

Submission to Research Study - Standards and Accreditation By Britax Childcare Pty Ltd.

We are pleased to be able to make a submission to this Research study and will provide any additional assistance and information required.

1. Company Background

Britax Childcare Pty Ltd manufactures in Australia a wide range of Child restraints sold under the Safe-n-Sound brand as well as importing nursery products such as high chairs, baby walkers, strollers, and portable cots which are sold under the Steelcraft brand. These brands have been created in Australia have employed many people in various parts of Australia over the 33 years for Safe-n-Sound and over 50 years with Steelcraft. Through the use of effective Australian Standards the products have provided for children with a high level of safety.

I have been involved in assisting development of test methods, with drafting, and research, as part of working with various Australian Standards committees. In addition, I have used Australian Standards as pertaining to both design and quality activities over my 28 years in the manufacturing industry. As Technical Director of Britax Childcare products, I have been involved in many Standards Australia committees and working groups over my 18 years with Britax Childcare Pty Ltd. In addition, I have represented Standards Australia on ISO committee for occupant protection ISO/TC22/SC12 as well as one of it's working groups for child restraint systems over the past 8 years.

Prior to joining Britax, I working in the electrical industry for 15 years and during that time represented AEMA on various Standards Australia electrical committees.

Current Australian Standard committee involvement

CS-003	Nursery Furniture
CS-018	Toys
CS-020	Prams and Strollers
CS-075	Seat Belts and Webbing
CS-085	Child Restraints for Cars

As such, I am able offer a detailed linkage of Australian Standards to their development and use.

2. Standards Australia and Australian Standards

Many of the standards that I have been involved in have been developed by well coordinated committees with a broad representation from interest groups. Some member of these groups have limited resources and may not be as technically competent as other in the committees but the outcome of discussions and voting process does deliver world class standards. Often they process takes longer than everyone likes but as a consensus process it does deliver standards that are accepted and utilized. From my observation the Project Managers for the committees have too many activities and therefore priorities need to be set. In setting these priorities some standards take longer than is desirable, particular where safety is involved. In other situations, the drafting process cannot move allocated tasks by

the Committee have completed them. This is usually outside of the control of the Project Manager although if the Project Manager had more time then these tasks could be followed up more aggressively.

The Standard for Child Restraints AS/NZS1754 is an example of a standard that has delivered superior safety for children before standards in other countries has come close to delivery of the same safety levels as the Australian Standard. This superior safety has been has come about by the committee addressing problems seen in crashes and research which have then resulted in revisions to the standard. Tether straps have been a key reason for child restraints in Australia delivering very safe child transport for children. The Australian Standard has required the use of tether straps for nearly 30 years. This may be considered as a design restriction but in recent years there is now research that confirms that they are critical in improving performance of Child Restraints in cars.

Introduction of tether straps around the world:-

- Australia 1978,
- Canada 1989,
- USA 1999,
- Europe 2005 but only for specific seats – limited range of seats

There are still other differences that have not been taken up by other National or International Standards. The Australian Standards is a tougher standard still leads the way in protecting children in car crashes.

In the case of Child Restraints for Cars, had the Australian Standard had been required to use an overseas standard then Australia would have lost a significant number of children in car crashes. Had the Standards Committee been more responsive to some of the changes proposed, the potential in reduction of death and injury would have been only minimal. This is one example of where an independent and active Standard has delivered a reduction in potential death and injury thus delivering improvements in productivity.

In the last 15 years the standard has be revised 4 times (1991, 1995, 2000, 2004).

The Standards Australia committee process provides an independent forum for all interested parties to seek investigation, discuss the merits of the standard and proposed changes. Often aspects of implementation, public information and education arise in the meeting and recommendations are made to relevant authorities. This type of forum cannot be offered by manufacturing or importers associations, by governments, by retailer associations or consumer groups. As such, the Standards committee process of developing standards could be extended to be broader in their coverage of issues, particularly where safety risks are involved.

