

Manual for ITC's clients

from the area of conformity assessment of toys pursuant to Article 8, paragraph 1 of Council Directive 88/378/EEC and the § 3, Subsection 1 of Czech Republic's Government Order No. 19/2003, Collection of Laws

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Approved by:

Dipl. Ing. Pavel Vaněk
Director of Certification Division

1. Introduction

The present Manual aims at facilitating customers of the Institute for Testing and Certification, a. s. (hereinafter referred to as only „ITC“) to prepare documents necessary for conformity assessment of toys and providing them with the essential information about their rights and obligations in placing toys on the EU market.

ITC is a legal entity authorized to perform activities in conformity assessment of toys placed on the markets of member states of the European Union and countries of the European Free Trade Association and notified for this activity by the European Commission as Notified Body No. 1023 (hereinafter referred to as only „NB 1023“).

Technical requirements for toys and obligations of persons introducing toys into the market of the European Union are laid down by the European Directive 88/378/EEC as amended by Directive 93/68/EEC. In compliance with legislation of the European Union this Directive is implemented into the Czech legislation in the form of a *Czech Republic's Government Order No. 19/2003, Collection of Laws, which lays down technical requirements for toys* (hereinafter referred to as only „GO 19“).

Practically it means that by meeting the requirements laid down by the GO 19 also requirements of the above directive are met at the same time and the product whose conformity with these requirements has been assessed by an authorized representative in co-operation with NB 1023 (ITC) may be introduced into the market of all EU and EFTA member states without any further restrictions and measures taken.

Depending on the extent of application of the harmonized technical standards in manufacture of a toy two conformity assessment procedures are specified in the paragraph 3 of the GO 19.

The present Manual covers toy conformity assessment using a procedure according to paragraph 3, section 1 of the GO 19 and issuing of the EC Type Certificate by Notified Body as mentioned in paragraph 6, section 1, letter a) of the GO 19 (it is equal to the requirements stipulated in the Article 8, paragraph 1 of the Toy Safety Directive 88/378/EEC).

2. Definitions

2.1. Basic terms

- **toy** shall mean any product designed or clearly intended for use in play by children of less than 14 years of age (see Section 1, Subsection 2 of the GO 19). The products listed in Annex I shall not be regarded as toys. Toys are subject to obligation of conformity assessment and affixing CE conformity marking prior to placing on the EU and EFTA markets;
- **European CE conformity marking** shall mean a marking placed on a product or its package by which the manufacturer confirms conformity of its properties with requirements of the appropriate Directive and GO;
- **essential requirements** shall mean technical requirements for products, the meeting of which is a prerequisite for a minimum sufficient safety of a product provided they are used in a usual and reasonably foreseeable manner. They are defined in the New Approach Directives related to the given product area and implemented into national legislation of the EU member states. Meeting the essential requirements is a decisive aspect of all conformity assessment procedures. The most frequent method of demonstrating the conformity with the essential requirements is a demonstration of conformity with the harmonized standard related to the product;

- **harmonized Czech technical standard** shall mean a Czech technical standard which fully adopts requirements of the harmonized European standard. Meeting requirements of a harmonized Czech or European standard is considered within their scope as meeting appropriate essential requirements of the Directives and the Government Order related to a given product;
- **notified body** shall mean a body authorised to conduct defined activities in conformity assessment of products specified by a national authority (in case of the Czech Republic by Úřad pro technickou normalizaci, metrologii a státní zkušebnictví – ÚNMZ /Czech Office for Standards, Metrology and Testing - COSMT/) and notified to European Commission bodies and to all EU member states as a body authorised to carry out activities in conformity assessment of products for which it received the notification. Decisions and documents issued by all notified bodies (NB) are equal and valid in the entire EU;
- **conformity assessment procedure** shall mean a method defined by a directive or a GO by which the manufacturer demonstrates conformity of the product properties with essential requirements, usually with participation of a notified body. Usually, the manufacturer is free to choose between several conformity assessment procedures (also known as modules);
- **EC type-examination** shall mean the procedure whereby a notified body ascertains whether a sample of a toy meets essential requirements and if so, it confirms this fact by drawing up an EC type-certificate.
- **notification scope** shall mean a specific definition of the range of products and conformity assessment procedures for which the given NB, based on a demonstration of a professional and technical competence, is notified and authorized to conduct its activities;
- **authorized representative** shall mean a person established in a member state of EU who is authorized in writing by the manufacturer to act on his behalf with respect to meeting requirements of relevant directives (and implementation thereof into national legislations of the member states) placed on the manufacturer;
- **placing a product on the market** shall mean the first making available in return for payment or free of charge of a product, with a view to distribution and/or use on the European Community market, or when the right of ownership thereto is transferred for the first time, unless stipulated otherwise by a special Act.

