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1. INTRODUCTION

CLOTHING CAN BURN RAPIDLY WHEN ACCIDENTALLY IGNITED BY CONTACT WITH AN OPEN FLAME OR SIGNIFICANT HEAT SOURCE. THIS CAN CAUSE SERIOUS INJURY, BURNS AND POTENTIALLY DEATH. CHILDREN ARE ESPECIALLY VULNERABLE IN CIRCUMSTANCES WHEN THEY ARE PLAYING WITHOUT SUITABLE ADULT SUPERVISION.

In 2014, an incident occurred involving a child wearing a disguise costume which caught fire and resulted in major injuries for the child. This incident led to attention being placed on the safety of such items and resulted in the BRC publishing its first Codes of Practice on flammability testing and labelling of children's disguise costumes.

BRC members recognised their duty of care to their customers and their responsibility in selling products that were safe and legal. Whilst statistics and compliance with existing test methods indicated that dress up outfits appeared safe, retailers wanted to go further. This was to ensure safety test methods reflected the hazards presented by today’s style of costumes, fabrics and finishes used.

The original Code of Practice identified several areas in which the existing safety standard was considered to fall short of best practice and set out to address these through the introduction of additional voluntary flammability testing.

As a result of lobbying by BRC, the relevant safety standard, EN 71-2, was proposed for revision and in the period that followed, the proposals put forward by BRC were scrutinized and many but not all of them were adopted into a revised safety standard for the flammability of toys. This was eventually published in December 2021 as EN71-2:2020.

This new edition of EN71-2 was then published in the Official Journal of the European Union (OJEU) in November 2021 giving it the power to provide a presumption of conformity with the flammability safety requirements of the Toy Safety Directive 2009/48/EC when a product complies with its requirements. The power of presumption of conformity afforded to the previous edition EN 71-2:12011+A1:2014 will cease on 15th May 2022.

With the publication of EN71-2:2020 and its publication in the OJEU, many of the requirements of the BRC Code of Practice have been adopted into the revised EN71-2 test method which has led to this revised Code of Practice being prepared.

In addition to this update, the UK has since left membership of the European Union and this updated Code of Practice also introduces the relevant references to UK legislation applicable to the safety of toys.

This Code of Practice has been produced by retailers and manufacturers, through the British Retail Consortium’s Buying Community. The BRC thanks businesses for their time and input in producing this document.

The Buying Community exists to help retailers sell safe and compliant goods. More information can be found at www.brc.org.uk

JUNE 2022
2. SCOPE

The scope of this document covers toy disguise costumes as identified in the relevant legislation and standards below:


1. UK Statutory Instrument 2011 No 1881 the Toys (Safety) Regulations 2011 as amended by Statutory Instrument 2019 No 696 The Product Safety and Metrology etc. (Amendment, etc.) (EU Exit) Regulations 2019

In addition, the following standards are also referenced:

1. EN 71-2:2020 Safety of Toys – Part 2: Flammability

(IMPORTANT NOTE: This standard is superseded by EN 71-2:2020 and will cease to provide a presumption of conformity with effect from May 2022)


Article 2 (Scope) of the Toy Safety Directive (TSD) 2009/48/EC defines a toy as “a product designed or intended, whether or not exclusively, for use in play by children under 14 years of age”. This definition is identical in the UK Toys (Safety) Regulations 2011.

Children’s dressing-up outfits have to comply with all the requirements of the Toy Safety Directive (and/or UK Regulations depending on the market(s) into which they are to be sold).

Dressing-up outfits are covered by the European Harmonised Standard EN 71-2: Safety of Toys Flammability, Section 4.3 Toy Disguise Costumes and Toys Intended to be Worn by a Child in Play.

Note: As the UK is no longer a part of the EU, harmonised standards have been replaced by ‘Designated Standards’ which are approved by the Secretary of State for Business, Energy and Industrial Strategy. However, at the time of the UK’s departure from the EU, all standards which are currently harmonised standards were adopted in the UK as designated standards.

A presumption of conformance with the Toy Safety Directive is given by compliance with the appropriate harmonised and/or designated standard.

This voluntary Code of Practice (COP) is designed to set additional requirements (4.2) and provide additional information on good manufacturing practice (5) to assist in achieving compliance with those standards.

