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Safety of toys — Mechanical and physical properties — Guidance on the requirements for food-imitating toys in EN 71-1

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A list of organizations represented on this committee can be obtained on request to its committee manager.

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Safety of toys - Mechanical and physical properties - Guidance on the requirements for food-imitating toys in EN 71-1

CEN TR XXXXX : Sécurité des jouets - Propriétés mécaniques et physiques - Recommandations sur les exigences relatives aux jouets imitant les aliments dans l'EN 71-1

Leitlinien zu den Anforderungen an lebensmittelnachahmendes Spielzeug in EN 71-1

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European foreword

This document (CEN/TR 18240:2025) has been prepared by Technical Committee CEN/TC 52 “Safety of toys”, the secretariat of which is held by DS.

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Introduction

The purpose of this document is to assist users of EN 71-1:2026 with the requirements for food-imitating toys under Clause 4.28 of that standard.

This document explains the processes that were used in developing the requirements so that users of that standard can use the same thought processes in order to assess individual toys on a case-by-case basis.

The examples appearing in this document are intended to facilitate decision-making on whether a particular toy is a realistic food imitation. This document does not presuppose the conformity of the represented products.

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1 Scope

This document gives guidance on the requirements for toys, which can be considered a realistic food imitation, to assist users of EN 71-1:2026.

This document is only to assist users in distinguishing whether a toy product, that imitates food in some way, can be considered a realistic food imitation in accordance with clause 4.28 of that standard.

This document does not aim to address whether a product is a toy or not and does not attempt to identify any hazard associated with a particular toy.

2 Normative references

The following documents are referred to in the text in such a way that some or all their content constitutes requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

EN 71-1:2026, *Safety of toys — Part 1: Mechanical and physical properties*

3 Terms and definitions

For the purposes of this document, the terms and definitions given in EN 71-1:2026 apply.

ISO and IEC maintain terminology databases for use in standardization at the following addresses:

— ISO Online browsing platform: available at https://www.iso.org/obp/

— IEC Electropedia: available at https://www.electropedia.org/

4 Background for the requirements

4.1 Incident data

There is very little evidence of injuries or incidents occurring due to food-imitating toys.

Data of injuries involving consumer products is comprehensively collected in the United States of America by the United States Consumer Product Safety Commission. A data search covering a ten-year period yielded only 4 possible food-imitating toy incidents. Information on these incidents and further information regarding this search can be found in Annex A.

Accident data collection within Europe is not comprehensive so there is a potential data gap. It is possible that incidents are not registered correctly or are not being recognized (both in Europe and in the United States of America). However, this is not a novel, emerging issue but one that has been recognized (and legislated) for over 35 years. On the balance of probabilities, it would seem that failure to recognise or categorise incidents concerning food-imitation toys on a large scale is unlikely, and incidents are low in both frequency and seriousness.

4.2 Global legislation

The legislation governing products which imitate food in the European Union is Regulation (EU) 2023/988 on general product safety. This repeals the previous Council Directive 87/357/EEC, concerning products which, appearing to be other than they are, endanger the health or safety of consumers.

It appears that the UK had been the first to enact legislation in 1985, in The Food Imitations (Safety) Regulations 1985.

No other legislation was found in any other global jurisdiction.

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4.3 Children's behaviour and attitude towards food-imitating toys

Based on searches conducted, it would seem there is little relevant research available to establish the behaviour of children in relation to imitation foods. However, it is a reasonable presumption that the more food-like attributes a toy has then the more likely it would be mouthed. There are also indications that as children get older, they become more capable at identifying real vs. imitation foods.

Some noteworthy research papers were identified, and extracts are referenced in Annex B.

These articles only offer insights into how children approach, recognize and respond to apparent foodstuffs. Recognition of foodstuffs increases from that of a very young child's exploration of everything by the mouth to more sophisticated "adult like" recognition of foodstuffs as a child ages.

It is however, unclear the age at which non-food items are readily rejected and how this sophistication develops with age. This makes a clear age grade distinction difficult to establish and so for the purpose of EN 71-1:2026 all toys intended for children over the age of 3 years are considered within scope (the risk of choking for toys intended for children under the age of three already being addressed by existing requirements elsewhere in EN 71-1).

