



Australian  
Competition &  
Consumer  
Commission

# ACCC Risk Assessment

## Smiggle Eraser Gumball Machine

September 2015

*Authorised for release to ACL regulators for internal consideration*

# 1. Background

- 1.1. State and territory consumer affairs agencies have raised concerns in relation to perceived hazards presented by the Smiggle Eraser Gumball Machine (Smiggle Gumball) supplied in Australia by Smiggle Pty Ltd (Smiggle).
- 1.2. The perceived hazard is that small children may choke on the erasers as the attractiveness of the product is likely to encourage children to insert the product into their mouth.
- 1.3. A choking hazard is commonly attributed to food-like or look-a-like products (that is, products that appear other than they are) including toys designed to replicate food products, via appearance or smell.

# 2. Smiggle Gumball

- 2.1. The Smiggle Gumball is a children's product that contains 60 multi-coloured scented erasers and is designed to resemble a gumball machine. The gumball machine dimensions are 17.5 x 9 x 9 cm and each eraser has a diameter of 15 mm (approximately the diameter of a \$2 coin).
- 2.2. The Smiggle Gumball is labelled with the following information on the product:
  - The words 'Non-edible erasers' are on the front label of the product
  - The product is also sold with a sticker containing the internationally recognised 0-3 symbol and the words 'Warning! Not suitable for children under 3 years. Contains small parts. Choking hazard. Suitable for ages 6 and up'
  - This wording is also repeated on the packaging, along with the words 'erasers are NOT edible!'



- 2.3. In correspondence to the ACCC of 18 September 2015, Smiggle advised that the Smiggle Gumball first went on sale in November 2014 and 32,135 units have been sold to September 2015. The company also advised:
  - *to the best of our knowledge, there have been no reported injuries or incidents caused by this product and our head office team has not received any customer complaints in all of that time.*

### 3. Hazard

- 3.1. The potential hazard identified in the Smiggle Gumball is that the erasers will be attractive to small children who will be likely to place the erasers in their mouth and therefore present a choking hazard.
- 3.2. Consumer Protection Notice No. 14 of 2003 — Consumer Product Safety Standard: Toys for children up to and including 36 months of age<sup>1</sup> (the mandatory standard) references (with variations) Australian/New Zealand Standard AS/NZS ISO 8124.1:2002 Safety of toys, Part 1: Safety aspects related to mechanical and physical properties (ISO 8124-1:2000, MOD), as approved by Standards Australia International Ltd on 30 April 2002<sup>2</sup>.
- 3.3. The mandatory standard applies to toys for children up to and including 36 months of age and its objective is to remove choking hazards from toys marketed for this age group from the Australian marketplace. If young children put toys or parts of toys in their mouth they could choke on them. If the toy or part gets stuck in their throat and blocks their breathing, they could suffocate.
- 3.4. The mandatory standard requires toys for children up to and including 36 months of age to comply with various performance tests to ensure they do not present a choking hazard.
- 3.5. In particular, the objective of the test referenced at Clause 5.2 *small parts test* of the mandatory standard requires toys for children up to and including 36 months of age to be of a certain size to prevent choking hazards.
- 3.6. Clause 5.2 states:
  - 5.2 Small parts test (see 4.3.2, 4.4, 4.18.2 and 4.25)

Place the toy, without compressing it and in any orientation, into the cylinder as shown in Figure 13.

Repeat the procedure with any removable component of the toy and any component liberated after testing according to 5.24 (reasonably foreseeable abuse tests).

Determine whether the toy or any removable component or liberated component fits entirely within the cylinder.

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<sup>1</sup> Consumer Protection Notice No. 14 of 2003 <https://www.comlaw.gov.au/Details/F2008C00607>

