



2025/1785

10.9.2025

**COMMISSION IMPLEMENTING DECISION (EU) 2025/1785**

**of 9 September 2025**

**amending Implementing Decision (EU) 2023/740 as regards the harmonised standards for certain ride-on toys (wave rollers) drafted in support of Directive 2009/48/EC of the European Parliament and of the Council**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys <sup>(1)</sup>, and in particular Article 14(2) thereof,

Whereas:

- (1) In accordance with Article 13 of Directive 2009/48/EC, toys which are in conformity with harmonised standards or parts thereof, the references of which have been published in the *Official Journal of the European Union*, are presumed to be in conformity with the requirements covered by those standards or parts thereof set out in Article 10 of Directive 2009/48/EC and Annex II to that Directive.
- (2) On 4 April 2023, the Commission adopted Implementing Decision (EU) 2023/740 <sup>(2)</sup>, listing harmonised standards for toys. The list included standard EN 71-1:2014+A1:2018 Safety of toys – Part 1: Mechanical and physical properties.
- (3) In January 2024, Germany lodged a formal objection in respect of standard EN 71-1:2014+A1:2018 as regards certain ride-on toys, namely wave rollers. A wave-roller is a ride-on toy where the child is seated, the steering and propulsion of which are controlled with the feet and which have wheels within reach during use.
- (4) The ground of the formal objection was based on the alleged failure of the referenced harmonised standard to address the essential safety requirements of Directive 2009/48/EC as regards wave rollers.
- (5) According to the objection, that failure consists in the absence of requirements to ensure that crushing, shearing, jamming or trapping accidents are prevented when the child is driving a wave roller, where the wheel is close to the seat and is accessible while the toy is in use, especially considering that the child's hands are free when using the wave roller and that the child is in a low sitting position. Fingers can be crushed, shorn, lacerated or torn off or they can be pulled into the gap between the wheel fork and the wheel by the directed force of the wheel.
- (6) Germany claimed that the risks presented by the wave rollers are not fully covered by EN 71-1 due to their mechanism and way of functioning and their means of propulsion, and the resulting risks during play. Although harmonised standard EN 71-1:2014+A1:2018 covers some risks on a case-by-case basis, not all the requisite crushing, shearing, jamming or trapping points are addressed: the requirements for ride-on toys in that standard are partly product-specific (for example, for toy bikes, toy scooters) or relate to certain toy components and definitions (for example, driving mechanisms, folding and sliding mechanisms). However, generic, hazard-based requirements for ride-on toys concerning crushing and shearing points and catching and trapping points, particularly for fingers and hands, are not covered by that standard. In particular, the definition of 'driving mechanism' in clause 3.19 of that standard does not include wave rollers and that standard does not fully cover the risk of crushing the hand or finger and the risk of shearing the finger. Germany thus concluded that, in the absence of such requirements, it cannot be ensured that wave rollers, although in conformity with harmonised standard EN 71-1:2014+A1:2018, meet all the essential safety requirements provided for in Directive 2009/48/EC.

<sup>(1)</sup> OJ L 170 30.6.2009, p. 1, ELI: <http://data.europa.eu/eli/dir/2009/48/oj>.

<sup>(2)</sup> Commission Implementing Decision (EU) 2023/740 of 4 April 2023 on harmonised standards for toys drafted in support of Directive 2009/48/EC of the European Parliament and of the Council (OJ L 96, 5.4.2023, p. 85, ELI: [http://data.europa.eu/eli/dec\\_impl/2023/740/oj](http://data.europa.eu/eli/dec_impl/2023/740/oj)).

