Lampiran I

STANDARD OPERATING PROCEDURE (SOP)

PELAKSANAAN PENGUATKUASAAN PENGIMPORTAN MAINAN KANAK-KANAK MENGIKUT STANDARD YANG DITETAPKAN MULAI 1 OGOS 2010

A. PENDAHULUAN

Kementerian Perdagangan Dalam Negeri, Koperasi dan Kepenggunaan (KPDNKK) telah menggubal Peraturan-Peraturan Perlindungan Pengguna berhubung standard keselamatan mainan kanak-kanak. Ianya bertujuan untuk memastikan bahawa mainan yang diimport dan dijual di pasaran tempatan adalah selamat untuk digunakan. Peraturan-Peraturan Perlindungan Pengguna berhubung standard keselamatan bagi mainan kanak-kanak yang dimaksudkan adalah berdasarkan peraturan-peraturan seperti berikut:

(i) **Peraturan-Peraturan Pelindungan Pengguna (Perakuan Pematuhan dan Tanda Pematuhan Standard Keselamatan) 2010**;

(ii) **Peraturan-Peraturan Pelindungan Pengguna (Standard Keselamatan Bagi Mainan) 2009**; dan

(iii) **Peraturan-Peraturan Pelindungan Pengguna (Standard Keselamatan Bagi Mainan) (Pindaan) 2010**.

B. LATAR BELAKANG

Tujuan utama penggubalan kedua-dua Peraturan Pelindungan Pengguna di atas adalah untuk memastikan bahawa mainan kanak-kanak yang diimport dan dijual di pasaran tempatan adalah selamat untuk digunakan. Golongan kanak-kanak yang dikategorikan sebagai pengguna muda adalah mudah terdedah dengan penggunaan

produk yang berkemungkinan memberi kesan buruk kepada kesihatan dan boleh mendatangkan risiko kecederaan.

C. TERMINOLOGI

(i) **Mainan Kanak-Kanak:**

"Mana-mana barang yang direka bentuk atau dimaksudkan bagi kegunaan permainan oleh kanak-kanak yang berumur **kurang daripada empat belas tahun** tetapi tidak termasuk barang-barang yang dinyatakan dalam Jadual Kedua, **Peraturan-Peraturan Pelindungan Pengguna (Standard Keselamatan Bagi Mainan) 2009".**

<u>Nota Keterangan:</u>

Peraturan-Peraturan Pelindungan Pengguna (Standard Keselamatan Bagi Mainan) 2009 menetapkan bahawa barang-barang yang tersenarai di bawah Jadual Kedua peraturan ini adalah bukan mainan kerana keperluan dan kaedah pengujian adalah tidak termaktub di dalam standard keselamatan yang dimandatorikan. Ia juga bertujuan untuk mengelakkan kekeliruan semasa aktiviti penguatkuasaan dalam mengenalpasti sesuatu barang itu sebagai mainan dan bukan mainan.

(ii) MAKMAL DIAKREDITASI (*ACCREDITED LABORATORY*):

Makmal yang diakreditasi oleh badan akreditasi yang merupakan penandatangan di bawah *Asia Pacific Laboratory Accreditation Cooperation Mutual Recognition Arrangement (APLAC MRA)* atau *International Laboratory Accreditation Cooperation Mutual Recognition Arrangement (ILAC MRA).*

(iii) **LAPORAN PENGUJIAN (*TEST REPORT*):**

Test report yang dikeluarkan oleh makmal diakreditasi dibawah APLAC atau ILAC yang mengesahkan bahawa mainan kanak-kanak berkenaan adalah memenuhi standard yang ditetapkan dan selamat. *Test report* adalah sah untuk diguna pakai dalam tempoh 5 tahun dari tarikh ia dikeluarkan. Contoh *test report* adalah seperti di **Lampiran A**.

