



GCC Standardization Organization

GSO

Guidance document for GCC Technical Regulation on Children Toys

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This guidance document is informative and not binding. It reflects the GSO secretariat interpretation of the requirements within the GCC Technical Regulation on Children Toys (BD131704-01) and can in no way replace the provisions of the said GCC Technical Regulation (GTR).

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I/ Introduction

This guidance document prepared by GSO is informative and not binding. It is an explanatory document for GCC Technical Regulation on Children Toys (BD131704-01) and does not replace the said GCC Technical Regulation (GTR).

The main objective of this guidance document is to explain the GTR on Children Toys safety requirements to the economic operators, in order to reach a common understanding of the requirements, and consequently achieve a better implementation of its provisions, as many questions and remarks have arisen from all stakeholders about different aspects

The other main objective is to clarify responsibilities of member states authorities and role of notified bodies in implementation of the GTR.

This document focuses on the main following aspects:

- Scope ;
- Technical and Administrative requirements ;
- Conformity of Toys;
- Conformity Assessment Procedures ;
- Notified Bodies obligations ;
- Member States obligations and powers;
- GSO obligations and powers;
- Connection with other Technical Regulations.

This guidance document is to be read in conjunction with the “GCC Technical Regulation on Children Toys” (BD-131704-01); thus texts which are extracted from the original Gulf Technical regulation are kept in rectangular box, and any reference numbers made in this guidance context for chapter, article, clause or paragraph shall refer to the reference from the “GCC Technical Regulation on Children Toys” (BD-131704-01), which may not come in all or in the same order.

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II/ Scope

Article (2): Scope

1. This Technical Regulation shall apply to products (hereinbefore referred to as toys in article 1).
2. The products listed in Annex I shall not be considered as toys within the meaning of this Directive.
3. This Directive shall not apply to the following toys:
 - (a) playground equipment intended for public use;
 - (b) automatic playing machines, whether coin operated or not, intended for public use;
 - (c) toy vehicles equipped with combustion engines;
 - (d) toy steam engines; and
 - (e) slings and catapults.

Article (2) defines the scope of the GTR on Children Toys (BD131704-01) which shall apply to children toys designed or intended, whether or not exclusively, for use in play by children under 14 years of age, and is applied in seven Member States of GSO (United Arab Emirates, Kingdom of Bahrain, Kingdom of Saudi Arabia, Sultanate of Oman, State of Qatar, State of Kuwait and Republic of Yemen).

As electrical transformers for toys are not considered as toys it shall not form part of the latter.

Furthermore, electrical products which are powered by electricity of a nominal voltage exceeding 24 volts direct current (DC) or the equivalent alternating current (AC) voltage, and their accessible parts exceed 24 volts DC or the equivalent AC voltage, are not considered as toys.

Where a toys is packaged with another product, only the toy shall be required to fulfill the GTR on Children Toys requirements.

III/ Technical and Administrative requirements

III.1/ Safety requirements

Article (17): Safety assessments

Manufacturer shall, before placing a toy on the market, carry out an analysis of the chemical, physical, mechanical, electrical, flammability, hygiene and radioactivity hazards that the toy may present, as well as an assessment of the potential exposure to such hazards.

Manufacturers remain fully responsible for risk assessment to identify applicable risks and to identify applicable essential requirements in order to select suitable standards or other specifications. The safety assessment is normally conducted

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before submitting the toy to the conformity assessment but it may be completed at a later stage as well, but in any case at the latest before placing the toy on the market.

In accordance with Annex IV (1), the safety assessment has to be kept in the technical documentation and therefore made available for national authorities for 10 years after the toy has been placed on the market.

