
Guidance and information

New product safety bans and standards

Dangerous confectionery banned

An 18-month temporary ban on mini-cup jelly confectionery containing konjac was recently announced, after a substantial number of deaths and near deaths overseas and in Australia. The ban came into effect on 21 August 2002. Other countries have also banned the product.

The banned mini-cup jellies contain a food additive called konjac, also known as glucomannan, konjonac, konnyaku, yam flour and taro powder, which is used to bind the product.

Mini-cup jellies containing konjac pose a serious choking hazard, particularly to young children and the elderly.

Penalties under the Act can be severe on suppliers, including importers and retailers, and the courts can impose fines up to \$1.1 million for corporations and \$220 000 for individuals.

New mandatory standard for bunk beds

On 1 November 2002 a mandatory product safety standard for bunk beds came into effect and all suppliers must ensure bunk beds sold after that date comply with the standard. The mandatory standard is designed to reduce injury to children and the possibility of fatalities associated with bunk bed use. It has been estimated that there are at least 2100 bunk bed-related injuries to children treated in hospitals throughout Australia each year.

The mandatory standard is based on the Australia New Zealand Standard AS/NZS4220:1994 and references the key safety features of that standard. This includes the requirement for guardrails on all sides of the upper bunk, the elimination of head entrapment gaps, the elimination of protrusions and specific marking requirements.

New mandatory standard for babywalkers

Also on 1 November 2002 the mandatory product safety standard for baby walkers took effect. This standard is based on the American Society for Testing and Materials standard ASTM F977-00. From that date, baby walkers will be required to have a braking mechanism that will prevent the walker from rolling down stairways.

The mandatory standard also has permanent marking requirements for warning notices. The notices are to alert parents and carers of possible hazards confronting infants in walkers.

Information about product safety standards and bans is available on the ACCC website under Product Safety at <<http://www.accc.gov.au>>.

Compliance training goes online

The Commission is committed to helping businesses understand the benefits and responsibilities associated with the Trade Practices Act. To help achieve this goal the Commission recently launched a free Internet-based training package, 'Best & Fairest'.

Developed in consultation with key industry bodies, compliance professionals and small businesses, this online package sets out trade practices law in plain language. Best & Fairest is designed to show businesses how to compete fairly, how to avoid mistakes and how to use the Act for the benefit of their organisation. It contains a series of self-contained modules which use examples to illustrate key provisions, and which can be tailored to suit the training needs of a business.

The Commission has produced Best & Fairest for businesses to use as a starting point in developing and improving trade practices understanding, and a culture of compliance within their organisation.

The Internet training package also includes guides targeted at specific industries to help them identify their trade practices risks. These guides are for retailers, primary producers and service industries. They link to other, more detailed publications that are also available free from the ACCC website.

The Best & Fairest Internet training package is available on the ACCC website <<http://www.accc.gov.au>> under the heading 'compliance programs'.

The training package is also available from the ACCC Infocentre on 1300 302 502 in a printed version for \$100, or as a CD ROM for \$20.

Rural guide re-launched

The Commission recently re-issued the publication, *Rural industry and the Trade Practices Act*, which targets small business in rural industries.

This plain English guide explains how the Trade Practices Act and the actions of the Commission affect Australians in rural communities. It is aimed at owners, managers and advisers to small businesses and primary producers in regional areas.

The guide concentrates on how the Act, particularly the competitive conduct rules, affects rural producers in their dealings with competitors, suppliers and customers. It also outlines how the authorisation and notification procedures in the Act may help producers in rural industries. These allow producers to engage in conduct that might otherwise breach the Act, if the public benefits of the conduct outweigh any anti-competitive detriments.

The updated version of the guide includes:

- new examples of recent authorisations
- guidance on collective bargaining by primary producers
- an explanation of changes to the merger laws that affect both businesses and consumers in regional areas
- key developments in the protection afforded to primary producers under the unconscionable conduct provisions of the Act.

It also outlines the Commission's enforcement processes and refers to examples of court action for breaches of the Act.

Rural industry and the Trade Practices Act (\$10) is available from the ACCC Infocentre on 1300 302 502, the ACCC website at <<http://www.accc.gov.au>>, or any ACCC office.