



BTHAs call for the government to give companies reasonable time to comply with expectations of guidance released today

DATE: 2nd September 2020

The British Toy & Hobby Association (BTHA) is pleased that some of our concerns have been met and the recent government position on product safety markings after Brexit has changed. The guidance released by the government yesterday gives British companies a bit more time to comply with the new UKCA marking requirements. The BTHA has been explaining the concerns of member companies in relation to UKCA and CE marking and labelling to government since 2017. The UK is now only 4 months away from leaving the European Union and this latest guidance has only just been made available. There is now some time available so that responsible toy companies can become compliant with the new expectation of government.

However the BTHA is frustrated that similar guidance has not been issued for the addition of newly required UK traceability addresses.

After Brexit there are numerous changes companies need to comply with. Two key issues relate to changes in product labelling. One is the need for a UK manufacturers address, or an UK importer address and the other is a new UKCA mark on products and packaging. The importers address does have an 18-month transition period but other changes do not.

The BTHA has argued against the need for a UK compliance mark for the last 2.5 years. We have sent submissions to the UK Government and hosted a CE Marking round table in parliament in 2018. Despite this the application of a UKCA mark has continued to be discussed although it has also been mentioned that a “deal” may remove the need for it and guidance has been released, then withdrawn, changed and then released again just four months from exit.

This continued uncertainty has left our members unclear on the best action to take and the best time to start investing in labelling changes. Many companies have held off applying the mark awaiting further concrete details on what action to take. Government guidance has always mentioned that CE marking will continue to be accepted for a “time limited period” after Brexit and that any change to that would be “in consultation with industry.” This has always left the impression that we had some time after 1st January to address this issue which has finally been confirmed today.

For existing products, adding an address and UKCA mark to the toy means a change to the actual machine tools or processes that are used to make the toy. The tools, moulds and production lines need to be modified to include the new address often resulting in significant production “downtime”. For smaller toys it is unlikely any space will be available and that is acknowledged in the rules currently governing toy marking, but is not being accepted in the new rules from 1st January. The BTHA does not recommend the use of stickers as these can cause small parts safety issues and printing is not always indelible.

Many items are already manufactured and / or packed and will not be able to be easily modified. The destruction of non-labelled stock would be prohibitively expensive and a terrible waste for the environment given they are safe toys. Mould changes can be costly and have been quoted by BTHA members as between \$25 and \$100 per toy. For one member, as an example, this would cost \$500,000 - \$1,000,000 for their entire range. For many companies, that have a business based on distribution, they will have limited influence over the tools and designs of the products they buy from third party factories.

Introducing such changes with short notice only serves to increase the associated costs, for example, it prevents modification during planned maintenance and does not allow for managed production downtime.

In addition, companies are trying to understand and apply the new rules on address labelling and labelling for Northern Ireland. It is simply not possible for industry to implement changes in the time left to exit and we are asking for government to be reasonable in working with industry to find workable solutions. It should be noted that the addition of address lines is a compliance issue – not an issue that relates directly to safety. Adding additional administrative burden at a time when most companies are struggling to stay in business is particularly unwelcome.

Jerry Burnie, Head of Technical Compliance for the BTHA said, “We have maintained throughout our dialogue with government over the past 2.5 years that it will take 18 months to make changes to packaging labelling and 24+ months to make to moulded products this has been offered for UKCA marking but still leaves our members with an issue for address markings.

“The Government led the UK out of the European Union with the expectation of making the UK a more competitive and successful nation. The changes being called for will put unreasonable costs and burden on responsible companies that trade in the UK. We call on the government to make an announcement to speak with industry to discuss reasonable timelines for implementing the changes government is expecting.”

ENDS

Notes to Editors;

Please contact rebecca@btha.co.uk

About the BTHA

The British Toy & Hobby Association was established in 1944 to represent the interests of British toy manufacturers and to raise standards of practice in the industry. Today it has around 150 members ranging from international toy giants to small family-run businesses that together account for more than 80% of the reputable and legal UK toy market. Membership of the British Toy & Hobby Association shows the member’s commitment to adhere to the BTHA Code of Practice under the umbrella of the Lion Mark which includes rules covering ethical and safe manufacture of toys, toy safety, a ban on counterfeit goods, an assurance to market responsibly, a commitment to improving sustainability and a desire to promote the value of all play through support of the Make Time 2 Play campaign. Our members are manufacturers committed to making good quality toys in a responsible way. The BTHA also administers the Toy Trust - the industry’s charity and organises Toy Fair – the UK’s largest dedicated toy trade show.