2.2. Abbreviations used

ATL	Accredited testing laboratory
Directive	For the purposes of this Manual, New Approach Directive, which lays down technical requirements for a given product area
ITC	Institut pro testování a certifikaci, a.s (Institute for Testing and Certification, a.s.)
NB	notified body
NB 1023	Notified Body 1023 (this designation has been assigned to ITC by the European Commission)
GO	Government Order
GO 19	Czech Republic's Government Order No. 19/2003, Collection of Laws, setting out technical requirements for toys.
OSMT	Office for Standards, Metrology and Testing
Act 22	Act 22/1997, Collection of Laws, on technical requirements for products and on amending and complementing certain laws, as amended

3. Scope of ITC's notification

ITC's notification in the area specified by the Council Directive 88/378/EEC and GO 19 covers all toys and conformity assessment procedures pursuant to Sections 1 and 3 of the GO 19. The scope of the notification has been set out by the OSMT's Decision No. 15/1999. Based on the provision of Section 9 of the GO 19 the same scope also applies to notification of NB 1023.

4. Legislation

4.1. Act 22/1997, Collection of Laws, and GO 19/2003, Collection of Laws

The legislation framework for conformity assessment of specified products is formed by the Act 22/1997, Collection of Laws, on technical requirements for products and on amending and complementing certain laws, as amended. Toys are specified products in the sense of Section 12, Subsection 1 of the Act 22. Technical requirements for toys are contained at a general level in the law and made specific in Czech Republic's Government Order 19/2003, Collection of Laws, which implements requirements of the Directive 88/378/EEC as amended, into the Czech legislation.

4.2. Related regulations

This part lists, for customer's information, related legislation that must be taken into account in the process of conformity assessment of products placed on the market of EU and the Czech Republic. It includes notably the Public Health Protection Act and its implementing decrees and acts on liability for damage caused by a defective product:

Act 258/2000, Collection of Laws, on Public Health Protection and an amendment of some related acts, as amended.

Ministry of Health's Decree No. 84/2001, Collection of Laws, on hygienic requirements for toys and products for children under 3 years of age.

Ministry of Health's Decree No. 38/2001, Collection of Laws, on hygienic requirements for products intended to come into contact with foodstuffs and food, as amended.

Act 59/1998, Collection of Laws, on liability for damage caused by a defective product, as amended.

Act 102/2001, Collection of Laws, on general safety of products and on an amendment of some acts, as amended.

5. Harmonized technical standards concerning conformity assessment of toy safety

The following table (on the next page) gives a list of harmonized technical standards related to the Directive 88/378/EEC and GO 19, as they were published in Official Journal of the European Communities (OJEC).

Designation of the standard	Title of the standard
ČSN EN 71-1 +A1+A2+A5+A6+A7+A8	Safety of toys - Part 1: Mechanical and physical properties
ČSN EN 71-2	Safety of toys - Part 2: Flammability
ČSN EN 71-3 +A1	Safety of toys - Part 3: Migration of certain elements
ČSN EN 71-4 +A1+A2	Safety of toys - Part 4: Experimental sets for chemistry and related activities
ČSN EN 71-5	Safety of toys - Part 5: Chemical toys (sets) other than experimental sets
ČSN EN 71-6	Safety of toys - Part 6: Graphical symbol for age warning labelling
ČSN EN 71-7	Safety of toys - Part 7: Finger paints - Requirements and test methods
ČSN EN 71-8	Safety of toys - Part 8: Swings, slides and similar activity toys for indoor and outdoor family domestic use
ČSN EN 50088 +A1+A2+A3	Safety of electric toys
ČSN EN 60742 +Z2	Isolating transformers and safety isolating transformers. General requirements

It must be emphasized that these harmonized standards do not still cover all risks associated with toy safety. It is particularly in the area of chemical properties (migration of hazardous organic substances from plastics toys and toys coated with organic paints into child's saliva or digestive juices) where risks not covered by European standards occur. At present, works are culminating on 3 new harmonized standards of the EN 71 series relating to toy safety, specifically on Parts 9, 10 and 11 concerning establishing limits and methods for determining migration of a great number of organic substances from toys into simulants of body fluids. For this reason the conformity with the existing harmonized standards cannot be considered to be a conformity with the Government Directive or Government Order 19 in case of toys containing plastics and other polymeric organic materials including the textile ones. As regards toys made fully or partially from the above materials the procedure referred to in § 3, Subsection 1 of the Government Order 19 and consequently also the procedures described in this Manual cannot largely be used since the procedure applies only to cases where all risks are dealt with in the harmonized standards.

