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**Joint Action on Cooperation between NVWA and the AQSIQ in the Field of Consumer
Product Safety
(Grant Agreement no. 17.020200 / 12 / 643441)**

**List of Criteria for Obtaining ATM Status
Draft version: 18-09-2015**

1. Introduction

This table outlines the parameters that will be assessed to check whether a toy manufacturer can achieve the ATM status. (ATM = Authorised Toy Manufacturer.) The table also shows the criterion for passing each of the requirements.

The overall idea is that goods from ATM companies will be subjected to fewer controls upon import to Europe. Generally, they will pass through import without further checks, but they may be checked by market surveillance authorities as part of their normal surveillance activities.

2. General Remarks

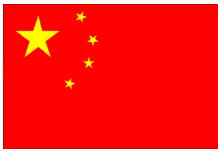
The following remarks apply in general:

- Even if manufacturers produce other products besides toys, this table of criteria applies to their toy business only.
- The table only lists criteria that a toy manufacturer must fulfil to achieve the ATM status. It does not discuss what is necessary to cancel the ATM status of a manufacturer.
- For EU brands the design, type testing, batch control, compilation of technical file and declaration of conformity, etc. is often undertaken by the Brand owner in Europe or under strict control of the Brand owner. The Chinese factory may just receive a product specification, CAD drawings, artwork etc. and their only responsibility may be to determine the line tooling, source specified materials, and build to specification. This must be taken into account when assessing the manufacturer, and when the table mentions that "Procedures must ensure that ...", it doesn't mean that the activity has to be carried out in China by the manufacturer himself. What is important is that the manufacturer can prove that the overall procedure fulfils the desired purpose.
- The ATM status is one, but only one criterion for placing a manufacturer under reduced control scheme in Europe. The EU-authorities may apply other criteria and will in general apply any kind of criteria that will serve the desired outcome best.

3. Validity

When a toy manufacturer has achieved the ATM status, it remains valid until one of the following conditions are met:

- A (periodical) audit results in serious remarks that are not handled appropriately within the agreed time.



- The manufacturer makes a serious mistake that shows that he clearly doesn't meet the ATM criteria. (The definition of "Serious mistake" should be discussed.)

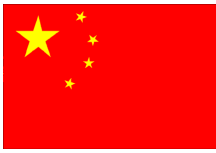
The ATM certificate has a validity of one year, after which time the manufacturer must pass a major audit again. If a manufacturer has maintained the ATM certificate without remarks for 5 consecutive years, the validity of the certificate is prolonged to 3 years.

4. Table of Parameters and Criteria

Parameter	Criterion
Assessment of the overall performance of the manufacturer: Is he able to effectively avoiding placing unsafe toys on the market?	
<p>Is the manufacturer able to produce safe and compliant toys?</p> <p>Number of RAPEX notifications concerning the manufacturer's toys.</p>	<p>The manufacturer has only placed safe toys on the market for the past 2 years.</p> <p>(If a manufacturer has placed a non-compliant, but safe toy on the market and has solved the issue himself by taking immediate, appropriate corrective action, it is not seen as a reason for not granting the manufacturer the ATM status.)</p> <p>("Compliance" is to be understood as "Compliance according to the requirements in the Toys Safety Directive".)</p> <p>No RAPEX notifications has been raised against the manufacturer's toys in the past 2 years.</p>
Assessment of the elements in the manufacturer's production control system: Does it ensure that product risks are adequately identified, reduced and monitored in the design and production phases	
<p>Does the production control system ensure that the toy is designed so it complies with the Toys Safety Directive?</p> <ul style="list-style-type: none"> • Design phase 	<p>Procedures ensure that the manufacturer knows that the toys should comply with the Toys Safety Directive and has carried out an appropriate risk analyse and assessment.</p> <p>This assessment should always follow the risk model developed by WG1 or something equivalent that ensures that all relevant risk related criteria are checked.</p>



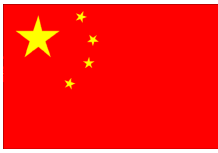
Parameter	Criterion
<ul style="list-style-type: none"> • Sourcing of materials, components and sub-assemblies • Type-testing • Compiling the technical files • Producing the declaration of conformity <p>Does the production control system monitor the mass production so that all manufactured toys comply with the Toys Safety Directive?</p> <ul style="list-style-type: none"> • Production control, overall 	<p>Procedures ensure that the manufacturer checks if existing and potential suppliers can meet the requirements from the Toys Safety Directive.</p> <p>This assessment should always follow the risk model developed by WG1 or something equivalent that ensures that all relevant risk related criteria are checked.</p> <p>Procedures ensure that all toys are type-tested by an independent, trustworthy laboratory and that they pass the test before mass manufacturing starts. (The referred-to Type-testing is not a requirement of the Toys Safety Directive and it is in particular different from the CE type testing as described in the directive.)</p> <p>The tests check that the toy meets the requirements laid down in the Toys Safety Directive. They should always be decided according to the risk model developed by WG1 or something equivalent that ensures that all relevant risk related criteria are checked.</p> <p>A "trustworthy laboratory" is in this context understood as a laboratory that has taken part in proficiency tests (for examples the Laboratory Comparison Tests organised by WP2) with good results or has an accreditation.</p> <p>Procedures ensure that a technical file that meets all requirements from the Toys Safety Directive is produced for each toy.</p> <p>Procedures ensure that a declaration of conformity that meets all requirements from the Toys Safety Directive is produced for each toy.</p> <p>Procedures ensure that the manufacturer identifies those safety requirements that are applicable to the particular toy and monitors them in the mass production process.</p> <p>This assessment should always follow the risk model developed by WG1 or something equivalent that ensures that all relevant risk related criteria are checked.</p>



