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Dear stakeholder

**Re: Convertible tricycles used for transportation**

The ACCC has been conducting a market review of convertible tricycles over the course of the past few months. In part, we have been conducting this review in response to complaints from consumers who purchased convertible tricycles believing they had been marketed and sold for use as strollers.

Today the ACCC has issued a warning that carers should avoid using convertible tricycles to transport children as they do not include important safety features required for strollers.

We are particularly concerned that some suppliers have used images or words that give the impression that convertible tricycles are suitable for transporting children rather than them being toys that need to be used under supervision. We are even aware of some products being promoted as having 'stroller' modes. These products do not have the safety features required by the *Consumer Protection Notice No 8 of 2007: Consumer Product Safety Standard for Prams and Strollers (Mandatory Standard)*, including parking brakes, tether straps and harnesses.

We consider that children under 24 months are unlikely to be able to independently operate a tricycle. We do not consider that children under this age have the motor skills necessary to steer or pedal even with parental assistance.

When a product has age modes under 24 months and includes some combination of the below key stroller features this leads us to believe that carers may use the product for transportation:

- a high backrest for the child
- a harness for the child
- ability to disengage child steering
- ability to disengage or remove the pedals
- ability to semi-recline or recline the child's seat.

As you would be aware, the Mandatory Standard was introduced over a decade ago in response to many reports of children being injured or killed as a result of unsafe prams and strollers.

Use of convertible tricycles for transportation when they do not have one or more of the safety features required by the Mandatory Standard may cause children to be put in dangerous situations and at risk of serious injuries or death if the device rolls away from the carer's control and if children are not properly restrained in a device they are also at risk of either falling out or moving to a position where the device can topple.

Consumers are being advised that under the Australian Consumer Law they can get a refund if a product is unsafe and was purchased after 1 January 2011. We consider that consumers who have purchased a convertible tricycle in the belief that it could be safely used as a stroller are entitled to seek a remedy from the place of purchase.

Suppliers should make their own assessments of products against the Mandatory Standard and consider voluntary recalls if they believe the products exhibit the features outlined above. Suppliers should also consider whether it is reasonably foreseeable that carers will misuse their products for transportation, even where safety warnings/instructions are in place.

Shortly, the ACCC will be providing further opportunity for interested parties to contribute to the current review of the Mandatory Standard and make comment on whether changes are required to reflect the market presence of convertible tricycles.

If you would like to discuss this matter further, please contact Simon Haslock (A/g Director of the Inspections and Hazard Analysis Section) on (03) 9290 6919 or at [simon.haslock@accc.gov.au](mailto:simon.haslock@accc.gov.au).

Yours sincerely



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