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trading standards law explained

Toys

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In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

Although the United Kingdom left the European Union (EU) in 2021, certain pieces of legislation (known as 'assimilated law') continue to apply until such time as they are replaced by new UK legislation, revoked or permitted to expire. This means that our guidance still contains references to legislation that originated from the EU.

This guidance is for England, Scotland and Wales

There are a number of labelling requirements for toys, including the name and address of the manufacturer / importer, the type, batch, model or serial number, the CE / UKCA mark, and warnings and instructions.

The Toys (Safety) Regulations 2011 set out the legal requirements for the safety of new toys supplied by a business. Toys are defined as "products designed or intended (whether or not exclusively) for use in play by children under 14 years old".

There are slightly different requirements for second-hand toys because they are not covered by the same Regulations as new toys.

Labelling

All new toys that you supply in the course of a business must be marked with:

- The name and address of the manufacturer. If the manufacturer is outside the UK, the name and address of the manufacturer and the importer into the UK are to be used instead
- Type, batch, serial or model number
- The CE and/or UKCA mark

The CE / UKCA marks are a declaration by the manufacturer that the toy is safe.

These marks must be on the toy or its packaging, and be permanent and easy to read.

On small toys, these marks may be on:

- A label attached to the toy
- An accompanying leaflet

For more information on marking requirements, see 'CE / UKCA marking'.

Warnings and instructions

Some toys must come with warnings and instructions about precautions that need to be taken to ensure safe use. Special warnings are required, for example:

- Toys that are not suitable for children under three require a warning to this effect, plus the reason why - for example, choking hazard. This can be in the form of a pictogram or words (this symbol must never be found on toys that are suitable for children under three, such as rattles, teethers and soft-bodied toys)



- Swings, slides and similar toys require instructions for assembly, and for periodic checks and maintenance
- 'Functional' toys (those that are used in the same way as, and are often scale models of, appliances

or installations intended for adults) require the following marking:
    - 'Warning: to be used under the direct supervision of an adult'. They also require specific safety instructions and an indication that they must be kept out of the reach of very young children
- Toys containing inherently dangerous substances or preparations (such as chemical toys) require specific safety instructions, a statement of a minimum age limit for use and a statement that the toy is to be used under adult supervision. Where appropriate, additional requirements as to labelling and packaging may apply under assimilated Regulation (EC) No 1272/2008 *on classification, labelling and packaging of substances and mixtures* (known as GB CLP)
- Toys such as skateboards or skates require specific instructions and the following marking:
    - 'Warning. Protective equipment should be worn. Not to be used in traffic'
- Toys for use in the water (such as rubber rings) require the following marking:
    - 'Warning. Only to be used in water in which the child is within its depth and under adult supervision'
- Magnetic / electrical experimental sets intended for children aged 8 years and over must carry the following marking:
    - 'Warning. Not suitable for children under 8 years. This product contains (a) small magnet(s). Swallowed magnets can stick together across intestines causing serious injuries. Seek immediate medical attention if magnet(s) are swallowed'

This is an example list; refer to EN 71 and the applicable legislation for specific warnings and instructions.

CEN/TR 15071:2020 includes national translations of warnings ad instructions for use in the EN 71 series.

Standards

EN 71 is the series of Standards applicable to toys; it consists of the following parts:

- Part 1: Mechanical and physical properties
- Part 2: Flammability
- Part 3: Migration of certain elements
- Part 4: Experimental sets for chemistry and related activities
- Part 5: Chemical toys (sets) other than experimental sets
- Part 7: Finger paints - Requirements and test methods
- Part 8: Activity toys for domestic use
- Part 10: Organic chemical compounds - Sample preparation and extraction
- Part 11: Organic chemical compounds - Methods of analysis
- Part 12: N-Nitrosamines and N-nitrosatable substances
- Part 13: Olfactory board games, cosmetic kits and gustative games
- Part 14: Trampolines for domestic use
- Part 15: Formamide in foam toy materials (content)
- Part 16: Certain chlorinated phosphorus flame retardants (TCEP, TCPP, TDCP) in toy materials
- Part 17: Certain isothiazolinones (MIT, CIT, BIT) in aqueous toy materials
- Part 18: Phenol in aqueous (content) and polymeric (migration) toy materials
- Part 19: Migration of bisphenol A from toy materials
- Part 20: Microbiological safety of toys containing accessible aqueous media

EN IEC 62115 is the Standard applicable to electrical toys.

Second-hand toys

Toys that are second-hand are covered by the General Product Safety Regulations 2005, rather than the Toys (Safety) Regulations 2011. This means that second-hand toys do not need to be labelled with the CE / UKCA mark or the address of the manufacturer / importer, although they must still be safe.

However, when the toys were new, they would have been required to be labelled with the CE / UKCA mark; if second-hand toys do not have either of these marks, it is likely that they were not legal when they were new, so it is not advisable to sell them.

The special warnings and instructions (see above) are required for both second-hand and new toys.

Your responsibilities

When you have reason to believe a toy is unsafe and presents a risk - for example, you receive a complaint that a toy has injured a child - you must:

- Inform Trading Standards and your supplier of the risk
- Withdraw the toy from sale, if appropriate
- Provide Trading Standards with information about:
    - The risk presented by the toy
    - The non-compliance in question
    - Any actions taken

Your local Trading Standards service may request cooperation in relation to any action undertaken.

You must ensure that whilst a toy is under your responsibility, the conditions under which it is stored or transported will not jeopardise the toy's safety.

Finally, for a period of 10 years, you must be able to identify the business that supplied you with the toy (in other words, you need to keep invoices etc).

Realistic toy guns

Imitation firearms cannot be sold to under-18s. Toy retailers must be careful not to inadvertently sell what may seem to be a harmless toy gun, but which the law may actually view as being an imitation firearm.

See 'Crossbows, air weapons and imitation firearms' for more information.

Toy manufacturers/importers

If you make or import toys as well as sell them, there are many more requirements than can be covered in this guide. Please contact your local Trading Standards service for advice. You will also find useful information in the guidance linked to below.

Further information

The Office for Product Safety and Standards (OPSS) has published guidance on the Toys (Safety) Regulations 2011.

Trading Standards

For more information on the work of Trading Standards services and the possible consequences of not abiding by the law, please see 'Trading Standards: powers, enforcement and penalties'.

In this update

General detail added.

Last reviewed / updated: June 2026

Key legislation

- General Product Safety Regulations 2005
- Assimilated Regulation (EC) No 1272/2008 *on classification, labelling and packaging of substances and mixtures*
- Toys (Safety) Regulations 2011

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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