The Standard Australia committee CS-003 which looks after standards for nursery furniture has a new standard being developed which uses ISO standards and an ASTM standard as the optional basis for the a new standard on high chairs. The standard also includes requirements for the harness fitted to the highchair that includes shoulder straps so as to provide additional safety not included in the ISO or ASTM standards. Informative labeling and product marking is also required to be the same styles as used on other Australian nursery standards. This may well be a model for the future for some standards where there are conflicting standards around the world. The one drawback is that the ISO standard is over 8 years old without revision. By comparison, the ASTM standards in USA are updated almost annually. This method make will provide benefits to consumers in that the drafting committee may well seek to have uniformity in some aspects so that the consumers are not confused.

Another example is the automotive seat belt Australian Standard AS/NZS2596 which covers the safety of after market seat belts. It is based around a European standard as used for vehicles ECE Regulation 16 but includes additional essential safety and instruction requirements for its application to Australia. There are probably many more of examples of international or national standards that have been used as the basis of the Australian Standard but include modified requirements to deliver known benefits or cover known Australian problems.

Our business with Child Restraints in New Zealand confronts the difficulty of accepting multiple standards. Child restraints need meet one of a number of standards permitted in New Zealand. Not only is the joint Australian New Zealand standard is permitted for child restraints sold in New Zealand but so is the European Standard (ECEr44) and the American Standard (FMVSS213). These standards allow different installation methods, different levels of labeling, and even different weight ranges. As a result consumers are confused, interest groups cannot deliver a simple message and children are carried in seats with differing levels of safety. This confusion has also happened in Australia where the mandatory requirements for Bicycle Helmets under the Trade Practices Act allow both the Australian Standard and a USA standard. The standards have differing test methods and result in helmets not meeting both standards. A coordinating committee should prevent this happening should some standards be near equivalent – the Standards Australia committees do this. The lesson from this situation in NZ is that the uncontrolled use of multiple standards for one product can reduce the effectiveness of the required standards. The standards committee should have more say in mandatory requirements and needs to have the skills to deliver a standard that meets the needs of the stakeholders as well as any mandatory requirement.

Some standards are created to achieve uniformity such standards for screw threads, measuring or test method, etc., where as other standards seek both uniformity and safety such as those for Child restraints, bicycle helmets, seat belts, domestic cots for children, strollers and other products offering some safety performance for the user. The development of standards that offer a safety performance need to be reviewed regularly so as to ensure that they deliver suitable safety levels that are appropriate to the time. Feedback from injury surveillance data bases is one of the key components in making products safer.

The International standards process, from what I have seen, and have been involved in can be slow and can often not represent a global approach. The Europeans tend to want to keep their standards; as a result Australia is left to gather alliance with USA, Canada and Japan. In a voting context, this leaves the many countries of Europe controlling the directions of committees take when voting takes place or consensus sought. The same Europeans are on equivalent European committees and they bring their views to the ISO committees. Often the ISO standards are poorly written and are confusing to interpret. Australia should continue to support these committees but realize that worthwhile standards may be many years away. In many cases the Europeans do not pick up the ISO standards but choose to have their own, such as the range of CEN standards. For Australian manufacturers and importers of products from overseas, the option to base the general performance on a USA or European standards means that products need minimal modification when it comes to ensure that key Australian safety requirements are achieved. Thus the Highchair standard format mentioned earlier may be a model for the future.

In USA, the ASTM standards for Nursery Products are extensive and cover all types of Nursery products. These standards are regularly reviewed and updated as the need for improvements are identified. By comparison, the European committees (CEN), which are

somewhat a derivative of ISO committees, are far less responsive in reviewing standard, even when there are errors in the standard.

The weakness in ISO standards that I have used or been involved in is that, the standard can sometimes be lowered to the lowest common denominator that gets the standard through. Often the test methods are not clear and there is then great difficulty in getting an interpretation. In addition, the ISO process is not able to be responsive to changes that may be needed.

a). Use of Australian Standards

It is great having Australian Standards that will reduce injury levels but if the standards are not used by all manufacturers and importers, thus the full benefit of the Standards is not achieved. To achieve this for safety standards there is a need for the government, probably via the Trade Practices Act, to ensure all product safety standards are mandatory.