This code of practice does not cover adult dressing up clothing, items that are not marked with the appropriate conformity mark (CE and/or UKCA) and items not classified as toy dress up such as wigs and masks, accessories etc.
3. TESTING OF DISGUISE COSTUMES USING EN71-2:2020

3.1 INTRODUCTION

Laboratories conducting testing should be accredited to ISO 17025 with the standard EN71-2 test on their Scope of Accreditation. In the UK, this means UKAS accreditation (as the UN’s appointed National Accreditation Body). In other countries, the testing laboratory shall be accredited by their equivalent National Accreditation Body (e.g. CNAS for China, A2LA for the USA, Dakks in Germany, etc.)

The following section sets out some of the key changes in EN71-2:2020 that have been introduced along with those aspects of the BRC Code of Practice that have not been introduced.

**INTRODUCED/ADOPTED INTO EN71-2:2020**

- Improved guidance on pre-treatment including the need to test before and after pre-treatment.
- The size and method of sampling test specimens has been updated to match that set out in the original BRC document. This allows the use of unequal sized portions when creating test specimens and the option to use a half-size specimen where there is limited material available.
- Fillings which do not drop out of the test specimen are now considered to form part of the test specimen of which they are a part.
- The requirement for additional vertically oriented test specimens to include seams, trims and embellishments which are within 600mm of the lower edge of the costume
- Narrow fabrics can now be tested by the inclusion of a wire mesh in the test frame used.
- An intermediate trip thread has been introduced to facilitate testing of half-size specimens
- An improved description of the results to allow samples to be categorized as ‘self-extinguishing’ if they ignite but do not burn beyond the intermediate trip thread.

**NOT INTRODUCED/ADOPTED INTO EN 71-2:2020**

The following testing aspects of the BRC Code of Practice which have not been adopted into EN71-2:2020: have now been incorporated into this Code of Practice as Best Manufacturing Practice (see section 5)

- Testing samples in both length and width orientations.
- The additional re-testing of materials which do not ignite by adding a piece of cotton.
- Fillings which would fall out of the test specimen are now required to be tested using the test method in EN 71-2 for soft-filled toys (clause 4.5) rather than the separate methods of test defined by BRC. This only applies to parts which are larger than 150mm in the vertical dimension.

**THE FOLLOWING ASPECTS OF THE BRC CODE OF PRACTICE REMAIN:**

- The retention of a more onerous rate of spread of flame of 10mm/s (as compared to EN 71-2:2020 and the UK Nightwear (Safety) Regulations 1985).

**Note:** The updated EN 71-2:2020 retains the previous requirement of a maximum rate of spread of flame of 30mm/s
4. REQUIREMENTS & TEST REPORT

4.1 SAMPLES TO BE SUBMITTED FOR TESTING

For age graded disguise clothing, it is recommended that the largest size is submitted for testing. The number of samples typically required to undertake a full test will probably suffice; however, in some cases, additional garments may still be required to cover all the materials or features present and/or where the relative positioning of features may require testing in smaller sizes but would be excluded in larger sizes.

Test laboratories can only test what is provided to them and it is essential to ensure that sufficient samples are provided so that all materials and/or features are subject to the appropriate tests. The failure to provide a sufficient quantity or size of garments for testing may undermine the validity of a test report.

For simple designs, a minimum of 2 garments may well suffice and for more complex designs then a minimum of six garments would generally be sufficient to allow all materials and features to be tested. In some cases, additional samples or different sizes may still be required to cover all variations.

4.2 TEST REPORT

No material to burn with a rate of spread of flame of greater than 10 mm/s. This requirement shall apply to the rates to sever each trip thread (excluding that at 50mm) and to the speed between the 250 mm and 500mm trip threads.

Flame retardant chemicals are not permitted. This should be declared by the manufacturer to the testing laboratory.

Note: There is a distinction between the use of flame retardant chemicals within the chemical composition of a synthetic fibre to make the fibre inherently flame retardant and the application of a chemical flame retardant to the fabric during its post-production finishing processes. It is the latter that is not permitted.

4.3 CLASSIFICATION OF RESULTS

The results should be reported as follows:

<table>
<thead>
<tr>
<th>OUTCOME</th>
<th>ABBREV.</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does not ignite</td>
<td>DNI</td>
<td>No flaming or flaming &lt;1s; First trip thread not severed</td>
</tr>
<tr>
<td>Zero rate of spread</td>
<td>0 mm/s</td>
<td>Flaming &gt;1s but first trip thread not severed</td>
</tr>
<tr>
<td>Self-extinguishing</td>
<td>SE</td>
<td>Flaming &gt;1 and first trip thread severed but flaming ceases without severing the 2nd trip thread</td>
</tr>
<tr>
<td>Rate of spread of flame</td>
<td>xxx mm/s</td>
<td>The rate of spread of burning is calculated from the time to sever the 1st and 3rd trip threads (full-size specimens) or 1st and 2nd trip threads (half-size specimens).</td>
</tr>
</tbody>
</table>

Note: Additionally, for a full-size specimen the rate of spread can also be calculated from the times to sever the 2nd and 3rd trip threads.
4.4 UNCERTAINTY OF MEASUREMENT

The uncertainty of measurement has been established as being no greater than ±1.5 mm/s based on manual timing measurement of trip thread severance times. However, the use of electronic timing mechanisms may result in a lower uncertainty of measurement.

