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ENTERPRISE DIRECTORATE-GENERAL

Environmental aspects of enterprise policy, resource-based and specific industries
Textiles, leather, toys

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GUIDANCE DOCUMENT N° 6 ON THE APPLICATION OF THE DIRECTIVE ON THE SAFETY OF TOYS (88/378/EEC)

Grey-zone problem: Criteria for differentiating dolls for adult collectors from toys

This document has a provisional and non-binding status and is intended to provide guidelines in order to help Member States competent authorities to decide when a product is to be considered as a toy within the scope of the Safety of Toys Directive or a doll for adult collectors out of the scope of the Directive (exception foreseen in Annex I.6). This document expresses the views of the majority of experts in the Expert Group on Toy Safety meetings.

Member States' competent authorities may use the following criteria:

1. The **particular purpose ascribed to the product** by manufacturer: products sold only for the collection purposes and not intended for children under 14 years of age.;
2. The **place of selling**: products sold in shops specialised in the sale of collectors' items;
3. The **target audience of the advertising and packaging**: labelling clearly stating that they are intended for adult collectors; ¹
4. The **selling price**: higher price than the normal price for toys;
5. The **details**: Special details of the product, e.g.; a pedestal, the quality of the materials, the design, etc.

These are indicative criteria. The classification of products as toys or not should be made on a case by case basis bearing in mind the application of the appropriate legislation.

¹ In order to avoid any confusion of the consumer, it is important that these products can not be associated, by means of marking or of wording in their accompanying documents or on their packaging, with warnings required by the Safety of Toys Directive, e.g. "Warning: choking hazard small parts" .