It can be difficult for a manufacturer or importer to compete when some choose not to meet the appropriate standard and retailers are prepared to stock the product. Invariably risks are taken when not meeting a standard. To use Product Liability laws as a deterrent is unrealistic as they only start to have an effect after an injury has occurred. Those against mandatory compliance state that compliance is too difficult too police are ignoring options available. Government or the courts only need to get involved when a breach is reported. Manufacturers and importers are well aware of non compliances of their competitors. All Child Restraint manufacturers voluntarily use the SAI-Global "Product Certification" scheme for their products. This provides third party testing and third party review of the on-going compliance of the product. Products are identified with a common certification mark (with reference to certification number and the applicable standard) which conveys the message of compliance to the consumer and anyone interested in the compliance of the product. Any other product system operating within the JAS-ANZ (Joint Accreditation System of Australia and New Zealand) could be also acceptable. There are a number of product accreditation systems not accredited that certify product. I realize that product certifications are not within the scope of the research study but they always use a standard and will remain very closely linked to standards process.

b). Data for Creation or Revision of a Standard

A key aspect of safety standards is the having adequate injury data available for the committee to use. This includes information about the incident that caused the accident. Often Coronial inquests provide good information about the particular incidents but often the inquests do not include sufficient expertise. Where injuries are involved, there is far less detail about the incidents.

The current injury surveillance data bases are not national and do not gather sufficient detail on the injury causing incidents. Researchers on these data bases are not often represented on Standards Committees either.

Thus to get better standards to deliver safety there needs to be a better coordinated injury surveillance systems that are better able to record more detailed information about and incident where injuries occur.

c). Cost and funding of Standards

Britax Childcare has been involved in developing test methods with various committees over the years and has spent an estimated \$60,000 per year. This involved airfares, accommodation, testing, test samples, staff time. Many other organizations are also covering the costs of those that attend but also see it as an essential activity. These costs are not reflected in the development cost of standards. To obtain a standard from overseas and implement it may appear easier but it may not deliver the required benefit and may be slow to seek adoption. The current process does provide a wide spread of information that may not happen without a functioning of the Standards committee.

In creating standards there are few research organizations or educational institutions that get involved. Invariably these organisations are pushed into developing self funded projects or fee for service business. My experience over the years is that there has been reluctance by these organisations to support a standard unless it is directly linked to a funded project.

There is a need to recognize the contribution provided in creating or maintaining a standard. It is great that the government supports Standards Australia in producing Standards but it needs to do more to encourage the membership of committees that creating or maintaining certain standard. The standards that should be supported are those offering safety or the need for safety in their operation and use as well as those standards to deliver benefits in standardization of new technology.

On possibility for encouraging participation in the standard development process is for the Government to offer tax concessions for costs involved in participating in the standards committee. Costs of representative's meeting time, representative's time in completing tasks or research, cost of travel and accommodation, a scheme similar to R&D Tax Concession scheme where 125% concession is provided could provide encouragement . This scheme could available for significant standards such as those delivering safety. The approved projects would be identified by Standards Australia and Government, and individual members would keep expenses and timesheets as part of their records for the taxation assessment. The level of concession should preferably be 150% to make it attractive. Unfortunately I'm not in a position to cost this proposal.

