Product Safety Guidance for Sellers Listing on the US, EU, UK, CA, and AU Sites

* This is not an exhaustive guide, and sellers should check our policies along with applicable local laws before listing an item.

Please also check our Product Safety policy in the US, Europe/UK, Canada, and Australia.

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Contents

- 1. Baby and Child Products
- 2. **Toys**
- 3. Child Car Safety Seats
- 4. **Batteries**
- 5. Laser Pointers
- 6. Health Products
- 7. Cosmetics
- 8. Carbon Monoxide/Smoke Detector Alarms
- 9. Christmas Lights
- 10. Condoms
- 11. Bean Bags
- 12. Airbags
- 13. Other Products
- 14. Economic Operators and Product Safety
- 15. BREXIT: Requirements for Placing Goods in the UK
- 16. BREXIT: Electrical Equipment and Environmental Regulation

Introduction

- In this document, you will find guidance from government agencies to ensure that your products comply with applicable mandatory standards.
- The **<u>BLUE GUIDE</u>** explains EU product rules and helps businesses apply these rules throughout the entire market.
- You can find a brief guide on upcoming changes related to BREXIT <u>here</u>.
- In addition, make sure that you are not listing products recalled by authorities. For more information, visit the following web pages:
 - > Global: <u>OECD Recalls</u>
 - > US: <u>CPSC Recalls</u>
 - > CA: <u>Canada's Recalls</u>
 - > EU: <u>Safety Gate</u>
 - > UK: Product Safety Recalls and Alerts
 - > AU: ACCC Recalls
 - > For all sellers, please make sure that you are not listing products that are permanently banned in Australia.

1. Baby and Child Products

| General requirements | Cot bumpers, inclined sleepers, and baby pillows are globally prohibited on eBay. Lullabytrust: Parents should remove cot bumpers Rospa: Baby slings/sleep positioners FDA Sleep Positioners and Risk of Suffocation |
|-------------------------------|--|
| Requirements for the US | Products related to toddlers must comply with specific mandatory standards. <u>CPSC Durable Infant or Toddler Products</u> <u>CPSC Children's Products</u> |
| Requirements for the EU/UK | <u>EU:</u> Products related to children must meet specific mandatory standards. If you are exporting into the EU, make sure that you or the manufacturer have nominated an Authorized Representative. <u>UK:</u> Baby Products Standards For more product safety information regarding baby products: Product Safety Tips |
| Requirements for AU | Baby products must meet mandatory standards and be properly labelled. Keeping Baby Safe - A Guide To Infant And Nursery Products -> https://www.babyproductsafety.gov.au/ Baby Product Safety Guides on mandatory safety standards for baby and nursery products are available in English, Chinese, and Vietnamese: Guide on mandatory safety standards for baby and nursery products are available in English, Chinese, and Vietnamese: Guide on mandatory safety standards for baby dumines and strollers Guide on mandatory safety standards for baby dumines and dummy chains Guide on mandatory safety standards for baby dumines and dummy chains Guide on mandatory safety standards for baby dumines and dummy chains Guide on mandatory safety standards for buby beds Guide on mandatory safety standards for buby beds Guide on Infant inclined products Guide on Infant sleep products mandatory standards For more product safety information regarding baby products: Product Safety Tips |
| Requirements for CA | Baby products must meet specific mandatory standards. Baby Products Safety |

| 2. Ioys | | |
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| General requirements | Toys containing DEHP in children's plastic products are permanently banned worldwide. Squeezoos Tuf-Tuf Tusks <u>Masha and the bear</u> Water expanding balls/water beads and magnet balls are dangerous for kids and are globally prohibited in the "Toy" category and must not be marketed as toys for children or designed to appeal to children when listed in the "Home & Garden" category. <u>ACCC Dangers of Water Expanding Balls</u> | |
| Requirements for the US | Toys must comply with ASTM F963 – Standard Consumer Safety Specification for Toy Safety. <u>Toy Association Safety Standards</u> | |
| Requirements for the EU/UK | EU: Toys must comply with the EU Toy Safety Directive. If you are exporting into the EU, make sure that your product is CE marked and if exporting into the UK that it is either CE or UKCA marked. If you are exporting into the EU, make sure that you or the manufacturer have nominated an Authorized Representative. EC Europa Toys Safety EC Europa Placing on the EU market UK: Toys must comply with the Toy (Safety) Regulations 2011: Safety Alert for Small Magnets UK Toy Safety Guidance | |
| Requirements for AU | Toys containing beads, yo-yo water balls, and <u>small high-powered magnets</u> are permanently <u>banned</u> in Australia. Toys must be properly labelled and comply with mandatory safety standards. See <u>Kids Toys Guide</u> to learn how to play and exercise safely. See <u>here</u> for more information regarding toys for children up to 36 months. | |
| Requirements for CA | Toys must comply with the regulation and specific mandatory standards. <u>Toys Regulations</u> <u>Safety Requirements for Children's Toys</u> | |

