



AUSTRALIAN COMPETITION  
& CONSUMER COMMISSION

# Toppling Furniture and Televisions

## Issues Paper

August 2021



# Table of contents

Glossary.....	iv
Questions for response .....	v
1. Executive Summary .....	1
2. Introduction .....	2
3. Have your say .....	3
4. Types of toppling furniture.....	4
5. Key safety factors.....	4
5.1. Product design.....	4
5.2. Anchoring .....	5
5.3. Consumer behaviour and awareness.....	6
6. Fatalities and injuries .....	8
6.1. Fatalities in Australia.....	8
6.2. Fatalities in the United States .....	9
6.3. Injuries in Australia.....	9
6.4. Injuries in the United States .....	12
6.5. Mandatory injury reports .....	12
6.6. Consumer reports .....	13
7. Voluntary recalls.....	13
7.1. Australia.....	13
7.2. Overseas .....	13
8. Voluntary standards .....	14
8.1. About voluntary standards .....	14
8.2. Voluntary standards relating to furniture and televisions .....	14
9. Industry and government initiatives .....	15
9.1. Industry Associations .....	15
9.2. Retailers .....	16
9.3. Safety advocates .....	16
9.4. State and territory governments .....	17
9.5. International .....	17
10. Possible risk controls .....	17

10.1. Regulatory options.....	18
10.2. Non-regulatory options .....	19
11. Next steps .....	19

## Glossary

<b>Term</b>	<b>Definition</b>
<b>ACCC</b>	Australian Competition and Consumer Commission
<b>ACL</b>	Australian Consumer Law, Schedule 2 of the <i>Competition and Consumer Act 2010</i>
<b>CCA</b>	<i>Competition and Consumer Act 2010 (Cth)</i>
<b>CHOICE</b>	An independent and member-funded consumer advocacy group in Australia
<b>ED</b>	Emergency department
<b>ISO</b>	International Organization for Standardization
<b>National Strategy</b>	National Toppling Furniture and Television Safety Strategy
<b>NRA</b>	National Retail Association
<b>NRA Guide</b>	National Retail Association Best practice guide for furniture and television tip-over prevention
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>QISU</b>	Queensland Injury Surveillance Unit
<b>STURDY Act</b>	Stop Tip-Overs of Unstable, Risky Dressers on Youth Act
<b>VISU</b>	Victorian Injury Surveillance Unit
<b>US CPSC</b>	United States Consumer Product Safety Commission

## Questions for response

The Australian Competition and Consumer Commission (ACCC) is seeking your feedback in response to the questions below and repeated throughout the paper. The ACCC encourages you to respond to any questions that are relevant to you and to raise any additional issues that you consider relevant.

### *Section 5 - Key safety factors*

1. What safety features are incorporated into the furniture and televisions that you design, manufacture or supply to reduce the risk of toppling?
2. Are there any limitations to addressing safety risks through the design and manufacture of furniture and televisions and how might they be overcome?
3. Have you received or made any complaints about furniture or televisions being unstable or tipping over? If 'yes', please provide details.
4. Are anchoring or mounting kits provided with furniture and televisions you supply/purchase? If 'no', are kits available at the point of sale? How are consumers made aware of their availability?
5. Are the anchoring or mounting kits provided with furniture and televisions you supply tested to ensure they are fit-for-purpose? Please provide the reasons for your response.
6. In your experience what are the main obstacles to anchoring furniture and televisions and what more could be done to facilitate this?
7. How effective are state and territory tenancy laws in enabling tenants to anchor furniture and televisions to walls in rental properties? What more can be done?
8. Have you received or made any reports or complaints from consumers about anchoring or mounting kits? If 'yes', please provide details.
9. Do retail staff receive training about the risk of toppling furniture and televisions? Please provide details.
10. In your experience, are the risks associated with toppling furniture and televisions communicated at the point of sale and how? How could messaging be more effective?
11. In your experience, do the safety features of furniture and televisions influence purchasing decisions? If 'yes', which features are most important?

### *Section 6 - Fatalities and injuries*

12. What data or information can you provide about fatalities, injuries, or near-miss incidents associated with toppling furniture and televisions?
13. What do you think are the main contributing factors in relation to these incidents?

### *Section 8 - Voluntary standards*

14. If you are a supplier or manufacturer of toppling furniture or televisions, do you adhere to the requirements of any Australian or international standards or regulations? How have you implemented these?
15. To what extent do these standards or regulations address the safety risks associated with toppling furniture or televisions? Please provide the reasons for your response.

*Section 10 - Possible risk controls*

For each of the following questions please specify if you are referring to storage furniture, televisions and/or other furniture such as tables and chairs.

16. What regulatory or non-regulatory option(s), listed at page 17, would be appropriate to address issues associated with toppling risks and why?
17. What other options do you consider may be effective in reducing the risks posed by toppling furniture and televisions?
18. Please provide any other information you consider may be relevant to the ACCC's consideration of these issues.

# 1. Executive Summary

Toppling furniture and televisions cause injuries and deaths in Australia and overseas. There have been at least 27 deaths involving toppling furniture and televisions since 2000. Children under the age of 5 are particularly at risk and suffer the highest proportion of deaths and injuries in Australia, similar to in the United States. Adults over the age of 60 are also represented in Australian fatality data. All age groups are at risk of injury, though children are again disproportionately represented.

The weight of furniture and televisions striking individuals can result in a range of injuries such as cuts, open wounds, broken bones, brain injury, amputation, and also death. While toppling storage furniture items such as cabinets, bookcases and chests of drawers represent a significant cause of injury, other furniture items not typically expected to be anchored such as tables and chairs, also feature prominently in injury data.

The safety risk is due to a combination of design factors and consumer behaviours. Some furniture items are heavy and the weight increases when used for storage or to support other items including televisions. Some flat pack furniture is made from lightweight material, which depending on the design, may be less stable and more prone to toppling. Televisions have become increasingly flat with larger screens resulting in the distribution of weight toward the front of the television. Recent consumer research conducted by CHOICE suggests many consumers do not appreciate the safety risks and are not provided with appropriate safety guidance or anchoring kits.

There is no mandatory safety standard or information standard specifically relating to toppling furniture and televisions in Australia. A range of voluntary measures have sought to address the safety risks, including:

- a voluntary standard for free-standing furniture published by Standards Australia
- other voluntary standards relevant to toppling televisions
- voluntary recalls, and
- a range of product safety initiatives undertaken by governments, industry and advocacy groups to improve safety outcomes (includes initiatives to address the combination of design, anchoring, consumer behaviour and awareness factors).

Despite these initiatives, preventable deaths and injuries continue at an unacceptable rate.

