

*Consumer Products***1. Introduction**

Furniture, lamps, toys, brushes, buttons, writing instruments and many other typical consumer products fall under the category of "Miscellaneous manufactured articles" in the EC's Common Customs Tariff (CCT) code. With the exception of toys, common European standards have not been specified. Proposals have been made to implement legislation on other miscellaneous manufactured articles; for example, on non-flammability of furniture upholstery.

Customs duties vary depending on product category. Full customs duties for furniture range from 4.4% to 5.6%. Lighting and lighting fittings carry a tariff of 4.9% to 10%. Doll carriages/prams attract the highest rate of duty for toys at 10.5% while cricket and polo equipment enter the EC free of customs duties.

2. Toys**Toy safety**

The EC approved legislation to ensure the safety of toys traded within the EC in 1988. Childrens' toys supplied to the EC must:

- ◆ Satisfy the applicable essential safety requirements
- ◆ Qualify and carry the CE mark
- ◆ In some cases be accompanied by warning notices.

This legislation came into effect on 1 January 1990. Specific safety standards relate to the following:

- ◆ Physical and mechanical properties
- ◆ Flammability
- ◆ Chemical properties
- ◆ Electrical properties
- ◆ Graphic symbols for warning.

National institutions in the member states will monitor toys for conformity to these basic safety standards. Toys must be submitted for EC type examinations to ensure they meet the required safety standard. Approved products can then carry the CE mark.

Manufacturers or their legal representative in the EC who apply for the CE mark will have to provide information on:

- ◆ Name and address of the manufacturer or EC seller
- ◆ Description of the toy
- ◆ Extended information about the design and manufacturing process of the toy in question, accompanied by a model.

Manufacturers or their legal representative or importer in the EC must also keep the following information available for inspection by EC monitoring institutions:

- ◆ A technical description of the means by which the manufacturers check whether the toys are manufactured in conformity to the basic Community safety standards (i.e. a record of technical checks).
- ◆ The address of the place(s) where the toy is manufactured or stored.
- ◆ Comprehensive information on the design and manufacturing process.

Warning and indications of precautions must accompany certain toys. For example: labels indicating toys not suitable for children under 3 years; instructions on checks and maintenance for slides and swings, etc.

Important safety requirements are detailed in the Product Example section "Toys" in this Chapter.

Full details of the safety standards required can be found in the Toys Safety Directive published in EC Official Journal OJ L187 of 16 July 1988 ref. 88/378/EEC.

For further information contact the European Commission (DG III) as detailed in Part III.

Product Liability

The EC legislation on product liability makes it possible for consumers to sue producers or EC importers for damage or injury caused by faults in their products. Consumers can sue if the damage exceeds an amount of 500 ECU.

Importers will therefore be looking for products that will meet the stringent safety standards of the EC. Consistency in quality will also become a norm for EC suppliers.

Brand Names

Brand names are important in the toy market. European manufacturers are increasingly on their guard against imports of imitation products. EC legislation has been issued to protect brand names registered in the EC and brand names or other graphic symbols can be registered in EC member states. Information on legislation on trade marks can be found in the EC's Official Journal OJ L040 of 11 February 1989, ref. 89/104/EEC.

3. Furniture

At the present time there has not been any EC legislation directly related to furniture. There is a proposal to introduce barcodes on furniture. The European Commission is also drawing up guidelines for five safety standards for upholstered (covered) furniture but this is not expected to be in force for the next year or two.

On the whole, Commonwealth exporters will still be faced with a large number of national regulations. Manufacturers and importers may have products tested on a voluntary basis in national test centres in the EC.

This situation is, however, expected to change. The European Standardisation Committee (CEN) has set up a committee to establish quality and label standards incorporating norms of the International Standards Organisation (ISO). However, there has to date been no obligation to introduce these standards as law in the EC. Harmonisation of accepted European standards is inevitable as the move towards a single market progresses. Commonwealth exporters are well advised to produce according to CEN quality norms and label regulations.

The EC's concern with the environment has resulted in legislation implying that after 1995, only furniture made of wood originating from areas of sustainable forest approved by the EC will be allowed to be imported.

4. Lights and light fittings

Lighting and lighting supplies to the building industry will be covered by EC legislation on construction products. Standards for these products have not been finalised and are under study by CEN. The current legislation on construction products requires that all supplies to buildings must be energy efficient. It is expected that light and light fittings will have to meet “energy efficient” requirements of this legislation.