<sup>2</sup> AS/NZS ISO 8124.1:2002 <http://www.saiglobal.com>

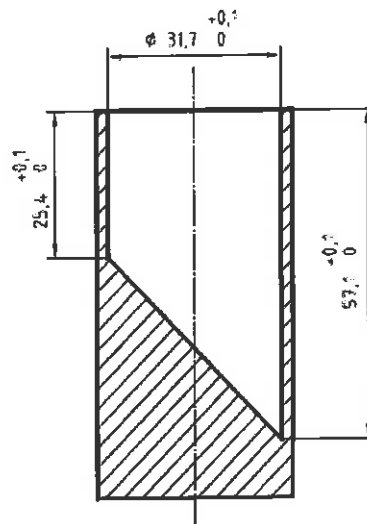
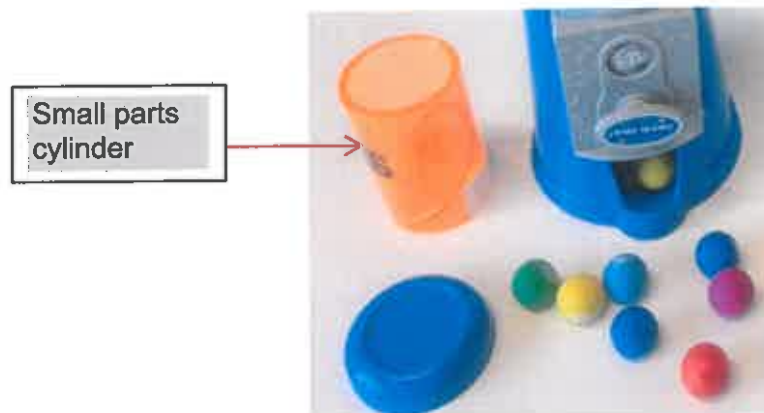


Figure 13 — Small parts cylinder

- 3.7. The dimension of the gumballs supplied in the Smiggle Gumball (15 mm) are of a size that would fail the small parts test for children up to and including 36 months of age.



- 3.8. *Pediatrics*, the official journal of the American Academy of Paediatrics notes when addressing the prevention of choking among children (highlighted by author for significance):
- Choking is the blockage or hindrance of respiration by a foreign-body obstruction in the internal airway, including the pharynx, hypopharynx, and trachea. Airway obstruction can be fatal if it leads to serious impairment of oxygenation and ventilation. Choking is a leading cause of morbidity and mortality among children, especially those who are 3 years of age or younger. This is largely because of the developmental vulnerabilities of a young child's airway and the underdeveloped ability to chew and swallow food. Young children also commonly put objects in their mouths as they explore their environments. The most common objects on which children choke are food, coins, balloons, and other toys<sup>3</sup>.

<sup>3</sup> Pediatrics <http://pediatrics.aappublications.org/content/125/3/601.full>

## 4. Toys for Children up to and Including 36 Months of Age

- 4.1. Appendix B of AS/NZS ISO 8124.1:2002 provides guidance for establishing age grade suitability of children's toys. Appendix B notes (highlighted by author for significance):

- **B.4 Safety considerations of age grading**

### **B.4.1 General**

The toy should be safe for the intended user. Once the skill level has been determined, the design should be tailored to satisfy the requirements of this specification associated with the age level, that is, a toy within the skill and interest level of a child of two years and containing small parts cannot be age-graded at 3 years to avoid enlarging those parts.

Age grades are indicators of average development, which does not necessarily reflect suitability for the exceptional child. A parent remains the best judge of whether the child is at the appropriate development stage for safe play with a particular toy.

### **B.4.2 Toys appropriate for children under three years of age**

A primary consideration should be potential choking and aspiration hazards associated with small parts. Children under the age of three are more prone to placing objects in their mouths. However, the propensity to put non-food objects in the mouth does not disappear at the chronological age of three years. The following toys are appropriate for children under three years of age:

Squeeze toys, teethers, crib exercisers, crib gyms, crib mobiles, toys intended to be affixed to a crib, stroller, playpen or baby carriage, pull and push toys, pounding toys, blocks and stacking sets, bathtub, wading pools and sand toys, rocking, spring, and stick horses and other figures, chime and musical balls and carousels, jack-in-the-boxes, stuffed, plush and flocked animals and other figures, and those preschool toys, games and puzzles, riding toys, dolls and animal figures, cars, trucks and other vehicles that are intended for use by children under the age of three years.

Some of the characteristics that describe those preschool toys appropriate for children under the age of three years are listed below by class of toy:

- dolls;

Soft-bodied baby dolls or character dolls that are for holding or cuddling, stuffed or "beanbag" dolls, rag or cloth dolls with simple features (including accessories), and lightweight plastic dolls with small features and limited articulation at the limb joints;

- infant toys;

Toys intended to be used in a crib or playpen, to be held easily by small hands, shaken, grasped, rattled or cuddled.

- toy vehicles;
 

Cars, trucks, boats and trains of simple chunky shape, decorated in primary colours without extensive descriptive detail or representations of a particular make or model of vehicle, and that require simple actions such as rolling, dumping, pushing and releasing.
- action toys;
 

Simple action toys for the identification of sounds or pictures and surprise-action toys.
- early-learning toys;
 

Such toys, books and puzzles for learning basics such as letters or numbers or shapes, and simple physical motions such as turning wheels or knobs, pulling and letting go or sorting by size, etc.
- soft balls and similar items.
 

