

Criminal offences for importing, supplying or exporting goods that do not comply with standards

Offences relating to importing goods into Australia

- (1) A person commits an offence if:
- (a) the person imports therapeutic goods into Australia; and
 - (b) the goods are imported without the consent in writing of the Secretary; and
 - (c) the goods do not conform with a standard applicable to the goods; and
 - (d) either:
 - (i) the use of the goods has resulted in, or will result in, harm or injury to any person; or
 - (ii) the use of the goods, if the goods were used, would result in harm or injury to any person; and
 - (e) the harm or injury has resulted, will result, or would result, because the goods do not conform with the standard.
- Maximum penalty: Imprisonment for 5 years or 4,000 penalty units, or both.
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Offences relating to supplying goods for use in Australia

- (6) A person commits an offence if:
- (a) the person supplies therapeutic goods for use in Australia; and
 - (b) the goods are supplied without the consent in writing of the Secretary; and
 - (c) the goods do not conform with a standard applicable to the goods; and
 - (d) either:
 - (i) the use of the goods has resulted in, or will result in, harm or injury to any person; or
 - (ii) the use of the goods, if the goods were used, would result in harm or injury to any person; and
 - (e) the harm or injury has resulted, will result, or would result, because the goods do not conform with the standard.

Maximum penalty: Imprisonment for 5 years or 4,000 penalty units, or both.

- A person commits an offence if:
- (a) the person supplies therapeutic goods for use in Australia; and

- (b) the goods are supplied without the consent in writing of the Secretary; and
- (c) the goods do not conform with a standard applicable to the goods.

Maximum penalty: Imprisonment for 12 months or 1,000 penalty units, or both.
