



Review of the mandatory safety standard for moveable soccer goals

Consultation paper

October 2016



Disclaimer

The Australian Competition & Consumer Commission (ACCC) has developed this consultation paper to seek the views of stakeholders about the mandatory safety standard for moveable soccer goals.

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1. Introduction

The ACCC is reviewing the mandatory safety standard for moveable soccer goals because it has not been reviewed since it started in 2010, and we are seeking information on whether it has been effective in reducing deaths and injuries.

The consultation process outlined in this paper may be the only opportunity for you to provide input into this review.

You are encouraged to make submissions.

2. Policy options

This consultation paper discusses two policy options:

Option 1 Keep the current mandatory safety standard (status quo)

Option 2 Revoke the mandatory safety standard.

3. Background

A moveable soccer goal is designed to be moved from field to field or on and off a field during practice or a game. In Australia, a small number of moveable soccer goal suppliers generally design, manufacture and distribute their products directly to their customers. The ACCC understands that moveable soccer goals are generally not imported in Australia or traded internationally due to the high costs associated with transportation.

Individual consumers make up a limited part of the customer market in Australia – moveable soccer goals are more likely to be purchased for use by sporting clubs, schools and organisations such as soccer academies.

Numerous deaths in Australia and internationally have been associated with unstable and heavy moveable soccer goals. In Australia there have been at least seven deaths and one incident resulting in the person becoming paraplegic since 1986. Worldwide, there have been more than 40 deaths and serious injuries. The victims are often young children or teenagers.

Death and serious injury can happen if moveable soccer goals are installed incorrectly or if they are used inappropriately. Injuries and trauma to the head, neck, chest and limbs can be caused by:

- instability of the goals
- goals becoming unanchored
- goals with inadequate anchoring
- inappropriate or ineffective installation
- inappropriate use such as swinging on goalposts or cross bars.

4. The mandatory safety standard

A mandatory safety standard for moveable soccer goals was first introduced in 2007 by New South Wales in response to deaths and injuries associated with the products in Australia and overseas. As part of the harmonisation of state and territory consumer product safety regulation in preparation for the Australian Consumer Law, the Australian Government created a national mandatory safety standard in 2010.

The mandatory safety standard is set out in Consumer Protection Notice No. 28 of 2010 and commenced on 1 January 2011. It is based on a voluntary Australian standard *AS 4866.1-2007 - Playing field equipment - Soccer goals - Safety aspects*. It applies to moveable soccer goals that are free standing, designed to be moved for use in various locations, and weighing 28 kg or above.

The mandatory safety standard specifies design and construction requirements including requiring moveable soccer goals to have at least one 'anchor' point at each side of the rear ground bar; performance testing including a stability test and a static load test; and specifies the following consumer warning label:

“WARNING—ALWAYS ANCHOR GOAL—NEVER CLIMB OR HANG ON CROSSBAR. Unanchored goals can tip over causing serious injury or death.”

Standards Australia published the voluntary Australian standard in November 2007 and have not updated it since.

No deaths associated with moveable soccer goals have been reported in Australia since the mandatory safety standard was introduced. It is possible however that some moveable soccer goals presently in use were purchased before the standard came into force and therefore do not have the full range of features mandated.

ACCC consumer education and awareness activities

The ACCC has run several education activities and outreach efforts to inform consumers of the hazards of moveable soccer goals. Specifically, the consumer messages focused on the three safety steps 'anchor, check, respect' that soccer goal users should follow to avoid serious injury and death risks. Major activities include:

- In 2012 the ACCC partnered with the Football Federation of Australia (FFA) and developed a national soccer goal safety campaign. The campaign involved media, an animated online video, social media and resources for distribution including a DVD, a poster and a flyer with a survey. Information packs were sent to local councils and football clubs.
- In 2013 the ACCC started a second phase of awareness activities targeting teachers and coaches and those training to be teachers or coaches. This involved a mail-out to over 10 000 primary and high schools and 118 tertiary or training organisation course directors.
- In 2014 the ACCC again promoted consumer safety messages via media and social media.

