



## Manual for ITC's Clients, 2013



# Conformity Assessment of TOYS

<b>Valid from:</b>	1.8.2013
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## 1. Introduction

The Institute for Testing and Certification (hereinafter referred to as the ITC) is able to offer a wide range of professional services, the implementation of which is to a large extent regulated by the accreditation, authorisation, as well as legislative rules that it is necessary to respect in order to meet the demanding requirements of both domestic and foreign customers.

Client manuals are intended for the facilitation of the communication among accredited laboratories, certification bodies and notified or possibly authorised bodies. We believe that the "Manual" together with the information at [www.itczlin.cz](http://www.itczlin.cz) will provide a practical guide to the successful co-operation between you and our company.

## 2. Application

- The application form can be downloaded at [www.itczlin.cz](http://www.itczlin.cz) and it is also contained in the Appendix to this manual.
  - ⇒ Application for the EC type-examination
- The client will deliver the completed form personally, by post, fax or e-mail to the contact person shown below:

### **Institut pro testování a certifikaci, a.s.**

divize certifikace

Ing. Ludmila Antošová, ved. odd. certifikace hraček

třída Tomáše Bati 299, Louky, 763 02 Zlín, Czech Republic

Tel. (+420) 577 601 364

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- Simultaneously with the application, it is suitable to also deliver samples and technical documentation – see Articles 5 and 6
- The application and the documentation presented must be in Czech language. Use of other official languages of the European Union is possible only after an agreement with the ITC.
- The filling in of the application form can be discussed, in the case of an ambiguity, with the expert at the above contact address.
- EU legislation does not make it possible for the manufacturer or his authorized representative to lodge an application for an examination by a notified or authorised body concerning the same product with other entities.

## 3 Review of the Order (Application)

- The order (application) is reviewed from the point of view of data correctness and completeness and then it is entered in the records.
- If the order (application) or the extent of the supplied documentation is incomplete, the ITC will specify the missing items in writing (in a letter, by e-mail, fax) and request their submission.

## 4 Determination of the Price and Completion Date

- The price and the completion date of the service are usually arranged after the supply of all of the information, which is necessary for the determination of the scope of the expert service – test samples, technical documentation.

## 5 Technical Documentation

- A detailed description of the toy, its design and production,

- The list of components and materials used in the toy,
- The descriptions and explanations necessary for understanding the design, production and functioning of the toy,
- The safety sheets of used chemical substances acquired from the suppliers of the chemical substances,
- The safety assessment in accordance with Section 15 of GO 86/2011 – analysis of chemical, physical, mechanical and electrical danger and danger connected with flammability, hygiene and radioactivity,
- A description of the used procedure for conformity assessment,
- Addresses of the production and storage premises,
- Reports of accredited test centres (laboratories),
- Other possible documents, certificates and information subject to the requirements of the person implementing the conformity assessment,
- These instructions must be clear and understandable and must be prepared at least in the official language or languages of the member states, for which they are intended.

## 6 Test Samples

It is optimal to submit samples together with the application, but after an agreement with the contact persons it is also possible to submit samples later.

The samples of the toy must represent the type intended for the EC examination. The same “type” may include several variants (models) of the product provided that the differences between the variants will not affect the safety level, quality characteristics or the intended use of the product. Toys of the same type must be particularly manufactured from the same materials using identical technology and must be based on identical design characteristics. The assessment of the effect of deviations of differing variants on safety and quality levels and on the intended use of a given product lies within the exclusive competence of the NB 1023, which will take a final decision on the possibility of considering more product variants for a single type in the process of the application acceptance and the review of the technical documentation.

Particularly in the case of a type including several variants it is necessary to assure that the collected samples include to a sufficient extent all colour shades occurring in the type series and that the representation samples of the type were the variants with the highest level of risks involved regarding the foreseeable use of the toy.

The sample is collected including its intact packaging, where warnings and all other information required by the Directive 2009/48/EC and GO 86/2011 Coll., as amended, are depicted. Usually 2 samples are sufficient for an EC type-examination, however in the case of small samples or toys containing small parts made of different materials this number must be increased.