Parameter	Criterion
<ul style="list-style-type: none"> • Sourcing of materials, components and subassemblies • Batch testing • Warehouse management <p>Does the production control system monitor product changes and ensure that the future version of the toy complies with the Toys Safety Directive?</p>	<p>Procedures ensure that the manufacturer checks if supplies of materials, components and subassemblies meet the requirements from the Toys Safety Directive.</p> <p>Procedures ensure that the manufacturer regularly checks if the suppliers continue to meet the requirements from the Toys Safety Directive.</p> <p>This assessment should always follow the risk model developed by WG1 or something equivalent that ensures that all relevant risk related criteria are checked.</p> <p>Procedures ensure that batches are manufactured in accordance with the specification.</p> <p>When this is done by batch testing, procedures ensure that it is carried out by an independent, trustworthy laboratory in accordance with internationally recognised principles, for instance those laid down in ISO 2859.</p> <p>The batch test checks that the toy continues to meet the requirements laid down in the Toys Safety Directive. They should always be decided according to the risk model developed by WG1 or something equivalent that ensures that all relevant risk related criteria are checked.</p> <p>A "trustworthy laboratory" is in this context understood as a laboratory that has taken part in proficiency tests (for examples the Laboratory Comparison Tests organised by WP2) with good results or has an accreditation.</p> <p>Procedures ensure that non-compliant batches are clearly identified and handled so they are effectively isolated from the normal stream of goods.</p> <p>The procedures ensure that relevant storage requirements are met and appropriately checked.</p> <p>The procedures ensure that the toys are stored in a way that maintains the traceability.</p>



Parameter	Criterion
<ul style="list-style-type: none"> • Re-design phase • Sourcing of materials, components and sub-assemblies • Type-testing • Maintaining the technical file • Maintaining the declaration of conformity 	<p>Procedures ensure that the manufacturer has carried out an appropriate risk analyse and assessment for the re-designed toy as described in the Toys Safety Directive.</p> <p>This assessment should always follow the risk model developed by WG1 or something equivalent that ensures that all relevant risk related criteria are checked.</p> <p>Procedures ensure that the manufacturer checks if existing and potential suppliers can meet the requirements from the Toys Safety Directive.</p> <p>This assessment should always follow the risk model developed by WG1 or something equivalent that ensures that all relevant risk related criteria are checked.</p> <p>Procedures ensure that all toys are type-tested by an independent, trustworthy laboratory and that they pass the test before mass manufacturing starts. (The referred-to Type-testing is not a requirement of the Toys Safety Directive and it is in particular different from the CE type testing as described in the directive.)</p> <p>The tests check that the toy meets the requirements laid down in the Toys Safety Directive. They should always be decided according to the risk model developed by WG1 or something equivalent that ensures that all relevant risk related criteria are checked.</p> <p>A "trustworthy laboratory" is in this context understood as a laboratory that has taken part in proficiency tests (for examples the Laboratory Comparison Tests organised by WP2) with good results or does has an accreditation.</p> <p>Procedures ensure that the technical file is updated when a toy is re-designed.</p> <p>Procedures ensure that the declaration of conformity is updated when a toy is re-designed.</p>
<p>Assessment of the handling of deviances: Is the manufacturer able to identify unsafe products and carry out appropriate corrective actions.</p>	
<p>The manufacturer's ability to identify unsafe toys:</p>	



Parameter	Criterion
<ul style="list-style-type: none"> Handling of complaints from consumers and business partners, handling of RAPEX notifications <p>The manufacturer's ability to undertake corrective actions towards non-compliant products:</p> <ul style="list-style-type: none"> Corrective action procedure (Examples of corrective actions are warning of consumers and/or customers, recall, withdrawal from the market.) Traceability 	<p>Procedures ensure that consumer complaints, company complaints (i.e. from business to business) and RAPEX notifications are properly captured, registered and followed up.</p> <p>Procedures ensure that all such complaints are properly examined and analysed.</p> <p>Procedures ensure that the appropriate corrective action can be determined.</p> <p>Procedures ensure that swift and effective corrective actions can be taken when necessary, eventually in cooperation with other actors in the (down-stream) supply chain.</p> <p>Products are traceable in the hands of the consumer. This means that they must present batch numbers or similar identification, clearly identifiable by the consumer after a minimum guidance.</p> <p>The batch number enables the manufacturer to trace the product all the way back to the supplier of components or materials.</p>
<ul style="list-style-type: none"> Continuous improvements 	<p>Procedures ensure that lessons are learned and implemented so errors are not repeated.</p>
<p>The manufacturer's overall status</p> <p>Does the manufacturer possess other relevant certificates?</p>	<p>It strengthens the case if the manufacturer holds other relevant certificates, for instance:</p> <ul style="list-style-type: none"> AEO certificate (AEO = "Authorised Economic Operator") issued by Chinese customs. A-grade status granted by AQSIQ. Other similar international certificates.

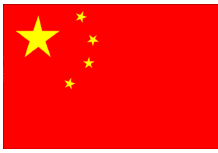
5. Open questions

The list and the requirements should be aligned with the criteria applied by AQSIQ to grant a toy manufacturer an A-grade status.

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Disclaimer

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DRAFT FOR DISCUSSION