(iv) **PERAKUAN PEMATUHAN (*CERTIFICATE OF CONFORMANCE - COC*):**

COC merupakan dokumen pengistiharan oleh pihak industri mainan (pengimport) yang menyatakan bahawa mainan yang diimport adalah mematuhi kedua-dua Peraturan-Peraturan Perlindungan Pengguna seperti di atas dan boleh dipasarkan. Contoh COC adalah seperti di **Lampiran B**.

(v) **SURAT PENGECUALIAN (*LETTER OF EXEMPTION*):**

Surat pengecualian yang dikeluarkan dan ditadbir oleh KPDNKK ke atas mana-mana mainan kanak-kanak yang diberi pengecualian dari keperluan mengemukakan COC dan *Test Report*..

D. PENGUATKUASAAN TERHADAP PENGIMPORTAN MAINAN KANAK-KANAK:

(i) Mulai 1 Ogos 2010, Perintah Kastam (Larangan Mengenai Import) (Pindaan) (No.3) 2010 telah diwartakan di mana ianya selaras dengan **Peraturan-Peraturan Pelindungan Pengguna (Perakuan Pematuhan Dan Tanda Pematuhan Standard) 2010, Peraturan-Peraturan Pelindungan Pengguna (Standard Keselamatan Bagi Mainan) 2009** dan **Peraturan-Peraturan Pelindungan Pengguna (Standard Keselamatan Bagi Mainan) (Pindaan) 2010.**

(ii) Kaedah pelaksanaan adalah berdasarkan kaedah secara ***'Self Declaration'***. Proses pengikraran COC secara *Self Declaration* ini

memerlukan pihak pengimport atau wakilnya yang diberikuasa untuk bertanggungjawab mengisytiharkan kepada Jabatan Kastam Diraja Malaysia (JKDM) menggunakan borang COC yang ditetapkan oleh Kementerian Perdagangan Dalam Negeri, Koperasi dan Kepenggunaan (KPDNKK) di semua pintu-pintu masuk bahawa mainan kanak-kanak yang diimport adalah mematuhi keperluan-keperluan yang digariskan di bawah kedua-dua peraturan berhubung standard keselamatan. Pihak pengimport atau wakilnya yang diberikuasa adalah bertanggungjawab terhadap pengisytiharan yang dibuat serta ketepatan maklumat yang dikemukakan.

E. Prosedur Pengimportan Mainan Kanak-Kanak:

(i) Mulai 01 Ogos 2010, pengimportan mainan kanak-kanak sepertimana yang dinyatakan di ruang (2) dan (3) Bahagian II, Jadual Keempat, Perintah Kastam (Larangan Mengenai Import) (Pindaan) (No.3) 2010 yang berasal dari semua negara adalah dilarang kecuali dengan cara yang diperuntukkan dalam ruang (5) Jadual tersebut.

(ii) Setiap pengimportan mainan kanak-kanak seperti yang dinyatakan dalam Perintah tersebut di atas hendaklah disertakan dengan dokumen-dokumen seperti berikut:

- *Certificate of Conformance* (COC); dan
- *Test report* daripada makmal yang diakreditasi; atau
- Surat pengecualian daripada Kementerian Perdagangan Dalam Negeri, Koperasi dan Kepenggunaan

(iii) Semua pengimport hendaklah **mengisytiharkan setiap *shipment/ consignment* atau pengeluaran setiap mainan berkenaan telah diuji dan mematuhi standard keselamatan tertentu serta selamat untuk digunakan oleh pengguna** melalui *Certificate of Conformance* (COC) berdasarkan format yang ditetapkan oleh Kementerian

Perdagangan Dalam Negeri, Koperasi dan Kepenggunaan. Nombor rujukan COC perlu dimasukkan oleh pengimport ke dalam SMK di ruang 29 Borang Kastam No. 1 atau ruang 81 Borang Kastam No. 8.

(iv) SOP ini hendaklah dibaca bersama-sama dengan Perintah Kastam (Larangan Mengenai Import) (Pindaan) (No.3) 2010.