In 2017, the ACCC led a two-year National Strategy for Toppling Furniture and Televisions (National Strategy) based on the National Retailers Association's Best Practice Guide for Furniture and Television Tip-Over Prevention (NRA Guide). This included guidance on design elements to increase stability, the supply of appropriate anchoring kits to secure items, and safety guidance to consumers. An evaluation of the National Strategy in 2019 found there was insufficient uptake of the best practice measures set out in the NRA Guide.

To improve safety outcomes for consumers, the ACCC is scoping further risk controls to prevent injuries and deaths caused by toppling furniture and televisions as one of the [2021 Product Safety Priorities](#). Submissions to this Issues Paper will assist the ACCC to consider options available to address this issue.

## 2. Introduction

The ACCC has prepared this Issues Paper to further scope risk control options to prevent injuries and deaths caused by toppling furniture and televisions as one of its 2021 Product Safety Priorities.

This Issues Paper provides information about:

- certain furniture types and televisions that present a safety risk
- the key factors affecting the potential for furniture and televisions to topple and cause injury or death
- data relating to injury and death as a result of toppling furniture and televisions
- government and industry initiatives undertaken, including business and consumer outreach
- domestic and international regulations and voluntary standards, and
- options available to improve safety.

### 3. Have your say

The ACCC invites interested parties to provide information and comment on this Issues Paper.

Submissions must be provided on or before **30 August 2021**.

#### How to make a submission

**Please make your submission using the online survey on the consultation hub wherever possible.**

If you wish to provide additional information via a document, please do so using the consultation hub file upload function. If you would like to upload files that are larger than 25MB, please email your submission to [topplingfurniture@accc.gov.au](mailto:topplingfurniture@accc.gov.au).

<b>Online</b>	ACCC consultation hub at: <a href="https://consultation.accc.gov.au/">https://consultation.accc.gov.au/</a>
<b>By email or post</b>	Director Toppling Furniture Safety Review Consumer Product Safety Division Australian Competition & Consumer Commission GPO Box 3131 Canberra ACT 2601  <a href="mailto:topplingfurniture@accc.gov.au">topplingfurniture@accc.gov.au</a>
<b>Contacts</b>	Davin Phillips, Director Toppling Furniture Safety Review Consumer Product Safety Division  Phone: +61 02 6243 4930 Email: <a href="mailto:topplingfurniture@accc.gov.au">topplingfurniture@accc.gov.au</a>
<b>Website</b>	<a href="https://www.productsafety.gov.au/">https://www.productsafety.gov.au/</a>

All submissions will be treated as public documents and published on the ACCC website: [productsafety.gov.au](https://productsafety.gov.au), unless otherwise requested. Parties wishing to submit confidential information are requested to:

- clearly identify the information that is the subject of the confidentiality claim—the identified information must be genuinely of a confidential nature and not otherwise publicly available
- provide a non-confidential version of the submission in a form suitable for publication—this public version should identify where confidential information has been redacted.

The ACCC will not disclose the confidential information to third parties, other than advisers or consultants engaged directly by the ACCC, except where permitted or required by law. For more information, see the [ACCC & AER Information Policy](#).

Any personal information you provide will be handled in accordance with the [ACCC/AER Privacy Policy](#).

## 4. Types of toppling furniture

There are three groups of consumer goods considered in this paper that have been involved in injuries and fatalities due to their tendency to ‘topple over’:

- storage furniture such as bookcases, chests of drawers, tallboys, dressers, wardrobes and shelves
- televisions, and
- other furniture types such as chairs and tables.

Storage furniture is often tall and wide with a high and forward centre of mass. Opening drawers and doors brings the centre of mass forward, further increasing the toppling risk. Low-set furniture is not free of risk and may topple over, particularly if loaded with heavy items on top. Flat pack furniture can be light and may become unstable if heavily loaded or not put together as intended.

Televisions, both modern slimline and older cathode-ray tube models, are at risk of toppling if not secured. However, modern televisions may present an increased toppling risk. This is because they are much lighter compared to cathode-ray tube televisions of equivalent screen size, and have become increasingly thin and with larger screens which may result in mass being located towards the front of the television.

A significant number of injuries are also caused by the toppling of other furniture such as tables, chairs, and items such as desks, benches and stools.

## 5. Key safety factors

There are three key factors which impact the potential for storage furniture, other furniture and televisions to topple and cause injury or death:

- product design
- anchoring of furniture and televisions to a wall or other stable surface
- consumer behaviour and awareness.

### 5.1. Product design

The design of a product is fundamental to product safety. Designing furniture and televisions that are less likely to topple can prevent a significant number of injuries.

A range of design factors may impact the propensity for furniture and televisions to topple over.<sup>1</sup> For example:

- **Stability:** Furniture is generally more stable when designed to be bottom-heavy, and shorter, wider and deeper. As televisions are increasingly designed to be thinner and larger, the stability provided by the base of the television becomes more important, where the television is not wall-mounted.
- **Anticipated use:** Furniture designed for storage or placement of items may as a result of the intended use, have an uneven weight distribution causing it to be more unstable. Designing furniture to be stable for anticipated uses such as by making drawers smaller at the top of furniture and larger at the base, may facilitate the weight distribution of stored items to be bottom heavy, rather than top-heavy.

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<sup>1</sup> This section was informed by the National Retail Association (2018) [Best practice guide for furniture and television tip-over prevention](#), accessed 17 June 2021.

- **Safety features:** Filing cabinets have locking mechanisms that prevent more than one drawer from being opened at a time. Similar features can be included in the design of other furniture intended for storage.

#### Questions

1. What safety features are incorporated into the furniture and televisions that you design, manufacture or supply to reduce the risk of toppling?
2. Are there any limitations to addressing safety risks through the design and manufacture of furniture and televisions and how might they be overcome?
3. Have you received or made any complaints about furniture or televisions being unstable or tipping over? If 'yes', please provide details.

## 5.2. Anchoring

Furniture and television anchoring kits attach the unit to the wall or other secure surface. Whilst designing furniture and televisions to be stable and safe while freestanding is fundamental to safety outcomes, anchoring can help to prevent the unit from falling if it does begin to tip over.

### Supply

Suppliers can make it easier for consumers to anchor their furniture. For example:

- Manufacturers can include anchoring kits with products that are prone to toppling.
- Retailers can stock anchoring kits for products that do not come with these included.

If anchoring kits are included with the purchase of furniture and televisions in-store or online (along with other safety items such as child-resistant drawer locks), this may encourage customers to use these devices, whereas requiring consumers to make a trip to a separate store may discourage use.