In setting the requirement of 10 mm/s, the uncertainty of measurement has already been taken into account. This means that a test result of 10 mm/s cannot be any worse than 11.5 mm/s and at this level, the test result is no worse than the equivalent rate applicable to children's nightwear under the UK Nightwear (Safety) Regulations 1985.

4.5 TEST REPORT

The test report should contain the following information:

a. Reference to this Code of Practice.

b. Details of the material or costume tested.

c. Whether the costume was tested before and after any pre-treatment and, if pre-treated, details about that pre-treatment.

d. Where applicable, details about the location of each test specimen from within the costume. This may be supported by the use of photographs, diagrams or other means in the test report of identifying the relevant locations.

e. The time to sever each of the 3 trip threads (where applicable).

f. The rate of spread of flame from the first trip thread to the third trip thread (for full-size specimens) or from the first trip thread to the second trip thread (for half-size specimens).

g. If the third trip thread is severed, the rate of spread of flame between the second and third trip threads.

h. If specifically agreed between the parties, any occurrence of molten flaming debris during the test.

i. A statement as to whether or not the material or costume meets the requirements of the Code of Practice.
5. GOOD MANUFACTURING PRACTICE

5.1 INTRODUCTION TO THIS SECTION

5.1.1 The Toy Safety Directive (or Toys Safety Regulations) offers no information to the manufacturer or designer about how to ensure that disguise costumes can be designed and manufactured to ensure that the finished article will be compliant with the requirements. This section has been developed based on good manufacturing experiences used by BRC members to better ensure compliance of disguise costumes.

5.2 PRE-ASSESSING MATERIALS

5.2.1 The test methods used to demonstrate compliance with the requirements of the Toy Safety Directive (or Toys Safety Regulations) do not stipulate that testing is only performed on a finished article. Where the same material is used in multiple designs then rather than testing the same material multiple times, it is acceptable to create a material library of pre-assessed materials.

Utilising this approach can produce significant cost savings on testing but does require an increased level of administration and cross-referencing in bills of material within the various technical files.

If a pre-assessed material is subsequently modified e.g. by the addition of a glitter print or by a change in the supply of the material then it is strongly recommended that the material is re-validated by additional testing.

5.2.2 Good Manufacturing Practice also provides that even if the specification or supply of a material does not change nevertheless consideration should be given to regular repeat testing. This may occur at fixed intervals of time, based on the volumes of production, and/or based on the number of supply batches involved.

The exact choice of frequency of any re-testing should be determined based on a consideration of all of these factors and should form part of the internal production control process as required for Module A of the Toy Safety Directive or Schedule 2 of the UK Toys Safety Regulations.

5.2.3 A further advantage associated with testing materials before assembly into the final article is the ability to test the full-size test specimens rather than having to join multiple pieces together or even use half-sized test specimens.

Furthermore, it offers the opportunity to test the material in both length and width directions and to identify any significant differences in burning behaviour. Performance can be affected by the orientation of the fabric when it is cut and also when it is assembled or sewn into the costume.

It is preferable to cut a given panel of a costume in a specific orientation and to ensure that all costumes are made with that panel always cut in the same orientation. It has been identified that in the past material may be cut for maximum utilization but would lead to a given panel in the same costume design being cut in different orientations and this could lead to inconsistent flammability behaviours.

It is possible that using material in different orientations could lead to false positive or false negative results being obtained dependent on the sample submitted to a testing laboratory. As such this could leave a supplier or manufacturer lacking knowledge of potential non-compliances and hence placing unsafe products on the market.
5.3 MATERIAL SELECTION

5.3.1 Different types of fibre behave in different ways when exposed to naked flames and heat. Careful selection of the choice of fibres at the outset can help reduce the likelihood of an incident whereby a consumer is involved in a flammability incident.

Cellulosic materials such as cotton and viscose are typically more flammable than wool or synthetic fabrics. Even if only used as trims such as lace or linings, their presence can dramatically increase the likelihood that the rate of spread of flame will exceed the maximum requirement.