F. PIHAK YANG BOLEH DIHUBUNGI:

Sebarang pertanyaan lanjut hendaklah dirujuk kepada pegawai-pegawai seperti berikut:-

(i) Pn. Thiagaletchumi V.Maniam - 03-88825862/5886
(letchumi@kpdnkk.gov.my)

(ii) Pn. Rashinah Abdul Hamid - 03-8825599/5886
(shina@kpdnkk.gov.my)

(iii) Pn. Rapeah Abd. Hadi - 03-88822663
(rapeah.hadi@customs.gov.my)

LAMPIRAN A

CONTOH

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Members of:
American National Standards Institute
American Society for Testing and Materials
British Standards Institute
Hong Kong Association for Testing, Inspection and Certification Limited
Hong Kong Toys Council

TEST REPORT

NUMBER: HKGH008754

APPLICANT: BLUE BLUE INTERNATIONAL
RM 1203 EAST OCEAN
120 GRANVILLE RD
TSIM SHA TSUI
KLN HK
ATTN: ANDY EAST

DATE: Jun 22, 2009

SAMPLE DESCRIPTION:
FOUR (4) SETS OF SUBMITTED SAMPLE SAID TO BE :

ITEM NAME	: RAINMAKER.
ITEM NO.	: M6727.
REFERENCE NO.	: 033570.
LABELLED AGE GROUP	: 6+ MONTHS.
AGE GRADING FOR TESTING	: OVER 6 MONTHS.
PACKAGING PROVIDED BY APPLICANT	: YES.
MANUFACTURER	: DONGGUAN CHEERFUL TOY LTD.
MANUFACTURER ADDRESS	: TAI SANG INDUSTRIAL PARK, SHANGSHA NO.2 INDUSTRIAL ZONE, CHANGAN, DONGGUAN, GUANGDONG, CHINA.
BUYER	: MOTHERCARE U.K. LTD.
COUNTRY OF ORIGIN	: CHINA.

****

TESTS CONDUCTED:
AS REQUESTED BY THE APPLICANT, FOR DETAILS REFER TO ATTACHED PAGE(S)

****

CONCLUSION:

TESTED SAMPLES	STANDARD - U.S. ASTM F963-08	RESULT
SUBMITTED SAMPLE SETS	PHYSICAL AND MECHANICAL TESTS	PASS
	FLAMMABILITY TEST OF MATERIALS OTHER THAN TEXTILE MATERIALS	PASS
	TOXIC ELEMENTS TEST	NOT APPLICABLE

****

FOR AND ON BEHALF OF :
INTERTEK TESTING SERVICES HK LTD.

KAREN TSUI NG
GENERAL MANAGER

Intertek Testing Services Hong Kong Ltd.
2/F., Garment Centre, 576 Castle Peak Road, Kowloon, Hong Kong.
Tel: (852) 2173 8888 Fax: (852) 2786 1903 Website: www.intertek.com

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Hong Kong Toys Council

TEST REPORT NUMBER: HKGH008754

TESTS CONDUCTED

1 PHYSICAL AND MECHANICAL TESTS

AS PER ASTM STANDARD CONSUMER SAFETY SPECIFICATION FOR TOY SAFETY F963-08.

APPLICANT'S SPECIFIED AGE GROUP FOR TESTING : OVER 6 MONTHS.

THE SUBMITTED SAMPLES WERE UNDERGONE THE USE AND ABUSE TESTS IN ACCORDANCE WITH THE FEDERAL HAZARDOUS SUBSTANCES ACT (FHSA), TITLE 16, CODE OF FEDERAL REGULATIONS : -

TEST	FHSA	PARAMETER
IMPACT TEST	SECTION 1500.51(b)	10 X 4.5 ft
TORQUE TEST	SECTION 1500.53(e)	4 in-lbf
TENSION TEST	SECTION 1500.53(f)	15 lbf
COMPRESSION TEST	SECTION 1500.53(g)	30 lbf