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3. Child Car Safety Seats

| General requirements | <u>Child car seats made of fabric</u> offer "almost no protection" and are globally prohibited on eBay. Unbranded or used car seats are banned on eBay. |
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| Requirements for the US | Child car safety seats must comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 213. <u>NHTSA Regulation</u> <u>eBay Policy</u> |
| Requirements for the EU/UK | A compliant child car seat must: conform to the ECE Regulation ECE 44/04 or ECE R44-03 (this is marked on a label on the seat) or be approved under R129 (also known as i-Size). If you are exporting into the EU, make sure that you or the manufacturer have nominated an Authorized Representative. Please visit this <u>guidance</u> published by the UNECE. <u>UK standards for safety seals</u>. <u>eBay's Product safety policy for the UK</u>. |
| Requirements for AU | Child car safety seats must comply with AS/NZS 1754 standards. • ACCC Child Restraints for motor vehicles • Bay's Product safety policy for Australia |
| Requirements for CA | Child car safety seats must comply with mandatory safety requirements Child Car Seat Safety |

4. Batteries

| General requirements | Lithium batteries are hazardous products that must meet all applicable provisions of the Dangerous Goods Regulations (DGR) when shipped by air. For more information: <u>IATA Lithium Battery Guidance</u> Loose 18650 battery cells are prohibited due to consumer safety concerns. For more safety information, click this link. |
|----------------------------|--|
| Requirements for the UK | New Mandatory Safety Standards in the UK For more product safety information regarding button batteries: Product Safety Tips Only <u>eligible sellers</u> can list e-bikes, new e-bike batteries, e-bike chargers, and e-bike conversion kits, as they use lithium batteries. Used batteries are prohibited. For more product safety information regarding e-bikes and related products: <u>Product Safety Tips</u> |
| Requirements for AU | Button/coin batteries must comply with mandatory standards: Mandatory information_standard Products containing button and coin batteries must comply with mandatory standards: Mandatory information_standard Mandatory information_standard Mandatory safety standard See this <u>guide</u> for business on the application of mandatory standards regarding button/coin batteries. In NSW, batteries must comply with <u>safety</u> and <u>information</u> standards regulating the supply of lithium-ion powered e-bikes, e-scooters, and similar products. For more product safety information regarding button batteries: <u>Product Safety Tips</u> |
| Requirements for the US | Button Cell and Coin Battery Business Guidance |

5. Laser Pointers

| General requirements | Laser pointers are dangerous for kids. They cannot be marketed as a toy and are globally prohibited in the "Toys & Hobbies" category. |
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| Requirements for the US | Laser pointers with a power output greater than 5 milliwatts (mW) are prohibited in the US. Please visit <u>this guideline</u> on the FDA website. |
| Requirements for the EU /UK | Laser pointers with a power output greater than 1 milliwatts (mW) are prohibited in the EU and the UK. <u>Exception in Switzerland</u>: All laser pointers are illegal except Class 1 laser pointers. <u>Laser Pointer Safety EU</u> <u>eBay's Product safety policy for the UK</u> <u>eBay's Product safety policy for DE</u> If you are exporting into the EU, make sure that your product is CE marked and if exporting into the UK that it is either CE or UKCA marked. If you are exporting into the EU, make sure that you or the manufacturer have nominated an Authorized Representative. |
| Requirements for AU | Laser pointers with a power output greater than 1 milliwatt (mW) are prohibited in AU. Laser Pointer Safety AU <u>eBay's Product safety policy for AU</u> |
| Requirements for CA | High-powered hand-held lasers are considered a danger to human health and safety. Their import or sale is prohibited under the Canada Consumer Product Safety Act. <u>Hand-held lasers and laser pointer safety</u> <u>New requirements</u> for laser products will be enforced beginning in October 2025. |