5. Adopting trusted international standards

The ACCC has assessed two international standards for moveable soccer goals. Appendix A compares the American Society for Testing and Materials (ASTM) standard and a European standard with the voluntary Australian standard. We also assess these international standards against the following criteria¹:

- Addressing safety concerns: Is there evidence that the international standard provides an acceptable level of consumer safety?
- Comparable jurisdiction to Australia: Is the international standard published or developed by a legitimate standards body or government agency from an economy or nation with comparable economic and regulatory processes to Australia?
- Applicability to the Australian context: Is the international standard applicable and sufficient in the Australian context?

ASTM standard

The American Society for Testing and Materials (ASTM) developed *ASTM F2950-14 Standard Safety and Performance Specification for Soccer Goals*. ASTM is a reputable standards development body and the United States is a jurisdiction with comparable economic and regulatory processes to Australia.

The ASTM standard includes performance requirements that address the stability of soccer goals which align closely with the stability requirements in the mandatory safety standard. However, performance testing requirements apply only to soccer goals with a total weight exceeding 80 lb (approximately 36 kg) whereas the mandatory safety standard specifies performance testing requirements for soccer goals that weigh 28 kg or above. The ASTM standard does not include performance requirements that address the static load of a fallen soccer goal, a requirement of the current mandatory safety standard. The potential safety issue of not having a static load requirement is that soccer goals could exert a greater amount of force in the event of tipping than currently allowed under the mandatory safety standard. This could increase the risk of injury.

Consumer safety warnings in the ASTM standard are comparable to the requirements of the mandatory safety standard, including where the warning label must be placed on the soccer goal. However, the ASTM standard does not require explicit warnings about the risk of goal tipping or hanging from the crossbar.

There are a small number of suppliers of moveable soccer goals in Australia, and these businesses design, manufacture and distribute moveable soccer goals directly to their consumers. These suppliers may not seek to use the ASTM standard and the Australian market may be too small to attract new businesses that are familiar with the ASTM standard. For these reasons, and as there are variances between the ASTM standard and current mandatory safety standard, we do not recommend adopting the ASTM standard.

European standard

The European standard *EN 748:2013 Playing field equipment - Football goals - Functional and safety requirements, test methods* was developed by the European Committee for Standardization (CEN). CEN develops standards for use in Europe and is a reputable standards development body. Europe is a jurisdiction with comparable economic and regulatory processes to Australia.

¹ACCC, International standards for the safety of consumer products - criteria for acceptance, ACCC policy principles, 22 July 2015, www.productsafety.gov.au/content/index.phtml/itemId/1014180

Whilst the European standard applies to all soccer goals for training and competition in outdoor sports facilities and indoor areas, it does not define its scope by weight. Instead, soccer goals must comply with specified dimensions. The European standard includes performance requirements that address the stability of soccer goals, which align closely with the stability requirements in the Australian mandatory safety standard.

The European standard does not however include a requirement that addresses the static load of a fallen soccer goal. The potential safety issue of not having a static load requirement is that moveable soccer goals could exert a greater amount of force in the event of tipping than currently allowed under the Australian mandatory safety standard. This could increase the risk of injury.

The consumer warning label requirements in the European standard are not as prescriptive as those in the Australian mandatory safety standard and do not adequately describe the hazards of moveable soccer goals. For example, the European standard does not require explicit warnings about the risk of goal tipping or hanging from the crossbar, it only requires a single warning label on the goal, and does not specify its location.

The ACCC has assessed that the European standard is not suitable to be adopted in Australia. In particular, the consumer warning labels do not adequately describe the hazards of moveable soccer goals. In addition, as the European standard does not define its scope based on goal weight, adopting it could lead to inconsistent coverage and potentially a lower level of safety.

6. Detailed description of policy options

Option 1 - Keep the current mandatory safety standard (status quo)

Description

Maintaining the status quo would mean no changes to the current mandatory safety standard.

Benefits

Moveable soccer goals would be subject to the same mandatory safety standard that suppliers must currently meet before they can legally supply them. There would be no increase in regulatory costs to industry, and consumers would continue to enjoy the same level of protection they have now.

Limitations

Maintaining the status quo would mean that suppliers cannot provide products which comply with trusted international standards. In a global marketplace, this restricts the type of products that may be supplied, and products that consumers can access.

