



Consumer Goods (Products Containing Button/Coin Batteries) Information Standard 2020

I, Michael Sukkar, Minister for Housing and Assistant Treasurer, make the following information standard.

Dated 18 December 2020

Michael Sukkar
Minister for Housing and Assistant Treasurer

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Part 1—Preliminary

1 Name

This instrument is the *Consumer Goods (Products Containing Button/Coin Batteries) Information Standard 2020*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	22 December 2020

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 134(1) of the Australian Consumer Law.

Note: The reference to the Australian Consumer Law is a reference to Schedule 2 to the *Competition and Consumer Act 2010* as it applies as a law of the Commonwealth, States and Territories: see section 140K of that Act and corresponding provisions of Acts of States and Territories applying that Schedule.

4 Definitions

In this instrument:

application day means the day after the period of 18 months beginning on the day this instrument commences.

Australian (Electric Toys) Standard means the Australian/New Zealand Standard *AS/NZS 62115:2018 Electric toys—Safety*, published jointly by, or on behalf of, Standards Australia and Standards New Zealand, as in force or existing at the time when this instrument commences.

Note: The Australian (Electric Toys) Standard could in 2020 be purchased from SAI Global's website (<https://www.saiglobal.com>). The Australian Competition and Consumer

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Commission can make a copy of the standard available for viewing at one of its offices, subject to licensing conditions.

button/coin battery means a small, single cell battery with a diameter greater than the battery's height.

Design Principles means the International Standard *ISO 3864-2:2016 Graphical symbols—Safety colours and safety signs—Part 2: Design principles for product safety labels*, published by the International Organization for Standardization, as in force or existing at the time when this instrument commences.

Note: The Design Principles could in 2020 be purchased from the International Organization for Standardization's website (<https://www.iso.org>). The Australian Competition and Consumer Commission can make a copy of the standard available for viewing at one of its offices, subject to licensing conditions.

electronic platform means a business that allows other businesses to supply goods or services to consumers over the internet (whether by a website, an online marketplace or other means).

International (Electric Toys) Standard means the International Standard *IEC 62115:2017 Electric toys—Safety*, published by the International Electrotechnical Commission, as in force or existing at the time when this instrument commences.

Note: The International (Electric Toys) Standard could in 2020 be purchased from SAI Global's website (<https://www.saiglobal.com>). The Australian Competition and Consumer Commission can make a copy of the standard available for viewing at one of its offices, subject to licensing conditions.

internationally recognised safety alert symbol: see section 5.

lithium button/coin battery means a button/coin battery of lithium chemistry.

non-lithium button/coin battery means a button/coin battery of a chemistry other than lithium.

5 Meaning of *internationally recognised safety alert symbol*

A suitable example of an *internationally recognised safety alert symbol* includes a combination of symbol ISO 7010-W001 and symbol IEC 60417-6367.

Note 1: ISO 7010-W001 and IEC 60417-6367 could in 2020 be found and purchased from the International Organization for Standardization's website (<https://www.iso.org>).

Note 2: An example of this combination can be found in symbol ISO 7010-W001 as set out in clause 7.2.6 of the Australian (Electric Toys) Standard and the International (Electric Toys) Standard.

Note 3: The following is an example of the combination of ISO 7010-W001 and IEC 60417-6367:



6 Application

- (1) This instrument applies in relation to consumer goods containing button/coin batteries.

Note: Goods include any component part of, or accessory to, goods: see paragraph (d) of the definition of *goods* in section 2 of the Australian Consumer Law.

- (2) For the purposes of subsection (1), consumer goods contain a button/coin battery if:
- (a) the battery is installed, or is to be installed, in the consumer goods to power the consumer goods; or
 - (b) the consumer goods are designed to store such batteries.
- (3) However, this instrument does not apply to the following:
- (a) consumer goods that were first supplied to a consumer before the application day;
 - (b) consumer goods supplied in a one-off transaction by a supplier who had acquired the goods as a consumer;
 - (c) equipment to which all of the following apply:
 - (i) the equipment is intended to be used in trades, professions or industries;
 - (ii) the equipment is not intended for sale to the general public;
 - (iii) the equipment is not intended to be used where children are present;
 - (d) consumer goods that contain button/coin batteries that are soldered in place if:
 - (i) the consumer goods are electrical and electronic equipment within the field of audio, video, information and communication technology; or
 - (ii) the consumer goods are business and office machines with a rated voltage not exceeding 600 volts.