SECTION	TESTING ITEMS	ASSESSMENT
4.1	MATERIAL QUALITY (VISUAL CHECK ON CLEANINGLESS)	P
4.5	SOUND-PRODUCING TOYS	P
4.6.1	TOYS INTENDED FOR CHILDREN UNDER 36 MONTHS (SMALL OBJECTS)	P
4.6.2	MOUTH-ACTUATED TOYS	NA
4.6.3	TOYS AND GAMES FOR 36 MONTHS TO 72 MONTHS (SMALL PART WARNING)	NA
4.7	ACCESSIBLE EDGES	P
4.8	PROJECTIONS	NA
4.9	ACCESSIBLE POINTS	P
4.10	WIRES OR RODS	NA
4.11	NAILS AND FASTENERS	P
4.12	PACKAGING FILM	NA
4.13	FOLDING MECHANISMS AND HINGES	NA
4.14	CORDS AND ELASTICS	NA
4.15	STABILITY AND OVER-LOAD REQUIREMENTS	NA
4.16	CONFINED SPACES	NA
4.17	WHEELS, TIRES AND AXLES	NA
4.18	HOLES, CLEARANCE, AND ACCESSIBILITY OF MECHANISMS	NA
4.19	SIMULATED PROTECTIVE DEVICES, SUCH AS HELMETS, HATS AND GOGGLES	NA
4.20	PACIFIERS	NA
4.21	PROJECTILE TOYS	NA
4.22	TEETHERS AND TEETHING TOYS	NA
4.23	RATTLES	NA
4.24	SQUEEZE TOYS	NA
4.25	BATTERY-OPERATED TOYS	NA
4.26	TOYS INTENDED TO BE ATTACHED TO A CRIB OR PLAYPEN	NA

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TESTS CONDUCTED

SECTION	TESTING ITEMS	ASSESSMENT
4.27	STUFFED AND BEANBAG-TYPE TOYS	NA
4.28	STROLLER AND CARRIAGE TOYS	NA
4.29	ART MATERIALS	NA
4.30	TOY GUN MARKING	NA
4.31	BALLOONS	NA
4.32	CERTAIN TOYS WITH SPHERICAL ENDS	NA
4.33	MARBLES	NA
4.34	BALLS	NA
4.35	POMPOMS	NA
4.36	HEMISPHERIC-SHAPED OBJECTS	NA
4.37	YOYO ELASTIC TETHER TOYS	NA
4.38	MAGNETS	NA
4.39	JAW ENTRAPMENT IN HANDLES AND STEERING WHEELS	NA
5	LABELLING REQUIREMENT	P
6	INSTRUCTIONAL LITERATURE	P
7	PRODUCER'S MARKINGS	
	- NAME OF PRODUCER/DISTRIBUTOR (PACKAGE)	YES
	- ADDRESS (PACKAGE)	YES

REMARK : THE SUBMITTED SAMPLES WERE UNDERGONE THE TESTS IN ACCORDANCE WITH SECTION 8.5 THROUGH SECTION 8.18 AND 8.20 THROUGH 8.25 ON NORMAL USE, ABUSE AND SPECIFIC TESTS FOR DIFFERENT TYPES OF TOYS WHICHEVER IS APPLICABLE.

P = PASS NA = NOT APPLICABLE

NOTE : CLAUSE 4.5 ACOUSTICS - WITH MODIFICATION BY USING SOUND LEVEL METER COMPLYING WITH THE SPECIFICATION OF IEC60651 AND IEC60804.

DATE SAMPLE RECEIVED : JUN 09, 2009
TESTING PERIOD : JUN 09, 2009 TO JUN 17, 2009

2 FLAMMABILITY TEST

AS PER SECTION 4.2 OF THE ASTM STANDARD CONSUMER SAFETY SPECIFICATION ON TOY SAFETY F963-08.

RESULT : IGNITED BUT SELF-EXTINGUISHED BEFORE BURN RATE COULD BE DETERMINED

DATE SAMPLE RECEIVED : JUN 09, 2009
TESTING PERIOD : JUN 09, 2009 TO JUN 17, 2009
****

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TEST REPORT NUMBER: HKGH008754

TESTS CONDUCTED

3 TOXIC ELEMENTS ANALYSIS

AS PER SECTION 4.3.5 OF THE ASTM STANDARD CONSUMER SAFETY SPECIFICATION ON TOY SAFETY F963-08, ACID DIGESTION AND EXTRACTION METHODS WERE USED AND TOXIC ELEMENTS CONTENT WERE DETERMINED BY INDUCTIVELY COUPLED ARGON PLASMA SPECTROMETRY.