### Installation

It is generally the responsibility of the consumer to ensure the anchoring kits are used and correctly installed. The use and installation of the anchoring kits requires consumer's possessing sufficient skills and the right tools, and for the anchoring kit to be fit-for-purpose.

In May 2020 CHOICE (a consumer advocacy group) carried out a survey focussed on the anchoring of furniture and televisions.<sup>2</sup> The survey found:

- people with children are more likely to anchor furniture and televisions, with nearly seven in ten (69%) indicating they secure some or all furniture
- 55% said they had secured some or all furniture to the wall, with televisions and bookcases being the two items most commonly secured. A breakdown of items most likely to be secured is shown in **Figure 1** below
- survey participants acknowledged barriers to anchoring including limited 'do it yourself' skills, a need to secure to brick or concrete walls, and not owning the right tools
- where a product comes with an anchoring kit, only around four in ten (39%) said the kit provided was sufficient for the job.

<sup>2</sup> Longmire M, (2 July 2020) '[Anchoring furniture saves lives](#)'. CHOICE website, accessed 7 June 2021.

Figure 1: Items most likely to be secured (from CHOICE survey)



## Tenancy laws

Some jurisdictions have introduced legislation to allow tenants upon request, to attach furniture to a wall to prevent injury or death to a child, or a person with a disability; to allow tenants to make minor approved modifications for the purpose of securing furniture without requiring permission from the landlord; and to prevent landlords from refusing a tenant's request to secure furniture for safety reasons.

### Questions

4. Are anchoring or mounting kits provided with furniture and televisions you supply/purchase? If 'no', are kits available at the point of sale? How, are consumers made aware of their availability?
5. Are the anchoring or mounting kits provided with furniture and televisions you supply tested to ensure they are fit-for-purpose? Please provide the reasons for your response.
6. In your experience what are the main obstacles to anchoring furniture and televisions and what more could be done to facilitate this?
7. How effective are state and territory tenancy laws in enabling tenants to anchor furniture and televisions to walls in rental properties? What more can be done?
8. Have you received or made any reports or complaints from consumers about anchoring or mounting kits? If 'yes', please provide details.

## 5.3. Consumer behaviour and awareness

Awareness of the risks associated with toppling furniture and televisions can significantly influence consumer behaviour and reduce the risk of accidents occurring.

## Placement and intended use

The placement and use of furniture and televisions, including misuse, can contribute to the risk of toppling.

For example:

- Furniture placed on thick carpet, or pushed flush against the wall where the carpet may bulge, can increase the likelihood the unit will tip forward.
- Placing televisions on top of furniture not intended to support the weight and dimensions of a television may cause greater instability of both units.
- Loading storage units and other furniture to be top-heavy can increase instability.
- Using furniture in a way that is not intended, such as leaning back on a chair or standing on furniture such as chairs and tables

## Climbing, reaching and leaning

Adults or children may reach to retrieve items placed on top of furniture or lean on furniture for support causing it to become unstable. Children might pull on cables around a television to help them climb or reach causing the television and the furniture it is placed on to topple.

A significant number of injuries have been caused by young children climbing on furniture. The weight of a child standing on an open drawer or shelf moves the centre of mass forward, increasing the risk of toppling.

The risk can be reduced by not placing objects on furniture that might tempt a child to climb, and locking drawers where applicable.

## Awareness and motivation to act

Safety messaging relating to toppling furniture and televisions is often aimed at parents of young children. As a result, consumers who are not responsible for the care of a child may not be aware of risks to young children or that a risk may also exist for older children and adults. This includes new parents which number around 30,000 each year in Victoria alone.<sup>3</sup>

There are a range of other factors influencing awareness and motivation to act. For example:

- Safety messaging is not always delivered in languages accessible by culturally and linguistically diverse backgrounds.
- Adults who intermittently have children in their home (such as grandparents) may not be aware of child safety issues in their home.

Suppliers have an important role in increasing consumer awareness of the risks and the practical ways to manage the risk. For example:

- Furniture can be supplied with warning labels and safety information to accompany assembly instructions.
- Retailers can alert consumers to the risks and assist them to make an informed purchasing decisions including in relation to anchoring and the safety of children.

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<sup>3</sup> Harrison D, Anderson S (19 November 2018) '[Victorian Labor promises baby bundles for new parents, tax breaks to encourage paternity leave](#)'. Accessed 16 June 2021.

### Questions

9. Do retail staff receive training about the risk of toppling furniture and televisions? Please provide details.
10. In your experience, are the risks associated with toppling furniture and televisions communicated at the point of sale and how? How could messaging be more effective?
11. In your experience, do the safety features of furniture and televisions influence purchasing decisions? If 'yes', which features are most important?

## 6. Fatalities and injuries

The weight of a piece of furniture or a television striking a child or adult, and potentially causing a person to be trapped underneath, can result in serious injuries such as broken bones and brain injury, with potential long-term consequences. It may also result in death.

### 6.1. Fatalities in Australia

Since 2000, there have been 27 deaths in Australia recorded in the National Coronial Information System.<sup>4</sup> The most common causes of death are head and crush related injuries, and asphyxiation. Table 1 sets out the products and the accompanying fatalities.

**Table 1: Products involved in fatalities**

Product	#
Storage furniture (e.g. chests of drawers and cupboards)	15
Television only	4
Television and associated furniture	7
Other furniture (table)	1
<b>Total</b>	<b>27</b>

Due to the behaviours described at section 5.3 and their physical vulnerability, children aged under 5 years are most at risk, and account for 67% of deaths despite only comprising less than 10% of the population.<sup>5</sup> Chests of drawers and furniture with televisions on top caused the most deaths in this age group.

