



Australian
Competition &
Consumer
Commission

Product safety

Prams and strollers

Supplier guide



Australian Competition and Consumer Commission
23 Marcus Clarke Street, Canberra, Australian Capital Territory, 2601

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Important notice

This publication has been updated to refer to the *Competition and Consumer Act 2010* which replaces the *Trade Practices ACT 1974* on 1 January 2011. For more information on the Australian Consumer Law changes see www.consumerlaw.gov.au

The information in this publication is for general guidance only. It does not constitute legal or other professional advice and should not be relied on as a statement of the law in any jurisdiction. Because it is intended only as a general guide, it may contain information which does not apply to your specific circumstances. You should obtain professional advice if you have any specific concern.

The ACCC has made every reasonable effort to provide current and accurate information, but it does not make any guarantees regarding the accuracy, currency or completeness of that information.

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Prams and strollers

Under the Australian Consumer Law (ACL), mandatory consumer product safety standards can be introduced when they are deemed reasonably necessary to prevent or reduce the risk of injury.

This guide provides a summary of the legal requirements for supply of prams and strollers.

Who should read this guide?

Manufacturers, distributors, importers, wholesalers, retailers and hire companies of prams and strollers should read this guide to familiarise themselves with the hazards and the mandatory safety requirements for this product.

What are prams and strollers?

Under the mandatory standard:

- a pram is a wheeled vehicle with a body of box-like or boat-like shape designed to transport a baby or child weighing up to and including 9 kg, primarily in a fully reclined position.
- a stroller is 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

There are also combination prams/strollers available. These can seat children in upright, semi reclined and fully reclined positions, so they are considered strollers under the mandatory standard.

What are the hazards?

The ACCC has identified several hazards associated with prams and strollers

Serious injury or death

Children can be put in dangerous situations and risk serious injuries or death if a pram or stroller rolls away from the carer's control. We strongly advise using parking brakes and tether straps to ensure the pram or stroller cannot move away when stopped.

Limb and finger injuries

If children gain access to certain parts of the pram or stroller they may trap and/or injure their limbs and fingers.

Falls

Children not properly restrained in a pram or stroller can either fall out or move to a position where the pram or stroller can topple.

Strangulation or suffocation

Strangulation or suffocation can occur if children become trapped in parts of the pram or stroller.



Mandatory standard

The mandatory standard for prams and strollers is based on the Australian/New Zealand standard AS/NZS 2088:2000 *Prams and strollers—safety requirements*, published by Standards Australia (SAI Global) with variations and additions made by Consumer Protection Notice No. 8 of 2007.

The mandatory standard applies to the supply of new and second-hand prams and strollers from 1 July 2008.

Does this standard apply to my business?

Under the ACL, supply includes being in the business of selling, exchanging, leasing or hiring out or offering for sale through hire purchase.

If you are in the business of supplying prams and strollers this mandatory standard applies to you.



Meeting mandatory requirements

To comply with the mandatory standard for prams and strollers you and your business must meet all the requirements for designs and construction, performance and marking requirements of AS/NZS 2088:2000 as amended by Consumer Protection Notice No. 8 of 2007.

The following are some key requirements of the mandatory standard.

Design and construction

Parking device

Prams and strollers must have one or more parking device that limits the movement of the pram or stroller.

The release mechanism of the parking device must be located so that it is not easily accessible to a child when the child is properly restrained in the pram or stroller.

The colour of the part of the parking device used to activate the parking mechanism (actuator) must be red, and surrounding framework and mouldings must be a contrasting colour.

Tether strap

Prams and strollers must be supplied with a suitable strap that allows the operator of the pram or stroller to be tethered to it while it is in use.

The standard specifies that the tether strap should be designed to reduce the possibility of it being a strangulation hazard for infants inside or outside the vehicle. The length of the strap should be as short as practical, with any loop in the strap having a perimeter of less than 360 mm.

Warnings

Tether straps

Tether straps must be permanently and conspicuously marked with a warning in characters not less than 2.5 mm high as follows:

**WARNING:
USE THIS STRAP TO STOP THE PRAM/STROLLER* ROLLING AWAY**

(* Use either the term 'pram' or the term 'stroller' as appropriate).