III.2/ Economic operators obligations

III.2.1/ Manufacturers obligations

Article (4): Obligations of Manufacturers

1. When placing their toys on the market, manufacturers shall ensure that they have been designed and manufactured in accordance with the requirements set out in Article 10 and Annex II.
2. Manufacturers shall draw up the required technical documentation in accordance with Article 20 and carry out the applicable conformity assessment procedure in accordance with Article 18.
3. When the manufacturer carry out the relevant conformity assessment procedures in accordance with paragraph (2) of this article, he shall draw up a Manufacturer Conformity Declaration, as referred to in paragraph (1) of Article 15, and affix the GC marking in accordance with paragraphs (1) and (2) of Article 16.
4. Manufacturer shall keep the technical documentation and the GC declaration of conformity for a period of 10 years after the toy has been placed on the market.
5. Manufacturer shall ensure that procedures are in place for series production to remain in conformity. Changes in toy design or characteristics and changes in the Gulf standards by reference to which conformity of a toy is declared shall be adequately taken into account.
6. When deemed appropriate with regard to the risks presented by a toy, manufacturer shall, to protect the health and safety of consumers, carry out sample testing of marketed toys, investigate, and, if necessary, keep a register of complaints, of non-conforming toys and toy recalls, and shall keep distributors informed of any such monitoring.
7. Manufacturer shall ensure that his toys bear a type, batch, serial or model number or other element allowing his identification, or, where the size or nature of the toy does not allow it, that the required information is provided on the packaging or in a document accompanying the toy.
8. Manufacturer shall indicate his name, registered trade name or registered trade mark and the address at which he can be contacted on the toy or, where that is not possible, on its packaging or in a document accompanying the toy. The address shall indicate a single point at which the manufacturer can be contacted.
9. Manufacturer shall ensure that the toy is accompanied by instructions and safety information in Arabic language.

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10. Manufacturer who consider or have reason to believe that a toy which he has placed on the market is not in conformity with the Gulf Technical Regulations in force shall immediately take the corrective measures necessary to bring that toy into conformity, to withdraw it or recall it, if appropriate.
11. Where the toy presents a risk, manufacturer shall immediately inform the competent national authorities of the Member States in which he made the toy available to that effect, giving details, in particular, of the non-compliance and of any corrective measures taken.
12. Manufacturer shall, further to a request from a competent national authority in the Member States, provide that authority with all the information and documentation necessary to demonstrate the conformity of the toy, in Arabic language. If it is not possible, documents in English can be submitted after the approval of those authorities.
13. Manufacturer shall cooperate with competent national authority in the Member States, at its request, as regards any action taken to eliminate the risks posed by toys which he has placed on the market.

As economic operators and stakeholders raised some questions about Manufacturers obligations, hereafter some useful clarifications:

1. The technical documentation could be drawn up in English language, with the necessity to submit an Arabic translation of parts thereof, upon request by national authorities in Member States.
2. Different ways are possible for Manufacturers to ensure relevant monitoring of their internal production control. The GTR on Children Toys gives presumption of conformity where management systems which are in conformity with the relevant Gulf standard specifications related to management systems are implemented (e.g. ISO 9001, etc.).
3. The Manufacturer Declaration of Conformity shall be drawn up as per Article 15, which shall have the model structure and contain the elements set out in Annex VI (Elements 1/2/6/7/8 could be in English language and elements 3/4/5 shall be both in Arabic and English languages).
4. The technical documentation and the Declaration of Conformity shall be kept for a period of 10 years after the placing on the market of the last batch of toys.
5. The name, registered trade name or registered trade mark, the address, the country of origin and the country of manufacturing shall be both in Arabic and English languages.
6. The product name and net content could be in English language.
7. The instruction of use is also included as a required document to be provided in Arabic language.

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III.2.2/ For Authorized Representative

Article (5): Authorized Representative

1. A manufacturer may, by a written mandate, appoint an authorized representative.
2. The obligations laid down in Article 4(1) and the drawing up of technical documentation shall not form part of the authorized representative’s mandate.
3. An authorized representative shall perform the tasks specified in the mandate received from the manufacturer. The mandate shall allow the authorized representative to do at least the following:
 - (a) keep the GC declaration of conformity and the technical documentation at the disposal of the Release authorities and the market surveillance authorities for a period of 10 years after the toy has been placed on the market;
 - (b) further to a request from a competent national authority in the Member States, provide that authority with all the information and documentation necessary to demonstrate the conformity of a toy;
 - (c) cooperate with the competent national authorities in the Member States, at their request, on any action taken to eliminate the risks posed by toys covered by the mandate.

