



Regulatory News Alerts & Updates

Regulatory Alert: Australia – Engineered Stone Ban

December 13, 2024

Australian government will ban the importation of engineered stone benchtops, slabs, and panels starting January 1, 2025

Summary

From January 1, 2025, engineered stone benchtops, panels and slabs will become prohibited imports under the *Customs (Prohibited Imports) Regulations 1956*.

What is included in the ban?

Engineered stone benchtops, panels and slabs that contain at least 1% crystalline silica substance as a weight/weight concentration and is created by combining natural stone materials with other chemical constituents (such as water, resins, or pigments), and becomes hardened.

What is not included in the ban?

The ban does not apply to:

- engineered stone products that are not benchtops panels and slabs.
- finished engineered stone products that don't need to be processed or modified, such as prefabricated sinks, jewellery or garden ornaments.
- concrete and cement products, bricks, pavers, blocks, ceramic wall and floor tiles sintered stone, porcelain products, roof tiles, grout, mortar, render, and plasterboard.

Permissions

Engineered stone benchtops, panels or slabs imported without a valid import permit, confirmation or exemption are classed as a prohibited import, meaning they can be seized at the border without a warrant.

The act of applying for an import permit, confirmation of end use, or exemption is not a guarantee that it will be granted.

Content Intended for FedEx customers only

Goods must not be shipped until one of the forms of approval is obtained. A copy of the permit, confirmation of end use or exemption must be produced to the Australian Border Force (ABF) if requested to do so.

Due Diligence

When a customs broker receives a declaration stating the goods are not engineered stone, the customs broker should ensure they obtain reliable and sufficient supporting evidence to correctly make the declaration and to provide to the ABF if requested.

A declaration on its own, whether from the manufacturer, importer or third-party supplier is not considered evidence.

Testing at the border

Testing of goods must be carried out by a laboratory using suitable analytical means, such as petrographic analysis and x-ray diffraction. To provide for the most reliable assurance outcome, testing laboratories should be accredited through National Association of Testing Authorities (NATA). Details of NATA accredited laboratories are available on the NATA website by searching for silica testing.

The arrangement for, and cost of, any independent inspection, testing and storage of the goods is the responsibility of the importer in Australia in line with Section 186 of the *Customs Act 1901*.

Timeline for Implementation: January 1, 2025

References:

Australian Government – Engineered Stone Importation Ban to Start January 1, 2025
<https://ministers.dewr.gov.au/burke/engineered-stone-importation-ban-start-january-1#:~:text=After%20years%20of%20harrowing%20stories,commencement%20on%201%20January%202025>

Australian Border Force (ABF)
<https://www.abf.gov.au/>