

EXPOSURE DRAFT



EXPOSURE DRAFT

Consumer Goods (Infant Products) Information Standard 2023

I, Stephen Jones, Assistant Treasurer, make the following information standard.

Dated 2023

Stephen Jones [**DRAFT ONLY—NOT FOR SIGNATURE**]
Assistant Treasurer
Minister for Financial Services

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Part 1—Preliminary

1 Name

This instrument is the *Consumer Goods (Infant Products) Information Standard 2023*.

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 the end of the period of 18 months beginning on the day the <i>Consumer Goods (Infant Sleep Products) Safety Standard 2023</i> commences.	

Note: This table relates only to the provisions of this instrument as originally made.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 Application

- (1) This instrument applies to infant products.
- (2) However, this instrument does not apply to the following:
- (a) an accessory that attaches to, or is used with, an infant product;
 - (b) a product that is regulated by any other information standard that is in force for products of that kind;
 - (c) a product that is regulated by any safety standard (other than the *Consumer Goods (Infant Sleep Products) Safety Standard 2023*) that is in force for products of that kind;
 - (d) a medical device (within the meaning of the *Therapeutic Goods Act 1989*);

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- (e) a product designed to carry an infant on the body of another person.

5 Definitions

Note: A number of expressions used in this instrument are defined in the Australian Consumer Law, including *information standard* and *safety standard*.

In this instrument:

electronic platform means a service that enables a business to supply, or offer to supply, goods or services to consumers over the internet (whether by a website, an online marketplace or other means, and whether operated by that business or another business).

inclined non-sleep product means a product that:

- (a) is designed, intended, marketed, supplied, or offered for supply, for use by an infant; and
- (b) has a surface on which an infant may lay; and
- (c) when used, may position the infant's head above the horizontal; and
- (d) is not supplied, or offered for supply, as an infant sleep product and does not purport that it is suitable for infant sleep, even if an infant may fall asleep when using the product.

infant, in relation to an infant product, means:

- (a) a person under the age of 12 months; or
- (b) a person over the age of 12 months that might reasonably use the product.

infant product means:

- (a) an infant sleep product; or
- (b) an inclined non-sleep product.

infant sleep product:

- (a) means a product that:
 - (i) is designed, intended, marketed, supplied, or offered for supply, for use as a sleeping facility for an infant or for use as a facility to soothe or settle an infant; and
 - (ii) has a surface on which an infant may lay; and
- (b) includes a product that is designed to convert to an infant sleep product.

retail premises means premises in which consumer goods are displayed for retail sale to consumers.

Part 2—Information standard for infant products

Division 1—General requirements

6 Information to be provided with infant products

- (1) Information relating to the safe use of an infant product must be supplied with the product.
- (2) The information must appear in text and include the following:
 - (a) if the product is not supplied fully assembled:
 - (i) instructions on how to assemble the product; and
 - (ii) a list of the product's parts;
 - (b) if the product can be folded or collapsed without disassembly—instructions on how to fold or collapse the product and the reverse;
 - (c) if the product is designed to be used with a mattress—the dimensions of the mattress recommended by the manufacturer;
 - (d) if the height of the product is adjustable—instructions on how to adjust the height of the product;
 - (e) a warning that consists of the words “WARNING: check this product regularly before using it, and do not use it if any part is loose or missing or if there are any signs of damage. Do not substitute parts. Contact the manufacturer if replacement parts or additional instructions are needed”;
 - (f) each warning required under section 8 to be marked on the product;
 - (g) all other relevant information (if any) that relates to the safe use and maintenance of the product.

7 Markings required for infant products

An infant product must be clearly and permanently marked with:

- (a) if the product is manufactured in Australia or New Zealand:
 - (i) the manufacturer's name and address; or
 - (ii) the manufacturer's trade mark and address; or
- (b) if the product is not manufactured in Australia or New Zealand:
 - (i) the product's country of origin; and
 - (ii) the Australian importer or distributor's name.

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Part 2 Information standard for infant products

Division 2 Warnings

Section 8

Division 2—Warnings

8 Warnings on infant products

Warnings required for all infant products

- (1) The following warnings (or words to that effect) must be marked on an infant product:
 - (a) WARNING: do not place this product near a blind, door, cord, strap or similar item that could become wrapped around an infant's neck;
 - (b) WARNING: infant should be placed to sleep on a firm, flat surface;
 - (c) WARNING: do not put objects or accessories in an infant's sleep environment;
 - (d) WARNING: place infant on their back when using this product.