Note 1: Examples of consumer goods to which subparagraph (d)(i) applies include personal computers, electronic musical instruments and smartphones.

Note 2: Examples of consumer goods to which subparagraph (d)(ii) applies include cash registers, calculators and copying machines.

Part 2—Requirements

7 Requirements to be complied with on and after application day

On and after the application day, consumer goods containing a button/coin battery must comply with the requirements set out in this Part that apply in relation to the consumer goods.

8 Consumer goods with button/coin batteries—general requirement for warning

- (1) This section applies in relation to consumer goods containing a button/coin battery unless section 9 applies to the consumer goods.

Consumer goods with accompanying instructions

- (2) If the consumer goods are accompanied by instructions, the instructions must include a warning about the battery that is clearly visible, prominent and legible and includes the substance of all the matters covered by subsection (7).

Packaged consumer goods

- (3) If the consumer goods are packaged, the front panel of the packaging must be marked with an internationally recognised safety alert symbol that is clearly visible, prominent and legible.
- (4) If the consumer goods are packaged and are not accompanied by instructions, a warning about the battery that includes the substance of all the matters covered by subsection (7) must be attached to, or included with, the consumer goods.

Unpackaged consumer goods

- (5) If the consumer goods are not packaged, a warning about the battery must be attached to the consumer goods that includes the substance of all the matters covered by subsection (7).
- (6) For the purposes of subsections (4) and (5), a warning may be attached by:
 - (a) affixing a sticker with the warning to the goods; or
 - (b) attaching a tag with the warning to the goods.

Matters the warning must cover

- (7) This subsection covers the following matters:
 - (a) an alert word (such as DANGER, WARNING or CAUTION) with the letters of the alert word in upper case;
 - (b) an internationally recognised safety alert symbol;
 - (c) a statement to the effect that the battery is hazardous and is to be kept away from children (whether the battery is new or used);

- (d) if the battery is a lithium button/coin battery—a statement to the effect that the battery can cause severe or fatal injuries in 2 hours or less if it is swallowed or placed inside any part of the body;
- (e) if the battery is a non-lithium button/coin battery—a statement to the effect that the battery can cause serious injuries if it is swallowed or placed inside any part of the body;
- (f) advice to the effect that medical attention should be sought immediately if it is suspected the battery has been swallowed or placed inside any part of the body.

9 Warning requirements for consumer goods with lower risk profile

- (1) This section applies in relation to consumer goods with a button/coin battery if:
 - (a) the consumer goods are accompanied by instructions; and
 - (b) one or more of the following apply:
 - (i) the consumer goods are hearing aids;
 - (ii) the battery is fully enclosed in the consumer goods;
 - (iii) the battery is not intended to be removed or replaced by a consumer;
 - (iv) a specialist is required to install or remove the battery.
- (2) The instructions must have a warning that is clearly visible, prominent and legible.
- (3) The warning must include the substance of all of the following:
 - (a) an alert word (such as DANGER, WARNING or CAUTION) with the letters of the alert word in upper case;
 - (b) an internationally recognised safety alert symbol;
 - (c) a statement to the effect that the battery is hazardous and is to be kept away from children (whether the battery is new or used);
 - (d) if the battery is a lithium button/coin battery—a statement to the effect that the battery can cause severe or fatal injuries in 2 hours or less if it is swallowed or placed inside any part of the body;
 - (e) if the battery is a non-lithium button/coin battery—a statement to the effect that the battery can cause serious injuries if it is swallowed or placed inside any part of the body;
 - (f) advice to the effect that medical attention should be sought immediately if it is suspected the battery has been swallowed or placed inside any part of the body.

10 Warnings must comply with size, legibility and durability standards

A warning in relation to consumer goods containing a button/coin battery that is required under this Part must comply with the following:

- (a) clause D.5 (size and legibility of product safety labels) of Annex D of the Design Principles;
- (b) clause D.7 (durability of product safety labels) of that Annex.

