

Denmark issues Executive Order on the Prohibition of Phthalates in Toys and Articles for Young Children

In June 2020, The Danish Ministry of the Environment and Food issued an "Executive Order on the Prohibition of Phthalates in Toys and Articles of Young Children" (BEK no. 947 of 20/06/2020), applicable to children aged 0-3 years (0-36 months). This new Order repeals the previous Executive Order no. 855 of 5 September 2009 of the same title.

Requirements:

This new Order forbids the using of phthalates (defined as Esters of o-phthalic acid), as substances or as constituents in chemical mixtures, in the manufacture of toys and articles for young children or parts thereof in concentrations above 0.05% expressed in mass. And to ban import or selling of above-mentioned toys and articles or parts thereof containing phthalates in concentrations above 0.05% by mass.

Penalty for this offense can result in imprisonment up to 2 years.

Exemptions:

This Executive Order does not cover the use of the phthalates, which are:

- Using in young children's articles that are intended to contact with food
- Regulated by the Executive Order on Safety requirements for Annex II of Toy Products on Special Safety Requirements (Order No. 309 of 03/04/2017)
- Covered by nos. 51 and 52 in Annex XVII of REACH (Regulation No 1907/2006/EC of the European Parliament and of the Council)

Effective Date:

The Executive Order enters into force on 1 July 2020.

References:

<https://www.retsinformation.dk/eli/lt/2020/947>

<https://www.retsinformation.dk/eli/lt/2009/855>

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