



ASTM INTERNATIONAL
Helping our world work better

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Director, Consumer Safety and Sustainability Unit
Market Conduct Division
The Treasury
Langton Crescent
PARKES ACT 2600
AUSTRALIA
Email: productsafety@treasury.gov.au

Re: Consultation: Supporting business through improvements to mandatory standards regulation under the Australian Consumer Law

Dear Director,

ASTM International is pleased to provide a brief and positive response to the consultation on supporting business through improvements to mandatory standards regulation under the Australian Consumer Law (ACL). We consider the Australian government's proposals to amend the ACL, as outlined in the consultation regulation impact statement (CRIS), to be an important step forward in good regulatory practice.

ASTM International is a globally recognized leader in the development and delivery of voluntary consensus standards. Today, over 13,000 ASTM International standards are used around the world to improve product quality, enhance health and safety, strengthen market access and trade, and build consumer confidence. Using an advanced information technology infrastructure and working in an open and transparent process that meets World Trade Organization (WTO) principles for the development of international standards, 30,000 volunteer members from around the world work across 150 technical committees to develop standards for 90 industry sectors.

As of today, 196 active ASTM International members reside in Australia. Committees on which they participate are numerous and diverse, including Committee F15 on Consumer Products. ASTM International Committee F15 on Consumer Products develops international safety and performance standards (specifications, guides, test methods, classifications, and terminology) for consumer products, in coordination with other ASTM technical committees and standards development organizations.

We are pleased that, as noted in the CRIS, the Australian Competition and Consumer Commission (ACCC) currently refers to several ASTM standards as acceptable means of compliance with its mandatory safety regulations. We are also pleased to see that ASTM International is included in the draft list of trusted overseas standards organizations.

ASTM International encourages government policies that enable regulators to make use of international voluntary consensus standards, such as those developed by ASTM, in setting market requirements. As outlined in the CRIS, alignment of mandatory government regulations with international voluntary consensus standards can provide a range of benefits to regulators, businesses, industries and consumers. These benefits can be expanded and extended in time when a government accounts for updates to the international voluntary consensus standards.

ASTM International standards are consistently reviewed and revised as necessary by their governing technical committees to keep pace with changing technologies and market needs. ASTM International standards are regularly updated, at least every five years if not earlier. For example, the ASTM F15 standards on consumer products are consistently reviewed against incident data and are often updated more frequently to respond to new and emerging hazard patterns.

The Australian government's proposals to amend the ACL, which are specifically aimed at improving the regulatory framework – including by “making it easier to recognize trusted voluntary overseas standards” – align with a modern regulatory model and good regulatory practice. A similar approach is currently in place in Singapore. Specifically, Singapore's *Consumer Protection (Consumer Goods Safety Requirements) Regulations (CGSR)*¹, cover general consumer goods that are not covered by any other regulations or regulatory agencies in Singapore. This area includes children's products and toys; the CGSR divides children's products into two categories:

- consumer goods that are already covered by voluntary consensus standards of ASTM International, the International Organisation for Standardisation (ISO), the International Electrotechnical Commission (IEC), or the European Standardisation Organizations (Category 1);
- consumer goods that are not covered by an international standard (Category 2)

In the case of Category 1 products, Singaporean companies may have the products intended for sale in Singapore tested and certified to the applicable standards of ASTM International or any of the other three organizations since the standards have been determined to provide equivalent levels of protection. In the case of Category 2, products must comply with applicable regional or Singapore national safety standards. The flexibility to choose among equivalent international standards for Category 1 products brings the same benefits cited in the Australian government's CRIS: removing needlessly redundant testing and certification requirements and lowering overall compliance costs.

In autumn 2021, the Organization for Economic Cooperation and Development (OECD) published a case study of ASTM International as an international organization² and, in part, cited the important role ASTM standards can play in international regulatory cooperation.

If we may be of service in addressing any questions or providing additional information, please feel free to contact Craig Updyke, Director, Global Policy and International Trade, at [redacted]. Thank you for your consideration.

Sincerely,

Jeffrey Grove

Jeff Grove
Vice President, Global Policy, Cooperation and Communication

¹ <https://www.consumerproductsafety.gov.sg/suppliers/cgsr/overview-of-cgsr>

² <http://www.oecd.org/gov/regulatory-policy/irc-astm-case-study.pdf>