Part 3—Recommendations

11 Purpose of this Part

- (1) The purpose of this Part is to set out recommendations in relation to consumer goods containing a button/coin battery.
- (2) To avoid doubt, a person does not contravene this instrument if:
 - (a) the person supplies, or offers for supply, consumer goods with a button/coin battery that do not comply with this Part; or
 - (b) the person manufactures, possesses or has control of consumer goods with a button/coin battery that do not comply with this Part.

12 Consumer goods containing button/coin batteries should have warning on goods

Consumer goods containing a button/coin battery should be marked with a warning to which all of the following apply:

- (a) the warning is clearly visible, durable and remains legible for the expected life of the goods;
- (b) the warning is located on or close to where the battery is accessible;
- (c) the warning includes an internationally recognised safety alert symbol;
- (d) if space on the consumer goods permits—the warning includes:
 - (i) an alert word (such as DANGER, WARNING or CAUTION) with the letters of the alert word in upper case; and
 - (ii) a statement to the effect that the battery is hazardous and is to be kept away from children (whether the battery is new or used);
- (e) if space on the consumer goods permits and the battery is a lithium button/coin battery—a statement to the effect that the battery can cause severe or fatal injuries in 2 hours or less if it is swallowed or placed inside any part of the body;
- (f) if space on the consumer goods permits and the battery is a non-lithium button/coin battery—a statement to the effect that the battery can cause serious injuries if it is swallowed or placed inside any part of the body.

13 Packaging for consumer goods containing button/coin batteries should have warning about goods

- (1) If consumer goods containing a button/coin battery are packaged, the packaging of the consumer goods should be marked with a warning about the battery that is clearly visible, prominent and legible.
- (2) The warning should include the following matters:
 - (a) an alert word (such as DANGER, WARNING or CAUTION) with the letters of the alert word in upper case;
 - (b) a statement to the effect that the battery is hazardous and is to be kept away from children (whether the battery is new or used);

- (c) if the battery is a lithium button/coin battery—a statement to the effect that the battery can cause severe or fatal injuries in 2 hours or less if it is swallowed or placed inside any part of the body;
 - (d) if the battery is a non-lithium button/coin battery—a statement to the effect that the battery can cause serious injuries if it is swallowed or placed inside any part of the body;
 - (e) advice to the effect that medical attention should be sought immediately if it is suspected the battery has been swallowed or placed inside any part of the body.
- (3) If there is sufficient space on the front of the packaging, the warning should be marked with all the matters specified in subsection (2) on the front.
- (4) If there is insufficient space on the front of the packaging, the warning should be marked as follows:
- (a) the matters specified in paragraphs (2)(a) to (b) must be marked on the front;
 - (b) the other matters specified in subsection (2) must be marked elsewhere on the packaging.

14 Consumer goods containing button/coin batteries supplied with electronic platform should include warnings

- (1) If a person conducts a business with an electronic platform to supply consumer goods containing button/coin batteries, the person should cause a warning about the batteries to be included in the goods' description provided by the platform that is clearly visible, prominent and legible.
- (2) The warning should include the following matters:
- (a) an alert word (such as DANGER, WARNING or CAUTION) with the letters of the alert word in upper case;
 - (b) a statement to the effect that the battery is hazardous and is to be kept away from children (whether the battery is new or used);
 - (c) if the battery is a lithium button/coin battery—a statement to the effect that the battery can cause severe or fatal injuries in 2 hours or less if it is swallowed or placed inside any part of the body;
 - (d) if the battery is a non-lithium button/coin battery—a statement to the effect that the battery can cause serious injuries if it is swallowed or placed inside any part of the body;
 - (e) advice to the effect that medical attention should be sought immediately if it is suspected the battery has been swallowed or placed inside any part of the body.

15 Contact information for Australian Poisons Information Centre should be included with consumer goods containing button/coin batteries

Consumer goods containing a button/coin battery should be supplied with a warning that:

- (a) is clearly visible, prominent and legible; and

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- (b) advises to the effect that, if it is suspected the battery has been swallowed or otherwise placed inside any part of the body, a person should contact the Australian Poisons Information Centre immediately for 24/7 fast, expert advice; and
- (c) includes the phone number for the Australian Poisons Information Centre.

16 Consumer goods containing button/coin batteries should include advice about the safe disposal of button/coin batteries

Consumer goods containing a button/coin battery should be supplied with advice that is clearly visible, prominent and legible about how to safely dispose of the battery.