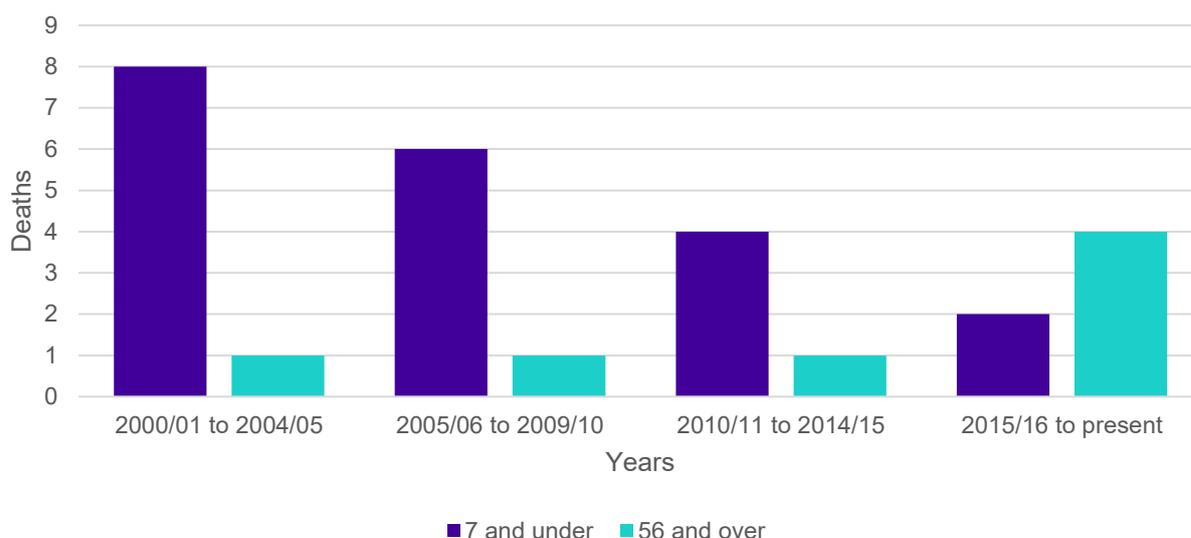
People aged 60 and above are also at risk, representing more than 22% of all fatalities. The remaining three deaths were children aged 5 and 7, and an adult aged 56.

While the dataset over this timeframe is small, since 2000 it appears the frequency of deaths among children has decreased, and has increased for adults aged 56 and over (Figure 2).

<sup>4</sup> Fatalities reported are those instances where the household furniture or televisions contributed to the death in some way, the harm was unintentional and was not associated with deliberate movement of items.

<sup>5</sup> ABS (Australian Bureau of Statistics) (2019) [3101.0 – Australian Demographic Statistics, Jun 2019](#), ABS website, accessed 23 July 2021.

**Figure 2: Deaths due to toppling furniture and televisions**



## 6.2. Fatalities in the United States

Similar to Australia, children in the United States are disproportionately represented in the number of fatalities relating to toppling furniture and televisions (Table 2).

The United States Consumer Product Safety Commission (US CPSC) reported that between 2000 and 2019, there were 531 reports of product instability or tip-over-related deaths involving televisions and furniture.<sup>6</sup>

While fatalities caused by televisions peaked in 2011, they have since declined. The number of deaths relating to furniture has not improved over the period.

**Table 2: Comparison of United States and Australian deaths by age group<sup>7</sup>**

	0-17	18-59	60+
<b>Australia</b>	74%	4%	22%
<b>United States</b>	85%	3%	12%

## 6.3. Injuries in Australia

Injuries resulting from toppling furniture and televisions are far more common than fatalities, and can have serious adverse impacts on individuals and their families.

In Australia there is no national injury database recording the number of injuries resulting from different types of consumer goods. The ACCC has received emergency department (ED) presentation data relating to furniture and television tip-overs from the Victorian Injury Surveillance Unit (VISU) and Queensland Injury Surveillance Unit (QISU).<sup>8</sup>

<sup>6</sup> US CPSC (US Consumer Product Safety Commission) (2021), [Product Instability or Tip-Over Injuries and Fatalities Associated with Televisions, Furniture and Appliances: 2020 Report](#), accessed 23 July 2021.

<sup>7</sup> Age groups shown are dependent on groupings by the US CPSC report.

<sup>8</sup> Emergency department presentations data for injuries relating to furniture tip overs, Victorian Injury Surveillance Unit (received 2017 and 2021), Queensland Injury Surveillance Unit (received 2017 and 2021).

For both VISU and QISU, the data discussed below likely underestimates the number of ED presentations in each state. This is for a range of reasons, including that not all hospitals with EDs are captured by the datasets.<sup>9</sup>

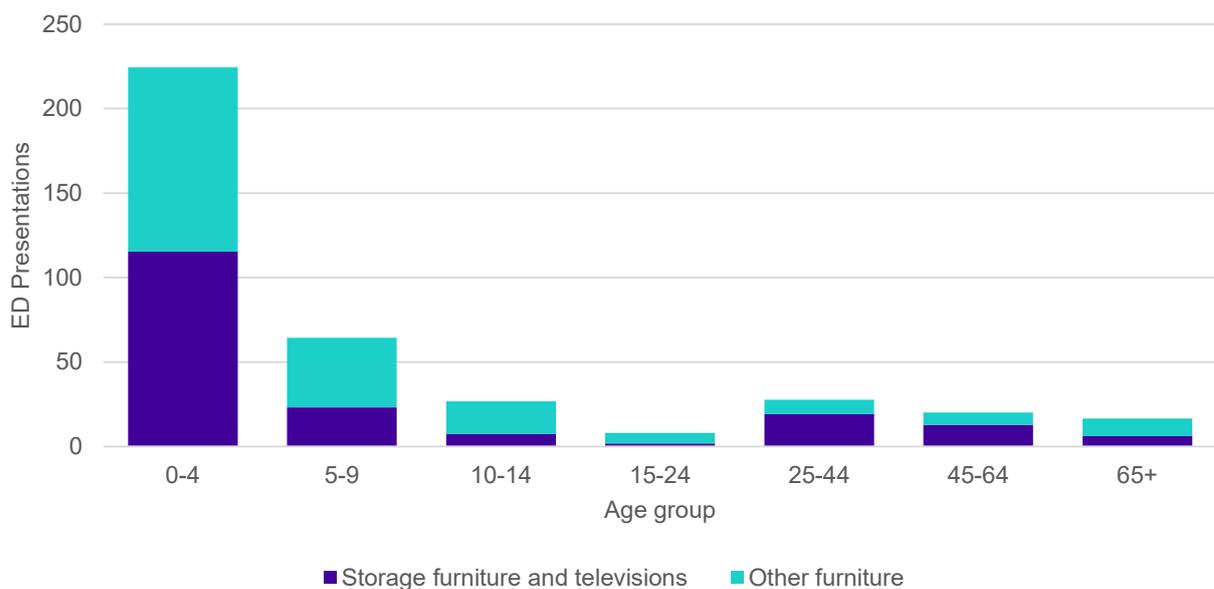
The data describes a range of injuries that resulted from toppling furniture and televisions such as open wounds, fractures and dislocations, concussions, and crush injuries, sometimes requiring admission to hospital. For the period 2016 to 2020, this was the case for approximately 17% of ED presentations captured by VISU, and 20% of those captured by QISU.

### Age related issues and trends

For the period January 2016 to June 2020, QISU identified 388 ED presentations resulting from tip-overs. There were an additional 70 ED presentations associated with individuals falling off furniture, reflecting the behaviour of climbing.

While the 27 deaths recorded in the National Coronial Information System since 2000 did not include any persons aged 8 to 55, the Queensland ED presentation data highlights that people of all ages are at risk of injury (Figure 3). However, the QISU data is consistent with fatality data, showing children are disproportionately represented, particularly those aged 4 years and under.

