

Proposal for Legal Inspection of Disposable Lighters for Igniting Tobacco Products

By the Bureau of Standards, Metrology and Inspection (BSMI), Ministry of Economic Affairs

Background:

Disposable lighters for igniting tobacco products are used in almost every household in Taiwan not only for purpose of igniting tobacco products, but also for cultural and religious reasons. Joss sticks and paper made to resemble money are burned daily or monthly during worship rituals or as an offering to ancestors. Trade volume of disposable lighters has increased an average of around 40% in both 2002 and 2003 without control. The trade volume of 2003 was about 12 million US dollars and it was estimated that nearly 100 million such disposable lighters were imported. With a population of 23 million, this would mean that every person in Taiwan would have 5 disposable lighters. The potential hazards to public safety presented by disposable lighters were highlighted by several accidents caused by children playing with such products. Severe damages to property and casualties have also been reported.

At the request of consumers and towards their protection, the BSMI proposes that mandatory inspection be required for disposable lighters and a safety device for child-resistance be required in the hope that similar accidents may be reduced or eliminated. The safety device is not limited to any specified types and, in view of WTO members' obligations under Article 2.7 of the TBT Agreement, those that are in compliance with related requirements of WTO members would be accepted upon presenting official documents that demonstrate this fact. Considering the various design of disposable lighters, the conformity assessment procedure applied would be Type-approved Batch Inspection.

Type-approved Batch Inspection (Batch-by-batch inspection with type approval required as a prerequisite)

Under this procedure, manufacturers or importers must file an application for type approval with the BSMI, in Taipei or at branch offices, depending on where the manufacturer or importer is located.

After manufacturers or importers have obtained a type-approval certificate, they are required to file an application for inspection with the BSMI each time their products arrive at the port of entry. The BSMI will then review the application and accompanying documents, and additional samples may be required for further testing. The fees for type testing shall be charged at a rate prescribed by the relevant testing agencies. The fees for a type approval of each type is NT\$3,500. A type approval certificate is valid for three years.

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Proposed date of implementation:

- August 1, 2004

Inspection standards covered:

- CNS 10666

Encompassing the following products and related codes:

- HS/CCCN 9613.10.00/00.9:
Disposable lighters, for gas fuelled and non-refillable, for igniting tobacco products
- HS/CCCN 9613.20.00/00.7:
Disposable lighters, for gas fuelled and refillable, for igniting tobacco products
- HS/CCCN 9613.80.90/00.5:
Other disposable lighters for igniting tobacco products

Locations to apply for Type Testing:

- The BSMI Taipei Headquarters or the testing laboratories designated by the BSMI

Locations to apply for Type-approved Batch Inspection:

- The BSMI, or its branches with jurisdiction over the applicant

Time required for Type-approved Batch Inspection:

- Fourteen working days. (This does not including the time for corrective actions by the applicant due to deficiencies in the documents or samples; another 7 days may be required if additional tests are required).

Rate for Type-approved Batch Inspection:

- 2.5% of CIF