



### How do I find out more?

To find out more, contact the ACCC infocentre by:

**Phone:** 1300 302 502

**Email:** [infocentre@acc.gov.au](mailto:infocentre@acc.gov.au)  
or visit the ACCC website at [www.accc.gov.au](http://www.accc.gov.au).

Many personal injuries involve the use of consumer products. To help reduce the risk of injury to consumers, the ACCC develops, maintains and enforces a range of mandatory consumer product safety and information standards.

As well as protecting consumers, these laws serve to ensure businesses cannot gain an unfair advantage over competitors by disregarding labelling and safety standards.

If an accident occurs, all businesses who took part in the manufacture or distribution of the product may be liable for any damage that results. That includes retailers, importers, manufacturers and distributors.

In addition, any businesses involved may receive substantial fines, ranging up to \$1.1 million.

Therefore, it is in the interests of your business to make sure you have effective compliance measures in place. Lack of product familiarity is no excuse for selling incorrectly labelled or unsafe goods.

### What kinds of standards are there?

The ACCC reviews mandatory consumer product standards. Comments from suppliers and the business community are welcome. The standards fall into two main groups:

#### *Safety standards*

Goods must comply with particular performance, composition, contents, methods of manufacture or processing, design, construction, finish or packaging rules (e.g. construction of toys for children under three years).

#### *Information standards*

Prescribed information must be given to consumers when they buy specified goods (e.g. labelling for cosmetics, tobacco products and care labelling for clothing and textile products).

If products do not meet these standards, they may be subject to a mandatory recall. At present, some common products which are subject to regulation are:

- bicycles and bicycle helmets
- bunk beds
- child restraints
- cosmetics
- cots and baby walkers
- jacks, including trolley jacks and support stands for motor vehicles

- motor cycle helmets
- sunglasses
- tobacco products
- toys for children under three.

In addition, the responsible minister (the Parliamentary Secretary to the Treasurer) can declare a product to be unsafe, and temporarily ban it for 18 months. If the declaration has not been lifted at this point, the product is banned permanently. A number of products are banned under the Trade Practices Act as unsafe. These presently include:

- dart guns
- mini jelly cups
- tinted headlight covers
- chewing tobacco

### What happens if I don't comply?

The ACCC actively enforces product safety standards by:

- surveying the market
- responding to complaints
- acting promptly against offending suppliers.

Suppliers of banned products, or products that do not comply with a mandatory standard, could be committing an offence under the Trade Practices Act and may be subject to fines of up to \$1.1 million for corporations and \$220 000 for individuals.

The ACCC often seeks immediate withdrawal of goods from sale and recall from consumers. The same fines for failing to comply with mandatory standards also apply for not complying with a mandatory recall order.

We aim to foster a culture of business compliance with the Trade Practices Act and have prepared a series of industry guides on many of the mandatory standards. These guides provide simple, easy to understand advice on what the standards require and how businesses can find more in depth information. They are available from ACCC offices and on the website. Australian Standards may be purchased from Standards Australia.

### Did you know?

The ACCC publication, *Standards and Bans—A Compliance Guide for Suppliers*, is available free of charge from the ACCC website at [www.accc.gov.au](http://www.accc.gov.au) or by calling the ACCC Infocentre on 1300 302 502.