- (7) On 28 February 2024, the Commission published the formal objection raised by Germany on the notification system <sup>(3)</sup> established pursuant to Article 12 of Regulation (EU) No 1025/2012 of the European Parliament and of the Council <sup>(4)</sup>.
- (8) Technical Committee 52 of the European Committee for Standardisation (CEN) ('CEN/TC 52') reacted to the formal objection lodged by Germany by requesting more details regarding the accident, in particular concerning the specific risk and the model toy involved in the accident. CEN/TC 52 also inquired whether the rod depicted in the formal objection was a 5 mm or 12 mm diameter rod, arguing that the toy involved in the accident was not in compliance with the existing (published) standard, namely its clause 4.15.1.6 c) – which is the general requirement for finger entrapment for ride-on toys. CEN/TC 52's assessment was based on the fact that one of the photos presented in the formal objection showed the entry of the smaller test rod into some gaps between the wheel and the frame, and it looked as if those same gaps would not accept the breadth of the probes or rods as specified in the respective test method of the existing standard, thus representing a non-compliance. According to that assessment, compliance with the existing standard may have prevented the injury or at least reduced its severity. CEN/TC 52, however, also drew the attention to the fact that work was already being carried out in its relevant working group to address the shortcomings identified by the German authorities in the formal objection, by revising the standards in question: the draft revised version provides, in clause 4.15, for new requirements for ride-on toys covering the risks of crushing and shearing of the finger.
- (9) Germany replied to CEN/TC 52's comments by stating that some risks, notably shearing of a finger, entrapment and crushing of the hand by the pull in force of the wheel, crushing of finger or hand from turning of the handlebar were not addressed in the current (published) standard. According to Germany, revising clause 4.15 of harmonized standard EN 71-1:2014+A1:2018 by including new risk areas shows that the current version of the standard does not adequately cover all risks for this special type of ride-on toys at the moment and, therefore, that the standard does not address all the essential safety requirements that it aims to cover. Germany also pointed out that the formal objection was not raised only because of this one particular toy and accident, as there were various other similar products on the market with similar problems and risks areas that were not covered by the existing standard.
- (10) The formal objection was discussed in the Committee established by Article 22 of Regulation (EU) No 1025/2012 on 18 April 2024.
- (11) Having examined harmonised standard EN 71-1:2014+A1:2018 together with the representatives of Member States and stakeholders in the Expert Group on Toy Safety and the representatives of the Committee established by Article 22 of Regulation (EU) No 1025/2012, the Commission agrees with the analysis made in the objection, and concludes that the clauses of those harmonised standards that aim to cover the essential safety requirements set out in Article 10 of Directive 2009/48/EC and Annex II to that Directive do not adequately address the related risks, in particular the risk of crushing and shearing of the finger and of the hand, for this specific type of ride-on toy. Standard EN 71-1:2014+A1:2018 does not include specific requirements to ensure that children can play safely when using wave rollers, since it does not provide them with adequate protection against the risk of crushing and shearing of the fingers and of the hand. Consequently, the Commission considers that wave rollers designed and manufactured according to clauses 3.19 (definition of 'driving mechanism') and 4.15.1 of that standard can cause similar accidents and incidents involving children.
- (12) Nevertheless, the Commission considers that the other clauses of the relevant harmonised standard, which are not the object of the formal objection, remain valid to confer presumption of conformity with the essential safety requirements of Directive 2009/48/EC they aim to cover.

<sup>(3)</sup> DocsRoom - European Commission (europa.eu).

<sup>(4)</sup> Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12, ELI: <http://data.europa.eu/eli/reg/2012/1025/oj>).

- (13) In view of the above, the references of the harmonised standard EN 71-1:2014+A1:2018, published by Implementing Decision (EU) 2023/740, should be published with a restriction in the *Official Journal of the European Union*. The restriction should exclude the specific clauses of those standards that aim to cover the requirement set out in Part I, point 3, of Annex II to Directive 2009/48/EC, namely the requirement that toys are to be designed and manufactured in such a way as not to present any risk or only the minimum risk inherent to their use which could be caused by the movement of their parts. Implementing Decision (EU) 2023/740 should therefore be amended accordingly.
- (14) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

HAS ADOPTED THIS DECISION:

*Article 1*

The Annex to Implementing Decision (EU) 2023/740 is amended in accordance with the Annex to this Decision.

*Article 2*

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 9 September 2025.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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## ANNEX

In the Annex to Implementing Decision (EU) 2023/740, row 1 is replaced by the following:

'1.	EN 71-1:2014+A1:2018 Safety of toys – Part 1: Mechanical and physical properties  Restriction: As regards clauses 3.19 (definition of 'driving mechanism') and 4.15.1 for wave rollers (a ride-on toy where the child is seated, the steering and propulsion of which are controlled with the feet, and which have wheels within reach during use), harmonised standard EN 71-1:2014+A1:2018 does not confer a presumption of conformity with the essential safety requirements set out in Article 10(2) of Directive 2009/48/EC and Part I, point 3, of Annex II to that Directive.'
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