

***I make toys for children which contain small, high powered magnets, is my product now banned?***

Not necessarily. Your product will be captured by the ban if the magnet in your toys:

- are loose and separable and are small enough to fit into the small parts cylinder used in the mandatory Australian standard for toys for children up to and including 36 months of age.
- have a magnetic flux of 50(kG)<sup>2</sup>m<sup>2</sup> or more.
- are marketed by the supplier as, or supplied for use as a toy, game or puzzle (including but not limited to an adult desk toy, an educational toy or game, a toy, game or puzzle for mental stimulation or stress relief).



**INDEPENDENT CONSUMER &  
COMPETITION COMMISSION**

**PAPUA NEW GUINEA'S CONSUMER WATCHDOG &  
ECONOMIC REGULATOR**

## **Banned Small High Powered Magnets**

***A short guide for consumers and  
business, under the Independent Consumer  
and Competition Commission Act 2002***

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## Background

The Independent Consumer and Competition Commission (the Commission) is responsible for administering the Independent Consumer and Competition Commission Act 2002 (ICCC Act) and other related legislation. The law is designed to enhance the welfare of the people of PNG by encouraging competition, fair trading and efficiency in business as well as preventing anti-competitive behavior.

The Commission has specific wide ranging powers in relation to consumer product safety. It is obligated under *Division 4 of the ICCC Act* to take immediate action when it becomes aware of a product that can affect the health or safety of consumers.

The Commission's powers include:-

- warning consumers of the possible danger of particular goods and to conduct an investigation into the risks involved;
- recommending to the Minister responsible to declare a standard; for suppliers of a product to meet, or for the provision of information in relation to such a product;
- issuing 'interim' bans where the Commission is of the view that such goods are unsafe;
- issuing permanent bans on unsafe goods; and
- effecting compulsory recall of products that are unsafe, or not compliant with a product or information standard.

The Act provides that the Commission will in certain circumstances hold a conference with any supplier who may be adversely affected by its action.

*Failure to comply with PNG's consumer product safety laws can result in severe penalties including imprisonment.*

## How can I make sure my products are safe?

- by checking the Commission website; and
- contacting the Commission to check what products are banned or restricted and the requirements with which they must comply.

## Testing

Some products have requirements that you can check yourself, this may be in the form of a warning label on the packaging or a simple measurement.

However some products can only be checked by special testing laboratories, for example, how much lead a product contains or whether it meets a particular level of strength and durability.

It is important to read the information provided in respect of products that have been declared unsafe and where necessary ask your suppliers for copies of test reports from an accredited testing laboratory. If they cannot provide these you may commission a laboratory to test the product for you.

## Prohibition of small High Powered Magnets

Small, strong magnets are used to attach parts in a variety of children's toys, or to make toys magnetically stick to other play objects. But the magnets can be dangerous to children if they can be swallowed. Children have been seriously injured after consuming magnets that have come off toys.

If children swallow a number of magnets, the magnets can lock together through the walls of the intestines and cause perforations and blockages. Children can also suffer serious infections if this happens. This requires urgent surgery to remove the magnets in order to avoid serious medical complications or death.

If children put magnets in their mouth they can choke. If the magnets lodge in their throat, they can cause children to suffocate.

**As a consequence the Commission has declared that small, separable or loose permanent magnetic objects are unsafe and their supply is prohibited when:**

- **they are supplied as aggregate masses or in multiples of two or more, and**
- **they are intended or marketed by the supplier primarily as a manipulative or construction desk toy or as jewelry, and**
- **they have a magnetic flux of greater than 50(kG)<sup>2</sup>mm<sup>2</sup>, and**
- **where the product supplied contains more than one magnet that fits within the small parts cylinder as defined in the *International Standards Organization Toy Standard (ISO 8124-1:2009, Safety of Toys)*.**

*This means that small high powered magnets marketed by suppliers in multiples of two or more for use as:*

- *a toy, game or puzzle such as an adult desk toy, an educational game or toy or puzzle for mental stimulation;*
- *a construction or modeling kit; or jewellery to be worn in or around the mouth, nose or face to look like studs;*

*cannot be sold in PNG.*

Consumers are advised, that if they have in their possession these particular types of magnets, they must be kept away from children and they must ensure that they are not misused by teenagers.

## Exceptions

There are some exceptions to the ruling. For instance magnets:

- supplied as parts for the repair or manufacture of other goods; or
- for scientific research; or for industrial, medical or therapeutic goods; or
- as part of construction or modeling kit which is not used or likely to be used for personal, domestic or household use.

## Frequently asked Questions.

### ***Why have some small, high powered magnets been banned?***

Small, high powered magnets can cause severe internal injuries if two or more are swallowed. The magnets can be attracted to each other across the intestine and other digestive tissue, which can cause tissue death or perforation, and can lead to infection, sepsis and or death. These injuries have been likened to receiving a gunshot wound, but without an external entry or exit wound.

Since "desk toys" consisting of small, high powered magnets were introduced into the market in early 2011, there have been known severe injury cases – including one death – caused when infants, children and teenagers swallowed more than one magnet from one of these sets.

These products are particularly dangerous because many people are not aware of the injuries which they can cause if swallowed. Even if small high powered magnets are kept away from infants and toddlers, it is now widely known that over half of the serious incidents have been caused when older children and teenagers (ages seven to 15) have used the magnets to mimic facial piercings and have then swallowed the magnets by accident.

### ***What does "magnetic flux index" mean?***

Magnetic flux index is a measure of magnetic force which is used in national and international toy standards.

The required apparatus and the method for testing magnetic flux index is provided in clause 5.31 of the Australian / New Zealand Standard, *Safety of toys – Part 1: Safety aspects related to mechanical and physical properties* (AS/NZS ISO 8124.1:2010). The notation for magnetic flux index is (kG)<sup>2</sup> mm<sup>2</sup>.

### ***How can I tell whether my product has a magnetic flux index of 50 (kG)<sup>2</sup> mm<sup>2</sup>?***

There are accredited testing laboratories with the equipment to test magnetic flux index. The National Association of Testing Authorities (NATA) maintains a database of testing facilities which can be contacted about testing magnetic flux index.

***Does selling multiple small, high powered magnets with individual per magnet pricing make any difference in terms of whether the product is subject to the permanent ban on small, high powered magnets?***

It has come to the Commission's attention that at least one overseas-based magnet supplier has adopted individual magnet pricing as a strategy for circumventing the permanent ban - which refers to supply of multiple magnets. The Commission considers these are caught by the ban – so long as the product satisfies the other elements specified in the ban. Whether the magnets are priced individually or as multiples does not make any difference in this situation.