NSC collaboration leads to establishment of a National Accident Reporting Service.	<p>TIA and NSC efforts continue with development of National Clearinghouse for Toy Injuries.</p> <p>TIA joins with American National Standards Institute (ANSI) to develop a standard for the coating finishes on toys and other children's articles.</p>	<p>TIA leadership results in publication of first comprehensive national toy safety standard (known today as ASTM F963).</p> <p>TIA launches a Toy Safety Educational Program.</p>	1996-TIA institutes an annual Toy Safety Conference for Chinese manufacturers in conjunction with the U.S. Consumer Product Safety Commission (CPSC) and Chinese government.	<p>TIA advocates for mandatory toy safety testing; works with legislators to develop enhanced, uniform toy safety laws; and develops safety compliance best practices.</p> <p>Congress passes Consumer Product Safety Improvement Act; Mandates compliance with ASTM F963</p>	<p>TIA develops www.ToyInfo.org website as a resource for parents and other caregivers on safe and fun toys and the importance of play.</p> <p>F15.22 Subcommittee awarded CPSC Chairman's Commendation</p>

Consumer Education and Outreach

- **Playsafe.org** -- consumer site includes guidance on ensuring safe play
 - Selecting age appropriate toys
 - Following products labels and instructions
 - Supervising and demonstrating safe play
 - Recall information
- **Videos, online pamphlets and tips**
 - **Juegos Divertidos, Juegos Seguros**



Toy Industry Initiatives Related to Standards



- **Leadership** in ongoing standards development
- **Strengthening process controls** throughout the manufacturing process to assure conformance to standards
- **Establishing tools** to facilitate reliable assessment of the safety of materials
- **Monitoring incident data** to inform development of new standards in response to emerging hazards
- **Alignment of toy standards**

Benefits of Standards Alignment

- Reduced cost of production and testing
 - Cost savings passed along to consumers
- Opens markets
 - Greater product availability across multiple markets, with reduced technical barriers to trade
- Greater coordination, simplification, understanding of standards mean **greater product safety**
 - Consistency in interpretation and comparison of results
 - Closer cooperation and enforcement across borders
 - Reduced potential for confusion and mistakes



Guiding Principles of Standards Alignment

- Requirements should be risk-based.
- Should be developed in an open process with input from stakeholders.
- Aligned with international norms whenever possible.
- Uniform standards facilitate compliance, making for safer products.
- Standards should meet societal and market needs and must not act as unreasonable barriers to trade
- Consistent with the globally accepted standardization principles of the **World Trade Organization Technical Barriers to Trade Agreement (WTO TBT)**



WORLD TRADE
ORGANIZATION



WTO Good Regulatory Practices

- Existing **international standards and accreditation schemes** should be considered and evaluated for their ability to achieve desired regulatory outcomes before other approaches are considered
- Benefits of alignment (consumer protection and other benefits, facilitation of trade, openness of markets) with existing standards either globally or regionally must be weighed against the perceived incremental benefits of adopting a differing standard
- Similarly, costs to business and consumers of demonstrating compliance (additional testing, redundant certification costs) must also be weighed against the benefits achieved



WTO Good Regulatory Practices (cont)

- Regulatory efforts must focus on *outcomes* (i.e., the protection regulations provide, not on the specific requirements or process), and should not be more restrictive than necessary to achieve the desired result
- Good regulations are developed in a transparent manner, with input from all affected stakeholders
- Regulatory actions should, wherever possible, be based on solid scientific data, and should be based on demonstrated risk
- Standards should meet societal and market needs and should not act as barriers to trade, even if this is unintentional

International Alignment/Harmonization of Standards for Toys

- Truly international standards are developed in a multi-stakeholder, open process, without restrictions based on nationality or region
 - Two examples:
 - ISO Standard 8124
 - ASTM F963 – Moving toward *de facto* North American standard
- Examples of alignment:
 - Collaboration amongst the international standards bodies
 - Hong Kong, Australia/New Zealand, APEC Toy Safety Initiative, US-Canada



What is ASTM International?

- **Private Sector, International, Voluntary** Standards Developing Organization
- **33,000 members from 136 Countries**
- 12,000+ Standards
- 141 Technical Committees and Over 100 industry sectors
- **Committee on Consumer Product Safety – F15**
 - Founded in 1972 at the request of US Consumer Product Safety Commission
 - 1000 members, 90 standards, 50 subcommittees
 - Some 20+ standards for various children’s products
 - **Technical Subcommittee on Toy Safety , F15.22**



ASTM Subcommittee on Toy Safety

■ Technical Subcommittee on Toy Safety

- 285 members
- Multi-stakeholder group includes:
 - Medical and child development experts, government regulators, consumer representatives, technical experts, manufacturers, retailers, testing labs, others
 - CPSC, Health Canada, several consumer representatives and organizations (Consumers Union, Consumer Federation of America, Kids in Danger, and others)
- Representatives from nearly 20 countries currently active
- Open to *all*
- Balance is mandated-no single interest group can dominate process



Strengths of ASTM F963 Toy Safety Standard

- **Scope and breadth** – covers toys intended for children up to 14 years of age and over 100 toy safety tests and preventable hazards
- **Has led the way on addressing hazards** -- **a major strength of the ASTM process is the ability to respond quickly to incident data to address possible emergent hazards* (e.g., magnets, spherical-shaped impaction hazards, jaw entrapment, cup-shaped toys, battery ingestion issues/inaccessibility of batteries, etc.)
- **Requirements based on risk assessment**
- Performance-focused (versus design-specific)
- Recognized by US Congress in 2008 when it became a mandatory consumer product safety rule.



Concluding Thoughts

- **Encourage continued collaboration on children's product safety**
- **Existing international standards and accreditation schemes (e.g. ILAC) provide models for optimum safety, minimized costs, and maximized consumer benefits - we encourage alignment**
- **Unaligned standards, or redundant testing and certification schemes create needless barriers to trade and increase costs - and, importantly, do not necessarily improve consumer protection.**
- **The importance of multi-stakeholder participation:**
 - **A wealth of information and resources exist on children's product safety.**
 - **Industry is strategic partner in consumer product regulation.**
 - **Consumer input is integral and has a role in ensuring safety also**

Concluding Thoughts

- **Compliant toys sold in all major markets are acceptably safe, but regulations often differ – these differences typically do not improve safety, but only result in additional costs**
- **Adoption of an existing *international* standard is the preferred approach for optimum safety, minimizing costs, and maximizing consumer benefits**
- **Of the existing international standards, ASTM F963 is clearly the superior choice, because it provides a high level of protection for children while minimizing compliance costs**
- **Some other standards not only mandate needless (and needlessly expensive) testing, but fail to adhere to good regulatory principles**

Thank You

■ Thank you for your attention

Alan P. Kaufman

Senior Vice President for Technical Affairs

Toy Industry Association, Inc.

1115 Broadway, Suite 400, New York, NY 10010

Office: (646) 520-4868 | Fax (212) 633-1429 | Email: akaufman@toyassociation.org

Our Website: www.toyassociation.org