

Mrs Lowri Evans
Director-General
European Commission
DG GROW
Avenue d'Auderghem

BE – 1040 Brussels

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6 December 2016

Subject: "Connected toys put children at risk"

Dear Ms. Evans,

We are writing to you on behalf of BEUC, the European Consumer Organisation, and ANEC, the European Consumer Voice in Standardisation, in order to draw your attention to multiple safety and security issues that we discovered recently in relation to a research about 'internet-connected toys', currently available in Europe. These issues came to light within the framework of a project carried out in Norway by our member Forbrukerrådet (the Norwegian Consumer Council - NCC).

The Norwegian Consumer Council carefully examined the terms of use and privacy policies of three toys: the interactive dolls 'Hello Barbie'¹ and 'My Friend Cayla'; and the 'i-Que Intelligent Robot'. It also commissioned technical tests of the actual functionalities of the toys and their companion apps.

The toys in question connect to the internet and use their build-in microphones and speech recognition technologies in order to engage in 'conversations' with children. The content of children's interactions with the toys may contain sensitive information that the child shared with them in confidentiality.

Through their research, the Norwegian Consumer Council reveals **serious security flaws as** two of the toys (namely My Friend Cayla and i-Que Robot) have no embodied security measures that could prevent unauthorized access to the toy's microphone and speakers. This means that anyone with a Bluetooth functionality on his phone can connect to a toy and use it as a listening device or communicate through it with the child if this person stays within the 15-meter radius (or less if he tries to connect through the wall) while the toy is switched on and not already paired with another device. Needless to say that if someone with bad intentions takes advantage of this security flaw **children and their privacy can be put at serious risk.**

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¹ 'Hello Barbie', the interactive doll, is currently not being sold in Europe.

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If the manufacturer chooses to use cheaper or simplified components in this type of devices, which might be the reason behind the discovered flaws, this could lead to serious security vulnerabilities and could allow for targeted attacks that could compromise children's safety. This aspect should be addressed as soon as possible by the authorities across Europe.

We consider that the companies that manufacture these toys are not respecting consumers' protection standards under EU law. The fact that these products are specifically used by children makes these companies' practices even more aggravating.

On the other hand, there are additional issues related to potential breaches of consumer protection and personal data protection rules and therefore we have notified the Commission Directorate for Justice and Consumers, as well. For example, children's personal data are being shared with unspecified third parties and might be being collected for advertising purposes, without asking for a separate or explicit consent from consumers.

Our major concern is that **Directive 2009/48/EC on the Safety of Toys might be outdated** and therefore the legal provisions insufficient to protect children adequately from the safety risks related to these new toys. We therefore would be interested to discuss with you how the safety of children can be ensured bearing in mind the existence of other potentially relevant legal basis. As these toys are available in many European countries already, we would also be interested to **present the findings together with our sister organization ANEC at the next meeting of the Expert Group on the Safety of Toys.**

BEUC's press release on this topic can be found on our website² and the full report with the findings of the analysis carried out by Forbrukerrådet, published today, is available at their website³. We also attach the complaints that NCC sent to their national authorities. Please do not hesitate to get back to us should you require any further information.

Yours sincerely,

Monique Goyens
BEUC Director General

Stephen Russell
ANEC Secretary General

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² www.beuc.eu

³ For more information see: <http://www.forbrukerradet.no/siste-nytt/connected-toys-violate-consumer-laws>