

VOLUNTARY AGREEMENT

BETWEEN

the European Commission

AND

**Eurocommerce,
the European Retail Round Table,
Toy Traders of Europe
and the European Promotional Products Association**

1. BACKGROUND

The summer of 2007 saw a number of high-volume toy recalls, which caused widespread concern both at political level as well as with consumers. In reaction to these events, the European Commission decided to undertake a stocktaking exercise to review the strengths and weaknesses of the existing mechanisms to ensure European consumers enjoy a high level of protection in the area of product safety, drawing in particular upon the toy recalls.

The exercise concluded that the existing EU legislative framework, when properly applied, is capable of ensuring a high level of consumer protection and at the same time facilitating intra-community trade. Nevertheless, a number of areas for further consideration were identified and one of the immediate follow-up actions consisted of an evaluation of the measures that businesses throughout the toy supply chain are taking to ensure product safety.

This evaluation, which was undertaken between November 2007 and May 2008 under the direction of an independent expert group, resulted in a number of recommendations for each of the main actors in the toy safety chain. For retailers and traders the focus should be on strengthening their ability to ensure that their suppliers comply with all relevant requirements and to devote appropriate internal resources to this important task.

This engagement of toy retailers and traders underpins their commitment to ensuring safety in the toy supply chain and provide safe toys to Europe's most vulnerable consumers.

2. AGREEMENT

The participants agree to engage their members in the following activities:

2.1. Spreading knowledge and best practice

Understanding the applicable legal framework and the relevant safety requirements is the foundation for any activity that aims at improving toy safety. Therefore, the participants to this agreement undertake to:

- Raise their members' awareness of applicable toy safety legislation, standards and guidelines, as well as general product safety legislation in the European Union through information dissemination;
- Encourage their members to engage with toy suppliers to ensure they are informed of the requirements of all relevant EU legislation, standards and guidelines;
- Organise on a regular basis, where possible in collaboration with the EU Commission, information sessions to inform their members on the latest developments in the field of toy safety.
- Encourage their members to strengthen the representation of retailers and traders in the various forums where toy safety is discussed such as standardisation committees, expert groups, etc.

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2.2. Compliance

In addition to the controls by national surveillance authorities, systems and measures need to be in place to ensure that the toys being placed on the market do indeed comply with all relevant requirements. Therefore, the participants to this agreement undertake to:

- Develop, in cooperation with the Commission and market surveillance authorities, guidelines illustrating systems and procedures that could be put in place to ensure that products supplied comply with all relevant national and European safety legislation and ensure the dissemination of these guidelines and promote their use by its members in order to:
 - Encourage them to comply with all relevant safety requirements, including those related to the technical documentation;
 - Encourage their members to establish appropriate systems and measures to ensure that products supplied can be traced throughout the supply chain;
 - Promote the establishment of systems and measures to ensure that complaints or requests from consumers, customers or enforcement authorities are dealt with in a timely and appropriate manner and lessons are learnt from the issues that such complaints may reveal.

- Organise on a regular basis information meetings to exchange views on the use of the guidelines and on best practices;
- Ensure, in collaboration with the Commission, and when necessary, the update of the guidelines.

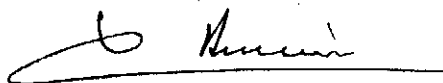
Done in Brussels on 18 December 2008 in two originals

For the European Commission:

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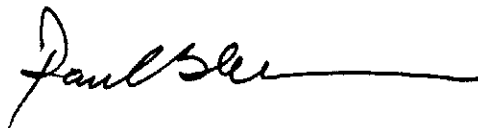
Meglana Kuneva
Commissioner in charge of Consumer
protection

For EuroCommerce:



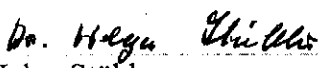
Xavier Durieu
Secretary General

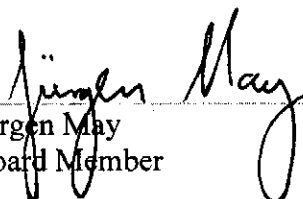
For the European Retail Round Table:



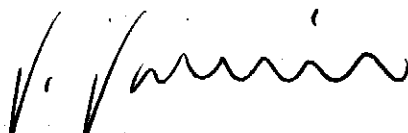
Paul Skehan
Director

For the Toy Traders of Europe:

Dr. Helga Stübler

Helga Stübler
Secretary General


Jürgen May
Board Member

For the European Promotional Products Association:


Patrick Politze
President


Ralf Samuel
Board Member