



Raising standards for consumers

The Consumer Voice in Europe

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ANEC-CHILD-2018-G-134

Mr. Stefano SORO
DG GROW - European Commission
Avenue d'Auderghem 45

B - 1040 Brussels

Brussels, 14 December 2018

Subject: Dangerous slime toys- test results of consumer organisations to be used by national authorities to keep consumers safe across the Single Market.

Dear Mr Soro,

We are writing to you on behalf of the European consumer organisations ANEC and BEUC to share recent test results of our member organisations regarding elevated boron compounds in slime toys. These organisations include AK Oberösterreich (Austria), Forbrugerradet Taenk (Denmark), UFC-Que Choisir (France), Stiftung Warentest (Germany), Altroconsumo (Italy), OCU (Spain) Consumentenbond (The Netherlands) and Which? (United Kingdom). Some of their tests were coordinated by ICRT, the International organisation for Consumer Research and Testing¹.

As you may know, slime toys have become extremely popular among children and teenagers. Yet, several kits or ready-to-use slimes have also made the headlines because they contain too high levels of boron.

The consumer organisations' testing and research demonstrates that products not complying with EU legislation have been placed on the market in different Member States and that they are also directly available online to consumers.

Article 10 of the Toy Safety Directive specifies that toys, including the chemicals they contain, shall not jeopardise the safety or health of users. Several boron-containing substances (e.g. boric acid) have been classified as toxic to reproduction and as Substances of Very High Concern². The Toy Safety Directive limits the concentration of boron compounds in dry, brittle, powder-like or pliable toy material to 1.200 mg/kg and in liquid or sticky toy material to 300 mg/kg. The guidance document on the Toy Safety Directive unequivocally states that slime is a sticky material³. Thus, the lower limit value applies. Several products however do not meet these limit value.

We would therefore be grateful if you could distribute the letter with our findings in Annex to the Member States authorities of the Toy-ADCO Group for their information and subsequent enforcement actions.

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¹ <http://www.international-testing.org/>

² Based on the REACH Regulation 1907/2006 boron has been added to the list of SVHC in 2010.

³ ec.europa.eu/DocsRoom/documents/4208/attachments/1/translations/en/renditions/native, page 107. Slimes are clearly considered to be a sticky toy material (see p. 111).

We would also be grateful for the Commission to take a coordinating role for the national enforcement actions to make sure that products which are illegally circulating in the single market will reliably be pulled out in all EU countries before more consumers buy them. Such a coordinating role is in our view urgently necessary because only 18 alerts about dangerous slime toys have been uploaded to the Safety Gate⁴ since the beginning of 2018. Our members found however additional products which are not yet notified even though the national authorities have been contacted by the national consumer organisations such as for example in the UK and in Denmark. A coordinating role of the Commission is essential as we observe that the responses given by economic operators and national authorities vary a lot across countries.

Finally, we would like to ask the Commission to also contact all the online platforms which have signed the Safety Pledge with the European Commission in summer 2018 to make sure that they take all products in question off their platforms in line with what they have promised.

As you are aware, similar findings have been made available by national risk assessment bodies such as the Finnish Safety and Chemicals Agency -Tukes, the French Agency for Food, Environmental and Occupational Health and Safety - Anses, the French DGCCRF or the Norwegian Environmental Directorate. The combined evidence shows that a coordinated action on slime toys is urgently necessary.

Please note that we will share this letter also with your colleague Ms Pinuccia Contino in DG Justice and Consumers as the Safety Pledge and functioning of the Safety Gate are under DG Justice's responsibility.

Please be also informed that consumer organisations attended a workshop of the Consumer Safety Network on 4 December during which slime toy testing results were mentioned as one example where a strengthened collaboration with market surveillance authorities could facilitate the information exchange about non-compliant products. We would be happy to present the findings additionally at the next meeting of the Toy-ADCO Group or the Expert Group on Toy Safety.

We would welcome an opportunity to discuss this topic with you further and remain at your disposal for any follow-up questions.

Best regards,

Monique Goyens
BEUC Director General

Stephen Russel
ANEC Secretary General

C/c : Ms Pinuccia Contino, Head of Unit and (DG JUST).

Annex: Technical annex with results from Austria, Denmark, France, Germany, Italy, Spain, the Netherlands and UK.

⁴https://ec.europa.eu/consumers/consumers_safety/safety_products/rapex/alerts/repository/content/pages/rapex/index_en.htm