In such cases, it is necessary to use other complementary manual for clients, describing the procedure specified in § 3, Subsection 2, i.e. the situation where the harmonized standards do not cover entirely all risks.

Generally, this Manual can be used in case of metal toys and special types of toys described in separate sections of EN 71, Part 4: Experimental sets for chemistry and related activities, Part 5: Chemical toys (sets) other than experimental sets and Part 7: Finger paints – Requirements and test methods.

6. Conformity assessment procedures

6.1. Depending on the extent of applying the harmonized technical standards in manufacture of toys two conformity assessment procedures are set out in § 3, Subsections 1 and 2 of the Government Order 19.

6.2. This Manual applies to conformity assessment of toys employing a procedure described in § 3, Subsection 1 of the Government Order 19/2003, Collection of Laws, where NB 1023

(ITC) conducts *EC type examination* and, provided the results of the examination are positive, it draws up an *EC Type Certificate*. This procedure will be used in case of the toys where no regulations other than harmonized standards currently in force will apply to their safety. For the above reasons this Manual can be used in case of metal toys and special types of toys described in separate sections of EN 71, Part 4: Experimental sets for chemistry and related activities, Part 5: Chemical toys (sets) other than experimental sets and Part 7: Finger paints – Requirements and test methods.

6.3. The EC type-examination is a technical service that NB 1023 offers and provides to clients on a commercial basis.

7. Procedure of conformity assessment of toys by NB 1023 according to § 3, Subsection 1 of the GO 19

This section describes steps that the manufacturer, his authorized representative or the importer importing the toy into the European Union must take in assessing conformity of the toy. Should neither the manufacturer nor his authorized representative or importer be established in the European Union, the responsibility for the conformity assessment of the toy before supervision bodies shall be assumed by the person that was the last to place the product on the market.

For an easier distinction the activities of a person requesting the Notified Body 1023 (ITC) for a conformity assessment (the client) are described in a common typeface while responses and activities of NB 1023 are graphically differentiated by italics.

7.1. Application

7.1.1. The manufacturer of a toy or its authorized representative or, if appropriate, the importer of the toy into the European Union (hereinafter referred to as “client”) lodges an application for EC type-examination with the Notified Body 1023 using a form, which constitutes Annex 1 to this Manual. The client shall deliver the completed form personally or by mail to one of the contact persons shown below:

- a) **Dipl. Ing. Ludmila Antořová** (an expert for conformity assessment of toys in compliance with GO 19)
třída Tomáše Bati 299
764 21 Zlín
Czech Republic
tel. (+420) 577 601 364, fax. (+420) 577 104 855, e-mail: lantosova@itczlin.cz
- b) Jitka Fusková (secretariat of the Certification Division manager)
Institut pro testování a certifikaci, a.s.
třída Tomáše Bati 299
764 21 Zlín
Czech Republic
tel. (+420) 577 601 623, fax. (+420) 577 104 855, e-mail: jfuskova@itczlin.cz

The application form can also be obtained by downloading the appropriate file from ITC's web site (from the home page www.itczlin.cz using the following menu: ENTER>Notified Body>Toys>Application form) or at the request from the above contact persons who will send it by fax or e-mail. Client may send the application to ITC using also his/her own form on condition that the client's form contains all the data specified in the ITC's official application form.

7.1.2. Already at this stage it is advisable to supply with the application also samples and technical documentation as required by the § 4, Subsection 2 of the GO 19. The table in Annex 2 of the present Manual giving a list of recommended items of documentation serves as a methodical aid for compilation of the full set of documents necessary for conformity assessment.

7.1.3. The application and the documentation presented must be in either Czech or English. Use of other languages of the European Union is possible only when agreed with the above expert, namely Dipl. Ing. Ludmila Antošová. Instructions and warnings shown on the toy or its package must be given at least in the language of a member state of the European Union, in the territory of which the toy will be placed on the market. The instructions and warnings can be multilingual ones.

