



Banning unsafe goods

The government can declare goods unsafe if they can cause injury to people. Initially the goods will be banned from supply for a temporary period of 18 months, after which the ban is either revoked or made permanent. This is done by publishing a Consumer Protection Notice in the Commonwealth Gazette.

The ACCC enforces bans on unsafe goods.



Mini-cup jellies

example

There have been 15 known deaths worldwide from people eating mini-cup jellies containing konjac. In August 2002 the government declared a ban on any mini-cup jelly confectionery product containing konjac (also known as glucomannan, conjac, konnyaku, konjonac, taro powder and yam flour), having a height or width of less than or equal to 45 mm.

While konjac is a binding food additive that has been used for hundreds (if not thousands) of years throughout Asia, it presented a serious choking hazard, particularly to small children and the elderly.

Food Standards Australia and New Zealand (FSANZ—formerly ANZFA) was the first agency to be aware of the dangers of this product. They had been notified of one incident in Australia and several deaths overseas. FSANZ issued warnings to consumers in a media release in September 2000 and then monitored the situation, liaising with the Australian Quarantine Inspection Service and all state health and local government agencies. In 2001 FSANZ called for a voluntary recall, but the product seemed to be still available.

In 2002 FSANZ approached the consumer safety unit of Treasury to have the product banned under the Trade Practices Act. The ban came into force in August that year.

The product has been banned in the US and across Europe since early 2002. A US court recently ordered a Taiwan-based company to pay \$US50 million to the parents of a two-year-old boy said to have choked to death on the candy.



Candles with wicks containing lead

example

In some cases a banned product can be subject to a variation. For example, candles with wicks that contained any lead were banned for 18 months in 1999. Further research found that some zinc candle wicks contained a small amount of lead naturally and burning them did not result in harmful lead emissions.

Subsequently in 2001 the ban was amended to allow 0.06 per cent lead by weight. Because the ban was varied, it was then subject to a further 18-month temporary ban at the end of which it was made permanent.



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