It is for this reason that the use of cellulosic materials should be used with great caution and with consideration to their location within a disguise costume. Avoiding the presence in sleeves or trousers or as the main part of a garment worn on the upper body can help reduce the risks.

5.3.2 The use of synthetic materials are less likely to result in higher rates of spread of flame but can be more likely to produce molten flaming droplets. Molten flaming droplets can result in secondary ignition of the disguise costume if the droplets fall onto materials in the disguise costume or onto other clothing worn below the disguise costume.

The molten flaming droplets can also fall onto the skin and adhere to the surface causing localized by potentially deep skin burns which may be very painful.

It is acknowledged that prohibiting materials that may produce molten flaming debris would be problematic for the industry and hence no explicit requirements has been introduced by BRC into this Code of Practice at present. In addition, the need to report the occurrence of molten flaming droplets is only required if specifically requested by the user. Nevertheless, the occurrence and significance of molten flaming droplets as a potential hazard will continue to be monitored and the BRC’s position reviewed periodically.

5.3.3 The use of nets and meshes which may have stiffening agents applied can also increase the risks of test failures. This may be linked to the choice of chemical used as the stiffening agent.

Similarly, lightweight fabrics such as organza and taffeta and lightweight lining fabrics are also more likely to produce higher rates of spread of flame with increased risks of test failure. This can be a particular problem if using several layers to create bulk in the costume or to add as a peplum, as flames can pass between the layers more readily due to the potential of air becoming trapped between the fabric layers.

5.3.4 The application of any chemical other than flame retardents may have a detrimental effect on the flammability of the base material. Such chemicals can include stiffeners, soil and stain repellents, adhesives for glitter print or flock, etc. As such their use should be validated as the behaviour of the treated fabric cannot be presumed to be the same as the untreated fabric.

5.3.5 Fabrics which are printed during textile manufacturing (i.e. roller printed, screen printed, discharge printed, etc.) are not considered to require testing provided that the base fabric or pre-printed fabric has been tested and found to comply with the BRC requirements.

This is because the inks and pigments used in printed do not usually contribute to the burning behaviour of the base fabric. However, other common types of printing such as the use of placement prints may either enhance or detract from the burning behaviour and hence such fabrics should be tested with and without the printing present.
5.3.6 The use of plasticized prints should always be checked before use as some plasticized materials can burn more readily whereas others can slow down the rate of burning of the base material as they act as a sort of fire barrier.

Variations in print coverage of plasticized prints should be carefully considered and where the coverage is similar then it is usually not necessary to test more than once. However, where there is a significant change in the extent of coverage of the print then additional testing may be necessary.

Similarly, the use of the same plasticized print on different substrates will still need validating except where the manufacturer can demonstrate that the different substrate fabrics have similar burning behaviours.

Just as with other materials, the behaviour of plasticized materials intended to be used should be validated before use but once validated for each different substrate as compliant then it can be used without further consideration of its contribution to the overall fire safety.

**Note:** All plasticized materials are required to comply with the chemical restrictions applicable in EU Regulation 1907/2006 REACH for phthalates. Whilst only 7 phthalates are listed within Annex XVII of REACH, nevertheless, many UK retailers impose a restriction on a larger number of different phthalates.

5.3.7 The use of designs such as puffballs can create additional hazards. Not only does the design mean that the wearer has reduced visibility of the potential contact of the costume with a naked flame but the air within the product can accelerate flame spread.

5.3.8 The addition of trims and embellishments can also have a significant impact on the overall burning behaviour, even when the base material(s) meet the requirements in their untrimmed and/or unembellished form.

Consideration should therefore be given to how such trims and embellishments are positioned and to the likelihood that they may act to speed up the rate of spread of flame by acting as a ‘wick’ along which the flames may travel more rapidly.

By validating all trims and embellishments before their use, the risk of creating an unanticipated scenario with a higher than expected rate of spread of flame can be diminished.

Judiciously placed, trims and embellishments, along with plasticized prints, can help to slow down the rate of spread of flame by acting as a ‘fire break’ in the finished costume design.

5.3.9 The use of heavily filled designs, especially in the chest area such as a pumpkin can create additional hazards. Not only can the padded area reduce the wearer’s visibility of potential contact with a naked flame but the filling itself may be a flammability hazard. The use of siliconized polyester fibre is well known as being more flammable than non-siliconized polyester. Siliconized polyester is widely used as the filling for soft-filled toys and for furniture and cushions sold outside the UK whereas non-siliconized polyester is used extensively in cushions and furniture intended for sale in the UK and Republic of Ireland.