Since 2012, incidents of children ingesting laundry soap pods have been well documented. However, the SCCS opinion in Annex B states that there is no data available that cosmetics with a sweet smell and strong colours are ingested more often than others, appears contradictory. The SCCS opinion pre-dates the soap pods incidents so that is a possible cause of the apparent contradiction, but it is difficult to draw defined conclusions from these two different product categories and it is certainly an area that would benefit from greater research and understanding.

For the purpose of the standard, it was agreed to take a precautionary, common-sense approach and toys that closely resemble small candy/sweets in form, colour, texture, smell etc., would, on the balance of all likelihoods, be more readily mouthed by young children.

4.4 The CASP (Coordinated Activities on the Safety of Products) Child appealing (including food imitating) products report 2021

In developing the EN 71-1 requirements the "Child appealing (including food imitating) products - Final report" and the "Handbook for stakeholders" were considered as highly relevant and useful texts.

In particular, the Handbook for stakeholders recognizes the challenges of subjectivity in evaluating imitation foods and therefore the inconsistencies in approaches by enforcement.

The handbook also makes it clear that imitation food itself is not prohibited and that looking like food alone does not necessarily lead to confusing with food and placing in the mouth.

The handbook explains the various attributes considered when evaluating the imitating product regulations (form, odour, colour, appearance, packaging/labelling, volume and size) which the EN 71-1 text closely references.

5 Development of requirements

5.1 Hazards addressed

EN 71-1:2026 addresses only physical and mechanical hazards related to toys that are realistic food imitations. It does not address other hazards. Significantly the toxicological hazards associated with swallowing objects or fluids is not addressed in the requirements in EN 71-1:2026, 4.28.

Aside from chemical hazards, the most significant hazard with inedible products being placed in the mouth is that of choking. The requirements of 4.28 therefore address choking as the primary hazard. Choking hazards for all toys intended for children under the age of 36 months are already captured elsewhere within EN 71-1. Clause 4.28 addresses choking hazards of food-imitating toys intended for children of all ages.

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The requirements in 4.28 focus on the risks of injury brought about by confusion with real food. They do not address the scenario of mouthing of toys with a similar appearance to food, but where there is no confusion with real food. For example, a child playing with a food-themed toy or creative set understands the item is not real food but can bring the item to their mouth in role-play

5.2 Addressing gels, liquids, powders and modelling clays

Since the requirements of 4.28 have a focus on choking hazards, gels, liquids, powders and modelling clays were considered in a slightly different way to the solid food imitation objects. These materials are exempt from the choking hazard requirements for children under 36 months since they present a significantly lower risk of blocking the airway. They are also therefore exempt from 4.28.

Any accessible solid components that are contained within gels, liquids, powders and modelling clays are not exempt from the requirements of 4.28 since they could indeed cause choking, especially if there is a confusion with a potable/edible product.

5.3 Behavioural processes

When developing the EN 71-1 text it was recognized that there were a series of "process steps" that a child would undergo in the act of identifying a potential foodstuff to placing it in their mouths.

The first and simplest of these steps was the visual identification of the item as being a possible foodstuff. In order for the child to be confused and mistake the item as a foodstuff at this stage there would have to be very strong visual cues to prompt the child to consider the item is (or could likely be) a foodstuff.

Toys that appear to look like food items that are not immediately edible are not considered realistic food imitations as they would not be directly placed in the mouth by a child due to confusion with real food. For example, an un-peeled orange or an egg contained within its shell are not immediately edible food items. Similarly, components of food that are not edible are not considered realistic food imitations (e.g. a stalk on an apple or the stick of a candyfloss is not an edible component).

Further sensory "process steps" would then rapidly follow once the initial visual confusion was established.

Picking the item up would immediately impart tactile stimuli such as texture, weight, temperature, and consistency.

Finally, olfactory and taste senses would impart further stimuli.

It was considered that at each step the child would reject any doubtful object that did not meet their expectation as a foodstuff. Rejection does not necessarily prevent mouthing, but it would almost certainly prompt further evaluation by the child and significantly reduce the likelihood of an immediate "hand-mouth-swallow" action.