Soft lightweight balls or other shapes for squeezing, shaking, rolling or tossing.

#### **B.4.3 Toys not appropriate for children under three years of age**

Toys that should not be considered appropriate for children under three years of age and therefore not be age-labelled as such, have the following characteristics:

- toys that require intricate finger movements or controlled adjustments, fitting intricate pieces together;
- toys, e.g. games, that require or incorporate elements of reading elements of reading ability beyond the ABCs or 123s;
- toys that simulate adult figures or characters and their associated accessories;
- collecting sets (for example, figures and vehicles);
- projectile-type toys, launched vehicles, planes, etc.;
- make-up sets;
- toys incorporating long cords or straps.

4.2. The mandatory standard also notes that Guidance for determining age suitability of toys is also available in the publication issued by the United States Consumer Product Safety Commission (CPSC) *Age Determination Guidelines*<sup>4</sup>.

4.3. When considering arts and craft toys, the category of which the Smiggle Gumball machine falls into, the Age Determination Guidelines note (highlighted by author for prominence):

- Arts and crafts are an integral part of children's total development. Nourishing the creative and expressive self is important to instilling self-assurance and enhancing both creative thinking and problem solving. This can be accomplished through activities in which the child can work with different

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<sup>4</sup> United States Consumer Product Safety Commission (CPSC) *Age Determination Guidelines*  
<https://www.cpsc.gov/PageFiles/113962/adg.pdf>

types of artistic media and materials. Arts and crafts are generally not appropriate until about the age of 12 months. Beginning in toddlerhood, many children are given opportunities for free expression through art materials. Crafts play an important part in learning skills that are more work-related such as sewing, knitting, block printing, bookbinding, and doll making.

## 2 Years

Two-year-olds are very interested in representational and symbolic play. Their fine-motor movements are becoming more skillful, and their manual dexterity is improving. They also begin to represent through their art at this age. The range of art materials available to them greatly increases because of cognitive and physical developments, although they may still put objects in their mouths. They also love the texture of materials, and will use their hands to handle materials whenever possible. They love to finger paint. They can make color distinctions, move fingers independently of each other, and are beginning to cut with blunt-end scissors. They can scribble, draw circular marks and some vertical lines, and copy circles and crosses. Between 24 and 30 months they can add two parts to a human outline, after which this increases to three parts. The process of creating art is more important to them than the final art product. As with materials for previous age groups, appropriate materials are appropriately sized to children's grips, and are lightweight but sturdy. Large easy-to-grip crayons and markers are appropriate for 2-year-old children, as are soft modeling clay and similar substances. Non-toxic tempera paints and large brushes work well for these children, and large sheets of art and construction paper are still best for this age. Some children will choose easels for artwork. They can use blunt-end scissors and string large beads, and finger painting is also a popular art activity.

## 3 Years

Children 3 years of age refer to the symbolic aspects of their art when they talk about their art. They will make the same shapes and scribbles repeatedly, practicing and exploring through art. They are highly attracted by art materials that produce interesting effects and are tactually stimulating. They are less likely to mouth art and craft materials, making scented materials more appropriate. They are learning to handle scissors and glue, and their fine-motor control continues to improve. They can add four to five parts to the outline of a person, and can copy circles and squares. They can perceive distinctions in sizes. Some can use pop beads as intended. Appropriate materials are appropriately sized to children's grips, and are lightweight but sturdy. Three-year-old children enjoy using large crayons, markers, and brushes that are easy to grip. Non-toxic tempera and finger paints work well for these children, as do varying sizes and colors of art and construction paper. Children enjoy working at easels. Now that they can use round-nosed scissors and non-toxic glue, they can make collages and create scrapbooks. They can use pre-gummed paper pieces, stickers, glitter, yarn pieces, and small pom-poms in their creations. They can also string beads, manipulate clay and modeling dough, and write or draw on chalkboards with chalk.

## 5. International Regulations

- 5.1. A European Directive (87/35/EEC) exists for certain **products that appear other than they are** and endanger the health and safety of consumers. The Directive (attached at Appendix A) states:

- Whereas in several Member States legal provisions or regulations are in force concerning certain products which, appearing to be other than they are, endanger the safety or health of consumers ; whereas, however, these provisions differ in content, scope and field of application; whereas, in particular, these provisions concern in certain Member States all products which resemble foodstuffs while not being such whilst in other Member States they concern products likely to be confused with foodstuffs, especially confectionery.
- 5.2. It should be noted that there are no reciprocal laws in relation to **products that appear other than they are** in Australia.
- 5.3. The *Scented Erasers (Safety) Order 1984 UK* temporarily prohibited the sale of scented erasers on the ground that such objects had proved to be a temptation to young children who had choked on them as a result of attempting to eat them. However, although a number of consumer complaints had been received, no assessment of the risk had been undertaken; and, when data was available, it transpired that as causes of choking, erasers constituted a very small risk compared with other objects (e.g. money and marbles)<sup>5</sup>.