5.3.10 Thin layers of foam or other material used to create bulk or thickness in parts of a costume can also cause failures, especially if the material used as padding is itself not flame retardant.

For foams, the use of non-flame retardant polyurethane foams should be avoided. Combustion modified high resilience foam can be used instead (this is widely used in the UK furniture industry) and significantly reduces the risks of the foam burning rapidly as well as producing potentially highly toxic smoke.
5.3.11 Any costume containing features which are glued on to the costume will present an increased risk of flammability. This is due to the type of adhesive used. Small isolated components such as a badge on the chest may present relatively little risk but the widespread use of glitter print can present a much greater risk.

Consideration should therefore be given to the position of the adhered component and the extent of coverage by the adhesive (e.g. in a glitter printed material).

In addition, for glitter printing, the density of the glitter print should be carefully considered. There is no simple rule that can be used to determine the density of the glitter print relative to the position that will always accurately predict the burning behaviour. Very sparse glitter prints are often amongst the most flammable materials as even a slight amount of adhesive spread over a large area can be problematical, but equally densely printed areas of glitter can also be a problem as the amount of adhesive required is greater and most adhesives include volatile flammable substances.

Glitter printed fabric should be tested before and after pre-treatment since the pre-treatment may either

(i) remove the glitter whilst leaving the adhesive or any finish behind or

(ii) conversely remove both glitter and adhesive leaving the base fabric exposed

5.3.12 Metallic threads can also present a problem if their use is not carefully considered. This is because the metal in the thread can conduct heat from any flames and therefore increase the flammability of the material as a result.

Solutions include limiting the locations in which metallic thread is used and/or backing it with a non-conducting material to reduce the spread of heat.

5.3.13 Fur trims or other pile and raised fabrics can present problems either due to the flammability of the material itself or its ability to exhibit the phenomenon known as ‘surface flash’.

Natural furs and feather trims are generally not used due to concerns with animal welfare concerns but there have been reported incidents whereby they have been used in clothing instead of synthetic substitutes as they can be less expensive than the synthetic alternatives.

Even with synthetic furs, consideration should be given to the type of fibre used. Acrylic has a long history of having problems with surface flash and was once the main type of material in soft-filled toys. This has largely been replaced by modacrylic or polyester, but it can be wise to have the fibre composition of the material verified by a testing laboratory.

Raised fabrics such as brushed fleeces can also exhibit surface flash if over-raised. Again, good internal production control as per Module A of the Toy Safety Directive should ensure consistent behaviour, but this can be supplemented with periodic testing.
5.4 COSTUME DESIGN

5.4.1 The design of disguise costumes should be carefully considered especially in relation to the presence of elements which might trail behind the disguise costume (e.g. tails) or dangle from sleeves or other parts of the disguise costume and which could come into contact with a naked flame. The appropriateness of such features should be risk assessed, taking into account their length, position, and their potential for being exposed to a naked flame (e.g. candle).

5.4.2 Seams, especially those running in a vertical orientation, can increase the rate of spread of flame due to the tensions introduced into the fabric by the sewing process. Even horizontally oriented seams can be problematical as they can spread flames sideways and thereby engulf the wearer with flames. This behaviour can be further exacerbated by the use of cotton or polyester/cotton sewing thread which can act as a wick to help flames spread faster. The use of 100% synthetic sewing thread is recommended.

5.4.3 It is recommended that costumes are designed to keep elements away from the face as far as is practicable.

5.4.4 An issue relating to raised, pile, or fur materials is fibre shedding. Whilst not strictly related to flammability, nevertheless in the quest for fire safe materials the need to ensure that the materials do not shed loose fibre that can be ingested into the mouth or inhaled into the nose by a child. Although EN71-1 does not consider such fibres to be a choking hazard, nevertheless, there have been reported incidents whereby loose fibre and/or yarn have caused children to retch or gag for a period of time with potential health implications as a result.

5.4.5 Fabrics used for capes are loose flowing and inherently worn on a child's back where the potential for ignition is less obvious to the wearer. Such materials directions (length and width) as the risk of ignition can occur not only at the bottom edge of the cape but from the side edges too.

5.4.6 Costumes should be designed to ensure that any restriction of hearing or vision is reduced as far as possible. Hoods should neither be made of material nor be so close-fitting as will muffle sounds or ears. Equally, hoods should be designed not to protrude forward of the face or flop in front of the eyes any more than is necessary to avoid creating a reduction in the wearer's field of vision. If either hearing or vision is impaired then the wearer may be unaware of nearby or approaching hazards such as traffic. This may be exacerbated by the increase in electric vehicles which do not generate as much sound to signal their approach.