Additional warnings for inclined non-sleep products

- (2) The following warnings (or words to that effect) must also be marked on an infant product that is an inclined non-sleep product:
 - (a) do not use this product for infant sleep;
 - (b) do not leave infant in this product unsupervised.

Requirements for warnings on infant products

- (3) A warning that is required under this section to be marked on an infant product must:
 - (a) appear in text; and
 - (b) be clearly visible, prominent and legible; and
 - (c) be durable and permanently affixed to the infant product.
- (4) The warning must include both:
 - (a) the alert word "WARNING" with the letters of the alert word in upper case; and
 - (b) an internationally recognised safety alert symbol that consists of a triangle that is at least 6 millimetres high and has an exclamation mark inside it.

9 Warnings on packaging of infant products

Warnings for packaging material

- (1) If packaging is supplied with an infant product, the external packaging of the product must be marked with each warning required under section 8 to be marked on the product. The warnings must be clearly visible without the packaging being opened.

Warnings for plastic packaging material

- (2) If plastic packaging or wrapping is supplied with an infant product, the packaging of the product must also be marked with a warning that consists of the

words “TO AVOID DANGER OF SUFFOCATION TO BABIES AND CHILDREN, DISPOSE OF PLASTIC PACKAGING IMMEDIATELY”.

Requirements for warnings on packaging of infant products

- (3) A warning that is required under this section to be marked on the packaging of an infant product must:
 - (a) appear in text; and
 - (b) be clearly visible, prominent and legible; and
 - (c) be durable and permanently affixed to the packaging.
- (4) The warning must include both:
 - (a) the alert word “WARNING” with the letters of the alert word in upper case; and
 - (b) an internationally recognised safety alert symbol that consists of a triangle that is at least 6 millimetres high and has an exclamation mark inside it.

10 Warnings to be displayed online or in store

- (1) If a person:
 - (a) carries on a business that supplies an infant product; and
 - (b) uses an electronic platform to offer for supply the infant product to consumers;

the person must cause each warning that is required under section 8 to be marked on the product to also be visibly, prominently and legibly included in the infant product’s description provided by the platform.
- (2) If a person:
 - (a) carries on a business that supplies an infant product; and
 - (b) uses a retail premises to offer for supply the infant product to consumers;

the person must cause each warning that is required under section 8 to be marked on the product to also be visibly, prominently and legibly displayed with the infant product at the premises.

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Consumer Goods (Infant Sleep Products) Safety Standard 2023

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Dated 2023

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Assistant Treasurer
Minister for Financial Services

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Part 1—Preliminary

1 Name

This instrument is the *Consumer Goods (Infant Sleep Products) Safety Standard 2023*.

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.	

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 104(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 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Application

- (1) This instrument applies to infant sleep products.
- (2) However, this instrument does not apply to the following:
- (a) an accessory that attaches to, or is used with, an infant sleep product;
 - (b) a product that is regulated by any other safety standard that is in force for products of that kind;

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- (c) a product that is regulated by an information standard (other than the *Consumer Goods (Infant Products) Information Standard 2023*) that is in force for products of that kind;
- (d) a product that is not supplied, or offered for supply, as an infant sleep product and does not purport that it is suitable for infant sleep, even if an infant may fall asleep when using the product;
- (e) a medical device (within the meaning of the *Therapeutic Goods Act 1989*);
- (f) a product designed to carry an infant on the body of another person;
- (g) second-hand goods (other than second-hand goods that have been imported into Australia).

6 Definitions

Note: A number of expressions used in this instrument are defined in the Australian Consumer Law, including *information standard* and *safety standard*.

In this instrument:

Australian/New Zealand Standard for folding cots means Australian/New Zealand Standard AS/NZS 2195:2010, *Folding cots—Safety requirements*, published jointly by, or on behalf of, Standards Australia and Standards New Zealand, as in force or existing at the time when this section commences.

Note: The Australian/New Zealand Standard for folding cots could in 2023 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.

Australian/New Zealand Standard for household cots means Australian/New Zealand Standard AS/NZS 2172:2013, *Cots for household use—Safety Requirements* published jointly by, or on behalf of, Standards Australia and Standards New Zealand, as in force or existing at the time when this section commences.