5. Further Information and Contact Points

TRADE ASSOCIATIONS	TRADE FAIRS & EXHIBITION
1. European Federation of Toy Distributors Sandstrasse 29-IV D-8500 Nurnburg Germany Tel: +49 911 224188 Fax: +49 911 221637 2. European Toy Confederation 47 Bvd Berthier F-75017 Paris, France Tel: +33 1 43 80 60 75 Fax: +33 1 42 27 82 72 3. European Furniture Manufacturers Federation Rue de l'Association 15 B-1000 Brussels Belgium Tel: +32 2 218 1889 Fax: +32 2 219 2701 4. European Lighting Council Rue Montoyer 31 Boite 1 B-1040 Brussels Belgium Tel: +32 2 513 6085 Fax: +32 2 514 3386	1. International Toy Fair Location: Nuremberg, Germany Contact: Spielwarenmesse eG Messezentrum D-8500 Nuremberg 50 Germany Tel: +49 911 998130 Fax: +49 911 869660 Frequency: Every year in February 2. Paris International Toy Fair Location: Paris-Nord/Villepinte Contact: Salon International du Jouet 103 rue la Fayette 75010 Paris, France Tel: +33 1 40 16 00 15 Fax: +33 1 40 16 03 58 Frequency: Every year in February 3. INTERZUM International Trade Fair for Furniture Location: Cologne, Germany Contact: Messe-und Austelunge ges mbH Koln Postfach 210760 Messeplatz 1 D-5000 Koln 21 Germany Tel: +49 221 8211 Fax: +49 221 8212574 Frequency: Every year in May 4. International Trade Fair for Urban and Interior Design Location: Frankfurt, Germany Contact: Messe Frankfurt GmbH Postfach 970126 D-6000 Frankfurt 1 Germany Tel: +49 697 5750 Fax: +49 697 5756433 Frequency: Every two years Next fair - 1994

1. *European Commission*

200 Rue de la Loi
1049 Brussels
Belgium
Tel: +32 2 299 1111

2. *European Committee for Standardisation (CEN)*

Rue de Stassart 36
B-1050 Brussels
Belgium
Tel: +32 2 519 6811
Fax: +32 2 519 6819

3. *International Organisation for Standardisation (ISO)*

Bureau Central
1 rue de Varembe
Case Postale 56
CH-1211 Geneva 20
Switzerland
Tel: +41 22 749 9011
Fax: +41 22 733 3430

Product Coverage

CCT NUMBER	PRODUCT DESCRIPTION
950100	Wheeled toys; dolls carriages
950200	Dolls, accessories and parts
950310	Electric trains
950320	Scale model assembly kits
950330	Construction sets and toys
950340	Animals stuffed or made of other materials
950350	Toy musical instruments
950360	Puzzles
950380	Motorised toys and models
950390	Other toys: rubber, plastic, textile, etc.

Customs Duties

CCT NUMBER	FULL	ACP	GSP	LDDC
950100	10.5%	0%	0%	0%
950200	8-6.9%	0%	0%	0%
950310	8%	0%	0%	0%
950320	8%	0%	0%*	0%
950350	8-8.7%	0%	0%	0%
950340	8-8.7%	0%	0%	0%
950350	8-8.7%	0%	0%	0%

CCT NUMBER	FULL	ACP	GSP	LDDC
950360	8-8.7%	0%	0%*	0%
950380	8%	0%	0%	0%
950390	8%	0%	0%	0%

* Imports of scale models and puzzles are imported free of customs duties within the limits of a ceiling. Imports beyond the ceiling may be charged full rate of duty.

