

Response to Comments Made by the European Union on G/TBT/N/TPKM/165

The Bureau of Standards, Metrology and Inspection (BSMI) would like to thank the EU for commenting on CNS 4797, which was referred as inspection standard in our notification G/TBT/N/TPKM/165.

The limitation of formamide for 2 ppm was referred to previous French safety requirements. Considering the international trend and the revised French limitation for 200 ppm, the BSMI will propose to amend formamide limits to 200 ppm in foam toys.

With regard to phthalates, the limitation of DMP and DEP was mainly due to demands expressed by consumers. In addition, DEP and DMP are classified as class I toxic chemicals by the Environmental Protection Administration, which prompts the BSMI to regulate their use in toys so as to protect health and safety of children under 14. Since the measure came into effect in March 2014, there were 7 non-compliant DMP cases. One was wheeled toy, and the other six were glow stick toys. The amounts of DMP detected were 0.58% for the wheeled toy and 12.05%, 8.07%, 30.05%, 16.37%, 14.30%, 4.63% respectively for glow stick toy.

The BSMI will continue to collect more information to assess the hazards resulted from phthalates and review relevant national standards. However, in light of the public concerns and for protecting children from chemical exposure hazards, the BSMI would like to seek your understanding that we have difficulties in excluding requirements with total amount of DEP and DMP at present stage.

The amendment has not been decided yet. The BSMI will hold related technical committee meetings to further discuss the amendment of national standards on safety of toys. Our national circumstances and opinions of consumer protection groups and stakeholders will be taken into consideration in the meetings. As soon as the amendment enters into force, it will be published in our government gazette.

The BSMI would also like to thank the EU for providing the information of emission limit on formamide of $20 \mu\text{g}/\text{m}^3$ in the upcoming relevant EU legislation and the Protocol No 2 for bacterial counts requirements.