# Children’s projectile toys

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What is this guide about?

Under the Australian Consumer Law (ACL), mandatory consumer product safety standards are introduced when considered reasonably necessary to prevent or reduce the risk of injury to a person. This guide provides a summary of the requirements for the supply of children’s projectile toys. A full list of mandatory standards and bans is available on pages 12–14.

Who should read this guide?

Suppliers of children’s projectile toys should read this guide to familiarise themselves with the hazards and the mandatory requirements for this product.

What are children’s projectile toys?

The mandatory standard applies to products that are:

- supplied new and designed or clearly intended for use in play by children up to 14 years old; and
- capable of launching a projectile.

Under the mandatory standard:

- a projectile is an object intended to be launched into free flight, or a trajectory, in the air
- a projectile toy with stored energy is a toy with a projectile propelled by means of a discharge mechanism capable of storing and releasing energy
- a projectile toy without stored energy is a toy where the projectile is discharged by the energy imparted by the child using the toy.

The mandatory standard covers toys that discharge projectiles by means of a discharge mechanism and those that discharge projectiles by way of energy imparted by the user. Such products include toy guns, bow and arrow sets and other toys that are capable of launching projectiles.
What are the hazards?

Choking

Small darts with suction cap tips can lodge in a child’s throat and block the airway. Children have died after choking on these types of projectiles.

Eye injuries

Projectiles or improvised projectiles with sharp points or sharp edges can cause blindness and other serious eye injuries if they hit someone.

Flesh wounds

Projectiles or improvised projectiles with sharp edges or sharp points can cause serious flesh wounds if they hit someone.
Mandatory standard


AS/NZS ISO 8124.1 is a voluntary standard, except for those sections specifically called up by the consumer protection notice. It is important to note that the sections of AS/NZS ISO 8124.1 called up by the consumer protection notice may also be varied by the notice. For this reason it is important to read both the notice and AS/NZS ISO 8124.1 together.
Meeting mandatory requirements

To comply with the mandatory standard for children’s projectile toys, you and your business must meet all the requirements for design, construction, testing, instructions, labelling and age grading.

Design and construction

All rigid projectiles must have a tip radius of at least 2 mm.

The perimeter of rotors or propellers that turn at high speed must be in the form of a ring to reduce the risk of injury.

Children’s projectile toys with stored energy

Children’s projectile toys with more than 0.08 J of stored energy must have a protective tip that:

- is made of resilient material that ensures the kinetic energy per unit area of contact does not exceed 0.16 J/cm²
- does not come off the projectile when tested in accordance with tests set out in the mandatory standard, or
- is designed so that the projectile cannot be discharged if the tip does come off when tested in accordance with tests set out in the mandatory standard.

Projectiles must not produce a hazardous sharp edge or hazardous sharp point when tested according to the mandatory standard.

Discharge mechanisms must be designed so they cannot discharge any other type of potentially hazardous improvised projectiles, such as pencils, nails or stones, without modification by the user. Where the discharge mechanism is capable of discharging an object other than that provided with the toy, the potential danger of misuse shall be drawn to the attention of the user.

Each projectile that has a suction cap tip must not fit (when uncompressed) entirely into the small parts cylinder in any orientation, regardless of the age group for which the toy is intended. A diagram of the small parts cylinder is shown at Figure 13 of AS/NZS ISO 8124.1:2002.

Children’s projectile toys without stored energy

Where the projectile is in the form of an arrow or dart, it must have a protective tip as part of the front end of the shaft or have a blunted front end with an attached protective tip.

The protective tip must have a contact area of at least 3 cm² and, unless it is reliant on magnetic forces, the tip must be made from a resilient material.
When tested in accordance with the torque test and tension test for protective components:

- the protective tip must not become detached from the projectile, or
- if the protective tip does become detached, the projectile must not be able to be launched by the intended launch method.

Certain toys reliant on magnetic forces must carry a warning specified in the separate mandatory standard for children’s toys containing magnets. That mandatory standard is also based on AS/NZS ISO 8124.1:2002, as varied by Consumer Protection Notice No. 5 of 2010. Suppliers of toys containing magnets should be aware of the requirements of the mandatory standard for toys containing magnets.