The Authorized Representative could be a natural or legal person and should be legally established at least within one of Member States countries.

III.2.3/ Importers obligations

Article (6): Obligations of importer

1. Importer shall place only compliant toys on the Community market.
2. Importer must, according to the nature of her relationship with the manufacturer - Before placing the toys on the market – carry out one of the following procedures:
 - (a) Procedure for the importer linked to a manufacturer:
 - 1) shall ensure that the appropriate conformity assessment procedure has been carried out by the manufacturer;
 - 2) shall ensure that the manufacturer has drawn up the technical documentation, that the toy bears the Gulf Conformity Mark and is accompanied by the required documents, and that the manufacturer has complied with the requirements set out in Article 4(7) and (8).
 - (b) Procedure for the importer unlinked to a manufacturer:

If the importer is not able to provide the necessary evidence about the manufacturer responsibilities listed in paragraph 2 of Article (4) of this regulation, he must:

 - 1) Carry out the Importer Conformity Assessment procedure mentioned in paragraph 2 of Article 18 of this technical regulation;
 - 2) Establish the technical documentation pursuant to Article 20 and verify that the requirements set out in paragraphs

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- (7) and (8) of Article 4 are fulfilled, and affix the Gulf Conformity marking in accordance with Article 16 and the relevant Gulf technical regulation.
3. In all cases, the importer shall draw up a written declaration of conformity of toys in accordance with paragraph (2) of Article 15.
 4. If the importer finds that the toys are not in conformity with the safety requirements set out in Article 10 and Annex II, he must not place these toys on the market until he takes the corrective measures necessary to bring them into conformity.
 5. Importer shall indicate his name, registered trade name or registered trade mark and the address at which he can be contacted on the toy or, where that is not possible, on its packaging or in a document accompanying the toy.
 6. Importers shall ensure that the toy is accompanied by instructions and safety information in Arabic language.
 7. Importers shall ensure that, while a toy is under their responsibility, storage or transport conditions do not jeopardise its compliance with the requirements set out in Article 10 and Annex II.
 8. When deemed appropriate with regard to the risks presented by a toy, importer shall, to protect the health and safety of consumers, carry out sample testing of marketed toys, investigate, and, if necessary, keep a register of complaints, of non-conforming toys and toy recalls, and shall keep distributors informed of such monitoring.
 9. Importer who considers or has reason to believe that a toy which has placed on the market is not in conformity with the Gulf Technical Regulations in force shall immediately take the corrective measures necessary to bring that toy into conformity, to withdraw it or recall it, if appropriate. Furthermore, where the toy presents a risk, importers shall immediately inform the competent national authorities of the Member States in which he made the toy available to that effect, giving details, in particular, of the non-compliance and of any corrective measures taken.
 10. Importer shall, for a period of 10 years after the toy has been placed on the market, keep a copy of the GC declaration of conformity at the disposal of the competent national authorities of the Member States and ensure that the technical documentation can be made available to those authorities, upon request.
 11. Importer shall, further to a request from a competent national authority in the Member States, provide that authority with all the information and documentation necessary to demonstrate the conformity of the toy, in Arabic language. If it is not possible, documents in English can be submitted after the approval of those authorities.
 12. Importer shall cooperate with competent national authority in the Member States, at its request, as regards any action taken to eliminate the risks posed by toys which he has placed on the market.

The GTR on Children Toys distinguishes two categories of importers.

Importers who are able to provide evidences showing that the Manufacturer has fulfilled all the requirements, called Importers linked to a Manufacturer, and the other Importers who are not able to provide such evidences, called Importers not linked to a Manufacturer.

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1. Toys should be accompanied by Instructions and Safety information (Arabic language), the Manufacturer Declaration of Conformity (This is required only for Importers linked to a Manufacturer), and the Instruction of use should be provided (Arabic language).
2. The Importer Declaration of Conformity shall be drawn up as per Article 15, which shall have the model structure and contain the elements set out in Annex VII (Elements 1/3/6/7 could be in English language and elements 2/4/5 shall be both in Arabic and English language). It must be drawn up even if the toy is accompanied by a Manufacturer Declaration of Conformity.
3. The Importer information regarding the name, the registered trade name or the registered trade mark and the address shall be both in Arabic and English languages. This information is provided in addition to the Manufacturer's information.

