STATUTORY INSTRUMENTS

1967 No. 1157

CONSUMER PROTECTION
The Toys (Safety) Regulations 1967

Made - - -	*27th July* 1967
Laid before Parliament	*4th August* 1967
Coming into Operation	*1st November* 1967

In pursuance of sections 1 and 2 of the Consumer Protection Act 1961(a) and of the Schedule to that Act as amended by the London Government Act 1963(b), and after consulting with such persons and bodies of persons as appear to me to be requisite, I hereby make the following Regulations:—

1. A toy shall not, whether wholly or in part, be made of or impregnated with cellulose nitrate:

Provided that this Regulation shall not apply to a ball of the kind used for ping-pong or table tennis.

2.—(1) A toy shall not have any coating of paint which contains lead, or any compound of lead, so that the proportion (by weight) of lead calculated as the element (Pb) exceeds 11,000 parts or, after 31st October 1968, 5,000 parts in 1,000,000 parts of the dry paint film.

(2) After 31st October 1968, a toy shall not have any coating of paint which contains arsenic, or any compound of arsenic, so that the proportion (by weight) of arsenic calculated as the element (As) exceeds 250 parts in 1,000,000 parts of the dry paint film.

(3) After 31st October 1968, a toy shall not have any coating of paint which contains soluble antimony, barium, cadmium or chromium, or any soluble compound of any of those elements, so that the proportion (by weight) of the element calculated as such exceeds 250 parts in 1,000,000 parts of the dry paint film.

In this paragraph, the expression "soluble" in relation to an element or compound means capable of being dissolved by the method described in the Schedule to these Regulations.

(4) In this Regulation, "paint" includes lacquer, varnish and other similar substances.

3. As respects the requirements of these Regulations, subsections (1) and (2) of section 2 of the Act (which prohibits sales and possession for sale of goods and component parts not complying with regulations) shall apply in relation to goods and component parts manufactured before the imposition of those requirements notwithstanding anything in subsection (4) of that section (which exempts such goods and parts unless regulations otherwise provide).

4. Subsections (1) to (3) (other than paragraphs (d) and (e) of subsection (3)) of section 2 of the Act (which relate to sales and possession for sale of goods and component parts not complying with regulations) shall, except as provided by

(a) 1961 c. 40. (b) 1963 c. 33.

the proviso to subsection (6) of that section, apply in relation to goods to which these Regulations apply as if references to selling or to a sale included references to letting under a hire-purchase agreement or on hire, and the reference to a sale under a credit-sale agreement were a reference to a letting under a hire-purchase agreement.

5.—(1) The Schedule to the Act shall have effect in relation to goods to which these Regulations apply.

(2) In relation to goods to which these Regulations apply, "local authority" in the Schedule to the Act shall mean the council of a county borough, the council of a London borough or the Common Council of the City of London; as respects any non-county borough or urban district which has according to the last published census for the time being a population of 60,000 or upwards, the council of the borough or urban district; as respects any other area in England and Wales, the council of the county; and, in Scotland, the council of any county or any town.

6.—(1) In these Regulations—

"the Act" means the Consumer Protection Act 1961 as amended by the London Government Act 1963;

"toy" means a child's plaything.

(2) The Interpretation Act 1889(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

7. These Regulations may be cited as the Toys (Safety) Regulations 1967 and shall come into operation on 1st November 1967.

Roy Jenkins,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
27th July 1967.

Regulation 2(3)

SCHEDULE

Method of Dissolving Soluble Substances Contained in Dry Paint

1. A sample of the dry paint film shall be so comminuted as to be capable of passing through a sieve having a B.S. 30 mesh.

2. The sample so comminuted shall be shaken continuously for one hour, at room temperature, with 1,000 times its weight of an aqueous solution of hydrochloric acid containing 0.25 per cent. by weight of hydrogen chloride.

3. After shaking, the mixture shall be allowed to stand for one hour, and shall then be filtered.

4. In this Schedule, "B.S. 30 mesh" means a mesh which complies with the specification for a number 30 mesh set out in Table 1 of the British Standard Specification for Test Sieves B.S.410:1962, as amended by Amendment No. 1 published on 19th November 1963.

(a) 1889 c. 63.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

By the Consumer Protection Act 1961 the Secretary of State is empowered to make regulations imposing requirements, in respect of any prescribed class of goods, to prevent or reduce risk of death or personal injury.

These Regulations impose such requirements in relation to toys, and accordingly under the Act, subject to certain exceptions, no person may sell or have in his possession for sale a toy not complying with the Regulations. By virtue of Regulation 4, letting on hire or hire-purchase is similarly prohibited.

Regulation 1 prohibits the use of celluloid in toys, other than ping-pong balls.

Regulation 2 imposes restrictions in relation to the paint which may be used on toys.

Regulation 3 provides that toys shall be subject to the Regulations notwithstanding that they were manufactured before the Regulations became effective.

Regulation 5 makes provision as regards enforcement.

Copies of the specification mentioned in the Schedule may be obtained from the British Standards Institution.