If needed, the NB 1023 will request additional samples.

## 7 Agreement

- The business relationship between the client and the ITC is arranged depending on the nature, demands and price relations of the service – job order.
- In the instance of job orders of the notified body, the agreement to be concluded with the client will contain:
  - The agreement usually contains:
    - the specification of the parties to the agreement,
    - the extent of the agreed work activities,
    - the information about the price and payment terms,
    - the date of the service completion,
    - the definition of the breach of contractual obligations and the consequences arising therefrom,
    - the rules for the withdrawal from the agreement.

- The work commencement is conditioned by the mutual written approval of the terms and conditions of the co-operation and the payment of the advance invoice. Advance payments are required from all clients bar the exceptions arranged in special general co-operation agreements.

## 8. Procedures of Conformity Assessment

- The NB will examine all of the documents supplied by the applicant and particularly will check whether the toy design could lead to endangering the safety and/or health of the child and other persons
- The NB will procure the appropriate assessments and necessary tests of the toy samples in its own laboratories or, exceptionally, in contracted accredited laboratories approved by COSMT.
- The results of the tests and the assessment of the documentation will be compiled by the certification worker in a Final Report containing a description of the toy, description of the type of examination method, a list of used documents issued by the NB and/or other entities and unambiguous conclusions on the conformity of the type with the essential requirements of the Directive 2009/48/EC and GO 86/2011 Coll., in its current wording.
- If the conclusions are positive, the NB 1023 will issue an EC Type Certificate, an integral part of which is the appropriate Final Report, and will present it to the applicant under the conditions laid down in the Conformity Assessment Agreement.
- The NB 1023 will publish the issue of the EC Type Certificate in the internet database, which it administers on its publicly accessible website [www.itczlin.cz](http://www.itczlin.cz).
- If the EC type-examination proves that the product has failed to meet the essential requirements, the NB 1023 will refuse to issue the EC Type Certificate and will inform the applicant in writing about the reasons which led it to this decision.
- In the case of negative results the client may ask repeatedly for an EC type-examination of the product in question, however not before modifying the product in a manner assuring its conformity with essential requirements.
- Such a request is considered from both technical and economic viewpoints to be a new application, on the basis of which the entire procedure is to be repeated.
- The NB 1023 will keep on record the documentation related to the EC type-examination for a period of 15 years.

## 9. Rules for Recognition of Results from the Documentation Submitted by the Applicant

- Recognition of the results obtained by other laboratories and presented in the documentation depends solely on the decision of the ITC.
- As a rule, results contained in test reports by accredited laboratories are recognized provided that no more than 3 years have elapsed from the date of issue of the report.
- In principle, results of tests carried out by manufacturer's laboratories or non-accredited laboratories are not recognized. An exception may be tests performed on unique testing equipment not commonly accessible. In such cases the ITC prefers the tests to be performed under the supervision of its own experts.

## 10. Associated ITC Services

- Toy testing in Accredited laboratories Nos. 1004 and 1004.3,
- Granting licences for the voluntary "Safe Toys" certification mark, which is granted to products that have been proven to possess a high level of safety and quality parameters by means of the certification and moreover in a way of inspection visits it has been established that the manufacturer meets the prerequisites for permanent quality assurance.
- Standardisation services and technical information,
- Management system certification (ISO 9001, ISO 14001, OHSAS 18001),

- Technical inspection,
- Laboratory and certification documents as source documentation for selection procedures, tenders.