Note: The Australian/New Zealand Standard for household cots could in 2023 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.

Australian/New Zealand Standard for infants' rocking cradles means Australian/New Zealand Standard AS/NZS 4385:1996, *Infants' rocking cradles—Safety requirements* published jointly by, or on behalf of, Standards Australia and Standards New Zealand, as in force or existing at the time when this section commences.

Note: The Australian/New Zealand Standard for infants' rocking cradles could in 2023 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.

Australian/New Zealand Standard for Methods of testing infant products—Method 1: Sleep Surfaces—Test for firmness means Australian/New Zealand Standard AS/NZS 8811.1:2013, *Methods of testing infant products—Method 1: Sleep Surfaces—Test for firmness* published jointly by, or on behalf of, Standards Australia and Standards New Zealand, as in force or existing at the time when this section commences.

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Note: The Australian/New Zealand Standard for Methods of testing infant products—Method 1: Sleep Surfaces—Test for firmness could in 2023 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.

bassinet means an infant sleep product with free standing legs that is designed to provide an enclosed sleeping facility for an infant who cannot yet push up on hands or knees or sit up unaided.

British Standard for Children’s furniture-cribs-safety requirements and test methods means British Standard BS EN 1130:2019, *Children’s furniture-cribs-safety requirements and test methods*, as in force or existing at the time when this section commences.

Note: The British Standard for Children’s furniture - cribs - safety requirements and test methods could in 2023 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.

European Standard for Children’s furniture—Mattresses for cots and cribs—Safety requirements and test method means European Standard EN 16890:2017+A1:2021, *Children’s furniture—Mattresses for cots and cribs—Safety requirements and test method*, as in force or existing at the time when this section commences.

Note: The European Standard for Children’s furniture—Mattresses for cots and cribs—Safety requirements and test method could in 2023 be purchased from SAI Global’s website (<https://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.

European Standard for Child use and care articles - Carry cots and stands means European Standard EN 1466:2014&AC:2015 *Child use and care articles - Carry cots and stands - Safety requirements and test methods*, as in force or existing at the time when this section commences.

Note: The European Standard for Child use and care articles - Carry cots and stands - Safety requirements and test methods could in 2023 be purchased from SAI Global’s website (<https://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.

folding cot means an infant sleep product that is designed to provide an enclosed sleeping facility which can be folded or collapsed, without disassembly, when not in use.

Note: A playpen may be a folding cot.

household cot means an infant sleep product with raised sides and ends that is designed to provide an enclosed sleeping facility, other than a bassinet or a folding cot.

infant, in relation to an infant sleep product, means:

- (a) a person under the age of 12 months; or
- (b) a person over the age of 12 months that might reasonably use the product as a sleeping facility.

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infant sleep product:

- (a) means a product that:
 - (i) is designed, intended, marketed, supplied, or offered for supply, for use as a sleeping facility for an infant or for use as a facility to soothe or settle an infant; and
 - (ii) has a surface on which an infant may lay; and
- (b) includes a product that is designed to convert to an infant sleep product.

transitional period means the period of 18 months beginning on the day this section commences.

United States Standard Consumer Safety Specification for Crib Mattresses means the American Society for Testing and Materials Standard ASTM F2933:21a *Standard Consumer Safety Specification for Crib Mattresses*, as in force or existing at the time when this section commences.

Note: The United States Standard Consumer Safety Specification for Crib Mattresses could in 2023 be purchased from ASTM International's website (<https://www.astm.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.

United States Standard Consumer Safety Specification for Full-Size Baby Cribs means the American Society for Testing and Materials Standard ASTM F1169-19, *Standard Consumer Safety Specification for Full-Size Baby Cribs*, as in force or existing at the time when this section commences.

Note: The United States Standard Consumer Safety Specification for Full-Size Baby Cribs could in 2023 be purchased from ASTM International's website (<https://www.astm.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.

United States Standard Consumer Safety Specification for Non-Full-Size Baby Cribs/Play means the American Society for Testing and Materials Standard ASTM F406-19, *Standard Consumer Safety Specification for Non-Full-Size Baby Cribs/Play*, as in force or existing at the time when this section commences.