Option 2 - Revoke the mandatory safety standard

Description

Most consumer goods in Australia are not regulated by mandatory safety standards. Revoking the mandatory safety standard would mean suppliers would still need to have regard to the consumer protection provisions of the Australian Consumer Law (ACL). The ACL provides consumers with specific protections for consumer transactions called statutory

consumer guarantees every time they purchase goods or services. One of those guarantees is that goods will be of acceptable quality, meaning they are safe and fit for purpose.

Consumer protections also exist to safeguard against suppliers engaging in conduct that is likely to be misleading or deceptive. Additionally, there are provisions for injury reporting, recalls and product liability. These provisions give suppliers an incentive to ensure that the goods they supply are safe. The ACCC would still be able to take safety action if needed – for example, through recalls.

Suppliers of moveable soccer goals may independently choose to continue compliance with the voluntary Australian standard, but this would not be legally required.

Benefits

Revoking the mandatory safety standard would remove compliance and regulatory costs on suppliers, by allowing for the supply of products that do not comply with the mandatory safety standard. There would also be costs savings for regulators in not having to administer the mandatory safety standard, whilst the general protections under the ACL would remain available.

Limitations

Revoking the mandatory safety standard may pose an unreasonable safety risk to children and teenagers, who are a vulnerable category of consumers. Removing the requirement of consumer warning labels on soccer goals will mean that consumers who are unaware of the dangers of hanging or swinging on soccer goals would not be alerted to those dangers. Removing product design, construction and testing requirements could also result in the availability of structurally unsafe soccer goals.

7. Preliminary position

The ACCC believes that Option 1 provides the greatest benefit for consumers, suppliers and regulators. The current mandatory safety standard has been effective in reducing injuries and deaths associated with moveable soccer goals and is suitable to continue as it is. Option 1 would result in no extra regulatory costs to industry, and consumers would continue to benefit from the current levels of product safety.

The ACCC has assessed that the European standard is not suitable for Australia, and we do not recommend adopting the ASTM standard at this time.

The Office of Best Practice Regulation (OBPR) has advised that a Regulation Impact Statement (RIS) is not required as the proposal will have only a minor regulatory impact.

8. Consultation questions

1. Do you agree that moveable soccer goals are generally not imported into Australia or traded internationally due to the high costs associated with transportation? Do you have any more information on this?
2. Which policy option do you support and why?
3. Are there any other policy options that the ACCC should consider?
4. Do you have any other information or comments?

9. Have your say

The ACCC invites stakeholders and interested parties to comment on these policy options.

Consultation is open from Wednesday 26th October 2016 to Friday 25th November 2016.

The ACCC prefers submissions via the ACCC consultation hub at consultation.accc.gov.au/.

The ACCC will alert stakeholders and interested parties to the consultation through the Product Safety Australia website www.productsafety.gov.au/ and www.business.gov.au/.

Alternatively, email submissions to productsafety.regulation@acc.gov.au or via post:

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Glossary

Term	Definition
ASTM standard	<i>ASTM F2950-14 - Standard Safety and Performance Specification for Soccer Goals</i>
European standard	<i>EN 748:2013 - Playing field equipment. Football goals. Functional and safety requirements, test methods</i>
Mandatory safety standard	<i>Consumer Protection Notice No. 28 of 2010</i>
Moveable soccer goal	Soccer goals which are free standing; designed to be moved for use in various locations; and weighing 28 kilograms or above
Voluntary Australian standard	<i>AS 4866.1-2007 - Playing field equipment - Soccer goals - Safety aspects</i>

Appendix A - Comparison of international standards

Key requirement	AS 4866.1-2007 Voluntary Australian standard	ASTM F2950-14 ASTM standard	EN 748:2013 European standard
Design and construction			
Scope (weight)	> 28 kg	> 18 kg (> 36 kg for testing)	None
Effective anchor system	Yes	Not explicit	Not explicit
Performance			
Static load	Yes	No	No
Stability	Yes	Yes	Yes
Marking			
Permanent labels	Yes	Yes	Yes
Warnings on crossbar and uprights	Yes	Yes	No
Warning includes hanging and tipping risk	Yes	No	No