## 11 Appendices

- Appendix 1: Definition
- Appendix 2: Abbreviations
- Appendix 3: Application for EC Type-examination of Toys

## Appendix 1: Definition

### Definition

**Market supply** – supply of toys for distribution, consumption or use in the Community market within trading activities, whether for a payment or free of charge;

**Market launch** – the first supply of toys into the Community market;

**Manufacturer** – a physical or legal entity which launches the toy under its name or trade mark or adjusts the toy, which has already been launched in the market, in a way which may influence its compliance with the requirements of Government Order 86/2011 Coll.;

**Importer** – a physical or legal entity with the registered office in the EU, which will launch the toy originating from a third country in the Community market;

**Distributor** – a physical or legal entity in a supplier chain, apart from a manufacturer or importer who supplies the toy in the market;

**Economic entity** – a manufacturer, importer, distributor or authorised representative;

**Market withdrawal** - a measure aimed at preventing a toy which is in the supplier chain from being placed in the market;

**Recall** – a measure aimed at recalling toys, which have already been supplied to the end user;

**Danger** – a potential source of damage to health;

**Toy** – a product designed or intended for playing with by children under 14 years of age, including a product designed or intended for other purposes apart from play;

**Authorised representative** – a physical or legal entity with the seat in an EU member state, which was authorised in writing by the manufacturer to act in his name with respect to performing specific tasks connected with the manufacturer's obligations pursuant to relevant legal regulations of the Community;

**European Conformity Mark - CE** – a marking placed on a product or its packaging by which the manufacturer confirms the conformity of its properties with the requirements of the appropriate Directive and GO;

**Essential requirements** – technical requirements for products, the meeting of which is a prerequisite for the minimum sufficient safety of a product provided it is used in a usual and reasonably foreseeable manner. These are defined in the New Approach Directives related to the given product area and implemented into the national legislation of the EU member states. Compliance with the essential requirements is a decisive aspect of all conformity assessment procedures. The most frequent method of demonstrating the conformity with the essential requirements is a demonstration of conformity with the harmonized standard related to the product.

**Harmonized Czech technical standard** – the Czech technical standard which fully adopts the requirements of the harmonized European standard. Compliance with the requirements of the harmonized Czech or European standard is considered, within their scope, as the compliance with the appropriate essential requirements of the Directives and Government Orders, related to the given product.

**Notified body** - a body authorised to conduct defined activities in the conformity assessment of the given products by a national authority (in the case of the Czech Republic by the Úřad pro technickou normalizaci, metrologii a státní zkušebnictví – ÚNMZ /Czech Office for Standards, Metrology and Testing - COSMT/) and notified to European Commission bodies and to all EU member states as a body authorised to carry out activities in the conformity assessment of products for which it received the notification. Decisions and documents issued by all notified bodies (NB) are equal and valid in the entire EU.

**Conformity assessment procedure** – a method defined by a Directive or GO by which the manufacturer demonstrates the conformity of the product properties with essential requirements, usually with the participation of a notified body. Usually, the manufacturer is free to choose between several conformity assessment procedures (also known as modules).

**EC type-examination** – a procedure of conformity assessment whereby a notified body ascertains whether a sample of a toy meets the essential requirements and if so, it confirms this fact by issuing an EC type-certificate;

**Notification scope** – a specific definition of the range of products and conformity assessment procedures for which on the basis of proving its professional and technical competence, the given NB is notified and authorized to conduct its activities.

## Appendix 2: Abbreviations

### Abbreviations used

ATL	Accredited testing laboratory
Directive	For the purposes of this Manual, the New Approach Directive, which lays down technical requirements for a given product area
ITC	Institut pro testování a certifikaci, a.s (Institute for Testing and Certification, Inc.)
NB	Notified body
NB 1023	Notified Body 1023 (this designation has been assigned to the ITC by the European Commission)
GO	Government Order
GO 86	Czech Republic Government Order No. 86/2011, the Collection of Laws, laying down technical requirements for toys.
COSMT	Czech Office for Standards, Metrology and Testing
Act 22	Act No. 22/1997, the Collection of Laws, on technical requirements for products and on amending and complementing certain laws, as amended



## APPLICATION FOR EC-TYPE EXAMINATION

pursuant to Article 20 of Directive No 2009/48/EC, as amended

*Please fill out the light blue fields only.*

ITC Order number (do not fill out please)	7	1	3	3						
Date of application receipt										