Products and Standards

The EC has issued minimum safety standards for children's toys. The standards relate to the following:

1. Physical and mechanical properties

- ◆ Toys and their parts and, in the case of fixed toys, their anchorages must have the requisite mechanical strength and, where appropriate, stability to withstand the stresses to which they are subjected during use without breaking or becoming liable to distortion at the risk of causing physical injury.
- ◆ Accessible edges, protrusions, cords, cables and fastenings on toys must be so designed and constructed that the risks of physical injury from contact with them are reduced as far as possible.
- ◆ Toys must be so designed and constructed as to minimise the risk of physical injury which could be caused by the movement of their parts.
- ◆ Toys, and their component parts, and any detachable parts of toys which are clearly intended for use by children under 36 months must be of such dimensions as to prevent their being swallowed and/or inhaled.
- ◆ Toys, and their parts and the packaging in which they are contained for retail sale must not present risk of strangulation or suffocation.
- ◆ Toys intended for use in shallow water which are capable of carrying or supporting a child on the water must be designed and constructed so as to reduce as far as possible; taking into account the recommended use of the toy, any risk of loss of buoyancy of the toy and loss of support afforded to the child.
- ◆ Toys which it is possible to get inside and which thereby constitute an enclosed space for occupants must have a means of exit which the latter can open easily from the inside.
- ◆ Toys conferring mobility on their users must, as far as possible, incorporate a braking system which is suited to the type of toy and is commensurate with the kinetic energy developed by it. Such a system must be easy for the user to operate without risk of ejection or physical injury for the user or for third parties.
- ◆ The form and composition of projectiles and the kinetic energy they may develop when fired from a toy designed for that purpose must be such that, taking into account the nature of the toy, there is no unreasonable risk of physical injury to the user or to third parties.

Toys containing heating elements must be so constructed as to ensure that:

- ◆ The maximum temperature of any accessible surfaces does not cause burns when touched.
- ◆ Liquids and gases contained within toys do not reach temperatures or pressures which are such that their escape from a toy, other than for reasons essential to the proper functioning of the toy, might cause burns, scalds or other physical injury.

2. Flammability

- (a) Toys must not constitute a dangerous flammable element in the child's environment. They must therefore be composed of materials which:
 - ◆ do not burn if directly exposed to a flame or spark or other potential seat of fire; or
 - ◆ are not readily flammable (the flame goes out as soon as the fire cause disappears); or
 - ◆ if they do ignite, burn slowly and present a low rate of spread of the flame; or

- ◆ irrespective of the toy's chemical composition, are treated so as to delay the combustion process.

Such combustible materials must not constitute a risk of ignition for other materials used in the toy.

- (b) Toys which, for reasons essential to their functioning, contain dangerous substances or preparations, especially materials and equipment for chemistry experiments, model assembly, plastic or ceramic moulding, enamelling, photography or similar activities, must not contain, as such, substances or preparations which may become flammable due to the loss of non-flammable volatile components.
- (c) Toys must not be explosive or contain elements or substances likely to explode when used as intended or in a foreseeable way, bearing in mind the normal behaviour of children.
- (d) Toys and, in particular, chemical games and toys, must not contain, as such, substances or preparations:

which, when mixed, may explode:

- ◆ through chemical reaction, or through heating
- ◆ when mixed with oxidizing substances

which contain volatile components which are flammable in air and liable to form flammable or explosive vapour/air mixture.

3. Chemical properties

Toys must be so designed and constructed that, when used as intended or in a foreseeable way, bearing in mind the normal behaviour of children, they do not present health hazards or risks of physical injury by ingestion, inhalation or contact with the skin, mucus tissues or eyes.

They must in all cases comply with the relevant Community legislation relating to certain categories of products or to the prohibition, restriction of use or labelling of certain dangerous substances and preparations.

In particular, for the protection of children's health, bioavailability resulting from the use of toys must not, as an objective, exceed the following levels per day:

0,2 µg for antimony
0,1 µg for arsenic
25,0 µg for barium
0,6 µg for cadmium
0,3 µg for chromium
0,7 µg for lead
0,5 µg for mercury
5,0 µg for selenium

or such other values as may be laid down for these or other substances in Community legislation based on scientific evidence.

The bioavailability of these substances means the soluble extract having toxicological significance.

4. Electrical properties

- (a) Electric toys must not be powered by electricity of a nominal voltage exceeding 24 volts and no part of the toy may exceed 24 volts.

- (b) Parts of toys which are connected to, or liable to come into contact with, a source of electricity capable of causing electric shock, together with the cables or other conductors through which electricity is conveyed to such parts, must be properly insulated and mechanically protected so as to prevent the risk of such shock.
- (c) Electric toys must be so designed and constructed as to ensure that the maximum temperatures reached by all directly accessible surfaces are not such as to cause burns when touched.