Filling in of the application form can be consulted, in case of an ambiguity, with the expert at the above contact addresses.

7.1.4. Neither the Directive 88/378/EEC nor the Act 22 make possible for the manufacturer or his authorized representative to lodge the application for EC type-examination of the same toy with another notified body.

7.2. Application review

7.2.1. The notified body is obliged under the law to respond to client's request for a service concerning conformity assessment within 20 days at the latest. The certification worker of NB 1023 (ITC) will register the application and reviews at this stage correctness and completeness of the application data or correctness of selection and number of samples supplied.

7.2.2. If the application or the documentation is incomplete, the certification worker will specify in writing (by letter, e-mail, fax) the missing items and request their completion.

7.3. Draft of a conformity assessment contract

7.3.1. NB 1023 will make a price proposal including price of the necessary tests as well as price of other certification activities and will elaborate a draft of the contract (a sample of such a contract draft is shown in Annex 3 to this Manual). Secretariat of the Notified Body will send the draft of the contract signed by a representative of NB 1023 or his deputy to the applicant for approval and signing by a person authorized to act on his/her behalf. An annex to the contract is the present Manual for Clients. NB 1023 will send the applicant simultaneously with the contract also the invoice for payment of an advance, unless agreed exceptionally otherwise.

7.3.2. The NB 1023 expert will discuss client's comments, if any, on the wording of the draft contract with the manager of the Certification Division. Based on acceptable comments a definitive wording of the contract draft will be elaborated. NB 1023 representative will sign the contract draft and the secretariat will send it to the applicant for consent.

7.3.3. If the applicant's comments are unacceptable and personal negotiation is not successful the contract will not be concluded and NB 1023 secretariat will notify the applicant thereof in writing.

7.3.4. Continuation of the EC type-examination process, particularly start of the tests and assessment, is subject to applicant's consent to the price proposal, content of the contract and this Manual. The company will express its consent by signing the draft contract and paying the advance invoices. A necessary prerequisite for starting the activity is also supply of a sufficient quantity of samples.

7.4. Sampling

7.4.1. Together with the application the client is obliged, in compliance with the GO 19, to supply also a sample of the toy. Exceptionally, when agreed with the contact persons, the samples can be provided also additionally; however, this will extend the period of time necessary to carry out the EC type-examination.

7.4.2. The samples of the toy must represent the type intended for EC examination. The same „type“ may include several versions (models) of the product provided the differences between the versions affect neither safety level, quality characteristics nor the intended use of the product. Toys of the same type must be particularly manufactured from the same materials using identical technology and must be based on identical design characteristics. Assessment of the effect of deviations of various versions on safety and quality levels and on intended use of a given product is the exclusive right of NB 1023, which will take a final decision on the possibility of considering more product versions for a single type in the process of application acceptance and review of the technical documentation.

7.4.3. Product samples for type-examination are usually taken by the client in compliance with requested written or telephone instructions provided by the responsible worker of NB 1023. However, the client can ask the ITC's certification personnel for this service, which will be furnished under usual commercial terms.

7.4.4. Particularly in case of a type including several versions it is necessary to assure that the samples taken include to a sufficient extent all colour shades occurring in the type series and that a representative of the type are versions with the highest level of risks involved in foreseeable use of the toy.

7.4.5. The sample is taken including its intact package, on which warnings and all other information required by the Directive 88/378/EEC and GO 19 are given.

7.4.6. Usually 2 samples are sufficient for EC type-examination (provided the procedure specified in Section 7.4.2. of this Manual is taken), in case of small samples or toys containing small parts made of different materials this number must be increased.

7.4.7. If needed, NB 1023 will request, in compliance with § 4, Subsection 3 of the GO 19, additional samples.

7.5. EC type-examination

7.5.1. After meeting all prerequisites referred to in Section 7.3.2, NB 1023 shall examine the documents supplied by the applicant and notably checks that the toy would not jeopardize safety and/or health of the child and other persons.

7.5.2. NB assures appropriate assessments and necessary tests of the toy samples in its own laboratories or, exceptionally, in contractual accredited laboratories approved by COSMT.