Other warnings

Prams and strollers must be permanently and conspicuously marked with the below notice in a prominent position in characters not less than 2.5 mm high bearing the following:

WARNING:

- **FOLLOW THE MANUFACTURER'S INSTRUCTIONS**
- **PUT ON ALL THE BRAKES WHENEVER YOU PARK THE PRAM/STROLLER***
- **DO NOT LEAVE CHILDREN UNATTENDED**
- **DO NOT CARRY EXTRA CHILDREN OR BAGS ON THIS PRAM/STROLLER***
- **MAKE SURE CHILDREN ARE CLEAR OF ANY MOVING PARTS IF YOU ADJUST THE PRAM/STROLLER*, OTHERWISE THEY MAY BE INJURED.**

(* Use either the term 'pram' or the term 'stroller' as appropriate).

Other information requirements

Prams and strollers must be permanently and conspicuously marked with the:

- registered trade name and address in Australia and New Zealand of either the manufacturer, importer or supplier
- model name or model number of the pram or stroller.

Performance

The mandatory standard specifies performance requirements for prams and strollers which generally require assessment by professional test laboratories with relevant expertise and necessary apparatus. These tests include:

- parking device durability
- parking device efficiency
- stability of the pram or stroller.

For more information on these requirements read the consumer protection notice included in this guide in conjunction with AS/NZS 2088:2000 *Prams and strollers—safety requirements*.

Additional requirements for strollers only

Design and construction—occupant retention

Harnesses

Strollers must have a permanently attached harness assembly that includes waist and crotch straps for each occupant. Strollers designed for more than one child must meet this requirement for all seating positions.

The adjustable range of each harness should be such that the harness can be adjusted to fit the range of occupants for whom the vehicle is designed.

Waist straps

Waist straps must have a minimum width of 20 mm. Waist straps and fittings for waist straps must be secured to the frame of a stroller either directly, or to a seat which is attached to the frame of the stroller.

Crotch straps

The crotch strap must have a minimum width of 20 mm, be linked to the front waist strap and be located not more than 200 mm from the backrest.

Head barrier

Strollers with a backrest that reclines to an angle greater than 150° to the horizontal when in the fully laid back position must have a barrier provided that does not create a head entrapment hazard when tested in accordance with clause 8.6.2 and appendix L.

Head barrier requirements also apply to strollers with multiple/double seating and reclining positions where the head is at either end of the vehicle.

Warnings—harnesses

Stroller harnesses must be permanently and conspicuously marked with the following warning in characters not less than 2.5 mm high:

**WARNING:
USE THIS HARNESS AT ALL TIMES**

Warning notice for non reclining strollers

If a stroller does not recline (i.e. if the backrest is not adjustable to recline to an angle of more than 130° to the horizontal) it must be permanently and conspicuously marked with an additional warning. The warning should appear in characters not less than 2.5 mm high, as follows:

NOT RECOMMENDED FOR A CHILD UNDER 6 MONTHS OLD

Performance requirements specific to strollers not detailed in this guide

Performance requirements which generally require assessment by professional test laboratories with relevant expertise and necessary apparatus, including tests for head barriers and foot opening enclosures, are not detailed in this guide.



Your responsibilities as a supplier

As a supplier, you are legally responsible for ensuring new and second-hand prams and strollers meet the mandatory safety standard requirements, which are enforceable by law. Failure to comply can result in legal action, penalties and/or recalls.

All suppliers are equally responsible for ensuring that the products they supply meet the requirements of the mandatory standard.

To do this, we strongly advise you to take the following steps:

- Read requirements specified in the consumer protection notice printed in this guide. If the notice declares all or part of an Australian Standard published by SAI Global as the mandatory standard, you must also read the requirements specified in the Australian Standard. You can buy copies of Australian Standards from SAI Global (call 131 242 or visit www.saiglobal.com/shop).
- Have systems in place to visually check these products to ensure they comply with the requirements of this mandatory standard.
- Where necessary, use reports from reliable, independent testing laboratories to verify compliance.
- Register to receive automatic email updates from the Product Safety Australia website (www.productsafety.gov.au) to help ensure you are aware of the latest product safety information.