Note: The United States Standard Consumer Safety Specification for Non-Full-Size Baby Cribs/Play could in 2023 be purchased from ASTM International's website (<https://www.astm.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.

Part 2—Requirements during the transitional period

7 During the transitional period—folding cots

During the transitional period, an infant sleep product that is a folding cot must comply with either:

- (a) the Consumer Product Safety Standard for Children’s Portable Folding Cots (Consumer Protection Notice No. 4 of 2008) as in force immediately before the commencement of this section; or
- (b) both:
 - (i) the requirements in Division 2 of Part 3 (general requirements); and
 - (ii) if the folding cot is a folding cot to which Subdivision B of Division 3 of Part 3 applies—the requirements in that Subdivision (specific requirements).

Note 1: An infant sleep product that is not a folding cot or a household cot does not need to comply with any requirements during the transitional period.

Note 2: The Consumer Product Safety Standard for Children’s Portable Folding Cots (Consumer Protection Notice No. 4 of 2008) could in 2023 be viewed on the Federal Register of Legislation website (<https://www.legislation.gov.au>).

8 During the transitional period—household cots

During the transitional period, an infant sleep product that is a household cot must comply with either:

- (a) the Consumer Product Safety Standard: Children’s Household Cots (Consumer Protection Notice No. 6 of 2005), as in force immediately before the commencement of this section; or
- (b) both:
 - (i) the requirements in Division 2 of Part 3 (general requirements); and
 - (ii) if the household cot is a household cot to which Subdivision C of Division 3 of Part 3 applies—the requirements in that Subdivision (specific requirements).

Note 1: An infant sleep product that is not a folding cot or a household cot does not need to comply with any requirements during the transitional period.

Note 2: The Consumer Product Safety Standard: Children’s Household Cots (Consumer Protection Notice No. 6 of 2005) could in 2023 be viewed on the Federal Register of Legislation website (<https://www.legislation.gov.au>).

9 Repeal of this Part

This Part is repealed at the end of the last day of the transitional period.

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Part 3 Requirements after the transitional period

Division 1 Requirements after the transitional period

Section 10

Part 3—Requirements after the transitional period

Division 1—Requirements after the transitional period

10 After the transitional period—folding cots

After the transitional period, an infant sleep product that is a folding cot must comply with both:

- (a) the requirements in Division 2 (general requirements); and
- (b) if the folding cot is a folding cot to which Subdivision B of Division 3 applies—the requirements in that Subdivision (specific requirements).

11 After the transitional period—household cots

- (1) After the transitional period, an infant sleep product that is a household cot must comply with both:

- (a) the requirements in Division 2 (general requirements); and
- (b) if the household cot is a household cot to which Subdivision C of Division 3 applies—the requirements in that Subdivision (specific requirements).

Antique or collectable cots

- (2) However, a household cot that is an antique or collectable cot that complies with the requirements in subsection (3) does not need to comply with:
- (a) the requirements in Division 2 (general requirements); or
 - (b) the requirements in Subdivision C of Division 3 (specific requirements); after the transitional period.
- (3) An antique or collectable cot complies with the requirements of this subsection if the cot:
- (a) is supplied, or offered for supply, other than for use as a sleeping facility for a child; and
 - (b) has a clearly legible and prominent warning statement described in subsection (4) permanently attached to the cot.
- (4) The warning must consist of the words “WARNING: this cot does not meet the mandatory safety standard. For display purposes only. It is dangerous to place a child in this cot”.

12 After the transitional period—bassinets

After the transitional period, an infant sleep product that is a bassinet must comply with both:

- (a) the requirements in Division 2 (general requirements); and
- (b) if the bassinet is a bassinet to which Subdivision A of Division 3 applies—the requirements in that Subdivision (specific requirements).

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Requirements after the transitional period **Part 3**
Requirements after the transitional period **Division 1**

Section 13

13 After the transitional period—other infant sleep products

After the transitional period, an infant sleep product that is not mentioned in section 10, 11 or 12 must comply with the requirements in Division 2 (general requirements).

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Part 3 Requirements after the transitional period

Division 2 General requirements

Section 14

Division 2—General requirements

14 Incline (horizontal)

- (1) The surface of an infant sleep product on which the infant may lay must not have an incline greater than 7 degrees from the horizontal when tested in accordance with subsection (2).

