

Mexico Issues New Limits, Test Procedures for Hazardous Chemicals in Toys

The Mexican government issued on 15 May a mandatory technical regulation (NOM-252-SSA1-2008) that will impose effective from 13 August more stringent requirements regarding the bioavailability of lead in toys for children up to 12 years of age and certain other heavy metals in toys for children up to three years of age and school materials for pre-schoolers (children six years of age and younger) that may be sucked, licked or swallowed. Pre-school materials include such items as pencils, rubbers, crayons, glue, blunt scissors, watercolours, markers, modelling clay, abacuses, chalk and pencil sharpeners. Excluded from the scope of these requirements are toys pigmented in the substrate; packaging, containers, instructions and informational materials provided they are not a functional part of the product; micro-foil helium balloons with a diameter of more than 10.16 centimetres; ornamental decorations for Christmas and other festivities, including children's parties; toys and games for collective use in parks, patios, play yards or recreational areas, including swings, sandboxes, slides, children's tents, seesaws, carousels, railings, etc.; tricycles, riding toys or large toys that a child will not put into his or her mouth to suck or lick; and toys and pre-school materials imported under Mexico's temporary import regime for subsequent exportation.

The regulation will reduce the current maximum allowed concentration levels of arsenic, barium, cadmium, chromium, mercury, lead, selenium and antimony in subject merchandise, as shown below (the maximum allowed concentrations for selenium and barium in items other than play dough and finger paint would be increased in certain cases).

Any component of toys for children up to three years of age or pre-school articles, except play dough and finger paint

Arsenic – from 100 milligrams per kilogram to 25 mg/kg

Barium – from 500 mg/kg to 1,000 mg/kg

Cadmium – from 100 mg/kg to 75 mg/kg

Chromium – from 250 mg/kg to 60 mg/kg

Lead – from 600 mg/kg to 90 mg/kg

Mercury – from 100 to 60 mg/kg

Selenium – from 300 mg/kg to 500 mg/kg

Antimony – from 250 mg/kg to 60 mg/kg

Play dough and finger paint

Arsenic – from 100 mg/kg to 25 mg/kg

Barium – from 500 mg/kg to 250 mg/kg

Cadmium – from 100 mg/kg to 50 mg/kg

Chromium – from 250 mg/kg to 25 mg/kg

Lead – from 600 mg/kg to 90 mg/kg

Mercury – from 100 to 25 mg/kg

Selenium – from 300 mg/kg to 500 mg/kg

Antimony – from 250 mg/kg to 60 mg/kg

In addition, the regulation will reduce from 600 mg/kg to 90 mg/kg the maximum allowed lead content in toys for children up to 12 years of age.

The following materials in toys and pre-school items will have to comply with the applicable maximum concentration levels shown above.

paint, varnish, lacquer, impression ink, polymer and similar coatings

polymers and similar substances, including laminate

paper and cardboard

textiles, natural or synthetic

glass, ceramic and metallic materials

other materials whether or not coloured in the substrate, including wood, hard cardboard,

hardboard, bone and leather

materials designed to leave a trace such as the tip of a pencil or a pen's ink

modelling and moulding materials, including play dough and gels

paint, including finger paint, varnish, lacquer, glass powder, etc.

The regulation also sets forth sampling requirements and specific test methods for subject merchandise. Compliance with these requirements will be enforced by Mexico's Health Ministry through the Federal Commission for the Protection against Sanitary Risk (COFEPRIS).