

COMMENTS FROM THE EUROPEAN UNION REGARDING NOTIFICATION

G/TBT/N/KAZ/7

DRAFT AMENDMENTS No 2 TO THE TECHNICAL REGULATION OF THE CUSTOMS UNION «ON SAFETY OF TOYS» (CU TR 008/2011)

The European Union (EU) would like to thank the authorities of Kazakhstan for providing the opportunity to comment on the draft Amendments No 2 to the Technical Regulation of the Customs Union «On Safety of Toys» (CU TR 008/2011) notified on 8 July 2016.

The EU would like to raise the following comments.

The EU acknowledges the need to protect children's health and safety.

According to the authorities of Kazakhstan, the provisions of the notified draft are developed to protect children from the possible negative impact of toys that are harmful to their health and development. They concern criteria of psychological and educational safety to ensure the moral and emotional wellbeing of children, for example to prevent gambling addiction, aggressive or discriminatory behaviour.

It is difficult to understand from the notified draft which criteria will be applied to objectively measure such negative impact on children's development and health and the consequent requirements for the toys to respect such criteria.

The EU toy safety legislation does not include such requirements, and the EU is not aware that toy safety legislation in other jurisdictions of the world would include such requirements.

The EU would like to ask the authorities of Kazakhstan for the scientific basis, such as behavioural studies, which serve to justify the need to develop such requirements.

The EU would also like to be informed in a timely manner about the steps intended or taken when such requirements are being developed.

The EU would be grateful if the above-mentioned comments could be taken into account and replied to.