

COMMONWEALTH OF AUSTRALIA

Trade Practices Act 1974

Consumer Protection Notice No. 6 of 2005

CONSUMER PRODUCT SAFETY STANDARD: CHILDREN'S HOUSEHOLD COTS

I, CHRIS PEARCE, Parliamentary Secretary to the Treasurer, pursuant to subsection 65E(1) of the *Trade Practices Act 1974* and for the purposes of section 65C of that Act, hereby REVOKE the consumer product safety standard declared by Consumer Protection Notice No.10 published in Commonwealth Gazette GN 25 of 25 June 2003 and DECLARE that the consumer product safety standard for children's household cots, other than folding cots, carry cots, cradles and antique or collectable cots as described in the Schedule is:

(a) in respect of new children's household cots (i.e. cots that are not second hand) either:

(1) Australian/New Zealand Standard AS/NZS 2172:1995, *Cots for household use – safety requirements* approved by Standards Australia on 30 January 1995, varied by deleting clauses 1, 2, 4, 6.6, 7, 8, and 10; or

(2) Australian/New Zealand Standard AS/NZS 2172:2003, *Cots for household use – safety requirements* approved by Standards Australia on 19 September 2003, varied by deleting clauses 1, 2, 4, 6.1(f), 7, 8, 9.2(c), and 10, and varying clauses as follows:

- Delete existing subclause 6.1(g) and insert a new subclause 6.1(g) as follows:

"With the dropside in the closed position and the mattress base in the lower position, when tested in accordance with Appendix A with a force of 50 N it shall not be possible for a 30 mm probe to pass through any aperture between the mattress base and the sides and between the mattress base and the ends.";

- In clause 6.3 following the note at 6.3(e) add the words, "For a lift and push dropside release mechanism, either the lift or push action shall comply with 6.3(d).";

- In clause 6.7 delete note 1;

- Delete existing subclauses A5(h) and A5(i);

- Insert new subclause A5(h) as follows:

"For any gaps recorded in Step (g) between the mattress base in the lower position and the sides and ends with the dropside in the closed position, insert the 30 mm diameter probe and apply a force of 50 N.";

- Insert a new subclause A5(i) as follows:

"For any gaps recorded in Step (g) except for the gaps tested in Step (h), insert the 30 mm diameter probe and apply a force of 100 N.";

- Insert a new subclause A5(j) as follows:

"Record all gaps that allowed the passage of the 30 mm diameter probe when tested in accordance with A5(h) and A5(i) except for the following:

(i) Gaps formed between -

(A) fixed sides and the mattress base in the upper position; and

(B) fixed ends and the mattress base in the upper position.

(ii) Gaps formed between the dropside in both open and closed positions and the mattress base in the upper position.

(iii) Gaps formed between the dropside in the open position and the mattress base in the lower position.";

- Renumber the succeeding A5 subclauses accordingly;

- In subclause A6(b) delete, "but not the 50 mm diameter probe as noted in Paragraphs A5(i) and A5(g) respectively" and replace with, "as recorded in Paragraph A5(j)";

with the condition that the standard at (a)(1) based on AS/NZS 2172:1995 will cease to have effect from 1 November 2006; and

(b) in respect of second hand children's household cots:

(3) Australian/New Zealand Standard AS/NZS 2172:2003, *Cots for household use – safety requirements* approved by Standards Australia on 19 September 2003, varied by deleting clauses 1, 2, 4, 6.1(f), 6.1(g), 6.8(c), 6.8(d), 6.8(e), 7, 8, 9.2(b), 9.2(c), 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 10, 11 and 12, and in clause 6.7 deleting "5 mm" and substituting "8 mm" and deleting Note 1.

Schedule

An antique or collectable cot is exempt from this consumer product safety standard if the cot:

- i. is accompanied by a certificate from the supplier to the consumer stating that it is not safe to place a child in the cot, and
- ii. has clearly visible external and internal warning statements permanently attached to the cot by means of gluing or mechanical fixing (nails or screws) of a metal plaque displayed on the upper half of the side or end of the cot. The lettering must be in sharp contrast with

the background and contain the following warning, with upper case letters no less than 5 mm in height and lower case letters no less than 2.5 mm in height:

“WARNING: this cot does not meet the mandatory safety standard. For display purposes only. It is dangerous to place a child in this cot.”

(Upper case lettering and underlining must appear as shown)

Dated this 30th day of November 2005

Chris Pearce
Parliamentary Secretary to the Treasurer