



25 February 2022

(22-1817)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: AUSTRALIA If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Australian Competition and Consumer Commission (ACCC) Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Department of Foreign Affairs and Trade Email: tbt.enquiry@dfat.gov.au
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Toys for children up to and including 36 months of age are products which are designed, manufactured, labelled and marketed as playthings or are clearly intended for use in play by a child up to and including 36 months of age.; TOYS, GAMES AND SPORTS REQUISITES; PARTS AND ACCESSORIES THEREOF (HS 95)
5. Title, number of pages and language(s) of the notified document: Review of the mandatory standard for toys for children up to and including 36 months - Draft instrument (13 page(s), in English)
6. Description of content: The mandatory safety standard for toys for children up to and including 36 months references certain requirements in the 2002 edition of the voluntary Australian standard. The voluntary Australian standard was updated in 2019, with some further minor amendments made in 2020. The ACCC is proposing to make a new mandatory safety standard for toys for children up to and including 36 months to allow suppliers to comply with the most recent edition of the voluntary Australian standard which is the following: <ul style="list-style-type: none">• Australian/New Zealand Standard (AS/NZS ISO 8124.1:2019 – Part 1: Safety aspects related to mechanical and physical properties. In addition, the ACCC proposes to allow suppliers to comply with any of the following three widely-adopted overseas voluntary standards: <ul style="list-style-type: none">• International Standard (ISO 8124-1:2018 Safety of toys – Part 1: Safety aspects related to mechanical and physical properties)• European Standard (EN 71-1:2014+A1:2018 Safety of toys – Part 1: Mechanical and physical properties)• American Standard (ASTM F963 – 17 Standard consumer safety specification for toy safety)

<p>The new safety standard would not impose any requirements other than those contained in these voluntary standards. Allowing compliance with these voluntary standards would reduce the current regulatory complexity and duplication for suppliers, thereby reducing technical barriers to trade.</p> <p>The draft instrument gives effect to the proposed changes.</p>
<p>7. Objective and rationale, including the nature of urgent problems where applicable: The current mandatory safety standard was introduced in 2003 to minimise the risk of young children choking or suffocating on small parts in toys, therefore preventing serious injury or death. The new mandatory safety standard will maintain the existing level of safety for consumers by reducing the chances of small parts coming off toys during play or after reasonable wear and tear, therefore helping to prevent choking, suffocation, or death. Referencing the latest edition of the voluntary Australian standard will ensure suppliers' regulatory obligations remain clear and consistent whilst maintaining consumer protections. In addition, referencing overseas standards reduces the regulatory burden on suppliers in the form of reduction in administrative, testing and compliance costs where a product already conforms to overseas requirements.; Protection of human health or safety; Reducing trade barriers and facilitating trade</p>
<p>8. Relevant documents:</p> <p>Current safety standard - Consumer Protection Notice No 14 of 2003</p> <p>Product Safety Australia page - Toys for children up to and including 36 months of age</p> <p>The International, European and Australian/New Zealand standards are available for purchase from SAI Global. The American Standard is available for purchase from ASTM International.</p>
<p>9. Proposed date of adoption: The new safety standard would be adopted the day after it is registered.</p> <p>Proposed date of entry into force: The new safety standard would provide a transitional period (18 months in this case) to allow suppliers to move to the new requirements. During the transitional period suppliers may choose to comply with the new standard or the requirements set out in the current safety standard.</p>
<p>10. Final date for comments: 29 April 2022</p>
<p>11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>Department of Foreign Affairs and Trade Email: tbt.enquiry@dfat.gov.au https://members.wto.org/crnattachments/2022/TBT/AUS/22_1811_00_e.pdf</p>