



AUSTRALIAN COMPETITION
& CONSUMER COMMISSION

Review of the mandatory safety standard for Projectile Toys

Consultation paper

April 2021



1. Introduction

The Australian Competition and Consumer Commission (**ACCC**) is conducting a targeted review of the mandatory safety standard for projectile toys (the **mandatory standard**). The ACCC is proposing to amend the mandatory standard by updating it to reference the latest editions of the voluntary Australian and International standards. The ACCC is seeking your feedback on this proposed solution.

This consultation may be the only opportunity for you to provide input into this review. We encourage you to make a submission.

2. Background

The mandatory standard was introduced in 2010 to reduce the risk of serious eye injury or asphyxiation associated with the use of projectile toys by children. When it was introduced, the mandatory standard was based on relevant parts of the 2002 edition of the voluntary Australian standard.

In June 2020, the mandatory standard was reviewed and amended to allow compliance with the updated 2019 edition of the voluntary Australian standard or one of three comparable voluntary overseas standards. The four voluntary standards currently referenced by the mandatory standard are:

- AS/NZS ISO 8124.1:2019 Safety of toys Part 1: Safety aspects related to mechanical and physical properties (the **voluntary Australian standard**)
- ISO 8124-1:2018 Safety of toys—Part 1: Safety aspects related to mechanical and physical properties (the **voluntary International standard**)
- EN 71-1:2014 + A1:2018: Safety of toys—Part 1: Mechanical and physical properties (the **voluntary European standard**)
- ASTM F963-17 Standard Consumer Safety Specification for Toy Safety (the **voluntary US standard**)

However, after the mandatory standard was updated in June 2020, the voluntary Australian standard and the voluntary International standard were subsequently amended. Because the voluntary Australian standard is a reproduction of the voluntary International standard, the changes made are identical across both voluntary standards. These amendments concerned a variety of children's toys, with some of them relating specifically to the design, construction and testing requirements for projectile toys. Changes relevant to projectile toys include updates to the tension test applied to projectiles, and amendments to the requirements for rotors and propellers on projectile toys, including renaming the relevant section to 'Flying Toys'.

We have assessed the amendments to the voluntary Australian and International standards and consider they are minor, procedural adjustments that add clarity for suppliers and test agencies. These changes also provide greater consistency with the other voluntary international standards. Importantly, these amendments to the voluntary standards will maintain the existing level of safety achieved by the current mandatory standard.

We consider it is important for the mandatory standard to be updated to reflect these changes. This will allow the compliance and testing obligations of suppliers to remain well defined and ensure the existing consumer protections achieved by the current mandatory standard are maintained.

Failing to amend the mandatory standard would mean that it would reference outdated voluntary standards, which have since been superseded. This misalignment introduces inconsistencies in the legislation, whereby compliance with the new voluntary Australian and International standards is not supported under the current mandatory standard. As these amendments work to achieve greater consistency with other trusted overseas voluntary standards (namely the voluntary European and US standards), failure to adopt these changes may impose an additional regulatory burden and costs on suppliers, and may also present the risk of incidental non-compliance with the mandatory standard.

3. Proposed solution

The ACCC proposes to amend the mandatory standard to incorporate the amendments recently made to the voluntary Australian and International standards. Doing this is consistent with regulatory best practice, and will ensure that supplier's regulatory obligations remain clear and consistent, while also maintaining the consumer protections achieved by the existing mandatory standard.

The amended mandatory standard will reference the following updated voluntary standards:

- AS/NZS ISO 8124.1:2019 + A1:2020 + A2:2020 Safety of toys Part 1: Safety aspects related to mechanical and physical properties (the **updated voluntary Australian standard**).
- ISO 8124-1:2018 + A1:2020 + A2:2020 Safety of toys—Part 1: Safety aspects related to mechanical and physical properties (the **updated voluntary International standard**).

As there have been no similar amendments to the voluntary European and US standards, reference to these will remain unchanged in the mandatory standard:

- EN 71-1:2014 + A1:2018: Safety of toys—Part 1: Mechanical and physical properties (the **voluntary European standard**)
- ASTM F963-17 Standard Consumer Safety Specification for Toy Safety (the **voluntary US standard**)

4. Key Questions

Please consider the following questions in your submission. Submissions do not need to answer all or any of these questions and may include any information that might be relevant for this review.

1. Do you agree with our proposal to amend the mandatory standard for projectile toys, to reference the updated voluntary Australian and International standards and the current voluntary European and US standards? If so why? If not, why not?
2. Are there other additional comments you would like to make?

5. Have your say

The ACCC invites you to comment on this review. The consultation is open from 27 April 2021 to 26 May 2021.

The ACCC prefers that you submit your answers and other feedback online on our consultation hub at consultation.accc.gov.au.

Submissions can also be posted to:

Director
Standards Review
Consumer Product Safety Branch
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

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Disclaimer

The Australian Competition & Consumer Commission (ACCC) has developed this consultation paper to seek the views of stakeholders about the safety standards for corded internal window coverings.

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