## 6. Company Actions

- 6.1. In responding to ACCC requests for information in relation to this matter, Smiggle have provided a test report from Intertek demonstrating compliance with the following standards (a copy of the report is attached at Appendix B):
- AS/NZS ISO 8124-1:2013 – Mechanical and physical tests
  - Australian / New Zealand Standard AS/NZS ISO 8124-2:2009 – Flammability test
  - AS/NZS ISO 8124-3:2003 (Consumer Protection Notice no. 1, 2009 – Consumer Product Safety Standard for Lead and certain elements in children’s toys.)
  - Australian Customs Notice No. 2007/46 - Amendments to the Customs (Prohibited Imports) Regulations 1956 Schedule 2 Item 2 – Toxic elements test
  - AS/NZS ISO 8124-3:2012 – Toxic elements test
  - Australian Competition and Consumer Act 2010 with Consumer Protection Notice No. 11, 2011 – Permanent ban on children's products with Diethylhexyl Phthalate (DEHP)
- 6.2. Noting that the test report Smiggle has submitted references a subsequent 2013 version of the mandatory standard (AS/NZS ISO 8124.1), the ACCC is of the view that Smiggle has a compliance program in place of sufficient scale to ensure it can demonstrate compliance with relevant standards.

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<sup>5</sup> Anthony I Ogis Regulation: Legal Form and Economic Theory



## 7. Analysis

- 7.1. From the guidance material referenced by the mandatory standard, the ACCC has concluded that the Smiggle Gumball is not a suitable toy for children up to and including the age of 36 months. Operating the turning mechanism to release the erasers is a complex system and it is unlikely that a child under the age of 36 months would have the finger dexterity or strength required to operate the machine. In addition, use of the product (erasing) requires a level of finger dexterity that children less than 36 months of age are not capable of achieving.
- 7.2. When presented with the hypothetical scenario that small children who have access to toys containing small parts, for example toys that belong to older siblings, and that small children would be particularly attracted to the Smiggle gumballs, it should be noted that parental supervision and vigilance is essential to prevent injury. Additionally, when referencing the US regulation for toys for children under 3 years of age, the Age Determination Guidelines note:
  - The regulation does not apply to toys that are solely intended for use by children 3 years of age and older, nor does it apply to toys that children under 3 years of age might have access to simply because of their presence in the household.
- 7.3. Given the choking hazards associated with consumption of gum, it is considered unlikely that a parent or guardian would provide a child under the age of 36 months an actual gumball for consumption.
- 7.4. Whilst the colours and design of the Smiggle gumballs arguably makes the product attractive to small children, the fact that children under the age of 36 months are unlikely to be supplied actual gumballs for consumption may lessen the 'products that appear other than they are' argument—as children under the age of 36 months would not liken the Smiggle gumballs to food.
- 7.5. Noting the attractive design of the Smiggle gumballs and given the propensity for children under the age of 3 years to place objects in their mouth, the ACCC has concluded that the Smiggle Gumball presents no greater risk than any other attractively designed household item of similar size (including other toys not suitable for children up to and including 36 months of age that may belong to older siblings).
- 7.6. The ACCC has consulted Dr John Curotta, Head of Department of Ear Nose and Throat Surgery, at the Children's Hospital at Westmead, and sought his expert opinion in relation to this matter. After peer consideration, Dr Curotta advised that he has not seen any cases presenting where erasers, gumballs or similar products had become stuck in the throat.
- 7.7. While Dr Curotta noted the product presents a potential/hypothetical risk by virtue of its size and material composition of rubber, he also noted that it would have a level of surface friction greater than that of a slippery gumball. Dr Curotta stated that there would be many products in the market that could be regarded as potential choking hazards.

