



# Product safety bulletin

## Lead and certain elements in children's toys and finger paints

June 2010

This bulletin outlines the acceptable migration levels of lead and other elements in children's toys and finger paints under the mandatory standard that came into effect on 1 January 2010.

The bulletin also provides information on hazards relating to lead and other elements in children's toys and finger paints, and suppliers' compliance responsibilities under the mandatory standard.

Under the mandatory standard:

- children's toys are products supplied new that are designed or clearly intended for use in play by children up to six years of age
- finger paints are paste- or jelly-like coloured preparations that children apply onto surfaces with their fingers and hands.

### Excluded products:

- sporting goods
- camping goods
- bicycles
- playground equipment
- trampolines
- electronic game units
- models powered by combustion or steam engines
- fashion jewellery for children.

### Dangerous elements

The elements known to be most harmful to children playing with toys and finger paints are:

- antimony
- arsenic
- barium
- cadmium
- chromium
- lead
- mercury
- selenium.

### Lead migration or migration of other elements

The term 'lead migration' is used to refer to how much lead is drawn out of an object or substance and is absorbed by a person. The amount is known as the 'migration levels'. Similarly, there can be arsenic migration, mercury migration, chromium migration, etc.

The most common sources of lead poisoning in children are lead-based paints, contaminated air, water, soil, toys and cosmetics.

### Hazards

Lead and other elements have been identified as being toxic. High levels of these elements can cause significant injury when ingested, inhaled or absorbed through the skin.

Lead and other elements in children's toys and finger paints can be an acute problem because children engage in hand-to-mouth activities such as chewing, mouthing, sucking and accidentally swallowing and ingesting toys, parts of toys or finger paints.

Children are at particular risk because their developing bodies can absorb up to 50 per cent of the lead to which they are exposed. Studies have shown that such exposure can lead to learning and attention disorders, hearing loss, slowed growth and behavioural problems.

### The mandatory standard

The mandatory consumer product safety standard for lead and other elements in children's toys and finger paints came into effect on 1 January 2010, as notified in Consumer Protection Notice No. 1 of 2009.

The following table lists the maximum acceptable migration levels of lead and other elements in children's toys and finger paints.

		Elements							
		Antimony	Arsenic	Barium	Cadmium	Chromium	Lead	Mercury	Selenium
Quantity (mg/kg)	Product								
	Toys	60	25	1000	75	60	90	60	500
	Finger paints	10	10	350	15	25	25	10	50

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### Lead and certain elements in children's toys and finger paints

For complete information about this mandatory standard, you must read:

- Consumer Protection Notice No. 1 of 2009.

We strongly advise that you read:

- AS/NZS ISO 8124.3:2003, available from SAI Global ([www.saiglobal.com](http://www.saiglobal.com))
- AS 8124.7–2003, available from SAI Global.

Understanding all three documents is vital to ensuring that you and your business meet all requirements of this mandatory standard.

### Your responsibilities as a supplier

From 1 January 2010 you must ensure the migration level of lead and other elements in the products you supply does not exceed the quantities specified in the mandatory standard for toys and finger paints supplied to the Australian market.

Under the *Trade Practices Act 1974*, **supply** includes:

- selling
- exchanging
- leasing
- hiring or buying through hire purchase.

If you are a manufacturer, importer, wholesaler, hirer or retailer in the business of supplying children's toys and finger paints into the Australian market, this mandatory standard applies to you.

### For toy suppliers

The ACCC recognises that many suppliers to date have tested children's toys for compliant levels of lead and other element migration against one of the following standards instead of AS/NZS ISO 8124.3:2003:

- European standard EN 71–3:1995, *Safety of toys Part 3: Migration of certain elements* (including 1995 COR 2002 and 1995 AMD1 2000) (EN 71–3:1995)
- ISO 8124.3:1997 or ISO 8124.3:2010, *Safety of toys Part 3: Migration of certain elements*.

The ACCC view is that these standards for testing lead and other elements are substantially equivalent to those specified in AS/NZS ISO 8124.3:2003.

For investigation purposes, the ACCC will regard compliant test results for migration levels of lead and other elements under any of these three standards as being substantially equivalent.

This applies only as long as the current wording is retained for EN 71–3:1995, ISO 8124.3:1997, AS/NZS ISO 8124.3:2003 or ISO 8124.3:2010.

Suppliers should nonetheless note that the ACCC will seek withdrawal from sale and recall from consumers of any toy found to breach the mandatory standard.

### For finger paint suppliers

From 1 January 2010 you must ensure that the finger paints you supply to the Australian market do not contain migration levels of lead and other elements in excess of quantities specified in clause 4.4 of AS 8124.7–2003.

The ACCC recognises that many suppliers to date have tested finger paints for compliant levels of lead and other element migration against European standard EN 71–7:2002, *Safety of toys Part 7: Finger paints—requirements and test methods* (EN 71–7:2002) instead of AS 8124.7–2003.

The ACCC view is that EN 71–7:2002 for testing lead and other elements in finger paints is substantially equivalent to AS 8124.7–2003.

For investigation purposes, the ACCC will regard compliant test results for migration levels of lead and other elements under clause 4.4 of EN 71–7:2002 as being equivalent to clause 4.4 of AS 8124.7–2003.

Suppliers should note that the ACCC will seek withdrawal from sale and recall from consumers of any finger paints found to breach the mandatory standard.

#### Other product safety bulletins

Household cots with wooden drop sides (March 2010)

Children's plastic products with more than 1 per cent diethylhexyl phthalate (DEHP) (March 2010)

Flotation toys and swimming aids (May 2009)

Toy and nursery update (March 2009)

#### Contact

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