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6. Health Products

| General requirements | Health products are prohibited in the US, Europe, and Australia if: they do not have proper labeling in the local language they are not approved by the local authorities they make illegal health claims |
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| Requirements for the US | US Guidance: <u>FDA Guidance</u> |
| Requirements for the EU | EU Guidance: <u>EU Commission Guidance</u> |
| Requirements for the UK | UK Guidance: • <u>Guide to what is a medicinal product</u> • <u>Natural doesn't mean safe, Safety Guide</u> • <u>Guidance on Medical Devices from 1st of January 2021</u> |
| Requirements for CA | CA Guidance: • <u>Natural Health Products Guidance</u> • <u>Health Products Regulation</u> |
| Requirements for AU | AU Guidance: <u>TGA Medical Safety</u> |

7. Cosmetics

| Requirements for the US | Cosmetic products are regulated by the Food and Drugs Administration (FDA) through different laws: Federal Food Drugs and Cosmetic Act (FD&C) of 1938, as amended Fair Packaging and Labeling Act FDA Cosmetics Regulation |
|-------------------------------|--|
| Requirements for the EU/UK | <u>EU</u> : Cosmetics must comply with EU Regulation No 1223/2009 on cosmetic products. Please see this <u>guidance</u> . If you are exporting into the EU, make sure you register your product in the <u>Cosmetic product notification portal</u> and that you or the manufacturer have nominated an Authorized Representative. <u>UK</u> : Please see the UK <u>Business Companion Cosmetic Products Guide</u> |
| Requirements for AU | Cosmetics must comply with the mandatory standard prescribing the requirements for the labelling of cosmetic products. <u>Cosmetics Product Safety</u> <u>Cosmetics and Soap</u> <u>ACCC Cosmetics Ingredient Labelling</u> |
| Requirements for CA | Cosmetics must comply with the mandatory standard prescribing the requirements for the labelling of cosmetic products. Safety of Cosmetic Ingredients Regulatory Information for Cosmetics Cosmetic Regulations |

8. Carbon Monoxide/Smoke Detector Alarms

| General requirements | Unsafe carbon monoxide (CO) alarms reported by authorities or by independent bodies (i.e., <u>Which?)</u> are globally prohibited on eBay. |
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| Requirements for the US | Carbon monoxide/smoke alarms must comply with the <u>US standards (UL2034)</u> . |
| Requirements for the EU/UK | <u>EU:</u> Carbon monoxide/smoke alarms must comply with EU safety standard (<u>EN 50291</u>). Proper tests of the alarm must have been performed, with the tests lasting at least 3 months. If you are exporting into the EU, make sure that your product is CE marked and if exporting into the UK that it is either CE or UKCA marked. If you are exporting into the EU, make sure that you or the manufacturer have nominated an Authorized Representative. <u>UK:</u> <u>Smoke and Carbon monoxide detectors UK Regulation</u> A list of safe brands have been identified, and these are the only brands available on our site. For more product safety information regarding smoke detectors: <u>Product Safety Tips</u> |
| Requirements for AU | It is advisable to list only carbon monoxide alarms certified to EN50291 or UL2034. <u>Standard for smoke alarms using scatterd light, transmitted light or ionization (AS 3786)</u> For more product safety information regarding smoke detectors: <u>Product Safety Tips</u> |
| Requirements for CA | Carbon monoxide/smoke alarms must comply with CA Safety Standards: <u>Smoke and CO alarms</u> <u>Requirements of a Canadian certification mark</u> |

9. Christmas Lights

| General requirements | Recalled Christmas lights are prohibited on eBay. Examples of recalled Christmas lights: • OECD Global recall alert • Safety Gate alert Sky lanterns are banned globally. |
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| Requirements for the US | Compliance with UL certification is not mandatory but highly recommended to ensure compliance with requirements relating to observable safety characteristics. For more information: |
| Requirements for the EU/UK | EU: Christmas lights must comply with the Low Voltage Directive and the relevant European standard EN 60598. Christmas Lights Safety If you are exporting into the EU, make sure that your product is CE marked and if exporting into the UK that it is either CE or UKCA marked. If you are exporting into the EU, make sure that you or the manufacturer have nominated an Authorized Representative. <u>UK</u> : Please see <u>UK Christmas Lights Safety</u> |
| Requirements for AU | Christmas lights must have the Regulatory compliance mark: Additional information: <u>Christmas Lights Safety</u> <u>Electrical Appliances and Equipment Safety</u> <u>Christmas lights – Electrical Safety</u> |
| Requirements for CA | Christmas lights must comply with CA standards: • <u>Safety Hazards of Holiday Lights</u> |