## 8. Consideration of the ACL provisions

- 8.1. Each ACL provision that could be considered for market intervention for this potential hazard has specific statutory requirements. The provisions include:
- s.109 Interim bans on consumer goods or product related services that will or may cause injury to any person
  - s. 114 Permanent bans on consumer goods or product related services that will or may cause injury to any person
  - s.122 Compulsory recall of consumer goods
  - s.128 Voluntary recall of consumer goods
  - s.129 Safety Warning Notices.
- 8.2. The provisions for bans require that it appear to the Minister that use or reasonably foreseeable misuse of the product will or may cause injury to any person.
- 8.3. The provisions for recall require forming a view (Minister to form the view in compulsory recall decision) that use or reasonably foreseeable misuse of the product will or may cause injury to any person. Also, a notice for either a voluntary or compulsory recall must detail the defect or dangerous characteristic or specify the circumstances in which a reasonably foreseeable use or misuse of the goods is dangerous. This information should be reasonably precise and specific.
- 8.4. The provisions for safety warning notices seem to have the lowest thresholds. A notice under s.129(1)(a) can be used to announce an investigation to determine if the product will or may cause injury, or if a foreseeable misuse may cause injury. Alternately the s.129(1)(b) notice is a warning of possible risks (which is lower than the will or may cause injury test).
- 8.5. This assessment has identified that:
- the product is not designed (or marketed) for children up to and including the age of 36 months
  - parent and guardian supervision is a primary mechanism for preventing injury to children
  - the product poses no greater risk than other household products (such as money, marbles and similar sized lollies); and
  - as per the advice of Dr Curotta at point 7.7, many other products exist in the market that could be regarded as presenting similar potential choking hazards, and their overall risk may be higher given the prevalence of those items in homes around Australia.

## 9. Conclusion

- 9.1. The ACCC is of the view that the Smiggle Gumball Eraser does not present a risk profile higher than many other similar sized household products that are not candidates for regulation. Similar sized household items would include marbles, ear-plugs, coins and foods like peppermint or jaffa sweets. It is worth noting that notwithstanding certain size marbles are a choking hazard and marbles are specifically excluded from the scope of the mandatory standard as they are not suitable for children under 3 years of age.

- 9.2. Given the overall circumstances it would be open to any Minister to publish a s.129(1) safety warning notice warning of the possible risks of choking with any small item, including the eraser balls of the assessed product, and list those goods in the notice.
- 9.3. The ACCC is not intending to recommend to the Commonwealth Minister to issue a Safety Warning Notice or consider any other statutory control at this time.
- 9.4. Although the ACCC is not pursuing specific regulatory intervention at this time, the ACCC is considering general media advice to parents consistent with previous 'choke check' campaigns.

## EUROPEAN DIRECTIVE

Products which, appearing to be other than they are, endanger the health or safety of consumers.

11. 7. 87

Official Journal of the European Communities

No L 192/49

## COUNCIL DIRECTIVE

of 25 June 1987

on the approximation of the laws of the Member States concerning products which, appearing to be other than they are, endanger the health or safety of consumers

(87/357/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(2)</sup>,

Whereas in several Member States legal provisions or regulations are in force concerning certain products which, appearing to be other than they are, endanger the safety or health of consumers; whereas, however, these provisions differ in content, scope and field of application; whereas, in particular, these provisions concern in certain Member States all products which resemble foodstuffs while not being such whilst in other Member States they concern products likely to be confused with foodstuffs, especially confectionery;

Whereas this situation creates significant barriers to the free movement of goods and unequal competitive conditions within the Community without ensuring effective protection for consumers, especially children;

Whereas these obstacles to the establishment and operation of the common market must be eliminated and adequate protection ensured for consumers in accordance with the Council resolutions of 14 April 1975 and 19 May 1981 respectively on the first<sup>(3)</sup> and second programmes<sup>(4)</sup> of the European Economic Community for a consumer protection and information policy and the Council resolution of 23 June 1986 on a new impetus for consumer protection policy<sup>(5)</sup>;

Whereas the health and safety of consumers should enjoy an equivalent level of protection in the different Member States;

Whereas to that end it is necessary to prohibit the marketing, import and both the production and the export of

products which, since they can be confused with foodstuffs, jeopardize the health or safety of consumers;

Whereas provision should be made for controls to be carried out by the competent authorities of the Member States;

Whereas, in accordance with the principles embodied in the Council resolutions on consumer protection, dangerous products must be withdrawn from the market;

Whereas provision should be made for the possibility of discussing and examining the measures taken by the Member States to ban such products or withdraw them from the market, so as to ensure uniform application throughout the Community of the principles embodied in this Directive; whereas such examination and discussion can be conducted within the Advisory Committee set up under Decision 84/133/EEC<sup>(6)</sup>;

Whereas, given the possible need to widen the scope to cover dangerous imitations of foodstuffs and to evaluate and review the procedures laid down in this Directive, provision should be made for the Council, two years after the implementation of the Directive and acting on a Commission report on experience gained, to decide on the possible adjustment of the provisions of the Directive,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

1. This Directive applies to the products, defined in paragraph 2 below, which, appearing to be other than they are, endanger the health or safety of consumers.

