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New Regulations for Unsafe Consumer Goods in Singapore



Singapore's Ministry of Trade and Industry (MTI) will introduce the new Consumer Protection (Consumer Goods Safety Requirements) Regulations 2011¹ (CGSR) with effect from 1 April 2011.

Developed in consultation with stakeholders such as consumers, manufacturers, importers, retailers and the consumer watchdog, the Consumers Association of Singapore (CASE), the regulations will be enforced by Singapore's Standards, Productivity and Innovation Board (SPRING). The regulations will cover toys, children's products, apparels, sports and recreation products, furniture, mattresses and bedding and DIY tools.

EXEMPTIONS FOR CERTAIN GOODS

Some consumer goods are already regulated by existing legislations for safety in Singapore. As such, the CGSR will not apply to the following goods:

- Food products and containers or food utensils (regulated by Agri-food and Veterinary Authority of Singapore)
- Cosmetics, medical devices, pharmaceuticals and Chinese Proprietary Medicines (regulated by Health Sciences Authority)

- Motor vehicles (regulated by Land Transport Authority)
- Motorcycle helmets and children's car seats (regulated by Traffic Police)
- 45 categories of household electrical, electronic and gas products (regulated by SPRING Singapore)

The CGSR will also not cover used or second-hand products as well as goods produced solely for export or imported solely for re-export.

WHAT TÜV SÜD CAN DO

Singapore's new regulations will align the country's consumer safety requirements with those of the international standards published by bodies such as the International Organisation for Standardisation (ISO), the International Electrotechnical Commission (IEC), the European Committee for Standardisation (CEN and ASTM International (US). TÜV SÜD offers testing and certification services to many of the standards published by these bodies, and our technical experts in Singapore will continuously track all future developments of the CGSR. We can help ensure that products sold in Singapore comply to its requirements as well as other consumer safety regulations. ■

¹ Download the full draft of the regulation from [http://app.mti.gov.sg/data/pages/345/doc/Consumer%20Protection%20\(CGSR\)%20Rg%206%20\(2\).pdf](http://app.mti.gov.sg/data/pages/345/doc/Consumer%20Protection%20(CGSR)%20Rg%206%20(2).pdf)

Updates from the Australian Competition and Consumer Commission (ACCC)

New Australian Consumer Law goes into effect

In brief: Australia has amended and consolidated 20 different federal, State and Territory laws under the new Trade Practice (Australian Consumer Law) (ACL) Amendment Regulations 2010 (No 2). As the country's single national law on the safety of consumer goods and product-related services, the ACL promises Australian consumers and businesses a consistent national approach to safety standards, safety bans, product recalls and reporting and notification requirements. There is also a new, national enforcement framework, with a greater national coordination role for the Australian Competition and Consumer Commission (ACCC).

Date of Effect: 1 January 2011

Effects on business: The ACL will make the country's regulatory bodies more effective in enforcing product safety requirements as it allows for permanent bans and standards to have effect in all states and territories. One month after the new law went into effect, the ACCC announced 10 permanent product bans as follows:

- children's products containing more than 1% diethylhexyl phthalate (DEHP)
- combustible candle holders
- inflatable toys, novelties and furniture containing beads
- miniature motorbikes (Monkey Bikes) with unsafe design features
- novelty cigarettes (Puff Cigarettes) and toy-like novelty cigarette lighters
- pools and spas with unsafe design features
- sky lanterns
- yo-yo Water Balls
- undeclared cutters or knives in children's art and craft sets

The ACL applies to all Australian businesses in all states and territories and is enforced by the Australian Competition and Consumer Commission and other State and Territory consumer protection agencies.

More information: The full text of the Amendment may be read at <http://www.comlaw.gov.au/Details/C2010A00103>. Further information about the permanent product ban may be found at <http://www.productsafety.gov.au/content/index.phtml/itemId/985086>.

Australia clarifies mandatory care label requirements for textile products

In brief: Australia recently revised the mandatory standard for care labelling in an effort to make it easier to understand and comply to.

In detail: Australia's mandatory standard is based on the Australian/New Zealand Standard *AS/NZS 1957:1998, Textiles – Care labelling* and covers the requirements for care labelling for:

- clothing
- household textiles and furnishings
- goods made from textiles
- plastic coated fabrics
- suede skins, leathers and furs.

The revision does not affect the regulatory requirements within the standard in any way. However, it does offer manufacturers alternative methods for providing care instructions for selected clothing and household furnishing articles.

Date of Effect: 1 September 2010

Effects on business: While the revision of this mandatory standard does not affect the textile care labelling requirements in Australia, it does provide garment manufacturers with a clearer idea of their labelling obligations within certain product categories.

More information: Read about the mandatory care labelling standard at <http://www.productsafety.gov.au/content/index.phtml/itemId/971636>.

Tighter Restrictions on PentaBDE and PFOS in EU Despite Removal from REACH Annex XVII

The substances diphenylether pentabromo derivative (pentaBDE) and perfluorooctane sulfonates (PFOS) have been removed from Annex XVII of the European Union's Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) regulation¹. The chemicals were deleted to avoid legal uncertainties after their inclusion in Regulation (EC) 850/2004² in August 2010.

However, the removal of these substances from Annex XVII does not affect their restrictions in any way. Instead, the restrictions are now effected through Regulation (EC) 850/2004, which implements the requirements in the 2001 Stockholm Convention on Persistent Organic Pollutants³ and the 1998 Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Persistent Organic Pollutants. The EU is a party to both the Convention and the Protocol.

TIGHTER RESTRICTIONS

While Regulation (EC) 850/2004 does make some allowances for PentaBDE and PFOS that were not explicitly described when these substances were listed in Annex XVII, in some cases, the restrictions and limits on these substances are even stricter now. For example:

- While Annex XVII prohibited PentaBDE from being placed on the market or used in substances and mixtures in concentrations greater than 0.1% by weight, Regulation (EU) 850/2004 prohibits the use of pentaBDE entirely unless the use is expressly permitted within the regulation. However, Regulation (EU) 850/2004 does

¹ Read the full amendment at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:058:0027:0028:EN:PDF>

² Download the consolidated text of the Regulation (EC) No 850/2004 on Persistent Organic Pollutants at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2004R0850:20100826:EN:PDF>

³ Visit the EU Commission's webpage on Persistent Organic Pollutants at http://ec.europa.eu/environment/pops/index_en.htm



allow for pentaBDE when it occurs as an unintentional trace contaminant in substances and articles as long as the concentrations are equal to or below 10 mg/kg (0.001 % by weight).

- While the Annex XVII restrictions on PFOS did not apply for products regulated by the Detergent Regulation (EC) No 648/2004, Regulation (EU) 850/2004 makes no similar allowances. However, if the quantity of PFOS released into the environment is minimised, production and placing on the market is allowed for specific uses provided that Member States report to the European Commission every four years on progress made to eliminate PFOS.

The Stockholm Convention has already identified 21 persistent organic pollutants (POPs) to date, while the 1998 Protocol has identified 16 POPs. More POPs are expected to be included in both the Convention and the Protocol in the future.

HOW TÜV SÜD CAN HELP

Determining the presence of PentaBDE and PFOS in articles requires a high degree of training and expertise in using liquid chromatography-tandem mass spectrometry (LC-tandemMS) or quadrupole mass spectrometry (LC-qMS) techniques. TÜV SÜD's ISO 17025-accredited laboratories are capable of testing products for both substances using these techniques. ■

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