The following toys must be accompanied by appropriate warnings to reduce risks:

- ◆ Toys not intended for children under 36 months
- ◆ Slides; suspended swings and rings; toys attached to a crossbeam
- ◆ Functional toys; e.g. scale models
- ◆ Toys containing inherently dangerous substances or preparations; chemical toys
- ◆ Toys intended for use in water.

A model of all toys sold in the EC must be submitted for testing to ensure that the toy meets the above standards. Applications for examination must be made by the manufacturer, his authorised representative or EC importer. This is sent to an EC approved testing centre. If the toy satisfies the required standard an EC type certificate will be issued and the product will be allowed to carry the CE mark.

Marketing and Distribution

Developments in the retail sector will have the most impact on marketing toys within the EC. There is a process of concentration in the toy distribution sector particularly in the more developed states. Centralised buying organisations, department stores and supermarkets are foreseen to be the major distributors for toys in the 1990s. The importer will still have a major role as some department stores and supermarkets are reluctant to go directly to developing country suppliers as it entails more risk and work to follow up quality control.

Major toy manufacturers are also moving towards developing and producing toys on a European rather than national scale. To reduce labour costs European toy manufacturers are also seeking to sub-contract labour intensive toys to developing countries. A link-up with a European firm could be advantageous in obtaining technical assistance for design and production process.

TOYS R US

TOYS R US opened its first 5 stores in the United Kingdom in 1985. As of September 1992 the number of stores has increased to 105 in Europe. Plans have been announced to open 6 new stores in France, 8 in Germany, 5 in Austria and 4 in Spain. With over 700 stores world wide and a turnover of £3.3 billion it is the world's largest and most successful speciality toy retailing chain.

Each store operates on a 45,000 sq. ft. warehouse with the following policy:

- ◆ maintaining a broad product line with a massive range of 20,000 product lines all year round
- ◆ centralised computer system monitors up to the minute sales and products are never "out of stock"
- ◆ unconditional refund policy
- ◆ very low prices.

The company has revolutionised the European toy industry with its policies. It develops partnerships with suppliers and this direct purchase policy has weakened traditional distributor/wholesaler roles.

The Company is now a major player in the European toy market and Commonwealth exporters need to take

note if they wish successfully to enter the volume end of the toy market. TOYS _ US welcomes suppliers from all over the world but insists that products comply with European standards.

TOYS R US Ltd.
Geoffrey House
Vanwall Business Park
Vanwall Road
Maidenhead. SL6 4UB
United Kingdom
Tel: +44 628 414141
Fax: +44 628 414092

Documentation

Aside from normal shipping and import documents, certificate of origin - Form A for GSP and LDDC countries, EUR 1 for ACP countries - must accompany consignments to benefit from reduced tariff or tariff free entry into the EC.

Other information

Trade Association: European Federation of Toy Distributors
Sandstrasse 29-IV
D-8500 Nuremberg
Germany
Tel: +49 911 224188
Fax: +49 911 221637

European Toy Confederation
47 Bvd Berthier F-75017
Paris, France
Tel: +33 1 43 80 60 75
Fax: +33 1 42 27 82 72

Trade Fairs: International Toy Fair
Location: Nuremberg, Germany
Contact: Spielwarenmesse eG
Messezentrum
D-8500 Nuremberg 50
Germany
Tel: +49 911 998130
Fax: +49 911 869660
Frequency: Every year in February

Paris International Toy Fair
Location: Paris-Nord/Villepinte
Contact: Salon International du Jouet
103 rue la Fayette
75010 Paris, France
Tel: +33 1 40 16 00 15
Fax: +33 1 40 16 03 58
Frequency: Every year in February

Domestic Furniture

Product Coverage

CCT NUMBER	PRODUCT DESCRIPTION
940340	Kitchen furniture of wood
940350	Bedroom furniture of wood
940360	Dining and living room furniture of wood
940380	Furniture of other materials including cane, osier, bamboo and similar material

Customs Duties

CCT NUMBER	FULL	ACP	GSP*	LDDC
940340	5.6%	0%	0%	0%
940350	5.6%	0%	0%	0%
940360	5.6%	0%	0%	0%
940380	5.6%	0%	0%	0%
* Imports of domestic furniture from GSP countries are allowed entry into the EC free of customs duties within the limits of a ceiling. Imports beyond the ceiling may be subject to the full rate of duty.				

Products and Standards

There are no official standards for quality, labelling and sizes of household furniture; some member states have implemented their own legislation for safety standards for upholstered furniture.