2. The products referred to in paragraph 1 above are those which, although not foodstuffs, possess a form, odour, colour, appearance, packaging, labelling, volume or size, such that it is likely that consumers, especially children, will confuse them with foodstuffs and in consequence place them in their mouths, or suck or ingest them, which might be dangerous and cause, for example, suffocation, poisoning, or the perforation or obstruction of the digestive tract.

<sup>(1)</sup> OJ No C 156, 15. 6. 1987<sup>(2)</sup> OJ No C 150, 9. 6. 1987, p. 1.<sup>(3)</sup> OJ No C 92, 25. 4. 1975, p. 1.<sup>(4)</sup> OJ No C 133, 3. 6. 1981, p. 1.<sup>(5)</sup> OJ No C 167, 5. 7. 1986, p. 1.<sup>(6)</sup> OJ No L 70, 13. 3. 1984, p. 16.

*Article 2*

Member States shall take all the measures necessary to prohibit the marketing, import and either manufacture or export of the products referred to in this Directive.

*Article 3*

Member States shall in particular ensure that checks are carried out on products on the market to ascertain that no product falling within the scope of this Directive is being marketed and shall take all necessary measures to ensure that their competent authorities withdraw or cause to be withdrawn from their markets any product covered by this Directive.

*Article 4*

1. If a Member State takes a specific measure pursuant to Articles 2 and 3, it shall inform the Commission thereof. It shall give a description of the product and the grounds for its decision.

Where details of the product are already required under Decision 84/133/EEC, no further notification is required under this Directive.

The Commission shall forward the details to the other Member States at the earliest opportunity.

2. The Committee set up by Decision 84/133/EEC may be requested by the Commission or a Member State

to enter into an exchange of views on questions relating to the application of this Directive.

*Article 5*

Two years after the date referred to in Article 6, on the basis of a Commission report on experience gained, accompanied by appropriate proposals, the Council shall take a decision on a possible adjustment to this Directive, in particular with a view to extending its scope to cover dangerous imitations other than imitations of foodstuffs and any review of the procedures laid down in Article 4.

*Article 6*

1. Member States shall take the measures necessary to comply with this Directive not later than 26 June 1989. They shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of provisions of national law which they adopt in the field governed by this Directive.

*Article 7*

This Directive is addressed to the Member States.

Done at Luxembourg, 25 June 1987.

*For the Council*

*The President*

H. DE CROO



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**Test Report**

Number: HKGH01818918

Applicant:

Date: Jun 23, 2015

SMIGGLE  
658 CHURCH STREET  
RICHMOND VICTORIA 3121  
AUSTRALIA

Attn: TECK TEO

Submitted sample said to be  
Item Name  
Color

- : Smiggle Gumball Machine
- : (1) Blue
- : (2) Red
- : (3) Pink
- : Four pieces each
- : "Not suitable for children under 3 years."
- : Yes
- : Sunshine Craft
- : China

Quantity  
Labelled Age Warning  
Packaging Provided  
Supplier  
Country of Origin



For and on behalf of :  
Intertek Testing Services HK Ltd.

Angel Y.F. Cheung  
Vice President



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Hong Kong Toys Council

Test Report

Number: HKGH01810918

**Conclusion:**

The submitted sample was tested under the following requirements requested by the applicant, subject to the information stated in the remarks and attached page(s) for details:

<u>Requirement</u>	<u>Result</u>
(1) AS/NZS ISO 8124-1:2013 - Mechanical and physical tests	Pass
(2) Australian / New Zealand Standard AS/NZS ISO 8124-2:2009 - Flammability test	Pass
(3) AS/NZS ISO 8124-3:2009 (Australian Trade Practice Act 1974 with Consumer Protection Notice no. 1, 2009 - Consumer Product Safety Standard for Lead and certain elements in children's toys ) - Toxic elements test	Pass
Australian Customs Notice No. 2007/46 - Amendments to the Customs (Prohibited Imports) Regulations 1956 Schedule 2 Item 2 - Toxic elements test	Pass
AS/NZS ISO 8124-3:2012 - Toxic elements test	Pass
(4) Australian Competition and Consumer Act 2010 with Consumer Protection Notice No. 11, 2011 - Permanent ban on children's products with Diethylhexyl Phthalate (DEHP)	Pass



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British Standards Institute

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Hong Kong Toys Council

**Test Report**

Number: HKGH01818918

**(1) Physical And Mechanical Tests**

Test Standard : Australian / New Zealand Standard AS/NZS ISO 8124-1:2013 Safety aspects related to mechanical and physical properties.