7.5.3. *Results of the tests and assessment of the documentation will be compiled by the certification worker in a Final Report containing description of the toy, description of the type-examination method, a list of documents issued by ITC and/or other entities and unambiguous conclusions on conformity of the type with the essential requirements of the Directive 88/378/EEC and GO 19.*

7.5.4. *If the conclusions are positive, NB 1023 will draw up an EC Type Certificate, an integral part of which is the appropriate Final Report, and hands it over to the applicant under the conditions laid down in the Conformity Assessment Contract.*

7.5.5. *NB 1023 will publish the issuance of the EC Type Certificate in the internet database, which it administers on its publicly accessible pages at www.itczlin.cz.*

7.5.6. *If the EC type-examination demonstrates that the product fails to meet the essential requirements, NB 1023 will refuse to draw up the Certificate and will inform the applicant in writing about the reasons which led it to this decision.*

7.5.7. *In case of negative results the client may ask repeatedly for EC type-examination of the product in question only after modifying the product in a manner assuring its conformity with essential requirements.*

7.5.8. *Such a request is considered from both technical and economic viewpoints for a new application, based on which the entire procedure is repeated.*

7.5.9. *NB 1023 archives the documentation related to the EC type-examination for a period of 15 years.*

7.6. Rules for recognition of results from the documentation submitted by the applicant

7.6.1. *Recognition of the results obtained by other laboratories and presented in the documentation depends solely on the decision of the Notified Body NB 1023, which in no case disclaims its responsibility for the appropriate aspect of safety of the type of the toy examined.*

7.6.2. *As a rule, results given in test reports by accredited laboratories are recognized on condition that no more than 3 years have elapsed from the date of issue of the report.*

7.6.3. *In principle, results of tests carried out by manufacturer's or non-accredited laboratories are not recognized. Tests performed on unique testing equipment not commonly accessible may constitute an exception. In such cases NB 1023 prefers conducting the tests under the supervision of its own experts.*

7.6.4. *In case of recognition of results obtained by accredited laboratories other than those of NB 1023 the Notified Body NB 1023 conducts usually a repeated check of some parameter by performing tests in its own laboratories.*

7.7. Validity of EC Type Certificate

7.7.1. *Geographical validity of the EC Type Certificate is given by the number of countries that implemented the Directive 88/378/EEC into their legislation and allow placement of CE-marked products on their own markets. They are primarily member states of EU and EFTA or candidate countries that have concluded with EU the PECA agreement (Protocol on*

Conformity Assessment and the Acceptance of Industrial Products) containing a sector annex aimed at mutual recognition of results of conformity assessment of toys.

7.7.2. From the time point of view the validity of the EC Type Certificate is not limited. However, it can be limited by

- a) amendments of the harmonized standards used
- b) changes in requirements of the appropriate Directive or GO
- c) changes in the production technology.

The Certificate remains valid until any changes in the relevant sections of the government order and/or harmonized standards used in the design of the toy construction, or in the manufacturing process, production conditions, raw-material basis occur or the manufacturing plant is relocated.

7.7.3. NB 1023 will notify in writing the certificate holder of a change in the legislation or in the harmonized standards concerning the certified product and the certificates issued.

7.7.4. If a change in the technological conditions of the manufacture has been made the Certificate holder may inquire the above contact personnel of NB 1023. The ITC's expert considers whether the reported changes in the manufacturing process can result in changes in the safety characteristics of the certified type of the toy and advises the Certificate holder in writing whether a new EC type-examination is necessary or not.

8. Procedure to be taken by the client after procurement of NB 1023 documents

8.1. Following procurement of the EC Type-Certificate, the manufacturer or his authorized representative (or a person introducing the product in the EU market) has the right to place the certified product on the EU and EFTA markets as soon as he fulfils the obligations imposed on him by requirements of the § 5 and § 6 of the GO 19. In particular, the requirements include the obligation to affix on each toy the European CE conformity marking, the graphical form of which is laid down by the GO 291/2000, Collection of Laws, and the EU Directive 93/68/EEC. The CE marking must be made in a visible, easily legible and indelible form either directly on the toy or on its pack. The toy or the package must bear also identification data on the toy manufacturer, authorized representative or importer of the toy into EU and the data must be marked by the same manner as the CE marking.