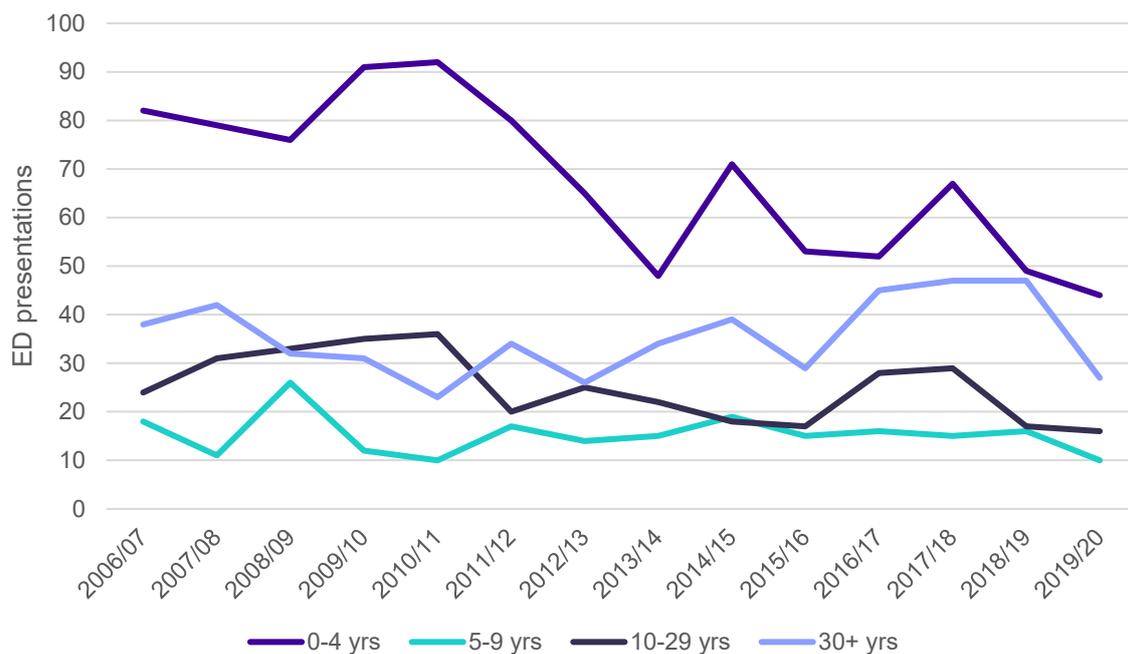
**Figure 3: Queensland ED presentations January 2016 to June 2020 by age group**



VISU's data highlighted that a common cause of injury among this age group resulted from grabbing or climbing the furniture. Figure 4 identifies that ED presentations among 0 to 4 years olds is declining.

<sup>9</sup> QISU estimate that the actual number of ED presentations in all of Queensland may be 4 to 5 times higher.

**Figure 4: Victoria ED presentations per year by age group**

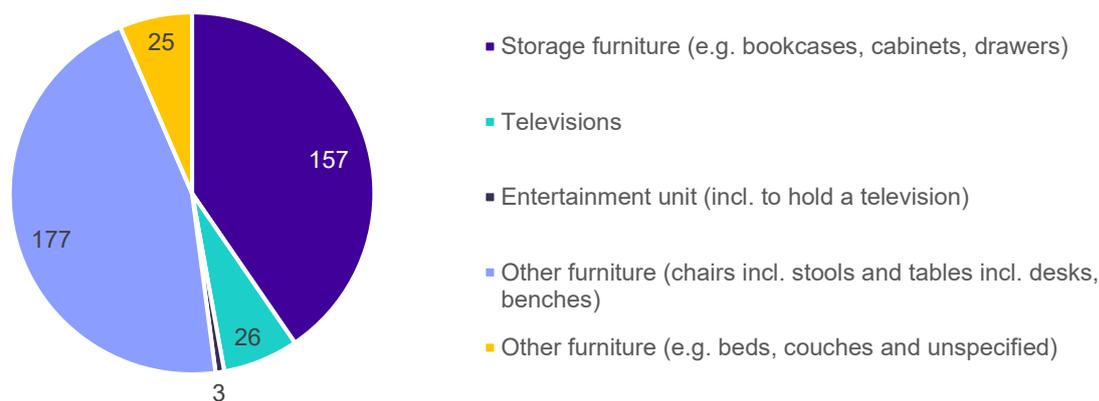


**Product related issues and trends**

While storage furniture is responsible for the majority of deaths, particularly among children, injuries are caused by a wider range of product types.

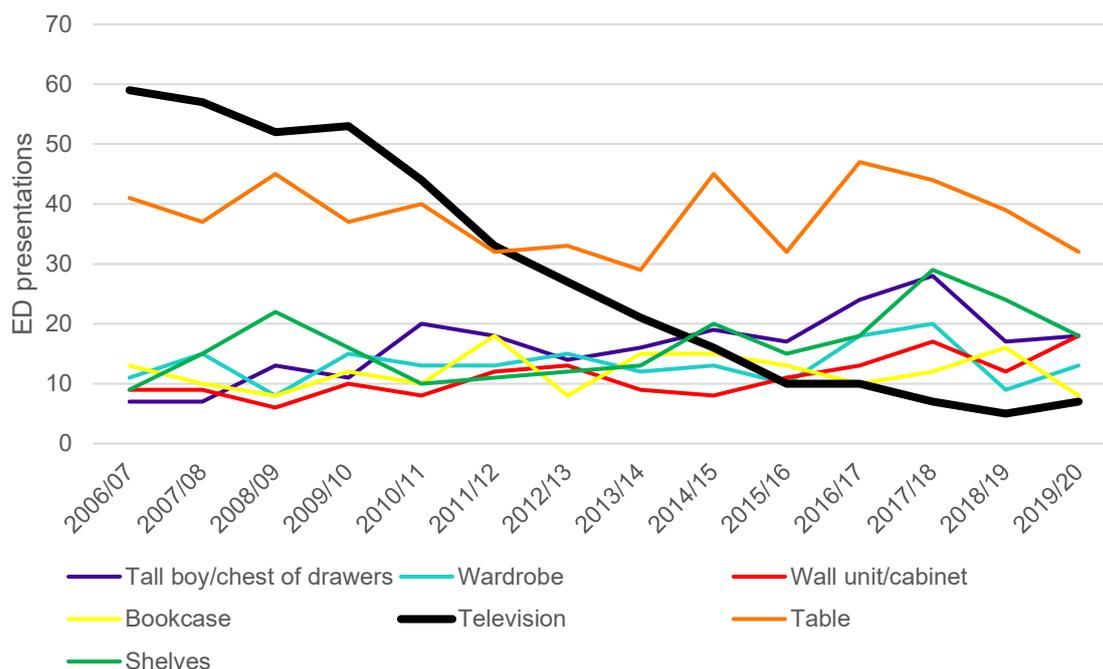
The 388 ED presentations identified by QISU for January 2016 to June 2020 resulted from a range of toppling storage furniture, other furniture and televisions. Approximately 46% of presentations were for injuries relating to toppling tables and chairs (Figure 5). These types of furniture present challenges for improving safety because they are often positioned away from walls and are not designed to be anchored.