III.2.6/ Language requirements

Type of Information/Document	Arabic	English	Remark
Instruction of Use	Mandatory	Optional	
Instructions and Safety Information	Mandatory	Optional	
Warnings	Mandatory	Optional	
Tracability information	Mandatory	Mandatory	<ul style="list-style-type: none"> • The name, registered trade name or registered trade mark, the address, the country of origin and the country of manufacturing shall be both in Arabic and English language • The product name and net content could be in English language
Manufacturer Declaration of Conformity	Mandatory	Mandatory	The Declaration of Conformity shall have the model structure and contain the elements set out in Annex VI (Elements 1/2/6/7/8 could be in English language and elements 3/4/5 shall be both in Arabic and English language)

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Importer Declaration of Conformity	Mandatory	Mandatory	The Declaration of Conformity shall have the model structure and contain the elements set out in Annex VII (Elements 1/3/6/7 could be in English language and elements 2/4/5 shall be both in Arabic and English language)
Technical documentation	Mandatory	Optional	Upon request of national authorities in Member States, Arabic translation of some parts shall be submitted.
Information or documentation necessary to demonstrate conformity of the toy, upon request by the competent national authority in the member states	Mandatory	Optional	If not possible to have the information in Arabic language, English is acceptable after approval by the competent national authorities.

IV/ Conformity of Toys

IV.1/ Presumption of conformity

Article (13): Presumption of conformity

Toys which are in conformity with Gulf standards or parts thereof, shall be presumed to be in conformity with the requirements covered by those standards or parts thereof set out in Article 10 and Annex II.

The conformity with the last edition of the European standards (EN 71 series) gives presumption of conformity with the requirements covered by those standards.

IV.2/ Affixing of the G-Marking

Article (16): General principles of the GC marking

1. Toys made available on the market shall bear the GC marking.
2. Toys made available on the market must meet all requirements related to GC Marking as set out in the relevant Gulf Technical Regulation.
3. Member States shall presume that toys bearing the GC marking comply with this Directive.

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4. Toys not bearing a GC marking or which do not otherwise comply with this Directive may be shown and used at trade fairs and exhibitions, provided that they are accompanied by a sign which clearly indicates that they do not comply with this Directive and that they will not be made available in the Market before being brought into conformity.

1. The G-Marking shall be affixed as set out in the Gulf Technical Regulation on Conformity Marking for the GCC Countries (BD-091005-01).
2. The G-Marking must take the form available in the following link and proportions must be respected in case of reduction and enlargement: <http://www.gso.org.sa/gso-website/gso-website/activities-ar/conformity/gcc-regulatory-system/gcc-conformity-mark>
3. The G-Marking shall be affixed visibly, legibly and indelibly to the product or its data plate. However, if it is not possible or not warranted on account of the nature of the product, the G-Marking shall be affixed to the packaging, if any, or to the accompanying documents.
 - The G-Marking could be affixed by the mean of a sticker provided it is visibly, legibly and indelibly affixed.
 - The requirement for visibility means that the G-Marking must be easily accessible for all parties. It could, for instance, be affixed on the back or underside of a product.
 - To ensure that the G-Marking is legible a minimum height of 5 mm is required.
 - The requirement for indelibility means that the G-Marking cannot be removed under normal circumstances without leaving noticeable traces.
 - The G-Marking can take different forms (e.g. colour, solid/hollow) as long as it remains visible, legible and respects its proportions.
 - The affixing of G-Marking on the product may neither be omitted nor be moved to the packaging or accompanying documents on purely aesthetic grounds, but only when it is technically impossible to affix it to the product or its data plate.
4. The G-Marking shall be affixed together with the identification number of the Notified Body issued by GSO in the cases requiring the intervention of a Notified Body in the production control phase.