ASSESSMENT : SINCE NO SCRAPABLE SURFACE COATING WAS FOUND ON THE SUBMITTED SAMPLES, THE TESTING SCOPE OF ASTM F963-08 FOR TOXIC ELEMENTS TEST WAS NOT APPLICABLE TO THE SUBMITTED SAMPLES.

DATE SAMPLE RECEIVED : JUN 09, 2009
TESTING PERIOD : JUN 09, 2009 TO JUN 11, 2009
****

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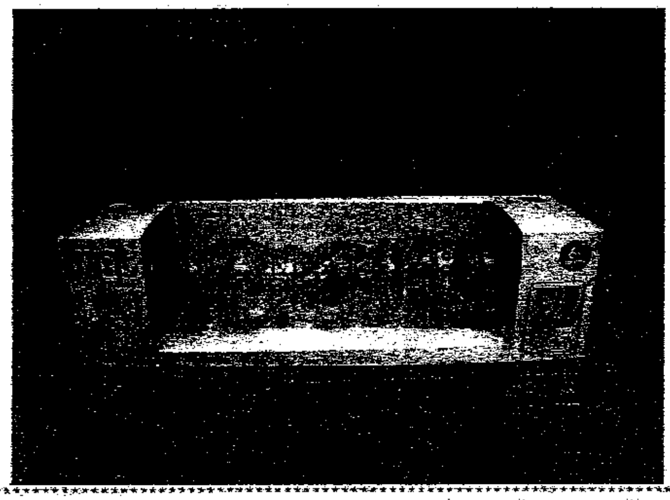
Hong Kong Toys Council

TEST REPORT NUMBER: HKGH008754

TESTS CONDUCTED



****
END OF REPORT

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LAMPIRAN B

CONTOH

THE TOYS KIDS SDN BHD

No.13, JALAN DAGANG, BANDAR SRI DAMANSARA,
47100 KUALA LUMPUR
Tel: 03-45456869, Fax: 03-45456889

Certificate of Conformance

HS Code :9501.00.200
Company Registration No. :242424-D
Reference No. :TCTT000310060133

This certifies that the THE TOYS KIDS SDN BHD products listed in **Table 1** were tested based on equivalent standard inline with the toy safety standard as regulated under Consumer Protection (Safety Standards for Toys) Regulations 2009 and are safe.

Table 1: Existing Products

No.	*SKU No.	SKU Description	Test Report No.	Test Report Issuance Date	Testing Laboratory	Year of Import/ Manufacturing
1.	0715059	B/O BIKE	SW08286	29/DEC/2009	Shanghai Import & Export Toys Shanghai,China	2007
2.	0715060	B/O BIKE	SW08286	29/DEC/2009	Shanghai Import & Export Toys Shanghai,China	2007
3.	0715057	B/O BIKE	SW08286	29/DEC/2009	Shanghai Import & Export Toys Shanghai,China	2007

**Note: Stock keeping unit (SKU) number is based on mother SKU or single SKU*

Also, THE TOYS KIDS SDN BHD agrees that the products that have been declared in **Table 1** shall be removed from the market starting 1 January 2012 if the products are not inline with the requirements as stipulated under the Consumer Protection (Certificate of Approval and Conformity Mark of Safety Standard) Regulations 2009 and Consumer Protection (Safety Standards for Toys) Regulations 2009.

Authorized Signature :
Name : CHEAH KIN KIN
Title : MANAGER
Contact Detail (Tel No./Fax No./Email) : cheah@yahoo.com
Date : 18 JUN 2010

Office Use Only
DITERIMA
21 JUN 2010
Bahagian Kepenggunaan
KPDNKK

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