**Bow and arrow sets**

When bow and arrow sets are tested in accordance with kinetic energy tests set out in the mandatory standard, if the kinetic energy of arrows exceeds 0.08 J the kinetic energy per unit area of contact must not exceed 0.16 J/cm².

**Testing**

The mandatory standard sets out a range of test requirements for children’s projectile toys, such as:

- kinetic energy testing to determine whether projectiles require protective tips
- torque and tension tests for protective tips
- small cylinder testing to determine whether any projectiles with suction cap tips pose a choking hazard
- requirements for high-speed rotors and high-speed propellers.

Full details on testing are set out in AS/NZS ISO 8124.1:2002. The tests required will depend on whether the projectile toy is a toy with or without stored energy. It is advisable to use a laboratory with the expertise, skills and equipment necessary to conduct these tests, or obtain reliable test certificates from the manufacturer.

**Instructions and labelling**

Children’s projectile toys must come with instructions for use that draw users’ attention to the hazards of:

- aiming at the eyes or face when discharging projectiles
- using projectiles other than those specifically supplied or recommended by the manufacturer.
Safety labelling that appears on toys or packaging should be:

- easy to see and read
- indelible
- in a format that attracts the consumer’s attention.

**Age grading**

Labels should state the minimum age of the child the toy is intended for, either on the toy itself or on the packaging.

The age warning may be stated as text or presented as a graphic symbol.

Your responsibilities as a supplier

If you are a supplier, you are legally responsible for ensuring the children’s projectile toys you supply meet the mandatory safety standard requirements, which are enforceable by law. Failure to comply can result in legal action, penalties and/or recalls.

All suppliers are equally responsible for ensuring that products they supply meet the mandatory standard.

To do this, we strongly advise you to take the following steps:

- Read the requirements specified in the consumer protection notice printed in this guide.
- Have systems in place to visually check these products to ensure they comply with the requirements of this mandatory standard.
- Where necessary, use reports from reliable, independent testing laboratories to verify compliance.
- Register to receive automatic email updates from the Product Safety Australia website (www.productsafty.gov.au) to help ensure you are aware of the latest product safety information.

Further guidance to retailers

If you are a retailer, you are responsible for ensuring that the products you supply meet mandatory safety standards. To help ensure that children’s projectile toys you sell comply with the mandatory standard, you should always:

- stipulate that any children’s projectile toys you order must meet mandatory standards
- undertake visual checks of delivered stock where possible to check compliance with the requirements of the mandatory standard
- obtain and keep reliable written verification from independent sources, such as an accredited testing laboratory, that the children’s projectile toys you supply have been tested to and meet the mandatory requirements. It is advisable to ensure this written verification relates to your current stock.
COMMONWEALTH OF AUSTRALIA
Trade Practices Act 1974
Consumer Protection Notice No. 16 of 2010

CONSUMER PRODUCT SAFETY STANDARD FOR CHILDREN’S PROJECTILE TOYS

I, CRAIG EMERSON, Minister for Competition Policy and Consumer Affairs, pursuant to subsection 65E (1) of the Trade Practices Act 1974 and for the purposes of section 65C of that Act, hereby DECLARE that from 31 December 2010 the consumer product safety standard for projectile toys is the clauses of the standard approved by Standards Australia specified in Division 1 of the Schedule as varied by Division 2 of the Schedule.

Division 3 of the Schedule defines children’s projectile toys for the purposes of this standard.

THE SCHEDULE
Division 1: The Standard
The following clauses and parts of Australian/New Zealand Standard AS/NZS ISO 8124.1:2002, Safety of toys Part 1 – Safety aspects related to mechanical and physical properties, published by Standards Australia on 16 May 2002 and Amendment No. 1 to AS/NZS ISO 8124.1 published by Standards Australia on 25 May 2007:

i) Clause 3;
ii) Clause 4.18 as varied by Appendix ZZ;
iii) Figure 13;
iv) Clause 5.15;
v) Clause 5.24.5; and
vi) Clause 5.24.6.4.

Division 2: Variations to AS/NZS ISO 8124.1
Clause 4.18.2(d) is varied by deleting the words “Each projectile” and substituting the words, “Each projectile having a suction cap tip”.