5.4.7 Attention is drawn to the availability of PD CEN TR 16792:2014 as Guidance for the design of mechanical safety in children's clothing and which contains much useful advice as to how to avoid introducing additional hazards.

5.4.8 Attention is also drawn to EN 14682:2014 as the appropriate specification in relation to the safety of cords and drawstrings in children's clothing. EN 71-1:2014 + A1:2017 incorporates requirements for cords and drawstrings with some minor modifications to allow for detachable components.
5.5 ILLUSTRATIONS OF DIFFERENT FEATURES

<table>
<thead>
<tr>
<th>IMAGE OF DISGUISE COSTUMES</th>
<th>EXPLANATION OF POTENTIAL HAZARD</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image1.png" alt="Image" /> <img src="image2.png" alt="Image" /> <img src="image3.png" alt="Image" /></td>
<td>Examples of the use of trims and embellishments which can act as a wick resulting in increased rates of spread of flame</td>
</tr>
<tr>
<td><img src="image4.png" alt="Image" /> <img src="image5.png" alt="Image" /> <img src="image6.png" alt="Image" /></td>
<td>Example of garments using stiffened net or mesh which can increase rates of spread of flame</td>
</tr>
</tbody>
</table>
Example of garment with lightweight fabrics which tend to be more flammable.

Examples of disguise costume with plasticized print design on skirt.
Example of disguise costume where the addition of features such as strips of low flammability material can slow rate of spread of flame and act as a ‘fire break’.

Example of material with foam laminated (bonded) to underside and causing increased rates of spread of flames.
Example of dress with dense glitter print in vertical stripes resulting in increased rate of spread of flames.

Example of garment with added ribbons at waist which can increase fire risk.
<table>
<thead>
<tr>
<th>Example of costume with metallic threads which can spread heat, leading to increased rates of spread of flame</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example of garment with fur trims on sleeves and bottom hem which can lead to increased risk of ignition and possibly surface flash.</td>
</tr>
<tr>
<td>Example of hood that should be designed to not protrude forward of the face any more than is absolutely necessary so as to avoid creating a reduction in the wearer’s field of vision. If either hearing or vision are impaired then the wearer may be unaware of nearby or approaching hazards</td>
</tr>
</tbody>
</table>
WOULD IT NOT BE BEST TO TEST A WHOLE GARMENT?

In an ideal world, the testing of a whole garment would represent the burning action of the dress in real-life.

However, no such test methodology currently exists and would take some time to develop. The BRC alternative option is to test strips of fabrics using the existing methodology. There is a fundamental issue with testing multi-layered samples using any method based on EN71-2 namely that the layers will be compressed into contact with one another whereas in the costume there would be air gaps between the layers, especially with stiffer fabrics. As such, it would be preferable to conduct some form of whole garment test. No test based on EN71-2 can fully represent the real-life burning behaviour of the costume.

Where a disguise costume includes multiple layers, if the layers are glued or sewn or otherwise bonded together anywhere other than at a garment seam, then the layers should be tested without separation (i.e. as a composite). However, where layers are joined only at the garment seams then each layer comprised of a different material should be tested separately. (Multiple layers comprised of the same material only need the material to be tested once)

ARE WIGS AND MASKS INCLUDED IN THIS COP?

The short answer is no. This Code of Practice only covers children’s dress up only items covered by EN71-2 Clause 4.3 Toy Disguise Costumes and Toys Intended to be Worn by a Child in Play. Wigs and masks are covered in EN71-2 by clause 4.2 Toys to be worn on the head. Hoods and headdresses fall under clause 4.2.5, which specifically excludes “those items covered by clause 4.3”. Attention is drawn to the guidance given in CEN TR15371:2015 Safety of Toys

- Interpretations on EN71-1, EN71-2, EN71-8 and EN71-14 and in particular to clause 3, which addresses and gives examples of different types of disguise costumes and how EN71-2 should be applied. However, retailers are at liberty to apply this Code of Practice on any product should they so wish.

WHAT IS MEANT BY ACCESSORY?

Accessory in this instance means any product not covered by EN71-2 Clause 4.3 Toy Disguise Costumes and Toys Intended to be Worn by a Child in Play. Swords, wands, tiaras, wigs, masks etc. are excluded from this Code of Practice and are covered by their own separate flammability requirements within EN71-2.