8.2. In case of conformity assessment of toys the obligation to issue a CE Declaration of Conformity is not set out.

8.3. For purposes of bodies responsible for surveillance of the market (Česká obchodní inspekce /ČOI/ /Czech Commercial Inspection/ in the Czech Republic) at least the following documents should be available:

- a detailed description of the toy
- a description of methods for assuring conformity of all products with the certified type
- addresses of manufacturing and storage sites
- copies of documents submitted to the notified body for EC type-examination
- EC Type-Certificate.

8.4. The person placing toys on the market must keep documents listed in the foregoing section for a period of 10 years from putting the last product on the EU market.

9. Possible extension of the service with other services provided by ITC

In addition to the notified services ITC offers other services including:

- check of completeness and correctness of the documentation of imported toys;
- a “turnkey” elaboration of a specific documentation necessary for placing a product on the market including also other requirements concerning legislation covering hazardous substances, waste and packages;
- a comprehensive assessment of individual, group and transport packages within the intention of the Packaging Act 477/2001, Collection of Laws, as amended.

10. Offer of the right to use “BEZ PEČNÉ HRAČKY” (“SAFE TOYS”) mark

ITC is one of the European testing laboratories authorized to grant the licence to use “BEZPEČNÉ HRAČKY” (“SAFE TOYS”) mark (other organizations having this right are, among others, the Italian Istituto Italiano Sicurezza dei Giocattoli /IISG/ /Institute for Toy Safety/ and the Spanish Asociación de investigación de la industria del juguete /AIJU/ /Toy Industry Association Institute/).

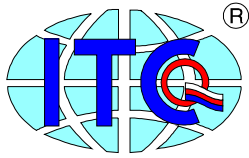
The distinct mark informs the end customer about the fact that the toy provides a substantially higher safety level than set out by the minimum criteria associated with the European CE conformity marking.

Greater details on the “SAFE TOYS” project including rules for obtaining and use of the licence to the above mark can be found on ITC' web pages (proceed from the home page www.itczlin.cz using menu >VSTUP>O NÁS>CERTIFIKAČNÍ ZNAČKY>Bezpečné hračky />Enter>About us>Certification markings>Safe toys).



11. Conclusion

This Manual for clients of toy conformity assessment is a comprehensive information source serving to ensure a smooth conformity assessment process. The Manual constitutes an annex to conformity assessment contracts because it describes in the Section 7 of the Manual in detail the procedure to be taken by an applicant for EC type-examination and the procedure to be taken by the notified body NB 1023 (ITC) in providing the service, i.e. conformity assessment.



INSTITUTE FOR TESTING AND CERTIFICATION, a. s.
Quality system certified according to EN ISO 9001:2000

Authorized Body 224 * Notified Body 1023 * Accredited Testing Laboratory * Accredited Calibration Laboratory * Accredited Certification Body

ANNEX 1

to

Manual for ITC's clients

from the area of conformity assessment of toys pursuant to Article 8, paragraph 1 of Council Directive 88/378/EEC and § 3, Subsection 1 of Czech Republic's Government Order No. 19/2003, Collection of Laws

Application form for EC type-examination of toys



APPLICATION FOR THE EC TYPE - EXAMINATION OF TOYS

pursuant to Article 10 of Directive 88/378/EEC as amended

No.: [] [] [] [] [] [] [] [] [] []

ITC's Registry Number (do not fill in)

APPLICANT:

Form with fields for Company name, VAT No., Registration No., Registered at, Address, Phone, Fax, Zip Code, e-mail, Banking with, Account No., IBAN, SWIFT Code, Represented by, and Contact person authorized to conduct negotiations.

PRODUCT:

Form with fields for Product name, Type/Model, and Company name and manufacturer's address (if different from that of the applicant).

ACCOMPANYING DOCUMENTATION:

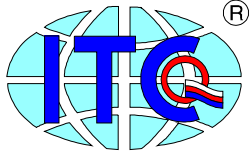
Table with 2 columns and 10 rows for accompanying documentation, including EC type examination, language versions, age category, instructions, manufacturing data, standards, technical conditions, quality management, test reports, and other documents.

