



Prams and strollers - Convertible tricycle strollers

Consultation paper

November 2018



1. Introduction

The Australian Competition and Consumer Commission (**ACCC**) is conducting a review of the [Mandatory standard for prams and strollers](#) (the **standard**). The ACCC previously consulted on the standard in general terms and is now, in addition, seeking your views on convertible tricycle strollers and their compliance with the standard before finalising any recommendations on revising the standard.

2. The issue

There are a wide variety of tricycles currently for sale in the market. Some tricycles closely resemble a traditional tricycle (sometimes with a handle to provide for parental control). Some convertible tricycles have multiple modes but have not been designed to transport a child. Other convertible tricycles have been designed to operate in one of their modes as a stroller (**convertible tricycle strollers**).

Convertible tricycles have evolved from simple products with detachable handles or pedals, to convertible tricycle strollers that have been designed to operate as a stroller in at least one of their modes. Some suppliers have also used images or words in their marketing that certain products have 'stroller' features. Such imagery and language would suggest to consumers that these products are designed and are suitable to transport a child. The addition of stroller features also indicates that some products have been designed to transport a child.

Recent surveillance activities by the ACCC has identified many convertible tricycle strollers did not have important safety features required for strollers under the standard.

The standard was introduced over a decade ago in response to reports of children being injured or killed as a result of unsafe prams or strollers. The standard declares certain parts of the Australian/New Zealand Standard for prams and strollers, AS/NZS 2088:2000.

The standard specifies safety requirements relating to the construction and performance of prams and strollers, together with instructions and warnings for their use. An additional safety feature is the requirement to supply a tether strap to address the problem of these

products rolling away from carers. At the time of the standard's introduction there had been two incidents of infant deaths in Australia caused by products rolling away.

Using convertible tricycle strollers to transport children when they do not have the required safety features may place children in hazardous situations and at risk of serious injury or death if the device rolls away from the carer's control. If children are not properly restrained in the product they are also at risk of falling out of it or moving to a position which would cause it to topple, both of which could result in serious injury to the child.

The Victorian Injury Surveillance Unit (VISU) analysed hospital admissions and emergency department presentations from July 2012 to June 2015. There were 600 presentations and admissions over this period with most incidents attributed to children falling when they were not strapped in to the stroller, or where a stroller rolled away from carers.

Following the ACCC's surveillance work in 2018 some convertible tricycle strollers were recalled by suppliers as they did not come with brakes, appropriate harnesses, tether straps or suitable warnings required under the standard. The ACCC has also provided guidance to suppliers and published a warning for consumers on the Product Safety Australia website (24 August 2018) to avoid using these products to transport children as they do not have important safety features required under the standard.

3. Definition of a 'stroller'

The standard defines a stroller as:

A wheeled vehicle designed to transport a child in a seated position, and which may also be adjusted to a semi-reclined or a fully reclined position.

The ACCC's recent guidance to industry stated that it considers children under 24 months are unlikely to be able to independently operate a tricycle. The ACCC does not consider that children under this age have the necessary motor skills to steer or pedal even with parental assistance.

This is supported by the United States Consumer Product Safety Commission Age Determination Guidelines, which are referenced in the AS/NZS toy standard and are used by Australian product safety regulators to assist in assessments of products.

Convertible tricycle products may be considered Strollers for the purposes of the standard if they are designed for children younger than 24 months and comprise one or more key features not typically found in traditional tricycles. Key features include:

- a) a high backrest for the child;
- b) a harness for the child;
- c) ability to disengage child steering;
- d) ability to disengage or remove the pedals; and
- e) ability to semi-recline or recline the child's seat.

These features are designed to facilitate use of the product as a stroller to transport a child, including for use with very young children who are not developmentally capable of operating traditional tricycles.

A key element of the above definition is that the product has been designed to transport a child. The intention of the phrase 'designed to' conveys that where a product has been designed to include features that facilitate transportation of a child, a supplier cannot use

marketing or other forms of communication, such as warnings or instructions, to avoid a stroller, including a convertible tricycle stroller, from being captured by the standard.

4. Proposed solution

The ACCC is proposing to recommend the inclusion of an explanatory note in the standard. The explanatory note will make plain that the definition of stroller in the standard includes convertible products that can be adjusted between one or more modes, one mode of which is designed to transport a child in seated, semi-reclined or fully reclined-position. Products of a single mode in which the child propels the vehicle, tricycles that more closely resemble a traditional tricycle, and products that are convertible but have not been designed to transport a child, do not fall within the scope of the standard and are classed as toys.

This proposal is consistent with international standards which provide recognition of the existence of these dual-use or multi-use products.

The ANSI Z315.1-2012- American National Standard for Tricycles- Safety Requirements states in the scope of the standard that where a convertible tricycle is intended and marketed to fulfil both the function of a tricycle and stroller it may need to meet the requirements ASTM F833 (Standard Consumer Safety Performance Specification for Carriages and Strollers) or other applicable standards in addition to those of this standard.

The European Union standard EN1888:2012- Child care articles-Wheeled child conveyances- Safety requirements and test methods states in the scope of the standard that where a wheeled child conveyance or any part of the wheeled child conveyance has several functions or can be converted into another function it shall comply with the relevant standards.

The proposed solution will make clear to suppliers of convertible products that where a product is designed to transport a child, meaning that one of its modes is as a stroller, then it should include important safety features, such as brakes, a harness and a tether strap, as well as instructions and warnings about the safe use of the product. This will ensure children continue to be afforded the protection of the standard which in turn will limit future incidents of injury and death.

5. Key questions

Please consider the following questions in your submission. Submissions do not need to answer all or any of these questions and may include any information that might be relevant for this review.

1. Our position is that convertible products which can be adjusted between one or more modes, one of which is designed to transport a child in a seated position, (which may be semi or fully reclined) fall within the scope of the standard and tricycles without convertible features (or convertible tricycles that are not designed to transport a child) are not intended to be covered by the standard.

Do you agree with our proposed solution to include an explanatory note in the mandatory standard for prams and strollers to reflect that? If so why? If not, why not?

2. Are there other additional comments you would like to make?

6. Have your say

The ACCC invites you to comment on this review. The consultation is open from 5 November to 19 November 2018.

The ACCC prefers that you submit your answers and other feedback online on our consultation hub at consultation.accc.gov.au.

Submissions can also be posted to:

Director
Standards and Policy
Consumer Product Safety Branch
Australian Competition and Consumer Commission
Canberra

GPO Box 3131
CANBERRA ACT 2601

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The Australian Competition & Consumer Commission (ACCC) has developed this consultation paper to seek the views of stakeholders about the safety standards for corded internal window coverings.

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