Information for retailers

If you are a retailer, you are responsible for ensuring that the products you supply meet the requirements of mandatory safety standards. To ensure that the prams and strollers you sell comply with the mandatory standard, you should always:

- stipulate that any prams and stroller you order must meet the mandatory standard
- undertake visual checks of delivered stock where possible to check compliance with the requirements of the mandatory standard
- obtain and keep reliable written verification from independent sources that products have been tested to, and meet, the mandatory requirements.

Consumer Protection Notice No. 8 of 2007

COMMONWEALTH OF AUSTRALIA

Trade Practices Act 1974

Consumer Protection Notice No 8 of 2007

CONSUMER PRODUCT SAFETY STANDARD FOR PRAMS AND STROLLERS

I, Chris Pearce, pursuant to subsection 65E (1) of the Trade Practices Act 1974 and for the purposes of section 65C of that Act, hereby DECLARE that from 1 July 2008 the consumer product safety standard for prams and strollers is the standard approved by Standards Australia specified in Division 1 of the Schedule, as varied by Division 2 of the Schedule.

THE SCHEDULE

Division 1: The Standard

Australian/New Zealand Standard AS/NZS 2088:2000, Prams and strollers – Safety requirements, approved by Standards Australia and published on 15 December 2000.

Division 2: Variations

Standard AS/NZS 2088:2000 is varied by

- (i) In Clause 1 deleting the first sentence and substituting a new sentence as follows:

“This Standard specifies safety requirements for prams and strollers.”;
- (ii) Deleting Clauses 2, 3, 5 and 6 entirely;
- (iii) Deleting Clauses 7.1, 7.2, 7.3, 7.4 and 7.5;
- (iv) In Clause 7.6 deleting the sentence “(See Note to Clause 7.5)”, and adding a second paragraph as follows:

“The colour of the parking device actuator shall be red. The surrounding frame work and mouldings shall be a contrasting colour.”;
- (v) Deleting Clause 7.7 entirely;
- (vi) In Sub-clause 7.8.1.1 paragraph (a) deleting the words “comprising shoulder,” and substituting the words “that includes”, and deleting the sentence “An example is shown in Figure 3.”;
- (vii) In Sub-clause 7.8.1.1 deleting paragraphs (b), (c) and (d) and in paragraph (e) deleting the words “Items (a) and (b)”, and substituting the words “Item (a)”;
- (viii) Deleting Figure 3;
- (ix) Deleting Sub-clause 7.8.1.2;
- (x) In Sub-clause 7.8.1.3 deleting the words “at a point where the seat cannot be pulled away from the frame of the stroller by pulling the restraint straps”;
- (xi) Deleting Clause 7.9;
- (xii) Inserting a new Clause 7.10 as follows:

“7.10 Tether strap
(a) Vehicles shall be provided with a suitable strap to allow the vehicle to

be tethered to the vehicle operator while it is in use; and
(b) The tether strap shall be designed to reduce the possibility of it being a strangulation hazard for infants inside or outside the vehicle:
- The length of the strap shall be as short as practical; and
- Any loop in the strap shall have a perimeter of less than 360 mm.”;

- (xiii) Deleting Clauses 8.1, 8.2, 8.3 and 8.4 entirely;
- (xiv) Deleting Clause 8.6.1;
- (xv) In Clause 8.6.2(a), at the beginning of the paragraph inserting the numbering “(i)” before the words “When tested”, and at the end of the paragraph after the word “collapse” deleting the full stop and the words “(See also Note to Clause 7.9.)”, and inserting the following:

“; or

(ii) When tested in accordance with the following procedures the test ball shall not fall out of the seat unit.

Recline the backrest of the seat unit to the most reclined position. Attach, according to the manufacturer’s instructions, the textile parts intended to retain the child (including the rear part of the hood and aprons).