Test method

- (2) The incline of an infant sleep product is to be measured by a digital level placed on a thin rigid planar sheet laid flat on the sleep surface with no downward pressure applied (other than that provided by the level itself).

15 Incline (vertical)

- (1) An infant sleep product that rocks or swings:
 - (a) must not have a vertical tilt or vertical incline greater than 7 degrees from the horizontal when tested in accordance with subsection (2); and
 - (b) must comply with clause 6.5 (rocking cradle locking device) and clause 8.5 (tilt test) of the Australian/New Zealand Standard for infants' rocking cradles as varied by subsection (3).

Test method

- (2) The vertical tilt or vertical incline of an infant sleep product is to be measured in accordance with Appendix D of the Australian/New Zealand Standard for infants' rocking cradles.

Variation of the Australian/New Zealand Standard for infants' rocking cradles

- (3) For the purposes of paragraph (1)(b) and subsection (2), the Australian/New Zealand Standard for infants' rocking cradles is varied by:
 - (a) omitting "5°" and substituting "7°" in paragraph 6.5(a); and
 - (b) omitting "10°" and substituting "7°" in paragraph 6.5(b); and
 - (c) omitting "5°" and substituting "7°" in clause 8.5; and
 - (d) omitting "10°" and substituting "7°" in clause 8.5.

16 Curvature

- (1) The surface of an infant sleep product on which the infant may lay must:
 - (a) be flat; and
 - (b) not have curvature when tested in accordance with subsection (2).

Test method

- (2) The curvature of the infant sleep product is to be measured by a digital level placed on the surface on which the infant may lay at various points (including points at both ends and the middle of the surface), with no downward pressure applied (other than that provided by the level itself).

17 Surface rigidity

The surface of an infant sleep product on which the infant may lay (including any mattress of an infant sleep product) must comply with:

- (a) the Australian/New Zealand Standard for Methods of testing infant products—Method 1: Sleep Surfaces—Test for firmness; or
- (b) the mattress firmness requirements in the European Standard for Children’s furniture—Mattresses for cots and cribs—Safety requirements and test method; or
- (c) the mattress firmness requirements in the United States Standard Consumer Safety Specification for Crib Mattresses.

18 Mattress

An infant sleep product that is a mattress, or a mattress supplied with an infant sleep product, must comply with the following:

- (a) the requirements in section 17 (surface rigidity);
- (b) the mattress dimensions must be clearly indicated on the product;
- (c) if the mattress is segmented—it must not fold or separate when laid on;
- (d) if the mattress is supplied with an infant sleep product:
 - (i) it must fit snugly with no gap between the mattress and sides of the product; and
 - (ii) it must comply with paragraph 6.1(d) of the Australian/New Zealand Standard for household cots.

19 Material of sides

An infant sleep product designed with fabric or mesh sides into which an infant may roll:

- (a) must either:
 - (i) have sides that are firm enough to not conform to the shape and contours of the infant’s nose or mouth; or
 - (ii) be made of a material that an infant can breathe through; and
- (b) comply with either:
 - (i) clause 6.3.3 (breathability of textiles material and other materials) and clause 8.2 (breathability) of the Australian/New Zealand Standard for folding cots; or
 - (ii) clause 8.4(d) (firmness) of the Australian/New Zealand Standard for folding cots.

20 Restraint system prohibited

An infant sleep product must not have a restraint system, harness or strap for restraining an infant.

21 Castors or wheels

If an infant sleep product is fitted with castors or wheels, at least 2 of the castors or wheels must be fitted with a brake.

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Part 3 Requirements after the transitional period

Division 2 General requirements

Section 22

22 Entanglement hazard

An infant sleep product must not have attached to it any ribbons, cords or other decorations that may be a choking or strangulation hazard to the infant.

23 Fit for purpose

An infant sleep product must be designed to have sufficient strength and integrity to safely support an infant under normal use conditions or foreseeable misuse.

24 Locking mechanism

If an infant sleep product has a locking mechanism:

- (a) the locking mechanism must have a clearly distinct locked position; and
- (b) when the locking mechanism is engaged, it must be readily apparent that it is engaged; and
- (c) the locking mechanism must remain secure when engaged and must not be able to be inadvertently disengaged; and
- (d) the locking mechanism must not generate any finger entrapment or pinch points; and
- (e) the infant sleep product must comply with clause 10.9 (locking mechanism test) of the Australian/New Zealand Standard for folding cots.

