

Your ref: COR 2020 006851
Contact officer: Davin Phillips
Contact phone:(02) 6243 4930



2 November 2022

Ms Jacqui Hawkins
Deputy State Coroner
Coroners Court of Victoria
65 Kavanagh Street
Southbank Victoria 3006

Level 17, 2 Lonsdale Street
Melbourne Vic 3000
GPO Box 3131
Canberra ACT 2601
tel: (03) 9290 1800
www.accc.gov.au

By email: cpuresponses@coronerscourt.vic.gov.au

Dear Coroner Hawkins

Response to investigation into the death of Dominic Salvatore Mele.

I refer to your recommendation under section 72(2) of the *Coroner's Act 2008* addressed to the Australian Competition and Consumer Commission (**ACCC**) in relation to the death of Dominic Salvatore Mele resulting from an accident involving a Ferris F-50XT ride-on lawn mower.

You recommend *“that Product Safety Australia consider updating the mandatory safety standard to ensure that ride-on lawnmowers be fitted with an inbuilt gradient gauge or alarm to allow operators to easily assess the gradient risk.”*

By way of background, Product Safety Australia is a website managed by the ACCC.

Background on standards for ride-on lawn mowers.

There are no mandatory safety standards for ride-on lawn mowers in Australia. The Standard which was referenced on the Product Safety Australia website was a voluntary standard administered by Standards Australia.

We enquired with Standards Australia about this standard and they confirmed that it has been withdrawn and replaced with the international standard 'ISO 5395-3 Garden Equipment – Safety requirements for combustion-engine-powered lawnmowers – Part 3 Ride-on lawnmowers with seated operator' (**ISO Standard**).

The Product Safety Australia website page titled 'Riding Safely with Ride-on Lawnmowers' has been updated to reflect this change.

The international standards committee, [ISO/TC 23 Tractors and machinery for agriculture and forestry](#) is responsible for the ISO Standard. This committee includes a subcommittee called [ISO/TC 23/SC 13 Powered lawn and garden equipment](#) which has a working group on lawn mowers. The working group is due to meet on 15 December 2022. The ACCC has written to the subcommittee to provide them with your recommendation that the ISO Standard should include a requirement that ride-on lawn mowers should be fitted with a gradient gauge or alarm.

Other ACCC actions

The ACCC has taken further steps in addition to the recommendation made.

A social media campaign called “Spring has Sprung” will be undertaken by the ACCC shortly. It will include content to remind consumers of the hazards of using ride on lawn mowers and how to stay safe.

The ACCC has also written to Ferris, the supplier of the ride-on mower to seek an explanation as to why the advice in their instruction manual is to mow across slopes rather than up and down. This is contrary to the advice provided by most other suppliers, and work health and safety regulators.

Thank you for giving the ACCC the opportunity to consider this matter. If you would like to discuss this matter further, please do not hesitate to contact Davin Phillips, Director Consumer Product Safety Division on davin.phillips@accc.gov.au or 02 6243 4930.

Yours sincerely



Lauren White
General Manager
Risk Assessment and Operations
Consumer Product Safety