

## COMMONWEALTH OF AUSTRALIA

*Trade Practices Act 1974*

Consumer Protection Notice No 4 of 2004

### CONSUMER PRODUCT SAFETY STANDARD FOR CHILDREN'S NIGHTWEAR AND LIMITED DAYWEAR HAVING REDUCED FIRE HAZARD

I, CHRIS PEARCE, Parliamentary Secretary to the Treasurer, pursuant to section 65E of the *Trade Practices Act 1974*, hereby DECLARE that in respect of goods of a kind specified in Division 1 of the Schedule to this notice, the standard approved by Standards Australia/Standards New Zealand specified in Division 2 of the Schedule, as varied by Division 3 of the Schedule, is a consumer product safety standard for the purposes of section 65C of the *Trade Practices Act 1974*.

#### THE SCHEDULE

##### Division 1: Particulars of Goods

Children's night wear, including pyjamas, pyjama-style overgarments, nightdresses, nightshirts, dressing gowns, bathrobes and infant sleepbags, and garments such as all-in-ones and boxer shorts which may be suitable for daywear or nightwear of any of the sizes 00 to 14 as specified in clause 0.2 and Australian Standard 1182, 1997—Size coding scheme for infants' and children's clothing—Underwear and outerwear, published by the Standards Association of Australia on 5 March 1997, but excluding T shirts and any articles of headwear, leggings either with or without foot, footwear or handwear.

NOTE: Appendix C, of *Australian/New Zealand Standard AS/NZS 1249: 1999 Children's nightwear and limited daywear having reduced fire hazard*, provides guidance on classification of garments as nightclothes/nightwear within the scope of the consumer product safety standard specified in this notice.

##### Division 2: The Standard

*Australian/New Zealand Standard AS/NZS 1249: 1999, Children's nightwear and limited daywear having reduced fire hazard*, published by Standards Australia/Standards New Zealand on 5 April 1999.

##### Division 3: Variations

**Australian/New Zealand Standard AS/NZS 1249:1999 is varied by:**

1. deleting from clause 0.1 the second sentence, which reads "It also covers the requirements for the labelling of paper patterns for these garments."
2. adding to clause 1.2(a), after the first paragraph, the following paragraphs:

"Where there is insufficient fabric for three lengthwise and three widthwise test specimens, as cited in clause 8.7 of *International Standard ISO 6941: 1984/Amendment 1: 1992 (E), Textile fabric—Burning behaviour—Measurement of flame spread properties of vertically oriented specimens*, of 15 October 1992, the flame spread time shall be determined on three lengthwise test specimens only.

Where the textile materials or garments are constructed with one fabric overlaying another (for example quilted fabrics), specimens shall be cut and

tested as a combination, that is to say as if the overlay were applied to the under fabric.”

3. amending the third paragraph under clause 1.2(a) by deleting the words “four or more of six specimens” wherever they occur, and replacing them with the words “three or more specimens”.
4. amending the NOTE to clause 1.2(a) by deleting the words “another set of three specimens are” and replacing them with “another specimen is”.
5. adding to clause 1.3, between the first and second sentences, the words:  
“The outer fabric of a composite or appliquéd area shall be considered the fabric face and shall be tested so that the flame impinges on that surface.”
6. deleting clause 5.6.

International Standard ISO 6941:1984/ Amendment 1: 1992 (E) as referred to in Australian/New Zealand Standard AS/NZS 1249:1999 is varied by:

1. in clause 8.8 deleting the words “test another set of three specimens for that direction or face” wherever they appear, and their replacement with “test another specimen for that direction or face”; and
2. deleting sub-clause 10(k)(4) and replacing it with the following words:  
“If only four specimens are tested (refer amended clause 8.8), determine the mean from all the results that burn to the respective marker threads. Report the number of specimens that fail to burn to the marker.”

Dated this 1<sup>st</sup> day of November 2004

CHRIS PEARCE  
Parliamentary Secretary to the Treasurer