For the simplicity of the standard creation and bearing in mind the uncertainties mentioned above, the visual and non-visual cues were simplified into two distinct requirements. An item presenting itself as a foodstuff must be likely to confuse at both these categorized "process" points to have the potential to pose a hazard caused by imitation of food.

5.4 Realism of imitation

Considering the behavioural process, it was considered that in order to be subject to the requirement of 4.28 a toy would have to be a "realistic" food imitation likely to be confused by children and not simply something that looks similar to food or has food-like attributes. This phrase was therefore selected for use in the requirements.

5.5 Sweets and candies

There was much debate among experts about toys which potentially imitate candy (or sweets in British English). Some experts expressed concern that any small object with a bright colour had some potential to be confused with a candy. Indeed, it was noted that some candies deliberately imitated non-food products (e.g. confectionery in the shape of jewellery). It was agreed that anything imitating common commercially available, mass-produced candy/sweet confectionery would need to be both visually realistic and importantly, have

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further sensory similarities to the specific type of candy being imitated in order to be considered a realistic food imitation.

It was also noted that virtually any shape could be made using candy, even toys. It was agreed that to be considered a realistic food imitation the toy would need to imitate commercially available, mass-produced candy/sweet confectionery rather than any creative artwork.

However, toy items that appeared to look like realistic confectionery that were also packaged in a style closely resembling real confectionery packaging were considered to present an elevated risk. It was considered that a child would exercise less doubt and less caution if presented with such a toy and that the immediate "hand-mouth-swallow" action would be more likely.

6 Evaluation of samples

6.1 Review process

Samples were collected from many different sources and represented a broad range of toys which had food-imitating properties.

In all, over 200 examples of products were reviewed and assessed and although the review was open to subjectivity and opinion, there was broad alignment on the types of items that had the potential to be confused with real food.

The following is a selection of examples from the samples reviewed and are given here to aid the assessment of individual toys on a case-by-case basis.

The items were grouped based on their attributes and the opinion of the experts.

Group 1: Toys that do not have an appearance that is likely to lead a child to be confused into thinking it looks like a real and immediately edible food.

This was the most significant group of items both in terms of number and general agreement. It was clear that many items with food like attributes are not at all likely to be confused with real foodstuffs.

Group 2: Toys that have an appearance that is likely to lead a child to be confused into thinking it looks like a real and immediately edible food but no other food-like attribute that would ensure confusion persists.

Although opinion varied on the visual attributes being *realistic enough* to be confused with real foodstuff these items were considered as unlikely to be confused with foodstuffs as they did not have any other food like attributes. That is, even if a child confused the item with looking like real foodstuff, on picking it up they would immediately realize it was not actual foodstuff and confusion would end.

Group 3: Toys that have an appearance that is likely to lead a child to be confused into thinking it looks like a real and immediately edible food and at least one other food-like attribute that could ensure confusion persists.

This group prompted the greatest discussion and was perhaps the most open to subjective opinion. There was a consensus among experts that the items in this group were visually realistic, but there was less agreement about other attributes. However, items were placed in this group because they had a strong visual food-like appeal and one other attribute that can lead to confusion, thus making them a realistic food imitation according to the requirements in EN 71-1:2026.

Group 4: Toys where consensus could not be reached.

During the development of this report some examples prompted greater discussion than others and opinions differed greatly between experts. Where consensus was not easily reached items were placed "on hold" into this fourth group. The intent was to move these into one of the other groups when consensus could be reached after further discussion.

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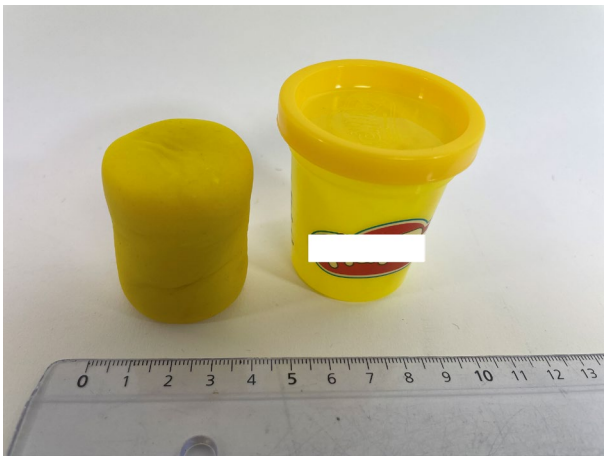
All but one of the examples that were initially placed in this group were moved to one of the other groups

One example remains in group 4 as consensus among experts could not be reached. It is included here along with the basis of the difference of opinion to help illustrate some of the difficulties in making a clear assessment and to reflect the unavoidable subjectivity of the requirements.

