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E-002862/2024

Answer given by Executive Vice-President Séjourné
on behalf of the European Commission
(20.3.2025)

The Commission proposal¹ aims to ensure the highest level of safety for children, including by strengthening the protection of children from the most harmful chemicals when playing with toys, and to enable the free circulation of toys in the EU. The overall impacts, including costs, administrative burden and environmental impacts, are set out in the impact assessment², but costs and other impacts of transitional provisions were not individualised. The impact assessment estimates significant health benefits and avoided health damage for children³.

The objective of Article 54 of the proposal is to ensure that children benefit from this protection in the swiftest manner, while allowing companies to adapt to the rules and exhaust stocks. Any remaining toy on the market after that period specified in Article 54 would be handled by economic operators in the distribution chain. The Commission notes that both the Council and the European Parliament propose longer periods in Article 54 and that this will be further discussed with the co-legislators.

The proposal, like the Ecodesign for Sustainable Products Regulation⁴, requires a data carrier but not specifically the use of a quick-response (QR) code as the data carrier. The Commission is carrying out a security analysis on QR codes. Any measure appropriate to protect consumers from fraud through QR codes or other data carriers will be considered when the data carrier(s) will be specified in secondary legislation.

¹ COM(2023)462.

² SWD(2023)269.

³ The impact assessment estimated that banning the most harmful substances from toys would have considerable health benefits (between EUR 240 million and EUR 1.2 billion per year) in terms of avoided health damage from endocrine disruptors alone. These would accrue over the lifetime of a child exposed (or not exposed) to the harmful substances.

⁴ Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC.