

DECLARATION OF CONFORMITY

OFFICIAL JOURNAL OF TOY SAFETY
DIRECTIVE (2009/48/EC)

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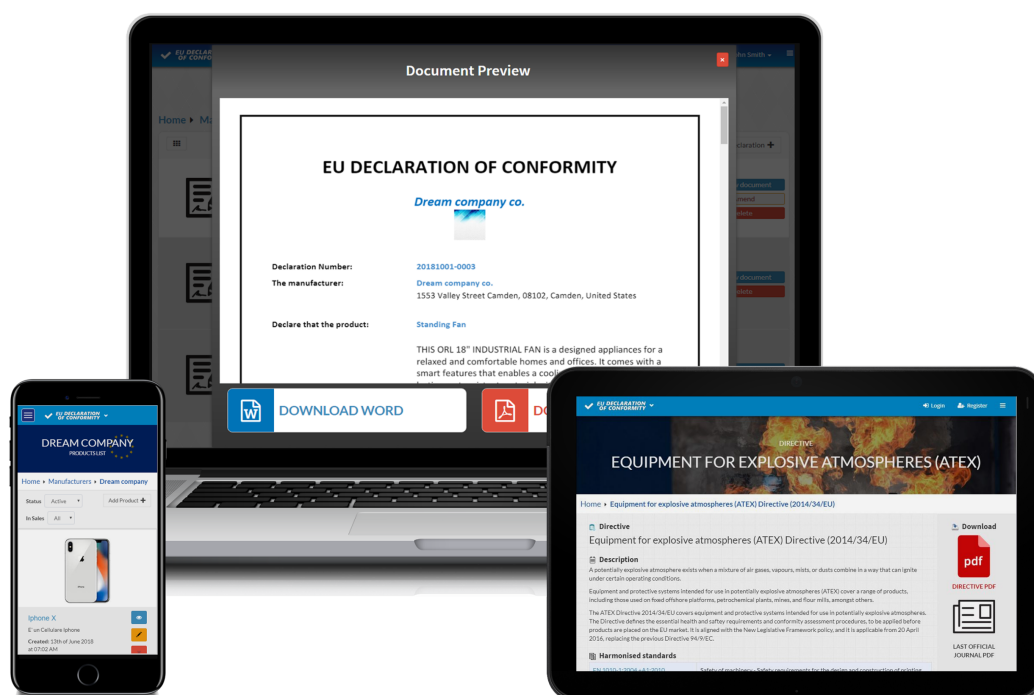
DECLARATION OF CONFORMITY

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2025/2519

16.12.2025

COMMISSION IMPLEMENTING DECISION (EU) 2025/2519

of 15 December 2025

amending Implementing Decision (EU) 2023/740 as regards harmonised standards for olfactory board games, cosmetic kits and gustative games and on migration of certain elements from toys

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council ⁽¹⁾, and in particular Article 10(6) thereof,

Whereas:

- (1) In accordance with Article 13 of Directive 2009/48/EC of the European Parliament and of the Council ⁽²⁾, toys which are in conformity with harmonised standards or parts thereof, the references of which have been published in the *Official Journal of the European Union*, are to be presumed to be in conformity with the requirements covered by those standards or parts thereof set out in Article 10 of Directive 2009/48/EC and Annex II to that Directive.
- (2) Directive 2009/48/EC lays down, in Part III of Annex II thereto, specific requirements in order to ensure that there are no risks of adverse effects on human health due to exposure to the chemical substances or mixtures of which the toys are composed or which they contain. Moreover, Article 10(2) lays down the general safety requirement.
- (3) By Implementing Decision C(2022)7410 ⁽³⁾, the Commission made a request to the European Committee for Standardisation (CEN) and the European Committee for Electrotechnical Standardisation (Cenelec) for the drafting of new and the revision of existing harmonised standards in support of Directive 2009/48/EC.
- (4) On the basis of the request set out in Implementing Decision C(2022)7410, CEN revised harmonised standards EN 71-13:2021+A1:2022 'Safety of toys – Part 13: Olfactory board games, cosmetic kits and gustative games' and EN 71-3:2019+A1:2021 'Safety of toys – Part 3: Migration of certain elements', the references of which are published by Commission Implementing Decision (EU) 2023/740 ⁽⁴⁾. This resulted in the adoption of harmonised standards EN 71-13:2021+A2:2024 and EN 71-3:2019+A2:2024.
- (5) The Commission, together with CEN, has assessed whether those standards comply with the request set out in Implementing Decision C(2022) 7410.
- (6) Harmonized standards EN 71-13:2021+A2:2024 and EN 71-3:2019+A2:2024 satisfy the requirements which they aim to cover and which are set out in Directive 2009/48/EC. It is therefore appropriate to publish the references of those standards in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 316, 14.11.2012, p. 12, ELI: <http://data.europa.eu/eli/reg/2012/1025/oj>.

⁽²⁾ Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys (OJ L 170, 30.6.2009, p. 1, ELI: <http://data.europa.eu/eli/dir/2009/48/oj>).

⁽³⁾ Commission Implementing Decision C(2022)7410 final of 24 October 2022 on a standardisation request to the European Committee for Standardisation and the European Committee for Electrotechnical Standardisation as regards toys in support of Directive 2009/48/EC of the European Parliament and of the Council.

⁽⁴⁾ Commission Implementing Decision (EU) 2023/740 of 4 April 2023 on harmonised standards for toys drafted in support of Directive 2009/48/EC of the European Parliament and of the Council (OJ L 96, 5.4.2023, p. 85, ELI: http://data.europa.eu/eli/dec_impl/2023/740/oj).

- (7) The Annex to Implementing Decision (EU) 2023/740 lists the references of harmonised standards drafted in support of Directive 2009/48/EC. To ensure that the references of harmonised standards drafted in support of Directive 2009/48/EC are listed in one act, the references of EN 71-13:2021+A2:2024 and EN 71-3:2019+A2:2024 should be included in Implementing Decision (EU) 2023/740.
- (8) Harmonised standard EN 71-13:2021+A2:2024 and EN 71-3:2019+A2:2024 replace harmonised standard EN 71-13:2021+A1:2022 and 71-3:2019+A1:2021 respectively. It is therefore necessary to withdraw the references of those standards from the *Official Journal of the European Union*. In order to allow toy manufacturers sufficient time to adapt their products to the revised specifications in standards EN 71-13:2021+A2:2024 and EN 71-3:2019+A2:2024, it is necessary to defer the withdrawal of the references of harmonised standards EN 71-13:2021+A1:2022 and 71-3:2019+A1:2021.
- (9) Implementing Decision (EU) 2023/740 should therefore be amended accordingly.
- (10) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the day of its publication,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision (EU) 2023/740 is amended in accordance with the Annex to this Decision.

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Point (1) of the Annex shall apply from 16 June 2027.

Point (2) of the Annex shall apply from the day of publication of this Decision in the *Official Journal of the European Union*.

Done at Brussels, 15 December 2025.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

The Annex to Implementing Decision (EU) 2023/740 is amended as follows:

- (1) rows 3 and 9 are deleted;
- (2) the following rows are inserted in sequential order:

No	Reference of the standard
'3a.	71-3:2019+A2:2024 Safety of toys – Part 3: Migration of certain elements';
'9a.	EN 71-13:2021+A2:2024 Safety of toys – Part 13: Olfactory board games, cosmetic kits and gustative games'.