The final decision on whether a toy is a realistic food-imitation will need to be determined by users of EN 71-1:2026 on a case-by-case basis.

6.2 Samples reviewed

Table 1 — Group 1: Toys that do not have an appearance that is likely to lead a child to be confused into thinking it looks like a real and immediately edible food.

Ref.	Image	Attributes, Reasoning and Discussion
1.01		**Form**: Modelling clay **Colour**: Yellow **Volume**: NA **Size**: Container approximately 5 cm diameter, 5,5 cm high **Odour**: Scented (but not like food) **Taste**: Salty **Texture/feel**: Soft clay. Malleable but holds form under its own weight. **Packaging/container/labelling**: Plastic container
		Does not have the appearance of real and immediately edible food. Not packaged or labelled or contained in a way that is likely to lead a child to be confused into thinking it looks like a real and immediately edible food. *(Note that gels, liquids, powders and modelling clays are exempt from EN 71-1:2026, 4.28)*

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Ref.	Image	Attributes, Reasoning and Discussion
1.02		**Form**: Chocolate themed plush **Colour**: Brown, red, dark brown **Volume**: NA **Size**: Approximately 22 cm tall **Odour**: None **Taste**: NA **Texture/feel**: Soft plush
		Soft plush toy has no similar appearance to real food.
1.03		**Form**: Ice cream & dessert themed creative modelling clay set. Contains several roughly cylindrical packets of modelling clay **Colour**: Various bright colours **Volume**: NA **Size**: Each clay is approximately 5 cm long and 2 cm in diameter **Odour**: Faint, musty cinnamon **Taste**: Salty **Texture/feel**: Soft clay. Malleable but holds form under its own weight **Packaging/container/labelling:** Card retail box with ice-cream theme. Clays are in individual plastic wrappers.
		Does not have the appearance of real and immediately edible food. *(Note that gels, liquids, powders and modelling clays are exempt from EN 71-1:2026, 4.28)*

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Ref.	Image	Attributes, Reasoning and Discussion
1.04		**Form**: Food themed characters in a fridge styled display **Colour**: Various **Volume**: NA **Size**: Miniatures approximately 3 cm tall **Odour**: No **Taste**: No **Texture/feel**: Soft elastomeric polymer (softer and more flexible than a typical eraser)
		Caricaturised miniatures of food. Each have a sucker shape attached, character faces. Smaller than real food.
1.05		**Form**: Miniature replicas of food containers **Colour**: Various **Volume**: NA **Size**: Approximately 3-5 cm tall **Odour**: No **Taste**: No **Texture/feel**: Hard polymer
		Do not appear like immediately edible food. Small size.

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Ref.	Image	Attributes, Reasoning and Discussion
1.06		**Form**: Plastic miniatures of lollies **Colour**: Bright colours with a matt finish **Volume**: NA **Size**: The assembled 3-piece lolly has a greatest dimension of approximately 4,5 cm tall (stick included) **Odour**: No **Taste**: No **Texture/feel**: Soft polymer (harder than a typical eraser)
		Miniature in size. Lack realistic appearance in texture or sheen.
1.07		**Form**: Plastic fruit-themed tokens as you might see on a key chain or fob **Colour**: Bright colours with a matt finish **Volume**: NA **Size**: Approximately 2 cm across, 3 cm in thickness **Odour**: No **Taste**: No **Texture/feel**: Soft polymer (harder than a typical eraser)
		Two-dimensional non-realistic images of fruit. Miniature in size. Small metal rings attached. Non-edible attachments are very strong indicators of a non-food item.

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