HOW ARE TESTS COMPLETED ON COMPLEX ITEMS TO DETERMINE HOW TO CHOOSE WHICH TRIMS AND ACCESSORIES TO TEST?

The revised EN71-2:2020 test method for disguise costumes includes guidance on which trims, and accessories require to be tested. This is based on the original BRC Code of Practice recommendations. However, further risk assessment may be necessary in complex designs to ensure that all hazards have been adequately addressed.

FOR COSTUMES CONTAINING TRIMS AND ACCESSORIES, IS THE AGREEMENT TO TEST ALL SIZES OR JUST THE SMALLEST AND LARGEST SIZES TO KEEP SAMPLES TO A MINIMUM?

Testing to EN 71-2:2020 is primarily based on testing individual materials but introduces the need for additional testing of trims, embellishments, and accessories that fall within high-risk areas of the costume. As such the need to test more than one size will be dependent upon the complexity of the design and the location of the relevant features. Where the position of specific features (times, embellishments, etc.) may fall within a zone requiring testing in the smallest size but outside the same zone in larger sizes, then it is recommended to submit both large and small sizes in order to ensure that the feature is included within the test program. However, in simple designs with little or no such features within the relevant zones, then it is only necessary to submit the largest size for testing.

The responsibility lies with a manufacturer to risk assess each design and ensure that the appropriate sample sizes are submitted. Testing laboratories can only test what they are given and are not responsible for requesting multiple sizes of a given design. They may, however, provide advice based on design sketches or photographs to allow the correct range of sizes to be submitted to ensure all such features are correctly captured in the testing programme.
7. LABELLING

Originally BRC produced a separate Code of Practice on the flammability labelling of children’s toy disguise costumes to supplement the additional flammability testing that BRC had developed. With the publication of the revised EN71-2:2020 and the adoption of many of the recommendations made by the BRC, the Code of Practice on Labelling has been withdrawn but the relevant information has been incorporated into this revised Code of Practice.

SEW-IN-LABELS

The garment must carry a permanent label with the words **WARNING! KEEP AWAY FROM FIRE** (in red letters) regardless of its testing performance

All words must be in medium letters of 10 point in upper case, in-line with the Nightwear (Safety) Regulations.

The warning is also consistent with that required by EN 71-2 provided that the rate of spread of flame of any part of the costume does not exceed 30 mm/s. EN71-2 provides that costumes whose maximum rate of spread of flame is less than 10mm/s does not require the warning, but it is the BRC’s recommendation that the warning is always included on sew-in labels.

The words must be in a durable print and must appear on the front of the label in red print and of sufficient colour contrast to enable them to be clearly visible to the customer.

Each element (part) of the disguise costume must bear the required warning e.g. trousers, shirt, waistcoat, cape.

This warning should also appear on the packaging as detailed below.

PACKAGING / LABELLING

As a result of the revision of EN71-2, the additional flammability warning information shown in Figure 1 is voluntary on the outer packaging and labelling of products. If used, it should be clearly visible and legible at the point of purchase. These warnings may appear in a variety of shapes, sizes and positions on the products.

The following wording should be used for the warnings:

**WARNING! KEEP AWAY FROM FIRE**

“Keep away from lit candles and naked flames” or other similar wording.

Alternatively, companies may also choose to label garments with the additional statement **"This garment has undergone additional safety testing for flammability"** if they have passed the additional testing requirements of the BRC Code of Practice on Method of Test for the Flammability Safety of Children’s Disguise costumes.

Distant Selling (Online / Purchasing from Advertisements / Catalogues etc.)

All warnings contained on the garment should be visible to the consumer when purchased.

The contents of Appendix A & B BRC / ROSPA Halloween leaflet can be used to advise safety. No deviation in content whilst using the RoSPA logo is permissible without their prior consent.

![Figure 1: Typical Example of swing tags](image)
The Flammability Safety of Children’s Disguise Costume

CE & UKCA MARKING

Toys are subject to the requirements of the EU Directive 2009/48/EC which imposes a mandatory requirement to place the CE mark on toys including on disguise costumes.

A similar requirement applied under the UK Toys (Safety) Regulations 2011 which enacted the EU Toy Safety Directive into UK law.

However, as a consequence of the UK’s departure from the EU on 31st December 2020, the UK is no longer permitted to use the CE mark. As a result, the UK introduced a UK-specific equivalent conformity mark (the UKCA mark) for toys placed on the GB market (England, Scotland and Wales).

Toys placed on the market in Northern Ireland remain subject to the EU system of conformity and thus should carry the CE mark.