25 Materials (component requirements)

An infant sleep product must comply with the following:

- (a) any components of the infant sleep product that are made from wood must be free from splinters;
- (b) any components of the infant sleep product that are made from metal such as springs, nut, bolts and washers must be made of a corrosion resistant metal or be corrosion resistant;
- (c) any decorative transfers or labels must not be accessible to the infant within the infant sleep product;
- (d) the requirements in either:
 - (i) clause 6.7 (snag points) of the Australian/New Zealand Standard for household cots; or
 - (ii) clause 8.7 (protrusions and gaps) of the Australian/New Zealand Standard for folding cots;
- (e) the requirements in either:
 - (i) clause 6.8 (sharp edges and sharp points) of the Australian/New Zealand Standard for household cots; or
 - (ii) clause 8.8 (sharp edges and sharp points) of the Australian/New Zealand Standard for folding cots.

26 Entrapment hazard

- (1) An infant sleep product must not have any gaps into which an infant's finger, limb, head or neck may be inserted and become entrapped.

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- (2) The infant sleep product must comply with either:
- (a) clause 9.2 (entrapment hazard test) of the Australian/New Zealand Standard for household cots; or
 - (b) clause 10.2 (entrapment hazard test) of the Australian/New Zealand Standard for folding cots.

27 Small parts

Any component or removable part of an infant sleep product (whether the component is intended to be removed with the use of a tool or not) must not be able to fit entirely within a small parts cylinder that has a 5.7 cm long axis diameter, is 10.7 cm in length and has a 4.5 cm short axis diameter.

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Part 3 Requirements after the transitional period

Division 3 Specific requirements

Section 28

Division 3—Specific requirements

Subdivision A—Specific requirements for bassinets

28 Bassinets to which this Subdivision applies

This Subdivision applies to an infant sleep product that is a bassinet other than the following:

- (a) an infant sleep product to which Subdivision B applies;
- (b) an infant sleep product to which Subdivision C applies.

29 Side height

The vertical distance between the top of the mattress or sleep surface and the top edge of the lowest side or end of a bassinet must not be less than 250mm.

30 Filler bars

If a bassinet is designed with filler bars or slats, the distance between the adjacent filler bars or slats must not be less than 50mm and not greater than 65mm.

31 Materials

If a bassinet is designed with fabric or mesh, the fabric or mesh must comply with the materials requirements in clause 6 (materials) of the Australian/New Zealand Standard for folding cots.

32 Base width

The width of the base of a bassinet must:

- (a) be sufficient to ensure that the bassinet is able to safely contain an infant; and
- (b) be sufficiently stable when used in accordance with the manufacturer's instructions.

33 Warnings

The bassinet must have a clearly visible, prominent, legible and permanently attached warning that consists of the words “WARNING: do not use this product when the infant begins to push up on hands and knees or has reached [*insert manufacturer's recommended maximum weight*], whichever comes first”.

Subdivision B—Specific requirements for folding cots

34 Folding cots to which this Subdivision applies

This Subdivision applies to an infant sleep product that is a folding cot other than the following:

- (a) an infant sleep product to which Subdivision A applies;

- (b) an infant sleep product to which Subdivision C applies.