10. Condoms

| General requirements | Condoms are medical devices and must be sold in the original box with the instructions for use. Condoms without the original packaging are globally prohibited on eBay. |
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| Requirements for the US | Condoms intended for sale or distribution within the US must comply with FDA regulations. FDA Medical Device Safety |
| Requirements for the EU/UK | If you are exporting into the EU, make sure that your product is CE marked and if exporting into the UK that it is either CE or UKCA marked. What's behind the certifications |
| Requirements for AU | Listings for condoms must include the ARTG Licence ID from the <u>Australian Register of Therapeutic Goods</u> . Regulatory Guidelines for Medical Devices |
| Requirements for CA | Condoms intended for sale or distribution within Canada must comply with required safety standards. <u>Safer condom use</u> <u>Medical Devices Regulations</u> |

11. Bean Bags

| General requirements | Bean bags must be properly labelled and comply with local safety standards. Bean bags must not have been recalled. |
|-------------------------------|--|
| Requirements for the US | Recalled bean bags cannot be listed. <u>Risk of Entrapment and Suffocation</u> Example of recalled bean bags: <u>https://www.cpsc.gov/Recalls/2015/ace-bayou-reannounces-recall-of-bean-bag-chairs</u> |
| Requirements for the EU/UK | <u>EU</u> : The EU General Product Safety Directive applies to bean bags. All products marketed must be safe to use. Bean bags subject to an <u>EU</u> <u>Safety Gate</u> alert cannot be listed. For more information: <u>Pouts and Bean Bags</u> If you are exporting into the EU, make sure that you or the manufacturer have nominated an Authorized Representative. <u>UK</u> : The UK regulations differ from those in the rest of the EU. For more information, please visit <u>the Business Companion Guide</u> |
| Requirements for AU | Bean bags must comply with the mandatory requirements of the Consumer Goods (Bean Bags) Safety Standard 2014. More information: <u>Bean Bags Standards</u> |
| Requirements for CA | Bean Bag Chairs Safety |

12. Airbags

| General requirements | Airbag covers are not permitted on eBay. These products are not made available for sale by manufacturers. <u>Takata Global Recall:</u> Tens of millions of vehicles with Takata airbags are under recall. Long-term exposure to high heat and humidity can cause these airbags to explode when deployed. Such explosions have caused injuries and deaths. The airbags, made by major parts supplier Takata, were mainly installed in cars from model year 2002 through 2015. Some of the airbags could deploy explosively, injuring or even killing car occupants. For more information regarding the Takata recall and the car models affected, please visit the Takata recall site (ACCC). |
|-------------------------------|--|
| Requirements for the EU/UK | If you are exporting into the EU, make sure that your product is CE marked and if exporting into the UK that it is either CE or UKCA marked. If you are exporting into the EU, make sure that you or the manufacturer have nominated an Authorized Representative. |

13. Other Products

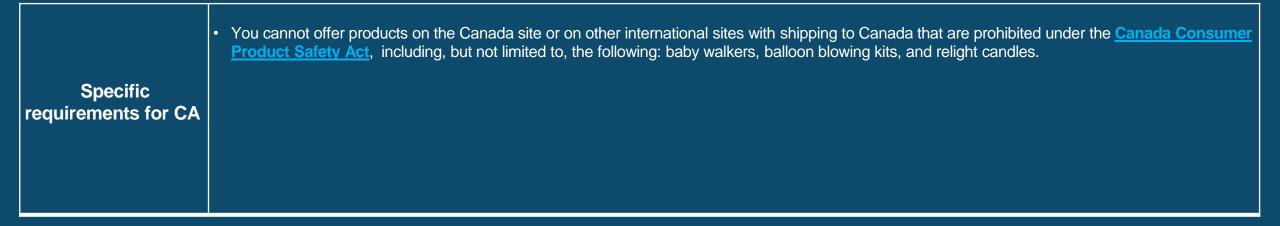
| Requirements | Globally, adaptors must comply with mandatory safety standards. Used or unbranded bike helmets are banned on all sites. If you are exporting into the EU, make sure that you or the manufacturer have nominated an Authorized Representative. In Germany, please make sure that your products comply with mandatory safety standards: • Car Parts In the UK, consult the product safety requirements below. • Furniture: the Business Companion Guide • Electrical equipment: • Electromagnetic compatibility: Manufacturers, suppliers, and installers of electronic and electrical equipment must comply with electromagnetic compatibility regulations. More Information • Plugs and Sockets: Electrical products must be supplied correctly and permanently (only removable with a tool) and fitted with a fused and approved UK three-pin plug (BS 1363). Please wish this page for supplementary guidance and also check here for the applicable regulation. • General Product Safety: Additional information |
|---------------------|---|
| Requirements for AU | Please make sure that your bicycle and pool products comply with the following mandatory safety standards: Bicycles (pedal): Mandatory standard for pedal bicycles based on the Australian and New Zealand Standard AS/NZS 1927:1998. Please see more information Portable swimming pools: Consumer Goods (Portable Swimming Pools) Safety Standard 2013 establishes the mandatory requirements for portable swimming pools. More information |