In reality, many toys are placed on both the EU and GB markets and therefore will be required to carry both the CE and UKCA marks. In addition, the name and address given for the EU must be one based within an EU country and similarly, the GB name and address given must belong to an organisation located within the UK.

Another change as a result of the UK’s departure from the EU is that ‘harmonised’ standards such as EN 71-2 lost their status under UK law to provide a presumption of conformity. However, the UK has introduced an equivalent ‘designated’ status which has been applied to all standards that were harmonised at the time of the UK’s departure from the EU. Whilst this may be the case at the present time, it is likely that in future there may be either a delay between a standard being given harmonised status by the EU and the UK granting designated status to the same standard.

The vast majority of toys do not present any hazards that are not covered by harmonised or designated standards and therefore meet the relevant legislation through the presumption of conformity granted by those standards. If a toy includes a hazard not governed by a harmonised or designated standard then the toy will be required to undergo Type Examination by an EU Notified Body (for toys placed on the EU market) and by a UK Approved Body (for toys placed on the GB market).

For toys placed on the market in Northern Ireland but for whom their Type Examination was carried out by a UK Approved Body then additional UKNI marks are required to be applied alongside the CE mark and in addition to the UKCA mark too. The UKNI mark can never apply in such circumstances without the CE and UKCA marks also being present.

For more information about Type Examination then please consult a Notified Body (for toys to be placed on the EU market) or an Approved Body (for toys to be placed on the UK market). Details of UK Approved Bodies can be found at www.gov.uk.

The UK Government has granted derogation for items requiring the UKCA mark to be placed on the GB market without the UKCA mark being present on the toy up until 31st December 2022. However, the CE mark MUST be present and the information about the UK manufacturer or importer must be provided within the commercial documentation relating to the import of the products. UK manufacturers and imports are, however, encouraged to adopt the use of the UKCA mark as soon as is practicable as there will be no further derogation granted.
HALLOWEEN SAFETY

#Retailer Name# is working with The Royal Society for the Prevention of Accidents (RoSPA) to help people celebrate Halloween safely. Together we have come up with a few simple safety tips, to help you enjoy Halloween.

Please take a few minutes to think about safety in advance.

1. #retailer name# dress-up costumes are tested to rigorous flammability standards and should carry a (Great Britain) or (Northern Ireland) mark.

2. If a dress-up costume catches alight it may still burn, but the speed at which the flame spreads is slower. Homemade dress-up costumes or those not tested to the same flammability standards may ignite easily and burn quicker.

3. As with all clothing, Halloween outfits should always be kept away from fire, lit candles and all other naked flames.

4. If lit candles are part of your celebrations always follow their safety guidelines; remember:
   • Always supervise children and pets if using lit candles
   • Do not allow children to carry, play, reach over, light or be near lit candles.
   • Never leave a burning candle unattended.
   • Remember always to extinguish a candle completely after use.
   • Do not carry pumpkins with lit candles inside.

5. When trick or treating, children should always be supervised by a suitable adult.

6. Ensure children can be seen in the dark, ideally they should wear something reflective such as a reflective strip or glow stick, and carry a torch.

7. Remind children of how to cross roads safely before leaving home.

8. Remove any Halloween make-up or fake blood immediately if irritation occurs. It could be the first indication of an allergic reaction to something within the cosmetic.

9. Follow the Firework Code (see www.saferfireworks.com for more information)
APPENDIX B: ROSPA DRESS-UP SAFETY LEAFLET

DRESS-UP SAFETY

#Retailer Name# is working with The Royal Society for the Prevention of Accidents (RoSPA) to help children play safely in their dressing up outfits. Together we have come up with a few simple safety tips, to help you enjoy this form of play.

Please take a few minutes to think about safety in advance.

1. #retailer name# dress-up costumes are tested to rigorous flammability standards and should carry a (Great Britain) or (Northern Ireland) mark.

2. If a dress-up costume catches alight it may still burn, but the speed at which the flame spreads is slower. Homemade dress-up costumes or those not tested to the same flammability standards may ignite easily and burn quicker.

3. As with all clothing dress-up outfits should always be kept away from fire, lit candles and all other naked flames. If lit candles are part of your celebrations always follow their safety guidelines.

4. Ensure children can be seen in the dark; ideally they should wear something reflective such as a reflective strip or glow stick, and carry a torch.

5. Remind children of how to cross roads safely before leaving home. Remove any make-up or face paint immediately if irritation occurs. It could be the first indication of an allergic reaction to something within the cosmetic.