There has been a recent growth in demand for cane and rattan furniture due to the fashion for ethnic and folkloristic interiors. Wood and cane furniture are more popular than metal and synthetic materials as Western Europe moves towards more natural materials. Classic-style furniture largely of wood still accounts for the bulk of the market.

EC policy on the protection of tropical rain forests has resulted in legislation that stipulates that after 1995 only furniture made of wood originating from areas approved by the EC will be allowed into the Community.

Due to the high freight costs involved in transporting assembled furniture, knocked-down (KD) furniture has become popular imports from outside the EC. Retail groups also prefer KD to save retail storage space.

Marketing and Distribution

Germany and France are the largest importers of furniture in the EC, although all EC countries represent good markets for Commonwealth exporters as popularity of wood, cane and rattan furniture shows good potential for growth in the EC.

Market trends and fashions change at a much faster rate than previously and European buyers have begun to demand delivery times of 6-8 weeks. Speed rather than price becomes a more important factor. It is important to keep up to date with design and style through trade shows or through the European importer.

The European furniture sector is highly fragmented, furniture being bought in by specialist furniture importers. There has been a trend towards large out-of-town stores specialising in certain types of products such as mass-produced standard furniture.

Documentation

Aside from normal shipping and import documents, certificate of origin - Form A for GSP and LDDC countries, EUR 1 for ACP countries - must accompany consignments to benefit from reduced tariff or tariff free entry into the EC.

Other Information

Trade Association: European Furniture Manufacturer's Federation
Rue de l'Association 15
B-1000 Brussels
Belgium
Tel: +32 2 218 1889
Fax: +32 2 219 2701

Trade Fair: INTERZUM
International Trade Fair for Furniture
Location: Cologne, Germany
Contact: Messe-und Austelunge ges mbH
Köln
Postfach 210760
Messeplatz 1
D-5000 Köln 21
Germany
Tel: +49 221 8211
Fax: +49 221 8212574
Frequency: Once a year in May

ACP Commonwealth Countries

ACP Commonwealth Countries

Entry Conditions:

Tariff free and quota free entry into the EC.

Rules of Origin:

General rules of origin apply. Special rules apply to:

- ◆ base metal furniture incorporating unstuffed cotton cloth
- ◆ lamps and lighting fittings
- ◆ dolls with electric models
- ◆ scale models and puzzles
- ◆ fishing accessories
- ◆ brooms and brushes
- ◆ fountain pens
- ◆ buttons

Documentation:

Certificate of Origin (EUR1) must accompany products if the exporter is to benefit from tariff free entry into the EC. These forms can be obtained from the exporting country's national Customs and Excise office or Ministry of Trade.

GSP Commonwealth Countries

GSP Commonwealth Countries

Entry Conditions:

The following products are allowed entry into the EC free of customs duties within the limits of a ceiling:

- ◆ furniture
- ◆ articles for electric lighting fittings, eg. diffusers, lampshades, globes, ceiling lights
- ◆ all kinds of brooms and brushes
- ◆ scale models and puzzles
- ◆ carnival entertainment articles, e.g. conjuring tricks and novelty jokes

Imports of the above products beyond the limits of the ceiling may be subject to the full rate of duty.

All other products enter free of customs duties from GSP countries.

Rules of Origin:

General rules of origin apply. Special rules apply to:

- ◆ lamps and lighting fittings
- ◆ scale models and puzzles
- ◆ brooms and brushes
- ◆ ball point pens and other writing or marking instruments
- ◆ buttons

Documentation:

Certificate of Origin (Form A) must accompany products if exporter is to benefit from tariff free entry into the EC. These forms can be obtained from the exporting country's national Customs and Excise office or Ministry of Trade.

LDDC Commonwealth Countries

LDDC Commonwealth Countries

Entry Conditions:

Tariff free and quota free entry into the EC.

Rules of Origin:

General rules of origin apply. Special rules apply to:

- ◆ lamps and lighting fittings
- ◆ scale models and puzzles
- ◆ brooms and brushes
- ◆ ball point pens and other writing or marking instruments
- ◆ buttons

Documentation:

Certificate of Origin (Form A) must accompany products if exporter is to benefit from tariff free entry into the EC. These forms can be obtained from the exporting country's national Customs and Excise office or Ministry of Trade.