Division 3: Definition of children’s projectile toys
For the purposes of this standard, children’s projectile toys are products supplied new that are designed or clearly intended for use in play by children up to the age of fourteen years, and which are capable of launching a projectile.

Dated this 30th day of June 2010

CRAIG EMERSON
Minister for Competition Policy and Consumer Affairs
Role of the ACCC

To minimise the risk of injury associated with consumer products, the ACCC undertakes a variety of activities:

- consulting with suppliers and other agencies to identify non-compliant goods
- developing mandatory safety and information standards, when necessary
- informing and educating suppliers about emerging hazards and requirements of mandatory standards or bans
- liaising with suppliers to assist them in understanding how to comply with the standards or bans
- promoting benefits of compliance with mandatory safety standards or bans
- assessing overall levels of marketplace compliance with mandatory safety standards or bans
- informing and educating consumers to choose only compliant products, report suppliers of non-compliant goods to the ACCC and always use products safely
- conducting compliance surveys or inspections to detect non-complying products
- investigating allegations from consumers and suppliers about supply of non-compliant products
- investigating possible breaches found during compliance surveys or inspections
- seeking the immediate withdrawal of non-compliant or unsafe products from sale
- seeking the recall of non-compliant or unsafe products from the market
- taking action against suppliers including:
  - substantiation, infringement or public warning notices
  - court enforceable undertakings, injunctions and various other court orders
  - damages, compensation orders, disqualification orders and civil penalties
  - adverse publicity orders or requirements for corrective advertising
  - prosecutions resulting in criminal sanctions (fines).
Part 3–5 of the Australian Consumer Law (ACL) (which forms Schedule 2 to the *Competition and Consumer Act 2010*) contain provisions on product liability. Under these provisions, consumers can seek compensation or damages for personal injury or other loss caused by a safety defect in products supplied by a manufacturer.

Goods with a safety defect are those that are not as safe as what people are generally entitled to expect.

Generally the manufacturers or importers of products are liable under Parts 3–5 of the ACL. But if other suppliers, such as retailers, cannot identify the manufacturer or importer, they may be deemed liable for the damages.

Suppliers may reduce their exposure to product liability action by using these responsible and sensible business practices:

- conducting regular reviews of product designs and production
- implementing and reviewing quality assurance procedures
- testing products regularly to relevant standards, including batch testing
- conducting appropriate marketing
- providing clear and thorough user instructions
- where necessary, conducting a quick voluntary recall of any products that are defective or unsafe.
Mandatory standards and bans

The following mandatory standards and bans apply nationally under the ACL.

**Mandatory standards**

- Aquatic toys
- Babies’ dummies
- Baby bath aids
- Baby walkers
- Balloon-blowing kits
- Basketball rings and backboards
- Bean bags
- Bicycle helmets
- Bunk beds
- Care labelling—clothing and textile products
- Child restraints for motor vehicles
- Children’s household cots
- Children’s nightwear and paper patterns for children’s nightwear
- Children’s portable folding cots
- Children’s projectile toys
- Children’s toys containing magnets
- Corded internal window coverings
- Cosmetics and toiletries—ingredient labelling
- Disposable cigarette lighters
- Elastic luggage straps
- Exercise cycles
- Hot water bottles
- Lead and certain elements in children’s toys
- Motor vehicle recovery straps
- Movable soccer goals
- Pedal bicycles
- Portable fire extinguishers (aerosol type)
- Portable fire extinguishers (non-aerosol type)
• Portable ramps for motor vehicles
• Prams and strollers
• Protective helmets for motorcyclists
• Reduced fire risk cigarettes
• Sunglasses and fashion spectacles
• Swimming aids and flotation aids for water familiarisation and swimming tuition
• Tobacco labelling
• Toys for children under, up to and including 36 months of age
• Treadmills
• Trolley jacks
• Vehicle jacks
• Vehicle support stands.

**Interim bans**

Interim bans may be made by the state, territory or Commonwealth Minister. Their duration may be 60–120 days. Check the Product Safety Australia website (www.productsafety.gov.au) for details of any interim bans.

