

Canada Amends the Toys Regulations (Magnetic Toys): SOR/2018-138

On July 11, 2018, Health Canada published amendments to the Toys Regulations in the Canada Gazette. The amendments include restrictions on both the size and attractive strength of magnetic toy components, as well as specific tests to identify dangerous magnetic parts that may separate from a toy during play. These changes align Health Canada's toy safety requirements and tests for magnetic toys with ASTM F963, EN 71 and ISO 8124 requirements. *The amended Regulations shall enter into force on **January 11, 2019**.*



Summary of amendments:

- Any magnetic toys or magnetic components that can be entirely enclosed in the small parts cylinder under a force of not more than 4.45N must have a magnetic flux index of less than $0.5 \text{ T}^2\text{mm}^2$;
- Soaking test is introduced for magnetic components of wooden toys, toys to be used in water or toys to be brought into contact with the user's mouth for use;
- Initial and final tension tests for magnets involve 10 attach-detach cycles as opposed to 1,000 cycles per ASTM F963-17;

- Drop, torque, tension, impact and compression tests are incorporated with reference to ASTM F963-17.

Exceptions are provided for TWO types of magnets in alignment with the relevant requirements in the US and the EU:

i. Functional magnets in electronic components

Magnetic components used for the operation of motors, relays, speakers, and other electrical or electronic components in a toy, provided that the magnetic parts are not part of the intended learning or playing pattern of the toy.

ii. Magnets contained in experiment kits for educational purposes

Magnetic components in toys that are part of a magnetic or electrical experiment kit intended for children 8 years and older, should have the following warning or its equivalent displayed prominently and legibly in English and French on the kit's container and instructions:

WARNING!

Not suitable for children under 8 years of age. This kit contains small magnets. Swallowed magnets can stick together across intestines causing serious injuries. Seek immediate medical attention if a magnet may have been swallowed.

MISE EN GARDE!

Cette trousse ne convient pas à un enfant de moins de 8 ans. Elle contient de petits aimants. Les aimants qui sont avalés peuvent s'attirer mutuellement à travers l'intestin et engendrer ainsi de graves blessures. Consultez immédiatement un médecin si un enfant semble avoir avalé un aimant.

Additionally, **a few minor modifications** not specifically related to magnets are made to clarify the scope and requirements of the Toys Regulations. They are expected to have *no impact* on the intent of the existing Regulations:

- An *upper age reference* is added to the Toys Regulations to make it clear that a toy is a product intended for use by children under 14 years of age in learning or play.
- The clause “*that is intended for use by a child in play*” is deleted from the definitions of “*plush toy*” and “*soft toy*” since the concept is already included in the definition of “*toy*”.
- In subsection 37(1), the English text is revised to align with the French version by changing “pull and push” to “pull or push”. Also, the subsection is revised to remove secondary references to imperial units.
- Subsections 37(2) and 38(3) of the Regulations are deleted as the meaning of “toy” is already included in section 1.



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