Applicant's declaration:

- 1. We agree that product samples will not be returned after assessment.
2. We declare hereby that no application has been submitted to any other notified body for the same product

Date of Application

Stamp and signature of applicant's representative



INSTITUTE FOR TESTING AND CERTIFICATION, a. s.
Quality system certified according to EN ISO 9001:2000

Authorized Body 224 * Notified Body 1023 * Accredited Testing Laboratory * Accredited Calibration Laboratory * Accredited Certification Body

ANNEX 2

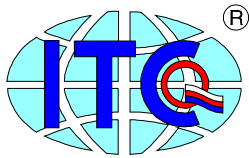
to

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Methodical aid for compilation of the documentation file necessary for EC type-examination of toys

in accordance with § 4 of the GO 19

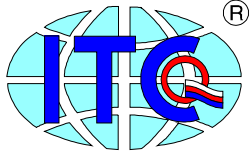


This table serves as a guidance for compilation of documentation file to be submitted to the NB 1023 ITC for the EC type-examination procedure.

The main part of the mandatory information already appears on the application form (see Annex 1 of this manual). If the Application form does not provide sufficient free place for detailed description, it is recommended to supply the Application together with appended separate document including the details.

Voluntary data in the table provide for enhancing of the EC type-examination procedure. Enclosed test reports and/or certificates will be reviewed by NB 1023 from viewpoint of rules for recognition of external organisation results. In positive case these results could reduce price and certification time substantially. However, the Notified Body is responsible also for the recognized results, therefore the recognition depends only on the NB 1023 decision.

Part of documentation	Date of delivery to ITC:
1. MANDATORY PART OF DOCUMENTATION	
Toys name or name of toys type serie	
List of models belonging to the type serie	
Description of toy	
Age category of the toy users	
Manufacturer's and production site identification data	
Authorized representative identification data	
Information submitted by manufacturer (Czech leaflets, instruction for use and maintenance, warnings, marking)	
Design documentation	
Information on manufacturing technology	
2. RECOMMENDED PART OF THE DOCUMENTATION (VOLUNTARY)	
Risk analysis	
List of harmonized standards applied either fully or partially	
List of other applied standards	
List of other (especially legal) specifications followed by the toy	
Results of the tests performed by the manufacturer	
Results of the tests performed by the ITC laboratories	
Results of the tests performed by the foreign accredited laboratories, certificates	
Manufacturer's Quality management system certificates (e.g. ISO 9001)	



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Quality system certified according to EN ISO 9001:2000

Authorized Body 224 * Notified Body 1023 * Accredited Testing Laboratory * Accredited Calibration Laboratory * Accredited Certification Body

ANNEX 3

to

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from the area of conformity assessment of toys pursuant to Article 8, paragraph 1 of Council Directive 88/378/EEC and § 3, Subsection 1 of Czech Republic's Government Order No. 19/2003, Collection of Laws

Sample of the Contract on the EC type-examination

CONTRACT NO. 7133XXXXX

concluded in compliance with provisions of Articles 591 – 600 of the Act No. 513/1991 Coll.
(Collection of Laws), Commercial Code, in the actual wording

Article I

Parties to the Contract

1. **XXXXXXXXXX**

having its seat in:

represented by:

banking with:

Account No.:

IBAN No:

SWIFT Code:

Bank domicile:

having company's registration number:

and company's tax registration number:

Tax registration number (in the Czech Republic – if there is one)

registered at (regional court or trade register):

as client ordering services (hereinafter referred to as "Client")

Person authorized to discuss technical matters of the present contract:

2. **Institut pro testování a certifikaci, a. s.**

(Institute for Testing and Certification, joint stock company),

having its seat in: tř. T. Bati 299, 764 21 Zlín, Czech Republic,

represented by: RNDr. Radomír Čevelík, general director

representative authorized to sign the Contract and to negotiate the content thereof: Ing. Pavel

Vaněk, Director of Certification Division,

banking with:

Komerční banka, a. s., Praha, branch at Zlín,

Account No.: 862113330267/0100

IBAN No: CZ8801000000862113330267

SWIFT Code: KOMBCZPP

Bank domicile:

having company's registration number (IČ): 47910381

and company's tax registration number (DIČ): CZ47910381

registered at the Regional Court in Brno, rider B/1002

who is Authorized Body AO 224 and Notified Body No. 1023 active in the European Union pursuant to Act 22/1997 Coll. on technical requirements for products and on amendment of some acts as amended (hereinafter referred to as "Contractor").