13. Other Products

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| | Quad Bikes: |
| | Quad bikes cause a number of deaths annually. Please make sure your products comply with the new standards. |
| | More information |
| | Sunglasses and fashion spectacles: |
| | The Consumer Goods (Sunglasses and Fashion Spectacles) Safety Standard 2017 outlines the mandatory requirements for sunglasses and fashion spectacles. <u>More information</u> |
| | Swimming and flotation aids: |
| | The Consumer Goods (Swimming and Flotation Aids) Safety Standard 2017 establishes the mandatory requirements for swimming and flotation aids. <u>More information</u> |
| Specific | Motor vehicle related products: |
| quirements for AU | Motor vehicle products must comply with Australian standards and be properly labelled. <u>Tinted headlights</u> are banned. More information |
| | Exercise equipment: |
| | Exercise equipment must comply with Australian standards and be properly labelled. <u>Guide on mandatory safety standards regarding exercise equipment in English, Chinese, and Vietnamese</u> |
| | Decorative alcohol-fuelled devices: |
| | Decorative alcohol-fuelled devices must comply with Australian standards and be properly labelled. |
| | Guide on mandatory safety standards regarding decorative alcohol-fuelled devices |
| | Consumer goods containing a non-refillable helium cylinder: |
| | Consumer goods containing a non-refillable helium cylinder must comply with Australian safety standards. |
| | Consumer Goods (Non-refillable Helium Cylinders) Safety Standard |
| | Please find a list of additional products with guidelines for relevant mandatory standards here. |

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13. Other Products, Cont.



14. Economic Operators and Product Safety

The EU has introduced new consumer protection measures that require a **person** (economic operator) based in the EU to be **responsible** for holding documentation proving that goods are safe and legal for sale and for assisting authorities if products turn out to be unsafe.

- This requirement impacts CE-marked products that are sold into the EU. These products will have to have an established EU economic operator listed on the product itself or on the packaging. For more information, visit this page: Selling into the EU
- Note: The new measures don't impact only products that require CE-marking, they also apply to Cosmetics.

Economic operators will have to perform tasks to ensure the ongoing safety of the products, such as:

- Taking corrective action when instructed;
- Respecting decisions made by Market Surveillance Authorities;
- Responding to Market Surveillance Authorities' enquiries; and
- Recalling unsafe products when a risk is discovered or mandated.

Four types of economic operators are accepted under the new regulations:

- Manufacturer in the EU
- Importer in the EU
- Authorised Representative in the EU
- A fulfilment service provider in the EU

15. BREXIT: Requirements for Placing Goods in the UK

The <u>UKCA marking</u> is a UK marking that is used for certain goods being placed on the market in Great Britain. It applies to most goods that previously required the CE marking. Going forward, the CE mark is <u>indefinitely recognized in the UK</u>: sellers can choose between the CE or the UKCA marking when selling in the UK.

See the useful links below for more guidance:

- Placing manufactured goods on the market in Great Britain
- Using harmonized standards for placing CE marked products on the GB market
- Placing products on the GB market: recognition of EU requirements
- Placing manufactured goods on the market in Northern Ireland
- Using the UKCA marking
- Using the UKNI marking
- Using the CE marking
- Current UK approaches to product marking
- For guidance on moving goods between NI and GB and vice versa
- UK product safety and metrology from 1 January 2021
- Product safety for businesses: A to Z of industry guidance

16. BREXIT: Electrical Equipment and Environmental Regulations

In the UK, electrical equipment must comply with the following specific environmental regulations:

- Batteries, when being placed on the market, must be manufactured appropriately and labelled correctly. Please see the guidance
- Eco-design of energy-related products, which must meet generic or specific measures relating to their use of energy. Please see the guidance
- Energy information must be clear and consistent for energy-consuming products. Please see the guidance
- <u>RoHS</u>, which regulates the allowable limits of certain hazardous substances and chemicals in electrical and electronic equipment (EEE). Please see the <u>guidance</u>
- <u>WEEE</u>, regulation aiming to reduce the amount of waste EEE, encouraging recovery, reuse, and recycling of products and components. Please see the <u>guidance</u>

In addition, please see the guidance for the sale of Electrical Equipment after BREXIT: Electrical Equipment Guidance

Thanks

for your cooperation

Product Safety Guidance

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