Age group for testing : Ages over 3 years

The submitted samples were undergone the normal use and the following reasonable foreseeable abuse tests in accordance with the clause 5.24 of AS/NZS ISO 8124-1 : 2013 before the assessment of the relevant requirement in clause 4 :

Clause	Test	Parameter
5.24.2	Drop test	4x93±5cm
5.24.5	Torque test	0.45±0.02Nm
5.24.6	Tension test	70±2N
5.24.7	Compression test	136±2N

Section	Testing Items	Assessment
4.1	Normal use	P
4.2	Reasonably foreseeable abuse	P
4.3	Material	P
4.4.1	Small parts	NA
4.4.2	Small part warning	P
4.5	Shape, size and strength of certain toys	NA
4.6	Edges	P
4.7	Points	P
4.8	Projections	NA
4.9	Metal wires and rods	NA
4.10	Plastic film or plastic bags in packaging and in toys	NA
4.11	Cords and elastic	NA
4.12	Folding mechanisms	NA
4.13	Holes, clearances and accessibility of mechanisms	NA
4.14	Springs	NA
4.15	Stability and overload requirement	NA
4.16	Enclosures	NA
4.17	Simulated protective equipment, such as helmets, hails and goggles	NA
4.18	Projectile toys	NA
4.19	Aquatic toys	NA
4.20	Braking	NA
4.21	Toy bicycles	NA
4.22	Speed limitation of electrically driven ride-on toys	NA
4.23	Toys containing a heat source	NA
4.24	Liquid-filled toys	NA
4.25	Mouth-actuated toys	NA



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**Sound Quality Certificate**

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Approved Laboratory of The Warehouse Company

Members of  
American National Standards Institute  
American Society for Testing and Materials  
British Standards Institute

Hong Kong Association for Testing, Inspection and Certification Limited  
Hong Kong Toys Council

Number: **HKGHD1818918**

**Test Report**

Section	Testing Items	Assessment
4.26	Toy roller skates, toy inline skates and toy skateboards	NA
4.27	Percussion toys	NA
4.28	Acoustic requirements	NA
4.29	Toy scooters	NA
4.30	Magnets and magnetic components	NA
Annex B	Safety labeling guidelines and manufacturer's markings	P
Annex D	Toy gun marking	NA

Remark : P = Pass NA = Not applicable

Date sample received : Jun 16, 2015

Testing period : Jun 16, 2015 to Jun 22, 2015





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Hong Kong Toys Council

**Test Report**

Number: HKGH01818918

(2) **Flammability Test**

Test Standard: Australian / New Zealand Standard AS/NZS ISO 8124-2:2009.

Clause	Testing Item	Assessment
4.1	General	P
4.2	Toys to be worn on the head	NA
4.3	Toy disguise costumes and toys intended to be worn by a child in a play	NA
4.4	Toys intended to be entered by a child	NA
4.5	Soft-filled Toys (animals and dolls, etc.) with a plied or textile surface	NA

Remark : P = Pass NA = Not applicable

Additional Information : Butane gas was used in the test burner.

Date sample received: Jun 16, 2015  
Testing period: Jun 16, 2015 to Jun 22, 2015



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Hong Kong Toys Council

**Test Report**

Number: HKGM01513915

**(3) Toxic Elements Analysis**

Test method: Australian / New Zealand Standard AS/NZS ISO 8124-3:2003 and AS/NZS ISO 8124-3:2012, acid extraction method was used and toxic elements content were determined by Inductively Coupled Argon Plasma Spectrometry.

Elements	Result in mg/kg						Limit mg/kg
	(1)	(2)	(3)	(4)	(5)	(6)	
Sol. Barium (Ba)	0.0	0.0	0.0	0.0	0.0	0.0	1000
Sol. Lead (Pb)	0.0	0.0	0.0	0.0	0.0	0.0	90
Sol. Cadmium (Cd)	0.0	0.0	0.0	0.0	0.0	0.0	75
Sol. Antimony (Sb)	0.0	0.0	0.0	0.0	0.0	0.0	60
Sol. Selenium (Se)	0.0	0.0	0.0	0.0	0.0	0.0	500
Sol. Chromium (Cr)	0.0	0.0	0.0	0.0	0.0	0.0	60
Sol. Mercury (Hg)	0.0	0.0	0.0	0.0	0.0	0.0	60
Sol. Arsenic (As)	0.5	0.5	0.5	0.5	0.5	0.5	25