**Permanent bans**

• Candles with lead wicks
• Children’s plastic products with more than 1 per cent DEHP
• Children’s stationery sets containing undeclared knives or cutters with a metal blade
• Combustible candle holders
• Fire footbags and other such goods
• Gas masks with asbestos breathing devices
• Glucomannan in tablet form
• Inflatable toys, novelties and furniture containing beads
• Jelly cups containing konjac
• Miniature motorbikes (monkey bikes) with unsafe design features
• No holes tongue studs
• Novelty cigarettes
• Pools and spas with unsafe design features
• Sky lanterns
• Smokeless tobacco products
• Tinted headlight covers
• Toothpaste containing Diethylene glycol (DEG)
• Toy-like novelty cigarette lighters
• Yo-Yo water balls.

**Penalties**

Supplying products that do not comply with a mandatory standard or ban is an offence under the ACL.

Fines for non-compliance are:
• up to $1.1 million for companies
• up to $220 000 for individuals.

**More information**

For the latest information on bans, standards and recalls, visit www.productsafety.gov.au.
Key terms used in this guide

Below is a list of key terms that have been used in this guide.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Consumer Law (ACL)</td>
<td>The ACL replaces previous Commonwealth, state and territory consumer protection legislation in fair trading acts. It is contained in a schedule to the Trade Practices Act 1974, which has been renamed the Competition and Consumer Act 2010 (CCA).</td>
</tr>
<tr>
<td>children’s projectile toy</td>
<td>Under the mandatory standard, a projectile toy is a toy that is:</td>
</tr>
<tr>
<td></td>
<td>• supplied new</td>
</tr>
<tr>
<td></td>
<td>• designed or clearly intended for use in play by children up to 14 years old</td>
</tr>
<tr>
<td></td>
<td>• capable of launching a projectile.</td>
</tr>
<tr>
<td>Competition and Consumer Act 2010 (CCA)</td>
<td>The Competition and Consumer Act 2010 (formerly the Trade Practices Act 1974) deals with almost all aspects of the marketplace: the relationships between suppliers, wholesalers, retailers, competitors and customers. It covers anti-competitive conduct, unfair market practices, industry codes, mergers and acquisitions of companies, product safety, product labelling, price monitoring, and the regulation of industries such as telecommunications, gas, electricity and airports.</td>
</tr>
<tr>
<td>consumer protection notice</td>
<td>A consumer protection notice is a notice that declares a particular voluntary standard prepared by Standards Australia (or other approved body), with any additions or variations specified in the notice, to be a prescribed standard.</td>
</tr>
<tr>
<td><strong>mandatory consumer product safety standard</strong></td>
<td>The Commonwealth Minister can prescribe compulsory safety standards for consumer goods and product related services. Suppliers must not supply goods or services that do not comply with a safety standard for goods of that kind. Safety standards require goods to comply with particular performance, composition, content, design, construction, finish, labelling or packaging rules. Visit <a href="http://www.productsafety.gov.au">www.productsafety.gov.au</a> for a list of products that mandatory safety standards currently apply to in Australia. Many mandatory standards are based on Australian voluntary standards published by SAI Global.</td>
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<td><strong>projectile</strong></td>
<td>Under the mandatory standard, a projectile is an object intended to be launched into free flight, or a trajectory, in the air.</td>
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<tr>
<td><strong>supplier</strong></td>
<td>Anyone in the business of selling, exchanging, leasing, hiring or hire-purchasing of goods or provisions, or of granting or conferring of services.</td>
</tr>
<tr>
<td><strong>supply</strong></td>
<td>Selling, exchanging, leasing, hiring or hire-purchasing of goods or provisions, or granting or conferring of services.</td>
</tr>
</tbody>
</table>
Contacts

Australian Competition and Consumer Commission

Product safety
For more information about mandatory standards, bans, recalls and emerging issues—and to subscribe to email alerts and RSS feeds—visit our websites:

www.productsafety.gov.au
www.recalls.gov.au

You can also follow us on Twitter: @ProductSafetyAU

ACCC Infocentre: 1300 302 502.

Callers who are deaf or have a hearing or speech impairment can contact us through the National Relay Service: www.relayservice.com.au.

Voice-only (speak and listen) users phone 1300 555 727 and ask for 1300 302 502.

SAI Global

To obtain copies of Australian/New Zealand standards, contact SAI Global on 13 1242 or visit the SAI Global website at www.saiglobal.com/shop.
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