2. Standards Australia and Australian Standards (cont.)

d) Recommendations related to Standards

- Standards Australia should continue to be the peak body for standards writing,
- Australia should continue to write standards specifically for Australia considering international and national standards as a basis, but ensure that the standards benefit the safety of the users,
- Standards Australia should continue to coordinate the representation Australia on international standards' committees. This representation should not cause Australia to be obliged to adopt any international standards,
- In supporting responsiveness, Standards Australia should not be obliged to use just International Standards, including ISO standards, but should be free to use national standards where they suit our needs and their committees demonstrate a high degree of responsiveness,
- Standards Australia and the Australian Government should seek representation on National committees where their standard is of significant importance to the Australian Standard,
- The Australian Government should make all product safety standards mandatory and require third party certification as a means of demonstrating compliance,
- The Government should consider targeting funding in support of safety standards,
- The Government should consider a scheme that could would encourage participation in standards committees which could be similar to the R&D Tax Concession scheme but with a higher return, say 150%,
- The Government should ensure that adequate injury data is collected in a coordinated way to ensure that the standards writing process can utilize this data to improve injuries.

3. Laboratory Accreditation

Laboratory testing relies on Standards to ensure testing is consistent between laboratories thus Standards are essential to test results determining that products meet their required performance. Our laboratory uses standards as well as inter-laboratory comparisons to ensure our products meet the standards. Our laboratory has the testing capability for mechanical testing child restraints to a wide variety of standards for child restraints as well as nursery products.

As a result of the Kean report our laboratory ceased to be a certified laboratory. We held accreditation for our laboratory under the Laboratory accreditation scheme that was run by Quality Assurance Services (now SAI-Global). This was a perfect fit for us. We had our Quality System (ISO9000) accreditation and our Product Certification with Quality Assurance Services. Our Product Certification requires significant production validation testing and as such we were also accreditation for our Laboratory to ISO Guide 25, now ISO/IEC 17025. As ISO Guide 25 and ISO/IEC 17025 had many aspects in common with ISO9000 it made sense to use just one organization to monitor or systems and to conduct surveillance audit us. This relationship work well for the approximately the 7 years it was in operation.

Around 4 years ago, Quality Assurance Services ceased the operation of the Laboratory Accreditation scheme. The cessation of the scheme was a direct result of the Kean Report that recommended that NATA be only accreditation organization for accrediting laboratories. As Quality Assurance Services / SAI-Global have continued to accept our production testing results from our own laboratory we have not sought accreditation by NATA. Another auditing body requires more non-productive time to host auditors and to respond to their demands for our system.

Consideration could be given to having two levels of accreditation, one where critical measurement standards are required and another level for other everyday testing and calibration. This could allow critical measurement accreditation left with one organization if it is not controlled by government.

Our Laboratory still operates at a high level and in accordance with ISO/IEC 17025 despite not having accreditation. We utilize our Quality System license with SAI-Global to review and audit the laboratory systems.

Most product certification requires regular testing to ensure on-going compliance with the particular standard. This is conduct in house in many companies. Thus Laboratory accreditation without overloading the company staff can be an important tool in product certification. Simple schemes that have Quality System and Laboratory accreditation integral with Product certification provide on-going proof of compliance with a particular standard.

Our preference is that Laboratory accreditation be provided by any organization with JAS-ANZ accreditation such as permitted for other certification and accreditation schemes like quality system accreditation and product certification. JAZ-ANZ should be the defining level of accreditation.

3. Laboratory Accreditation (cont.)

a). Recommendations related to Laboratory Accreditation

- For laboratory accreditation consider separating critical measurement standards for national calibration purposes from everyday testing and calibration.
- Allow other JAS-ANZ accredited schemes to be permitted for Laboratory accreditation so as to derive economies in dealing with one organization for certification and accreditations (Product, quality systems, and laboratories.)

4. In Conclusion

Standards, Testing and Injury surveillance are all intertwined and need to be managed and coordinated to maximize their benefits. The Standard formalises our experiences and avoids problems of the past. They are part of a system that delivers safe product. Laboratory Accreditation provides for reliable standardized testing to be conducted to ensure the products meet the requirements of the standard. Appendix A shows a model that links various certification processes to the Standard and provides for feedback of injuries.

Britax Childcare Pty Ltd hopes this submission assists with the Research study and we would be pleased to provide any further assistance to ensure Australia has a world class Standards and safe products.

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Appendix A

A Process for Delivery of a Safe and/or Standardised Product Underpinned by a Standard