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V/ Conformity Assessment Procedures

Article (18): Applicable conformity assessment procedures

1. Before placing a toy on the market, manufacturer shall use the conformity assessment procedure set out in Annex IV.
2. Before placing a toy on the market, the importer who is not able to provide the evidence needed about the manufacturer responsibilities listed in paragraph (2) of Article (4) of this regulation shall use the conformity assessment procedure set out in Annex V.

The Conformity Assessment Procedures depend on the category of the economic operator responsible for placing toys on the market and on the type of standards used for covering all the essential requirements.

Case 1: The Manufacturer fulfills all the essential requirements by using only GSO Standards which cover all safety aspects.

1. The Manufacturer shall draw up the required technical documentation in accordance with Article 20:
 - The technical documentation could be in English, with the necessity to submit an Arabic translation of some parts upon request of national authorities in Member States.
 - The test report shall be issued from an accredited in-house laboratory or from a Notified Body.
2. The Manufacturer shall carry out the Conformity Assessment Procedure as per Annex IV.
3. The Manufacturer shall ensure relevant monitoring of his internal production control. Thus, different ways are possible. The GTR on Children Toys gives presumption of conformity where management systems which are in conformity with the relevant Gulf standard specifications related to management systems are implemented.
4. The Manufacturer shall keep the technical documentation and the Declaration of Conformity for a period of 10 years after the placing on the market of the last batch of toys.
5. The Manufacturer shall affix the G-Marking on the compliant toys.

Case 2: The Manufacturer fulfills all the essential requirements by other means:

- Using GSO Standards partially, or
 - Using GSO Standards which doesn't cover all safety aspects and.
1. The Manufacturer shall draw up the required technical documentation in accordance with Article 20:
 - The technical documentation may be in English, with the necessity to submit an Arabic translation of some parts upon request of national authorities in Member States.
 - The test report shall be issued from an accredited in-house laboratory or from a Notified Body
 2. The Manufacturer shall carry out the Conformity Assessment Procedure as per Annex IV through a Notified Body (Type approval).

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3. The Manufacturer shall ensure relevant monitoring of his internal production control. Thus, different ways are possible. The GTR on Children Toys gives presumption of conformity where management systems which are in conformity with the relevant Gulf standard specifications related to management systems are implemented.
4. The Manufacturer shall keep the technical documentation and the Declaration of Conformity for a period of 10 years after the placing on the market of the last batch of toys.
5. The Manufacturer shall affix the G-Marking on the compliant toys.

Case 3: The Importer who is not able to provide the evidence needed about the Manufacturer responsibilities listed in paragraph (2) of Article (4) of the GTR on Children Toys.

1. The Importer shall draw up the required technical documentation in accordance with Article 20:
2. The Importer shall carry out the Conformity Assessment Procedure as per Annex V through a Notified Body for the consignment, by the mean of a statistical verification of conformity or a verification of conformity by examination and testing of every toy (at his choice).
3. The Importer shall keep the technical documentation and the Declaration of Conformity for a period of 10 years after the toy has been placed on the market.
4. The Importer shall affix the G-Marking on the compliant toys.

VI/ Notified Bodies obligations

The Notified Body must fulfill the requirements laid down in the GTR on Children Toys (Articles 19, 21, 25 and 26, Annexes IV and V) and in the GSO notification procedure.

Regarding the language requirements, the Notified Body shall check and confirm the arabic information relevant to instructions and safety information including warnings and instruction for use. This task could be subcontracted under the Notified Body's whole responsibilities.

VII/ Member States obligations and powers

1. Member States obligations and powers are set down in articles 23 to 29, 32 to 34, 37 and 38 of the GTR.
2. Member States shall ensure the free circulation of toys complying with the requirements of the GTR and avoid subjecting toys to additional requirements.

VIII/ GSO obligations and powers

GSO obligations and powers are set down in articles 30 to 34 of the GTR.

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IX/ Connection with other Technical Regulations

All the following horizontal Technical Regulations are applied to toys:

- The General Product Safety Directive (BD-091005-04) shall apply to toys for topics not covered by the GTR on Children Toys.
- The Gulf Technical Regulation on Conformity Marking for the GCC Countries (BD-091005-01) shall apply to toys for the affixing of the G-Marking.