Elements	Result in mg/kg						Limit mg/kg
	(7)	(8)	(9)	(10)	(11)	(12)	
Sol. Barium (Ba)	0.0	0.0	0.0	0.0	0.0	0.0	1000
Sol. Lead (Pb)	0.0	0.0	0.0	0.0	0.0	0.0	90
Sol. Cadmium (Cd)	0.0	0.0	0.0	0.0	0.0	0.0	75
Sol. Antimony (Sb)	0.0	0.0	0.0	0.0	0.0	0.0	60
Sol. Selenium (Se)	0.0	0.0	0.0	0.0	0.0	0.0	500
Sol. Chromium (Cr)	0.0	0.0	0.0	0.0	0.0	0.0	60
Sol. Mercury (Hg)	0.0	0.0	0.0	0.0	0.0	0.0	60
Sol. Arsenic (As)	0.5	0.5	0.5	0.5	0.5	0.5	25

Elements	Result in mg/kg			Limit mg/kg
	(13)	(14)	(15)	
Sol. Barium (Ba)	0.0	0.0	0.0	1000
Sol. Lead (Pb)	0.0	0.0	0.0	90
Sol. Cadmium (Cd)	0.0	0.0	0.0	75
Sol. Antimony (Sb)	0.0	0.0	0.0	60
Sol. Selenium (Se)	0.0	0.0	0.0	500
Sol. Chromium (Cr)	0.0	0.0	0.0	60
Sol. Mercury (Hg)	0.0	0.0	0.0	60
Sol. Arsenic (As)	0.5	0.5	0.5	25

Sol. = Solute  
mg/kg = milligram per kilogram



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Hong Kong Trade Council

Test Report

Number: HKGH01818918

Tested Components :

- (1) White coating on plastic (eraser ball).
- (2) Red plastic (eraser ball).
- (3) Green plastic (eraser ball).
- (4) Blue plastic (eraser ball).
- (5) Orange plastic (eraser ball).
- (6) Pink plastic (eraser ball).
- (7) Light blue plastic (eraser ball).
- (8) Yellow plastic (eraser ball).
- (9) Purple plastic (eraser ball).
- (10) Paper label with plastic film (sticker).
- (11) Shiny red plastic (lid, base of red gumball machine).
- (12) Grey plastic (body of all style).
- (13) Transparent plastic (eraser ball container of all style).
- (14) Shiny pink plastic (lid, base of pink gumball machine).
- (15) Shiny blue plastic (lid, base of blue gumball machine).

Date sample received : Jun 16, 2015

Testing period : Jun 16, 2015 to Jun 18, 2015

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Hong Kong Toys Council

**Test Report**

Number: HKGHD1510918

**(4) Diethylhexyl Phthalate (DEHP) Content**

Test Method: Australian Competition and Consumer Act 2010 with Consumer Protection Notice No. 11, 2011, by solvent extraction and followed by Gas Chromatographic-Mass Spectrometric (GC-MS) analysis.

Tested Component	Result (% w/w)
(1)	<0.01
(2/3/4)	<0.01
(5/6/7)	<0.01
(8/9)	<0.01
(10/11/12)	<0.01
(13/14/15)	<0.01

Limit (max): 1% (w/w)

Remark: The above limit was quoted according to Australian Competition and Consumer Act 2010 with Consumer Protection Notice No. 11, 2011 on Diethylhexyl Phthalate (DEHP) for children's products.

Tested components:

- (1) White coating on plastic (eraser ball).
- (2) Red plastic (eraser ball).
- (3) Green plastic (eraser ball).
- (4) Blue plastic (eraser ball).
- (5) Orange plastic (eraser ball).
- (6) Pink plastic (eraser ball).
- (7) Light blue plastic (eraser ball).
- (8) Yellow plastic (eraser ball).
- (9) Purple plastic (eraser ball).
- (10) Paper label with plastic film (sticker).
- (11) Shiny red plastic (lid, base of red gumball machine).
- (12) Grey plastic (body of all style).
- (13) Transparent plastic (eraser ball container of all style).
- (14) Shiny pink plastic (lid, base of pink gumball machine).
- (15) Shiny blue plastic (lid, base of blue gumball machine).

**Comment:**

The scope of the standard was not applicable to the submitted samples. Testing was conducted with reference to the test method and requirements as stated.

Date sample received: Jun 16, 2015

Testing period: Jun 16, 2015 to Jun 19, 2015

End of report

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