



# RESTRICTIONS ON IMPORTING PENCILS OR PAINT BRUSHES INTO AUSTRALIA

The importation of pencils or paint brushes coated with a material containing excessive levels of lead or other heavy metals is restricted under the *Customs (Prohibited Imports) Regulations 1956*.

## WHAT ARE THE RESTRICTIONS?

It is prohibited to import pencils or paint brushes coated with a material (eg. paint, lacquer, etc.) that contains lead or other heavy metals in excess of the following levels:

- 90mg/kg of lead; or
- 25 mg/kg of arsenic; or
- 60 mg/kg of antimony; or
- 75 mg/kg of cadmium; or
- 500 mg/kg of selenium; or
- 60 mg/kg of mercury; or
- 60 mg/kg of chromium; or
- 1,000 mg/kg of barium.

These levels are consistent with Australian Standard AS/NZS ISO 8124.3:2003 - Safety of toys, Part 3: Migration of certain elements.

If there is a valid reason to import such pencils or paint brushes, an importer may obtain written permission to import from the Minister for Justice and Customs or an authorised person.

## WHY ARE THESE RESTRICTIONS IN PLACE?

Excessive levels of lead or other heavy metals in certain products can represent health risks. Heavy metals in materials coating pencils or paint brushes are particularly harmful to children who may chew on them during use.

The Australian Competition and Consumer Commission (ACCC) provides Customs with advice and guidance on this import restriction.

## WHAT CAN HAPPEN ON IMPORTATION?

Customs may require the importer or customs broker to prove that the material coating pencils or paint brushes does not contain lead or other heavy metals in excess of the levels specified above.

## WHAT IS NEEDED TO PROVIDE THIS PROOF?

The importer or customs broker will need to present a test report from a laboratory that is accredited by its national accreditation organisation to perform such testing. This organisation needs to be a member of the International Laboratory Accreditation Cooperation.

The test report must relate to the specific goods being imported.

## WHAT IF A TEST REPORT CANNOT BE PRODUCED?

Customs will draw samples of the goods for testing by a laboratory that is accredited by the National Association of Testing Authorities, the national accreditation organisation in Australia.

The importer is liable for any costs incurred in relation to the testing and storage of imported pencils or paint brushes.

## HOW IS PERMISSION SOUGHT?

To request permission to import pencils or paint brushes that are coated with a material containing excessive levels of lead or other heavy metals, please write to:

Minister for Justice and Customs  
C/- National Manager, Trade Policy & Regulation Branch  
Australian Customs Service  
5 Constitution Ave  
CANBERRA ACT 2600

## FOR MORE INFORMATION

For information on the background to this import restriction, contact the ACCC Information Centre on 1300 302 502 or email [infocentre@accg.gov.au](mailto:infocentre@accg.gov.au)

For more information on any Customs matter, contact the Customs Information and Support Centre on 1300 363 263 or email [information@customs.gov.au](mailto:information@customs.gov.au) or browse the website [www.customs.gov.au](http://www.customs.gov.au)