

SUBMISSION

Limited review of the aquatic toys mandatory standard

DECEMBER 2025

The Australian Retailers Association (ARA) and National Retail Association (NRA) welcome the opportunity to provide feedback on the Limited review of the aquatic toys mandatory standard.

The ARA and the NRA, which propose to amalgamate into the Australian Retail Council (ARC), represent a \$444 billion sector that employs 1.4 million Australians—one in ten workers—making retail the nation's largest private sector employer and a cornerstone of the Australian economy, contributing 16 percent of national GDP.

Our combined membership spans the full breadth of Australian retail: from family-owned small and independent businesses, which comprise 95% of our membership, to the largest national and international retailers that support thousands of jobs and sustain communities across both metropolitan and regional Australia. Our industry operates more than 155,000 retail outlets nationwide, with the majority of those also represented by an online or e-commerce presence.

A strong retail sector delivers widespread benefits to all Australians, with a significant portion of every dollar spent in retail flowing back into employees, suppliers, superannuation funds, and local communities. We are united in advocating for the policy settings, reforms and collaboration that will drive growth, resilience, and long-term prosperity for Australian retail and the millions who rely on it.

CONSULTATION QUESTIONS

1. What is your name?

2. What is your email address?

3. What is your organisation? (if applicable)

Australian Retailers Association (ARA) and National Retailers Association (NRA)

4. Do you consent to the ACCC publishing your submission?

Yes

5. Do you agree that the mandatory standard for aquatic toys should be updated?

Yes

Q6. Do you agree that the mandatory standard should be updated to reference the 2022 voluntary international standard and the 2023 voluntary Australian Standard that relate to aquatic toys?

Yes.

Updating the mandatory standard to reference the 2022 international standard and the 2023 Australian Standard will improve clarity, remove ambiguity created by outdated references, and ensure suppliers and retailers are working to the most up-to-date safety requirements. This will support consistent compliance, reduce duplicated testing, and better reflect contemporary product design and labelling expectations.

Q7. Do you agree that the mandatory standard should reference the 2022 international standard and the 2023 Australian Standard as they are updated from time to time (dynamic referencing)?

Yes.

Dynamic referencing will ensure the mandatory standard remains aligned with the latest safety requirements without prolonged regulatory lag. To support industry readiness, the ACCC should provide clear communication whenever updates occur, along with reasonable transition periods that account for long lead times and seasonal stock. This approach balances improved safety consistency with predictable compliance obligations for suppliers and retailers.

Q8. Transition period for moving from 2018/2019 versions to 2022/2023 versions

A 24-month transition period is appropriate.

Aquatic toys are highly seasonal products with long manufacturing lead times and significant volumes of imported stock that may remain in storage between summer seasons. A 24-month transition period allows suppliers to sell through existing inventory, avoid stranded stock, and update packaging and testing cycles in an orderly and cost-effective manner. Shorter transition periods would create unnecessary compliance burdens without delivering incremental safety benefits, given that compliant existing stock remains safe in the market.

Q9. How long should a superseded version remain a compliance option once a new voluntary standard is released?

A two-year overlapping compliance window is appropriate.

Given the seasonal nature of aquatic toys, long production lead times, and the volume of imported stock ordered well in advance of each season, suppliers require a two-year overlapping window to ensure existing inventory can continue to be sold through without waste or unnecessary compliance burden. A two-year period also provides manufacturers and retailers with sufficient time to adjust testing programs, packaging, and certification processes in line with the updated standard while maintaining supply chain continuity.

Q10. Should product packaging state which referenced voluntary standard the product complies with?

No.

Requiring suppliers to specify the referenced voluntary standard on product packaging would introduce an additional packaging variation unique to Australia without delivering meaningful safety benefits. Aquatic toys are often produced in large global manufacturing runs, and imposing an Australia-specific labelling requirement would increase packaging costs, create supply chain inefficiencies, and risk stranded stock.

Compliance with the mandatory standard should be demonstrated through testing and documentation rather than on-pack standard identification.

11. If you answered 'yes' to Question 10, how should suppliers state which referenced standard the product complies with?

N/A

12. Referencing the updated voluntary international and Australian standards and making mandatory standards dynamic removes the need to test products to outdated requirements.

Please provide any information, analysis or data about reduced compliance costs and regulatory burden if the mandatory standard is updated.

Updating the mandatory standard and adopting dynamic referencing will reduce compliance costs by eliminating the need for duplicated or outdated testing requirements. Suppliers currently test aquatic toys to the newest AS/NZS ISO 8124.1 versions to satisfy global safety expectations but must perform additional checks or labelling adjustments to meet the older Australian references. Aligning the mandatory standard with the most recent

versions will streamline testing programmes, reduce packaging rework, and avoid unnecessary production runs associated with old warning text.

Dynamic referencing will also prevent repeated regulatory lag and remove the cost of re-testing to outdated standards when more recent versions are already in use internationally. This will support consistent global production, reduce the frequency of Australia-specific packaging changes, and create a more predictable compliance environment for retailers and suppliers.