

Thursday 18 December 2008

- having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0329/2008),
 - having regard to Rules 51 and 83(7) of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A6-0506/2008),
1. Approves conclusion of the Convention and its Protocol;
 2. Instructs its President to forward its position to the Council and the Commission, and to the governments and parliaments of the Member States.

Safety of toys ***I

P6_TA(2008)0626

European Parliament legislative resolution of 18 December 2008 on the proposal for a directive of the European Parliament and of the Council on the safety of toys (COM(2008)0009 — C6-0039/2008 — 2008/0018(COD))

(2010/C 45 E/54)

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2008)0009),
 - having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0039/2008),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection, the opinion of the Committee on the Environment, Public Health and Food Safety and the opinion of the Committee on Industry, Research and Energy (A6-0441/2008),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;

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3. Takes note of the Commission statements annexed hereto;
4. Instructs its President to forward its position to the Council and the Commission.

P6_TC1-COD(2008)0018

Position of the European Parliament adopted at first reading on 18 December 2008 with a view to the adoption of Directive 2009/.../EC of the European Parliament and of the Council on the safety of toys

(As an agreement was reached between Parliament and Council, Parliament's position at first reading corresponds to the final legislative act, Directive 2009/48/EC.)

ANNEX

COMMISSION STATEMENTS

Commission statement on monitoring of safety aspects (Article 48)

Following the entry into force of the revised Toys Safety Directive, the Commission will monitor closely all developments relating to its implementation in order to assess whether it provides for an adequate level of toy safety, notably as concerns the application of the conformity assessment procedures as laid down in Chapter IV.

The revised Toys Safety Directive provides for a reporting obligation of Member States on the situation concerning the safety of toys, the effectiveness of the Directive and market surveillance performed by Member States.

The evaluation by the Commission will inter alia be based on the Member States' reports to be submitted three years following the date of application of the Directive with a particular focus on market surveillance in the European Union and its external borders.

The Commission will report back to the European Parliament at the latest one year after submission of Member States' reports.

Commission statement on the requirements concerning toys which are designed to emit a sound (point 10 of Part I of Annex II)

Based on the new essential safety requirement for toys which are designed to emit a sound under the Toys Safety Directive, the Commission will mandate CEN to establish a revised standard which limits the peak values for both impulse noise and prolonged noise emitted by toys in order to adequately protect children from the risk of impairment of hearing.