



Notification Number: 1995/437/UK

The Pencils and Graphic Instruments (Safety) Regulations 1996

Date received : 21/12/1995
End of Standstill : Closed
Issue of comments by : Germany
Issue of detailed opinion by : Commission, France, Italy

Message

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INSTITUT BELGE DE NORMALISATION,
ATT. M. CROON

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VIA MINISTERE DES AFFAIRES ETRANGERES
ATT. M. A. SCHUSTER

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ATT. M. CAVANNA

DEPT. OF TRADE AND INDUSTRY, QUALITY AND EDUCATION DIVISION,
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GOVERNMENT SERVICE OF INDUSTRY AND COMMERCE, NSAI
ATT. MR. J. NULTY

MINISTERIE VAN ECONOMISCHE ZAKEN, (DEPT OR),
ATT. MR. VAN DER HEIDE

ERHVERVSFREMME STYRELSEN
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ATT. MR. KELD DYBKJAER

MINISTRY OF INDUSTRY, ENERGY & TECHNOLOGY
ATT. MR. Z.P. MAVROUKAS

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ATT. MR. MELAGRAKIS

MIN WIRTSCHAFT
ATT. DR. WINKEL



BUNDESMINISTERIUM FÜR WIRTSCHAFTLICHE ANGELEGENHEITEN
ATT. ABT I/A/4 FRAU GREGORITH / FRAU HAZLINGER-FENZEL

MIN PARA RELACIONES CON LA COMUNIDA
ATT MR. D. ALFREDO RAMBLA JOVANI

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ATT MR. ADALBERTO PEREA MARTIN, ESPAGNE

INSTITUTO PORTUGUES DA QUALIDADE
ATT MR. CANDIDO DOS SANTOS, PORTUGAL

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ATT. MS. KERSTIN CARLSSON

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ATT. MS. TOLONEN

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REP PERMANENTE ROYAUME UNI

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EUROPEAN FREE TRADE ASSOCIATION SURVEILLANCE AUTHORITY
ATT. M. BOHR

EUROPEAN FREE TRADE ASSOCIATION
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TELEX 001

COMMUNICATION FROM THE COMMISSION - SG (96) D/50011
DIRECTIVES 83/189/EEC, 88/182/EEC AND 94/10/EC

NOTIFIKATION - NOTIFIZIERUNG - NOTIFICATION - NOTIFICACION
NOTIFICATION - NOTIFICA - KENNISGEVING - NOTIFICACAO - ILMOITUS
ANMÄLAN : 95/0437/UK.

FRISTERNE INDLEDES IKKE -KEIN FRISTBEGINN - DOES NOT OPEN THE
DELAYS - NO ABRE EL PLAZO - N'OUVRE PAS DE DELAIS - NON FA
DECORRERE LA MORA - GEEN TERMIJNBEGIN - NAO INICIA O PRAZO
MÄÄRÄAIKA EI ALA TÄSTÄ - INLEDER INGEN FRIST.

- 3B1 : 9600011.EN

1. Structured Information Line

TLX 001 IND- 95 0437 UK- EN ----- 951221 --- ---



2. Member State

United Kingdom

3. Department Responsible

Department of Trade and Industry: Standards Policy Unit

3. Originating Department

DTI/Consumer Safety Unit

4. Notification Number

95/0437/UK

5. Title

The Pencils and Graphic Instruments (Safety) Regulations 1996

6. Products Concerned

Pencils, pens, brushes, crayons, chalk and other similar articles (including any pencil-lead for a propelling pencil).

7. Notification Under Another Act

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8. Main Content

It is proposed that the new Regulations should specify:

- (a) n-heptane as a cleaning agent (as a substitute to 1,1,1,Trichloroethane, the manufacture of which has to cease under the provisions of the Montreal Protocol); and,
- (b) the toxicity levels as set out in the European harmonised toy safety standard EN71 Part 3 (specification for migration of certain elements).

The draft Regulations provide recognition of equivalent EC and EEA standards or specifications.

Writing and drawing instruments supplied as toys are not covered by the proposed Regulations - they are covered by the UK Regulations which implement the EC Directive on the safety of toys (87/378/EEC).

9. Brief Statement of Grounds

The proposed Regulations will consolidate, with amendments, two current sets of national regulations. These are The Pencils and Graphic Instruments (Safety) Regulations 1974 and The Pencils and Graphic Instruments (Safety) Regulations (Northern Ireland) 1975.

The proposed Regulations will reflect the requirements of Council Regulation 594/91 (the Montreal Protocol) which



specifies a number of ozone depleting substances whose manufacture must cease by 1 January 1996. One such substance is 1, 1, 1, Trichloroethane (TCE) which is specified in the current UK regulations.

Although Member States are not required to notify regulations proposed in order to honour their Community obligations, but the UK draft Regulations also propose that the toxicity requirements for pencils and graphic instruments be brought into line with those for toys.

The proposal to bring the toxicity requirements of the current UK regulations pencils and graphic instruments into line with the toys standards was introduced at the request of the UK manufacturers and importers because of the wide availability of pencils and graphic instruments which, while not regarded as toys, are used by children.

10. Reference Documents - Basic Texts

i. The Pencils and Graphic Instruments (Safety)
Regulations 1996

S.I. 1974 No 226: The Pencils and Graphic Instruments
(Safety) Regulations 1974

S.I. 1975 No.40: The Pencils and Graphic Instruments
(Safety) Regulations (Northern Ireland)1975

ii. -

iii. -

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

D. WILLIAMSON
COMEUR
NNNN