**Figure 5. Queensland ED presentations by product type**



The data for both Victoria and Queensland indicate that television related ED presentations have declined since approximately 2006/07 and 2012, respectively. In Victoria, the decrease appears to have largely been a sustained downwards trend (Figure 6). Injury rates for storage and other furniture types have largely fluctuated.

**Figure 6: Victoria ED presentations per year for most commonly represented products**



## 6.4. Injuries in the United States

The decline in television related ED presentations in VISU and QISU data appears to be broadly consistent with estimates by the US CPSC. Estimated ED-treated injuries relating to toppling televisions decreased to approximately 3,700 in 2019, approximately 22% of the US CPSC’s estimate for 2010. However, over the same period, estimated ED-treated injuries relating to toppling furniture decreased to 17,700 in 2019, remaining at 76% of 2010 levels.<sup>10</sup>

## 6.5. Mandatory injury reports

Another source of fatality and injury data are mandatory injury reports. Section 131 of the Australian Consumer Law (ACL) requires suppliers of consumer goods to report deaths, serious injuries or illnesses associated with consumer goods. A supplier is required to submit a report to the ACCC within 2 days of becoming aware of a reportable incident.

From January 2019 to May 2021 the ACCC received 21 mandatory injury reports from suppliers relating to toppling furniture and televisions. Of these:

- one report concerned an adult being struck by a falling television
- 20 reports involved children that had been struck by falling furniture, and
- over half of the reports specified that the product had not been secured at the time.

Many reports indicated the child had been climbing on furniture, opening drawers, reaching up to retrieve something, or playing in the vicinity when struck.

<sup>10</sup> US CPSC (US Consumer Product Safety Commission) (2021), [Product Instability or Tip-Over Injuries and Fatalities Associated with Televisions, Furniture and Appliances: 2020 Report](#), accessed 23 July 2021.

## 6.6. Consumer reports

The ACCC and state and territory fair trading and consumer affairs agencies receive reports from consumers through telephone and written enquiries.

In the past two years, the ACCC has received:

- 8 complaints and enquiries from consumers concerning a product falling over or risk of this happening. Six related to concerns about televisions and the remaining two related to storage furniture items.

Information about customer complaints relating to toppling furniture from the Queensland, Victoria and Western Australia fair trading and consumer affairs agencies. Only one complaint was reported, involving a dresser.

### Questions

12. What data or information can you provide about fatalities, injuries, or near-miss incidents associated with toppling furniture and televisions?
13. What do you think are the main contributing factors in relation to these incidents?

## 7. Voluntary recalls

### 7.1. Australia

The ACCC publishes supplier-initiated recalls on the Product Safety Australia website.

There have been 8 supplier-initiated recalls over the past two years as a result of safety risks identified with furniture relating to the stability or structural integrity of a product. This includes 4 recalls of chairs, 2 of tables, 1 of a change table/chest of drawers and 1 of a bookcase/cabinet.<sup>11</sup>

### 7.2. Overseas

The ACCC is aware of a number of overseas recalls. For example, the recall of certain products in IKEA's MALM range. In 2016, as a result of reported deaths and incidents:

- IKEA recalled about 8 million IKEA MALM chests and dressers and 21 million additional IKEA children's and adult's chests and dressers in the United States.<sup>12</sup>
- IKEA Canada recalled all IKEA children's chests of drawers taller than 60 cm and IKEA adult chests of drawers taller than 75 cm and a total of 4.5 million chests of drawers were recalled.<sup>13</sup>
- IKEA China recalled around 1.7 million MALM and other series of drawer cabinets that had been sold in China (including imported products).<sup>14</sup>

The deaths, incidents, resultant recalls of MALM products and associated media coverage were particularly impactful on raising global awareness of the risks presented by toppling furniture and televisions, and led to a number of initiatives to improve safety outcomes.

<sup>11</sup> Product Safety Australia, Browse all recalls [here](#).

<sup>12</sup> US CPSC (US Consumer Product Safety Commission) (2016), [Following an Additional Child Fatality, IKEA Recalls 29 Million MALM and Other Models of Chests and Dressers Due to Serious Tip-Over Hazard; Consumers Urged to Anchor Chests and Dressers or Return for Refund](#), accessed 23 July 2021.

<sup>13</sup> Health Canada, [Recall Re-Announcement: IKEA Canada recalls IKEA Chests of Drawers](#), accessed 17 June 2021.

<sup>14</sup> People's Republic of China, State Administration for Market Regulation Defective Product Administrative Centre, [IKEA \(China\) Investment Co., Ltd. recalls Malm and other series of drawer cabinets](#), accessed 18 June 2021.

## 8. Voluntary standards

### 8.1. About voluntary standards

Voluntary standards for the purposes of product safety are published documents which set out specifications and procedures that address safety risks posed by consumer goods.

Standards Australia may develop domestic standards via technical committees comprising industry representatives and other stakeholders. These committees may also adopt and/or participate in the development of international standards such as via committees convened by the International Organization for Standardization.

In Australia, voluntary standard requirements may become compulsory if referred to in a mandatory safety standard or another a legislative instrument. No voluntary standards relating to toppling furniture or televisions have been made mandatory in Australia.

### 8.2. Voluntary standards relating to furniture and televisions

Voluntary standards may address a combination of design, anchoring and consumer awareness factors relevant to toppling furniture and televisions.

Voluntary standards relating to toppling furniture (including furniture designed to hold televisions) differ by scope and attributes but generally include a test for stability.

Stability requirements applying to televisions are set out in the voluntary standard AS/NZS 60065:2018 Audio, video and similar electronic apparatus – Safety requirements. These requirements include static stability, glass slide and horizontal force tests.

Stability performance in relation to the hazard of children climbing on freestanding furniture is addressed in the voluntary standard AS/NZS 4935:2009 Domestic furniture – Freestanding chests of drawers, wardrobes and bookshelves/bookcases – Determination of stability, which specifies test methods for determining the stability of chests of drawers, wardrobes, and bookshelves/bookcases.<sup>15</sup> Regardless of whether a piece of furniture satisfies the stability tests, the standard specifies warning labels to be prominently fixed to furniture, and strongly recommends that the furniture be supplied with an anchoring kit.

