

# ONLINE MARKETPLACES CASE STUDY

## THE CROCODILE STORY



UNDERTAKEN BY  
BRITISH  
**TOY & HOBBY**  
ASSOCIATION

THE PRODUCT HAS FAILED EN71-1 TESTING  
**FIVE TIMES**  
FAILED FIRE AND FURNISHINGS ONCE  
AND HAS BEEN RECALLED ON  
**THREE**  
SEPARATE OCCASIONS.

The British Toy & Hobby Association (BTHA) believes that online marketplaces should have a duty of care to their customers to ensure that all toys available to purchase from their platforms are safe.

There is strong evidence that the current product safety legislative framework and the systems online marketplaces have in place are not effective in stopping unsafe and non-compliant products from being sold in the UK.

One particular product demonstrates the issues found with the online marketplaces handling of product safety issues. The initial product was purchased in 2018 and formed part of the BTHA's initial report. Since then, its presence and availability on Amazon online marketplace has been regularly checked and further samples have been purchased at regular intervals.

TIMELINE	ACTION	ADDITIONAL COMMENTS
JULY 2018	The original sample was purchased and assessed.	The product included a zip opening giving access to the stuffing material inside failing EN71-1. There was no labelling with CE mark or EU address details.
18 SEPT 2018	Reported to Amazon	
8 NOV 2018	Amazon confirmed ASIN number has been taken down	
13 NOV 2018	Amazon advertise the same line by email	
12 DEC 2018	Toy was sent for independent testing	
14 DEC 2018	Amazon advertise the same line to us under the 'Baby Store' heading.	
8 JAN 2019	Two further crocodiles were purchased and found to be illegal in the same way (different ASIN numbers and sellers)	Reported to Trading Standards
18 JAN 2019	<b>Fails EN71-1 testing</b>	Reported to Trading Standards
22 JAN 2019	Reported to Amazon	Not aware of further actions
APR - MAY 2019	Numerous identical photographs and products still on sale	
13 JUNE 2019	Crocodile highlighted as 'Amazon Choice'	
6 SEPT 2019	New sample purchased from a different seller with the same illegal zip closure	Reported to Trading Standards
9 OCT 2019	Two further samples were purchased. One fulfilled by the platform (seller was Amazon EU S.a.r.L).	Information with product states: "Warning: Not suitable for children under 36 months" - which is illegal. Crocodile care label stated: "Not suitable for children under 6 years old it contains widgets. So please keep your children not putting it in the mouth, it is dangerous if swallowed by a child." Product arrived in plain box with an incorrect CE mark and a barcode, no EU address or model number. Zip opened directly to stuffing.
NOV 2019	Crocodile search revealed 277 pages with between 800 -1600 products that are likely to be the same. 23 toys researched in detail all looked identical. 13 showed the zip closure in photographs.	Reported to Trading Standards
13 NOV 2019	Some versions were advertised as pillows. Submitted for and <b>fails UK Fire &amp; Furnishings testing</b>	Reported to Trading Standards
JAN 2020	OPSS starts supporting the BTHA with product safety gate recalls	The Crocodile was determined as 'high' risk and not 'serious' and has not been included in Safety Gate recalls.
MARCH 2020	Same product found on sale from the original seller	
24 APR 2020	<b>Crocodile listed on EU Safety Gate (RAPEX)</b>	Report 17. Ref: INFO/00045/20 - Recall due to small parts - zip puller detached and access to stuffing.
13 MAY 2020	Crocodile search finds numerous identical photographs. One sample purchased and submitted for testing.	<b>Fails EN71-1 testing.</b> (For the same reasons as the first recall)
20 SEPT 2020	No notification received as purchaser by BTHA	
27 NOV 2020	<b>Crocodile listed on EU Safety Gate (RAPEX)</b>	Report 48 Ref: A12/01612/20 - Recall due to small parts - zip puller detached and access to stuffing plus thin plastic sheeting
7 DEC 2020	Amazon advertise to us as a last-minute Christmas Deal	
8 DEC 2020	Stars on Channel 4's 'Truth about Amazon' Programme	<b>Fails EN71-1 testing.</b>
20 JAN 2021	Email received with product safety notification from the previous Amazon recall.	
FEBRUARY 2021	One product purchased and sent for testing	<b>Fails EN71-1 testing.</b>
22 OCT 2021	<b>Crocodile listed on UK Product Safety Database</b>	Report 42 Ref: 2109-0277 - Recall due to small parts - zip puller detached and access to stuffing
OCT 2021 - AUG 2022	Further two samples purchased during this time showing the same issues as previous samples.	
AUG 2022	New purchase sent for testing	<b>Fails EN71-1 testing.</b>
MAY 2023	New purchase showing the same issue as all previous samples	
6 JUNE 2023	Amazon advertise the same product line to us because 'They found something you might like'	

**REPORTED**  
**FAILS TOY SAFETY TESTING**  
**DANGEROUS TOY PROMOTED BY THE MARKETPLACE**  
**NOTIFIED TO PRODUCT SAFETY GATE / RECALL**

**KEY**