Person authorized to discuss technical matters of the present contract: Ing. L. Antošová

Article II

Subject-Matter of the Contract

1. Based on Client's application registered under the number **XXXXXXXXXX** dated **XXXXXXXXXX**, the Contractor agrees to carry out, in an impartial manner, a EC type-examination pursuant to the § 3 of the Czech Government Order No. 19/2003 (Collection of Laws) as amended, in order to issue the documents required by the Client, namely Final Report and EC type certificate for the product as follows:

XX
XX

2. The Client agrees to co-operate with the Contractor in the range necessary for the conformity assessment, to take measures at its organization ensuring conformity of all products introduced

into market with technical documentation and essential requirements for products, and to pay for the assessment works done the price by the manner stipulated in Article IV of the present Contract.

Article III
Term of Performance

1. The Contractor undertakes to carry out the services pursuant to Article II, paragraph 1, within **xxx (xxxxx)** months following the start of the work.
2. The start of the work shall be subject to payment of an advance stipulated in Article IV, paragraph 2 of the present Contract, delivery of all product samples necessary for the assessment and provision of the specified technical documentation. The starting date shall be understood to be the first day following fulfillment of all terms and conditions agreed on.
3. The Contractor reserves the right to perform the Contract sooner as it is indicated in the paragraph 1 of this Article. The Contractor's obligation shall be deemed fulfilled on dispatching the documents ordered – EC Type Certificate and Final Report by registered mail or by handing it over personally. If the above documents have been handed over by the Contractor and taken over by the Client personally the Client shall confirm their receipt in writing.

Article IV
Price and Terms of Payment

1. Pursuant to provision of Article 12, paragraph 5 of Act No. 22/1997 (Collection of Laws) on technical requirements for products and on amendment of some acts as amended and the Price Act No. 526/1990 Coll., in the actual wording, the Client and the Contractor have agreed on the price of

EUR **xxxxxxxxxxxx**
say: EUR **xxxxxxxxxxxxxxxxxxx**

2. The client undertakes to pay to the Contractor an advance equal to amount agreed on by the parties. In the case of advance payment the invoice settlement shall be subject of taxation paid by Contractor according to Czech legislation currently in force.
On completing the work covered by the present Contract a final invoice will be sent to the Client. From the amount agreed on by the parties the advance already paid by the Client will be deducted. The invoice shall be sent to the Client together with the documents specified in Article III, paragraph 3 of the present Contract.
3. Noncash transactions (credit transfer) shall be effected by a transfer order of the due amount to the Contractor's account. The client's obligation to pay the advance will be fulfilled by adding the amount to be paid to Contractor's account at his bank. If the cash payment applies, paying the agreed amount at Contractor's cash office will fulfill this obligation.
4. To pay the advance by credit transfer the Client shall use the number of this Contract as variable symbol on the transfer order.

Article V
Breach of the Contract and Consequences Thereof

1. Should the Contractor fail to keep the agreed period of time for conducting of services pursuant to Article II of the present Contract the Contractor is obliged to pay a financial fine of 0.02% of the price for each day of the delay.
2. Should the Client fail to keep the agreed invoice's maturity date pursuant to Article IV, paragraph 4 of the present Contract the Client is obliged to pay a delayed payment interest of 0.02% of the price for each day of the delay.

Article VI
Withdrawal from the Contract

1. Should the Client fail to pay the advance stipulated in Article IV, paragraph 3 of the present Contract within 21 days after conclusion of the Contract the Client will be deemed to have rescinded the Contract and the Contract shall be cancelled without Contractor's title to a cancellation charge.

Article VII
Further understandings

1. Both parties to the Contract agree to keep any and all facts and matters concerning the performance of the present Contract confidential and secret.
2. The present Contract shall not affect the legal relations between the Client and any third party, particularly that party for which the product is intended or from which the product originates. It means that this Contract shall not cover Client's legal relations in case of Client's objections to Contractor's findings nor the legal relations at the assessed product's surveillance.
3. The Client agrees that the samples will not be returned unless agreed on otherwise.
4. The Client agrees that services provided by other accredited laboratories can be used for the assessment.

Article VIII
Common and Final Provisions

1. The present Contract is being made in 2 (two) copies out of which each party shall obtain one copy with equal and full validity.
2. The Client is liable for any damage caused by providing false data in the present Contract and agrees to pay any costs incurred there from.
3. The draft of the Contract signed by the Contractor is valid for 2 (two) months. Should the Contract not be signed by the Client and delivered to the Contractor within the above period of time it will be deemed non-existing.
4. The present Contract may be amended only if such amendments are agreed on in writing by both parties to the Contract.

Done in on.....

Done in Zlín on **xxxxxxxxxxxxxxxx**

for the Client:

for the Contractor