35 Specific requirements

- (1) A folding cot must comply with the requirements in one of subsection (2), (3) or (4).
- (2) A folding cot complies with the requirements of this subsection if the folding cot complies with the following provisions of the Australian/New Zealand Standard for folding cots:
 - (a) clause 7 (construction and assembly);
 - (b) clause 8 (design);
 - (c) clause 10.2 (entrapment hazard test);
 - (d) clause 10.3 (stability test);
 - (e) clause 10.4 (strength test).
- (3) A folding cot complies with the requirements of this subsection if the folding cot complies with:
 - (a) clause 5.12 (stability) of the United States Standard Consumer Safety Specification for Non-Full-Size Baby Cribs/Play; and
 - (b) if the folding cot has rigid sides—the following clauses of that standard:
 - (i) clause 6.2 (crib-side height);
 - (ii) clause 6.3 (spacing of unit components);
 - (iii) clause 6.16 (spindle/slat strength testing); and
 - (c) if the folding cot has mesh or fabric sides—the following clauses of that standard:
 - (i) clause 7.2 (height of sides);
 - (ii) clause 7.3 (side deflection and strength);
 - (iii) clause 7.4 (floor strength);
 - (iv) clause 7.6.2 (mesh strength);
 - (v) clause 7.7 (fabric material requirements);
 - (vi) clause 7.8 (mesh/fabric assembly requirements);
 - (vii) clause 7.10 (top rail configuration).
- (4) A folding cot complies with the requirements of this subsection if the folding cot complies with the following provisions of the European Standard for Child use and care articles - Carry cots and stands:
 - (a) clause 7.1.2.2 (internal height of rigid carry cots);
 - (b) clause 7.1.2.4 (overall height of a carry cot with flexible handles);
 - (c) clause 7.8.1 (stability of carry cots);
 - (d) clause 7.8.2 (longitudinal stability of carry cots);
 - (e) clause 7.8.3 (stability of stands and retention of carry cot on the stand);
 - (f) clause 7.9.2 (strength of carry cots);
 - (g) clause 7.9.3 (strength of stands).

EXPOSURE DRAFT

Part 3 Requirements after the transitional period

Division 3 Specific requirements

Section 36

Subdivision C—Specific requirements for household cots

36 Household cots to which this Subdivision applies

This Subdivision applies to an infant sleep product that is a household cot other than the following:

- (a) an infant sleep product to which Subdivision A applies;
- (b) an infant sleep product to which Subdivision B applies;
- (c) an infant sleep product that is a carry cot, basket, nest or pod that is not supported by free standing legs.

37 Specific requirements

- (1) A household cot must comply with the requirements in one of subsection (2), (3) or (4).
- (2) A household cot complies with the requirements of this subsection if the household cot complies with the following provisions of the Australian/New Zealand Standard for household cots:
 - (a) clause 5 (construction);
 - (b) clause 6.1 (dimensions);
 - (c) clause 6.2 (footholds);
 - (d) clause 6.5 (bottom rails);
 - (e) clause 9.2 (entrapment hazard test);
 - (f) clause 9.3 (impact test);
 - (g) clause 9.4 (filler bar, filler panel and corner post strength test).
- (3) A household cot complies with the requirements of this subsection if the household cot complies with the following provisions of the United States Standard Consumer Safety Specification for Full-Size Baby Cribs:
 - (a) clause 5.6 (crib side configurations);
 - (b) clause 5.7 (full-size baby cribs—dimensions);
 - (c) clause 5.8 (spacing of crib components);
 - (d) clause 6.7 (spindle/slat strength testing).
- (4) A household cot complies with the requirements of this subsection if the household cot complies with the following provisions of the British Standard for Children's furniture-cribs-safety requirements and test methods:
 - (a) clause 8.5.1 (height of sides and ends);
 - (b) clause 8.5.4 (stability);
 - (c) clause 8.11.2 (static strength);
 - (d) clause 8.11.3 (strength of sides, structural members of the sides, ends and corners);
 - (e) clause 8.11.4 (vertical static load).

38 Dropside requirements

A household cot supplied with a side that is designed to be raised and lowered must comply with the following provisions of the Australian/New Zealand Standard for household cots:

- (a) clause 6.3 (design of access fastening device);
- (b) clause 6.4 (dropside guides);
- (c) clause 9.5 (access fastening device and dropside mechanism strength test);
- (d) clause 9.6 (access fastening device durability test);
- (e) clause 9.7 (dropside mechanism durability test);
- (f) clause 9.8 (stability test);
- (g) clause 9.11 (dropside strength test).

EXPOSURE DRAFT

Part 4 Order of application

Section 39

Part 4—Order of application

39 Order of application

For the purposes of assessing compliance with this instrument, assess compliance with each applicable section in the order the sections appear in this instrument.

Schedule 1—Repeals

*Consumer Product Safety Standard: Children’s Household Cots
(Consumer Protection Notice No. 6 of 2005) (Federal Register
of Legislation No. F2005L03885)*

1 The whole of the instrument

Repeal the instrument.

*Consumer Product Safety Standard for Children’s Portable Folding
Cots (Consumer Protection Notice No. 4 of 2008) (Federal
Register of Legislation No. F2008L00550)*

2 The whole of the instrument

Repeal the instrument.