The United States Standard Safety Specification for Clothing Storage Units (ASTM F2057-19) and European Standard Furniture – Domestic and kitchen worktops – Safety requirements and test methods (EN 14749:2016) apply different criteria and vary in scope. The European Standard applies to ‘domestic storage furniture, including furniture designed to hold a television.’<sup>16</sup> The United States standard applies to clothing storage units, and excludes furniture such as bookcases and entertainment units.<sup>17</sup> The US CPSC has warned suppliers that clothing storage units that do not comply with the voluntary standard will be considered to have a defect and may be subject to corrective action, effectively mandating the voluntary standard.<sup>18</sup>

Furniture meeting a current voluntary standard does not guarantee that it will not topple over, because these voluntary standards typically do not address all reasonably foreseeable

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<sup>15</sup> AS/NZS 4935:2009 Domestic furniture - Freestanding chests of drawers, wardrobes and bookshelves/bookcases - Determination of stability, Standards Australia, 2009.

<sup>16</sup> EN 14749:2016 Furniture - Domestic and kitchen storage units and kitchen-worktops - Safety requirements and test methods, European Committee for Standardization, 2016.

<sup>17</sup> ASTM F2057-19 Standard Safety Specification for Clothing Storage Units, ASTM International, 2019.

<sup>18</sup> US CPSC (US Consumer Product Safety Commission) (2019), [Letter to manufacturers, importers, distributors and retailers of clothing storage units](#), accessed 15 July 2021.

scenarios and conditions. The United States standard is the only voluntary standard requiring an anchor to be supplied with the furniture, for attachment by the consumer.

High-level attributes of these voluntary standards relating to toppling furniture are summarised at Table 3. Other relevant standards include those developed by the International Organization for Standardization.

**Table 3: High level comparison of select furniture-related standards**

	<b>AS/NZS 4935:2009</b>	<b>ASTM F2057-19</b>	<b>EN 14749:2016</b>
<b>Scope</b>	Freestanding chest of drawers and wardrobes >500mm high and bookshelves/bookcases >600mm high	Freestanding clothing storage units approx. >686mm high	Includes free standing storage units ≥600mm high
<b>Designed for age group</b>	Up to 5 years 11 months	Up to 5 years	Not specified
<b>Anchor</b>	Recommended	Required	Not specified
<b>Warning label</b>	Required	Required	Not specified
<b>Stability test</b>	Yes	Yes	Yes

#### Questions

14. If you are a supplier or manufacturer of toppling furniture or televisions, do you adhere to the requirements of any Australian or international standards or regulations? How have you implemented these?
15. To what extent do these standards or regulations address the safety risks associated with toppling furniture or televisions? Please provide the reasons for your response.

## 9. Industry and government initiatives

A range of initiatives have been undertaken by governments, industry and advocacy groups to improve safety outcomes relating to toppling furniture and televisions. This includes initiatives to address the combination of design, anchoring, consumer behaviour and awareness factors.

### 9.1. Industry Associations

There are a number of relevant industry associations representing and supporting participants in the furniture and television supply chain. For example:

- The National Retail Association (NRA) supports, informs and represents the interests of retailers including of furniture and televisions.
- The Australian Furnishing Association, also known as the Australasian Furnishing Association, is a peak industry association specifically for the furniture supply chain, and provides advice to members about obligations around safety, standards, compliance and regulatory requirements.
- The Consumer Electronics Supplier Association supports suppliers of consumer appliances including televisions to consider regulatory, technical and commercial issues in the Australian market.

## Best Practice Guide and National Strategy

In 2016 the NRA published the Best Practice Guide for Furniture and Television Tip-Over Prevention (NRA Guide), which was developed in consultation with a range of industry bodies, major retailers and product safety advocacy groups, with support from the ACCC.<sup>19</sup>

Following publication of the NRA Guide, the National Strategy was launched in April 2017 by the ACCC and state and territory consumer safety regulators.

The National Strategy involved a range of initiatives such as:

- marketplace surveillance to identify whether point-of-sale information was made available to consumers, and the availability of anchoring kits
- promoting the NRA guide to suppliers and recommending that suppliers provide anchoring kits with furniture and large televisions
- an education and awareness campaign to inform consumers about the safety risks and encouraging practical steps such as anchoring to reduce the risk

The ACCC and state and territory consumer safety regulators surveyed 252 furniture and television suppliers in May to June 2017 (to establish a benchmark), and then conducted a follow-up survey of 309 stores in November 2018. These surveys examined how suppliers were addressing tip-over hazards and determined the uptake of the NRA Guide since its release. A combination of franchise stores, chain stores and local stores were surveyed.

Evaluation of the National Strategy identified that some businesses improved their practices and implemented the NRA Guide recommendations over the period 2017-18. However, the continuing injury rates caused by toppling furniture, including televisions, suggests there is a need to consider more effective risk controls.

### 9.2. Retailers

Some retailers have implemented their own initiatives to reduce and communicate the risks associated with toppling furniture and televisions. For example, IKEA has implemented the 'Secure it!' safety initiative.<sup>20</sup> On its Australian website, IKEA provides information about how to make the home safer by securing furniture. This includes the 'Safer Home' app, which gives information on how to secure products and how to order free anchoring kits online and a wall anchoring guide.

### 9.3. Safety advocates

There are a number of organisations which advocate safety issues, including toppling furniture and televisions.

For example, Kidsafe agencies in each state have undertaken a number of initiatives to help protect children against the risk of toppling furniture. This has included delivering workshops to new parent groups, setting up demonstration houses highlighting points of potential injury and preventative methods, and educating workers in early childhood centres.

In 2017, Kidsafe WA in collaboration with members of the WA Consumer Product Advocacy Network produced a report to provide an overview of injuries to Western Australian children resulting from furniture tip-overs. The report also outlines the actions taken by WA

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<sup>19</sup> NRA (National Retail Association), (2018), [Best practice guide for furniture and television tip-over prevention](#), NRA, accessed 17 June 2021

<sup>20</sup> IKEA, [Secure your furniture! Creating safer homes together](#), accessed 21 February 2021.

Consumer Product Advocacy Network to address the issue and to raise community awareness of furniture tip-over injuries.<sup>21</sup>

## 9.4. State and territory governments

State and territory governments have actively sought to raise awareness of the risks associated with toppling furniture and televisions through media channels, online newsletters, the provision of product safety information on their websites, direct community engagement and handing out educational materials at trade shows/expos such as the Essential Baby & Toddler show.

