



## Sell safe childcare articles in France with French decree 91-1292 type examination from SGS

Children are the most vulnerable end users of consumer products. Uniquely in Europe, France was the first country to recognise this. In 1991, French Decree 91-1292 was introduced specifically to protect children under the age of four from risks linked to childcare articles. Since 1991 the decree has been updated (Sept. 2019) and the scope redefined (Feb 2020).

Partner with SGS and benefit from our expertise for all your juvenile products dedicated to the French market that may require Type Examination.

### **ABOUT FRENCH DECREE 91-1292**

Before you can sell products that are subject to the decree in France, they must:

- Undergo testing in accordance with the applicable standard when published, or a Type Examination
- Achieve a Certificate of Conformity

### **WHICH PRODUCTS DOES FRENCH DECREE 91-1292 APPLY TO?**

The decree is applicable to any article intended for use by children under four years of age in activities including sitting, body care, sleeping, transportation, moving, physical protection.

For every function covered by the Decree there are products on the market for which no standard is published yet, such as articles for:

- Transportation - additional platforms, or pushchairs/strollers designed for jogging activities, tricycles when they provide a transport function for young babies, or sling carriers
- Sleeping - baby positioners, ergonomic or inclined mattresses, bed nests or bed guards
- Sitting - certain seats for children such as infant floor seats or positioners, hammocks for babies
- Body care - changing units, if intended for commercial use

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If the manufacturer claims for any of the functions listed, the article is considered as a childcare article within the meaning of the Decree.

#### Notes:

- The decree is not applicable to feeding equipment (covered elsewhere by food contact material regulations) and to soothers
- The decree is not applicable to toys
- Unlike toys, CE-marking is not required

#### WHEN IS TYPE EXAMINATION APPLICABLE?

The Type Examination process only covers childcare products, which have no dedicated standard, or have additional functions not covered by existing standards.

Type examinations are used when:

- No applicable standard has been published
- A standard exists, but is not published in the French Official Journal (this may be a French or European standard)
- A product is covered by a standard but it has an additional function that is not covered by it, or by any other published standard
- A product is a combination of two products and creates an additional risk, or characteristic, that is not covered by applicable standards
- Any product meets an applicable standard, but still presents a risk

#### TYPE EXAMINATION PROCESS

##### STEP 1: PRODUCT

The process is planned and drafted by any laboratory that is accredited for childcare articles testing, such as SGS, based on a review of existing regulations, a study of accident data and research into applicable standards or requirements.

##### STEP 2: PROTOCOL

The resulting product protocol describes the rationale of the type examination procedure, risk analysis and test program.

##### STEP 3: APPLICANT'S REVIEW

The manufacturer or the person responsible for sale approves all this, as responsibility for the safety of a product that meets the requirement of the protocol is theirs.

##### STEP 4: DOCUMENT ISSUE

On successful completion of a Type Examination, a Report and Certificate of Conformity are issued.

#### REQUIREMENTS

Broken down into five categories, the requirements of the decree are:

1. General principles
  - Protection of the user during normal or foreseeable use
  - Protection against risks linked to the design, construction or composition
  - Protection against risks linked to the use of the product
  - Product information
2. Mechanical and physical properties
  - Stability and strength
  - Sharp edges and points, moving parts, assemblies
  - Locking mechanisms and safety devices
  - Small parts
  - Restraining function and restrain systems
3. Flammability
  - Low flame propagation speed
4. Chemical properties
  - Ingestion, inhalation, skin contact
  - Toxic fumes
  - Migration of heavy metals
5. Hygiene
  - Hygienic conditions and cleanliness

#### VALIDITY

Type Examination is valid for one model of a product only. This means that regular updating of the technical documentation is necessary.

Type Examination is no longer valid if:

- The laboratory modifies the protocol to meet new safety requirements, new standards or in accordance with product recalls and/or accidents
- Any change is made to the product by the manufacturer
- A standard, that covers the safety of the product tested, is published

In the event that a new standard is published for a product, it will cease to be subject to the type examination process, but the French authorities usually do allow manufacturers/importers/distributors one year from the publication date to achieve compliance.

#### WHY SGS?

With a global network of juvenile products experts and accredited testing facilities in Europe, SGS is the perfect partner to help you sell childcare products in France. SGS is a trusted, independent third party service provider. We provide a single consolidated source for tailored testing, inspection, audit and verification services, as well as consulting solutions and technical assistance to reduce risk, improve both efficiency and quality.

#### CONTACT US

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