### 1 – APPLICANT

1.1 Company name	
1.2 Applicant's relation to the certified product	<input type="checkbox"/> Manufacturer <input type="checkbox"/> Authorised Representative (it is necessary to enclose copy of mandate received from manufacturer)
1.3 Company registration No / VAT No	
1.4 Address	
1.5 Zip Code / State:	
1.6 Registered at	
1.7 Represented by	
1.8 Company representative (+position)	
1.9 Contact person authorized to conduct negotiations (name, position, phone)	
1.10 E-mail of the contact person	@
1.11 Banking with	
1.12 SWIFT Code	
1.13 IBAN code	

### 2 – PRODUCT

Identification data of manufacturer (point 2.3) fill out only if the manufacturer of the assessed product is different from the applicant.  
(Company name and address)

2.1 Product name	
2.2 Model name(s)	
2.3 Manufacturer (company name and address)	
2.4 Recommended age for use (from – until)	–
2.5 Required language of output documentation	<input type="checkbox"/> Czech <input type="checkbox"/> English <input type="checkbox"/> Other :

### 3 – REASON OF APPLICATION FOR EC-TYPE EXAMINATION

Please tick one or more in accordance with the requirements of Directive 2009/48/EC, Article 19, §3.a – 3.d ))

3.1 Harmonised standards covering all relevant safety requirements for the toy, do not exist	<input type="checkbox"/>
3.2 Harmonised standards exist but manufacturer has not applied them or has applied them only in a part	<input type="checkbox"/>
3.3 One or more of the harmonised standards has been published with a restriction	<input type="checkbox"/>
3.4 The manufacturer considers that the nature, design, construction or purpose of the toy necessitate third party verification	<input type="checkbox"/>

### 4 – ACCOMPANYING DOCUMENTATION

Points 4.1 to 4.6 are always required (in accordance with Directive 2009/48/EC).

Points 4.7 and 4.8 are required, if relevant (dangerous substances have been used, respectively applicant is an authorised representative in accordance with definition in Decision 768/2008/EC, Annex 1, Chapter R2, Article R3).

Documents in points 4.9 and 4.10 fill out, if documents are to be used in this case EC type examination.

Type of document	Name of document or electronic file
4.1 Detailed description of the design and manufacture of toy	
4.2 Instructions for use, eventually assembly instruction	
4.3 Addresses of the places of manufacture and storage	
4.4 Safety assessment carried out in accordance with Directive 2009/48/EC, Article 18 – analysis of chemical, physical, mechanical, electrical, flammability, hygiene and radioactivity hazards that the toy may present	
4.5 Harmonized standards and other technical specifications used in product designing	
4.6 List of components and materials	
4.7 Safety data sheets on chemicals used, to be obtained from the chemical suppliers	
4.8 Copy of written mandate	
4.9 Test reports of accredited laboratories or another laboratories	
4.10 Other documents and information:	

### 5 – APPLICANT'S NOTES AND COMMENTS

The following fields is for any additional information, comments and remarks, that the applicant considers as relevant for EC type examination, delivery address or billing address etc. Complete this field is not obligatory.

## 6 – APPLICANT’S DECLARATION

1. We agree that product samples will not be returned after the assessment.
2. We declare that we did not submit similar application for the same product to any other Notified Body.
3. We agree with the “Obligatory Business Conditions” of ITC and we will abide by them.
4. We declare that all above information is true and correct and we assume responsibility for any damage caused by misrepresentation or incorrect data.

6.1 Signature of the company representative + stamp	
6.2 Date	

## 7 – REVIEW OF APPLICATION BY NOTIFIED BODY 1023

7.1 Review of application, comments	
7.2 Date of review and signature	

## 8 – TECHNICAL SUPPORT

*In case of any problems with filling out this application, please contact **Mrs Ludmila ANTOSOVA**, the head of the Toy Certification Department.*

Address: **Institut pro testovani a certifikaci, a. s. , trida Tomase Bati 299, Louky, 763 02 Zlin, Czech Republic**  
e-mail: [lantosova@itczlin.cz](mailto:lantosova@itczlin.cz)  
phone: **(+420) 577 601 364**  
fax: **(+420) 577 104 855**

*These are also the contacts for sending the completed and signed application.*