Fix the vehicle to a plane inclined to 45° with respect to the horizontal and 15° with respect to the perpendicular direction of the longitudinal axis considered when inclining the plane to 45°. The vehicle shall be placed along the longitudinal axis of the plane.

Place a test ball comprising a sphere with a hard smooth surface of diameter 120 mm (± 2 mm) and 5 kg (± 0.1 kg) weight on the centre of the junction of the seat and backrest of the vehicle and let the ball roll freely. Record whether the test ball falls out of the seat unit.

Repeat the procedure but with the inclination of the plane of 15° to the opposite side of the longitudinal axis.

Repeat the procedure without inclining the plane at 15° but simply reclined at 45°.”;

- (xvi) In Sub clause 8.6.2(b)(i), at the end of the paragraph deleting the full stop and inserting the words “; and”;
- (xvii) In sub-clause 8.6.2(b)(ii), at the end of the paragraph deleting the full stop and inserting the following:

“; or

(iii) When tested in accordance with the following procedures, if the small torso probe passes through the gap between the handle and the pram/stroller body, the large head probe shall also pass through.

The probes used in this test are made of hard smooth material fitted with suitable handgrips, comprising:

- a small torso probe with dimensions as shown in Figure A below;

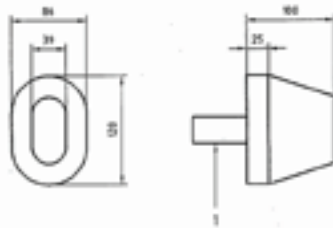


Figure A

Notes to figure A: - Dimensions are in mm;
- 1 is the handgrip

and

- a large head probe in the shape of a cylinder of diameter 223 mm and length 100 mm, with a handgrip fitted to an end of the cylinder. These probes have dimensional tolerances of ± 2 mm.

Check whether the small torso probe can pass through the gap between the handle and the end of the pram/stroller body applying a force of 90 N.

Check if the large head probe passes through the opening when pushed along the axis of the handgrip, with a force not exceeding 5 N.”;

- (xviii) Deleting Clauses 8.8, 8.9, 8.10, 9 and 10 entirely;
- (xix) In Clause 11.1 after paragraph (e) inserting a new paragraph (f) as follows:
“(f) A notice placed on the tether strap, as follows:
**WARNING: USE THIS STRAP TO STOP THE PRAM/STROLLER*
ROLLING AWAY**”;
- (xx) In Clause 11.2 deleting the words and substituting the following:
“11.2 Legibility of marking
The wording shall be clearly legible and the marking specified in clauses 11.1(c), (d), (e), and (f) shall be in characters not less than 2.5 mm high.”;
and
- (xxi) Deleting Appendices B, C, D, E, F, G, H, K, O, P and Q.

Dated this 27th day of June 2007

Chris Pearce
Parliamentary Secretary to the Treasurer

Role of the ACCC

To minimise the risk of injury associated with consumer products, the ACCC undertakes a variety of activities:

- Consulting with suppliers and other agencies to identify non-compliant goods.
- Developing mandatory safety and information standards, when necessary.
- Informing and educating suppliers about emerging hazards and requirements of mandatory standards or bans.
- Liaising with suppliers to assist them in understanding how to comply with the standards or bans.
- Promoting benefits of compliance with mandatory safety standards or bans.
- Assessing overall levels of marketplace compliance with mandatory safety standards or bans.
- Informing and educating consumers to choose only compliant products, report suppliers of non-compliant goods to the ACCC and always use products safely.
- Conducting compliance surveys or inspections among retail outlets to detect non-complying products.
- Conducting compliance surveys or inspections of wholesalers and importers that have supplied non-compliant goods to retailers.
- Investigating allegations from consumers and suppliers about supply of non-compliant products.
- Investigating possible breaches found during compliance surveys or inspections.
- Seeking the immediate withdrawal of non-compliant or unsafe products from sale.
- Seeking the recall of non-compliant or unsafe products from the market.
- Taking action against suppliers including:
 - substantiation, infringement or public warning notices
 - court enforceable undertakings, injunctions and various other court orders
 - damages, compensation orders, disqualification orders and civil penalties
 - adverse publicity orders or requirements for corrective advertising
 - prosecutions resulting in criminal sanctions (fines).

Product liability

Parts 3–5 of the ACL (which forms Schedule 2 to the *Competition and Consumer Act 2010*) contains provisions on product liability. Under these provisions, consumers can seek compensation or damages for personal injury or other loss caused by a safety defect in products supplied by a manufacturer.

Goods with a safety defect are those that are not as safe as what people are generally entitled to expect.

Generally the manufacturers or importers of products are liable under Parts 3–5 of the ACL. But if other suppliers, such as retailers, cannot identify the manufacturer or importer, they may be deemed liable for the damages.

Suppliers may reduce their exposure to product liability action by using these responsible and sensible business practices:

- conducting regular reviews of product designs and production
- implementing and reviewing quality assurance procedures
- testing products regularly to relevant standards, including batch testing
- conducting appropriate marketing
- providing clear and thorough user instructions
- where necessary, conducting a quick voluntary recall of any products that are defective or unsafe.

Mandatory safety standards

- Aquatic toys
- Babies' dummies
- Baby bath aids
- Baby walkers
- Balloon-blowing kits
- Basketball rings and backboards
- Bean bags
- Bicycle helmets
- Bunk beds
- Child restraints for motor vehicles
- Children's household cots
- Children's nightwear
- Children's nightwear—paper patterns
- Children's portable folding cots

- Corded internal window coverings
- Disposable cigarette lighters
- Elastic luggage straps
- Exercise cycles
- Fire extinguishers—portable aerosol
- Fire extinguishers—portable non-aerosol
- Hot water bottles
- Jacks—trolley
- Jacks—vehicle
- Motorcycle helmets
- Moveable soccer goals
- Pedal bicycles
- Portable ramps for motor vehicles
- Projectile toys
- Prams and strollers
- Reduced fire risk cigarettes
- Sunglasses and fashion spectacles
- Swimming and flotation aids for water familiarisation and swimming tuition
- Toys containing magnets
- Toys for children—lead and certain elements
- Toys for children up to and including 36 months of age
- Treadmills
- Vehicle recovery straps
- Vehicle support stands

Mandatory information standards

- Care labelling—clothing and textile products
- Cosmetics and toiletries—ingredient labelling
- Tobacco products—labelling

Interim bans

- Interim bans may be made by the State, Territory or Commonwealth Minister. Their duration may be 60–120 days. Check the Product Safety Australia website (www.productsafety.gov.au) for details of any interim bans.

Permanent bans

- Candles with lead wicks
- Fire footbags and other such goods
- Gas masks with asbestos breathing devices
- Glucomannan in tablet form
- Jelly cups containing konjac
- No holes tongue studs
- Smokeless tobacco products
- Tinted headlight covers
- Toothpaste containing DEG (Diethylene glycol)

Penalties

Supplying products or product-related services that do not comply with a mandatory standard is an offence under the ACL.

Fines for non-compliance are:

- up to \$1.1 million for companies
- up to \$220 000 for individuals.

Key terms used in this guide

Below is a list of key terms that have been used in this guide.

Australian Consumer Law (ACL) The ACL replaces previous Commonwealth, state and territory consumer protection legislation in fair trading acts. It is contained in a schedule to the *Trade Practices Act 1974*, which has been renamed the *Competition and Consumer Act 2010 (CCA)*.

Competition and Consumer Act 2010 (CCA) The *Competition and Consumer Act 2010 (CCA)* (formerly the *Trade Practices Act 1974*) deals with almost all aspects of the marketplace: the relationships between suppliers, wholesalers, retailers, competitors and customers. It covers anti-competitive conduct, unfair market practices, industry codes, mergers and acquisitions of companies, product safety, product labelling, price monitoring, and the regulation of industries such as telecommunications, gas, electricity and airports.

consumer protection notice A consumer protection notice is a notice that declares a particular standard, either:

- drawn from a Standard prepared by Standards Australia (or other approved body), with any additions or variations specified in the notice or
- created as a stand-alone mandatory standard to be a prescribed standard.

mandatory consumer product safety standard The Commonwealth Minister can prescribe compulsory safety standards for consumer goods and product related services. Suppliers must not supply goods or services that do not comply with a safety standard for goods of that kind.

Safety standards require goods to comply with particular performance, composition, content, design, construction, finish, labelling or packaging rules.

Visit www.productsafety.gov.au for a list of products that mandatory safety standards currently apply to in Australia.

Many mandatory standards are based on Australian voluntary standards published by SAI Global.

mandatory consumer product information standard	Information standards require provision of prescribed information to consumers when they buy certain goods. This information is to protect consumers from injuries that could result if they use the product inappropriately.
pram	A pram is a wheeled vehicle with a body of box-like or boat-like shape designed to carry a baby or child weighing up to and including 9 kg, primarily in a fully reclined position.
stroller	A stroller is a wheeled vehicle designed to transport a child in a seated position that may also be adjusted to a semi-reclined or fully reclined position.
supplier	Anyone in the business of sale, exchange, lease, hire or hire-purchase of goods or provision, granting or conferring of services.
supply	Sale, exchange, lease, hire or hire-purchase of goods or provision, granting or conferring of services.

Contacts

Australian Competition and Consumer Commission

Product safety

For more information about mandatory standards, bans, recalls and emerging issues—and to subscribe to email alerts and RSS—visit our websites:

www.productsafety.gov.au

www.recalls.gov.au

You can also follow us on Twitter: @ProductSafetyAU

ACCC Infocentre: 1300 302 502

Callers who are deaf or who have a hearing or speech impairment can contact us through the National Relay Service:

www.relayservice.com.au

Voice-only (speak and listen) users phone 1300 555 727 and ask for 1300 302 502.

Addresses

National office

23 Marcus Clarke Street
Canberra ACT 2601
GPO Box 3131
Canberra ACT 2601
Tel: (02) 6243 1111
Fax: (02) 6243 1199

New South Wales

Level 7
Angel Place
123 Pitt Street
Sydney NSW 2000
GPO Box 3648
Sydney NSW 2001
Tel: (02) 9230 9133
Fax: (02) 9223 1092

Victoria

Level 35
The Tower
360 Elizabeth Street
Melbourne Central
Melbourne Vic 3000
GPO Box 520
Melbourne Vic 3001
Tel: (03) 9290 1800
Fax: (03) 9663 3699

Western Australia

Third floor
East Point Plaza
233 Adelaide Terrace
Perth WA 6000
PO Box 6381
East Perth WA 6892
Tel: (08) 9325 0600
Fax: (08) 9325 5976

Queensland

Brisbane
Level 3
500 Queen Street
Brisbane Qld 4000
PO Box 10048
Adelaide Street Post Office
Brisbane Qld 4000
Tel: (07) 3835 4666
Fax: (07) 3832 0372

Townsville

Level 6
Central Plaza
370 Flinders Mall
Townsville Qld 4810
PO Box 2016
Townsville Qld 4810
Tel: (07) 4729 2666
Fax: (07) 4721 1538

South Australia

Level 2
19 Grenfell Street
Adelaide SA 5000
GPO Box 922
Adelaide SA 5001
Tel: (08) 8213 3444
Fax: (08) 8410 4155

Northern Territory

Level 8
National Mutual Centre
9–11 Cavenagh St
Darwin NT 0800
GPO Box 3056
Darwin NT 0801
Tel: (08) 8946 9666
Tel: (08) 8946 9610
Fax: (08) 8946 9600

Tasmania

Third floor
AMP Building
86 Collins Street
(Cnr Elizabeth and
Collins streets)
Hobart Tas 7000
GPO Box 1210
Hobart Tas 7001
Tel: (03) 6215 9333
Fax: (03) 6234 7796
Tel: (03) 9290 1444
Fax: (03) 9290 1457
Email: AERInquiry@aer.gov.au
Website: www.aer.gov.au

SAI Global

To obtain copies of mandatory Australian/New Zealand standards, contact SAI Global on 131 242 or visit the SAI Global website at www.saiglobal.com/shop

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www.accc.gov.au