In the past 18 months, Western Australia, New South Wales and Victorian governments have introduced legislation making it easier for tenants to attach furniture to walls that are at risk of toppling.<sup>22</sup> These changes are recent and further education may be required to ensure tenants and landlords are aware of the provisions.

## 9.5. International

### OECD Global Awareness Campaign

In November 2017, the Organisation for Economic Co-operation and Development (OECD) conducted a global awareness campaign on the dangers associated with televisions and furniture tip-overs, particularly for children. The campaign, co-ordinated by Health Canada with assistance from the ACCC, stressed the need for parents, caregivers and consumers to secure furniture to a wall or another structure, and to encourage other preventative actions in homes, particularly where young children live or visit. It also called on industry, retail associations, and suppliers of furniture and televisions to ensure that the products they supply are safe and fit for the purpose.<sup>23</sup>

### United States

#### **STURDY Act**

The proposed Stop Tip-Overs of Unstable, Risky Dressers on Youth (STURDY) Act is currently being considered by the US Senate.<sup>24</sup> If passed, it will require the US CPSC to create a consumer product safety rule for free-standing clothing storage units to protect children from tip-over related death or injury, and for other purposes.

## 10. Possible risk controls

This paper provides examples of voluntary standards and a range of additional initiatives taken by governments, suppliers and advocacy groups to address the key factors affecting safety outcomes.

Despite these positive initiatives, data obtained by the ACCC indicates that fatalities and injuries relating to toppling furniture and televisions continue to occur.

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<sup>21</sup> Furniture tip-over injuries. Kidsafe WA and WA Consumer Product Advocacy Network (2017). <https://www.kidsafewa.com.au/professionals/wa-consumer-product-advocacy-network/>, accessed 21 June 2021.

<sup>22</sup> For NSW, see NSW Fair Trading, *Making homes safer for children* <https://lnk.nswfairtrading.trclient.com//AkTvoD7quRVdRbYiZaw2WHO>. For Victoria, See also Consumer Affairs Victoria, *Guide to rental law changes in Victoria*, <https://www.consumer.vic.gov.au/housing/renting/changes-to-renting-laws/guide-to-rental-law-changes>. For WA, Consumer Protection Legislation Amendment Bill 2018. <https://www.parliament.wa.gov.au/parliament/bills.nsf/BillProgressPopUp?openForm&ParentUNID=4DB2B915D8626618482583210007D15D>, accessed 21 June 2021.

<sup>23</sup> OECD, *Furniture tip-over awareness campaign*, accessed 23 July 2021.

<sup>24</sup> 117<sup>th</sup> Congress (2021-2022), [S.411 – STURDY Act](#).

To improve safety outcomes for consumers, the ACCC is scoping further risk controls which may include a combination of regulatory and non-regulatory options.

## 10.1. Regulatory options

### **Safety standards and information standards**

Submissions in response to this Issues Paper will inform the ACCC's development of a policy position on this issue, including whether it should recommend regulation. No mandatory safety or information standards currently exist under the ACL that specifically prevent or reduce the risk of injury associated with tip-overs of furniture and televisions.

A safety standard is made under Section 104 of the ACL and may include requirements relating to the way furniture and televisions are made, how they work, what tests they must satisfy before being supplied, and whether any warnings or instructions must accompany the product. A safety standard may make mandatory all or part of published voluntary standards.

For example, a safety standard could require certain types of furniture and televisions to:

- be tested for stability
- have the test results noted on a warning label attached to the product
- enable anchoring
- be supplied with an anchoring kit if the product does not meet the stability requirements.

An information standard may be made under Section 134 of the ACL to ensure that consumers are provided with important safety information about toppling furniture and televisions to assist them in making purchasing decisions, for example, about the toppling hazards and instructions on how to anchor the product.

### **Safety warning notice**

A safety warning notice is a formal warning issued by a Commonwealth, state or territory minister responsible for administering the ACL.

This may be used to inform consumers and suppliers that toppling furniture and televisions are being investigated to determine whether, when used in a 'reasonably foreseeable' way, they may injure someone directly and warns of possible risks.

### **Interim and permanent bans**

The relevant Minister may impose an interim ban (a ban lasting 60 days with potential for two 30 day extensions) or a permanent ban under Section 109 and Section 114 of the ACL, respectively. Before a permanent ban is imposed, suppliers must be notified and given an opportunity to call a conference with the ACCC under Section 132 of the CCA. However, if the Commonwealth Minister determines that there is imminent danger to the public, suppliers will be notified and have an opportunity to call a conference with the ACCC at the time, or shortly after the ban is imposed.

A ban may be imposed where a particular type of furniture or television may or will cause injury or death. A permanent ban might be imposed where the safety risk cannot be appropriately addressed through other means. An interim ban might be appropriate where alternative long-term solutions are continuing to be explored and an interim ban is required to address the risk in the short-term.

## Compulsory recalls

The relevant Minister may issue a compulsory recall notice under Section 122 of the ACL, which involves certain processes for notifying suppliers and their right to a conference with the ACCC under Section 132A of the CCA.

A compulsory recall might be recommended by the ACCC where a certain type of furniture or television poses a safety risk and voluntary recalls by the industry are not effective.

### 10.2. Non-regulatory options

A decision by the ACCC whether to proceed with regulatory measures does not affect its capacity to conduct further education and awareness campaigns to encourage consumers and suppliers to take action to mitigate the safety hazards posed by toppling furniture and televisions. This may be implemented in partnership with state and territory consumer safety regulators.

#### Questions

For each of the following questions, please specify if you are referring to storage furniture, televisions and/or other furniture such as tables and chairs.

16. What regulatory or non-regulatory option(s), as listed above, would be appropriate to address issues associated with toppling risks and why?
17. What other options do you consider may be effective in reducing the risks posed by toppling furniture and televisions?
18. Please provide any other information you consider may be relevant to the ACCC's consideration of these issues.

## 11. Next steps

The questions set out at the beginning of this Issues Paper identify the issues that the ACCC is reviewing to develop its understanding of the risk posed by toppling furniture and televisions, and possible regulatory and non-regulatory responses to that risk. The ACCC encourages you to respond to any of the questions that are relevant to you, and to raise any additional issues that you consider relevant. Submissions are due by **30 August 2021**.

Submissions in response to this Issues Paper will inform the ACCC's development of a policy position on this issue, including whether it should recommend regulation. After reviewing submissions to the Issues Paper, the ACCC will make a further public announcement about its position in relation to toppling furniture and televisions. Should a regulatory response remain a viable option, the ACCC will seek to engage with relevant stakeholders and release a consultation paper for public comment.