

Application of Part II of the
Consumer Protection Act
1987 – Consumer Safety
– Report by the Secretary
of State for Business,
Innovation & Skills For
the period 1 April 2008 –
31 March 2013



CONSUMER SAFETY

**Application of Part II of the
Consumer Protection Act 1987 –
Consumer Safety -**

Report by the Secretary of State for Business Innovation & Skills

For the period 1 April 2008 – 31 March 2013

**Presented to Parliament pursuant to section 42 of the Consumer Protection Act
1987 and Regulation 32 of the General Product Safety Regulations 2005**

Ordered by the House of Commons to be printed

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Introduction

Under Section 42 of the Consumer Protection Act 1987 (the Act), BIS is required to lay before Parliament a report on the exercise of its functions, and those of other enforcing bodies, under the Act.

There is also a requirement under Regulation 32 (2) of the General Product Safety Regulations 2005 (the 2005 Regulations) to lay before Parliament a report on the functions which are exercisable by enforcement authorities, under these Regulations.

Both pieces of legislation protect consumers from unsafe products. The Act provides the legal powers for enforcement bodies to act against those that place unsafe products on the market such as prohibition and suspension notices. The 2005 Regulations provide obligations on producers and distributors. These ensure they only supply or place onto the market safe products. The 2005 Regulations also place a duty on enforcement authorities to investigate and to remove unsafe products and where necessary to prosecute an alleged contravention of any of the provisions imposed under the 2005 Regulations.

This report covers the period from 1 April 2008 to 31 March 2013 and follows the previous report for 1 April 2003 – 31 March 2008. It is set out in two main sections, each of which describes the enforcement arrangements under the relevant legal instrument, and sets out statistics on performance.

The Department for Business, Innovation & Skills

BIS remains responsible for much of the legislation that governs product safety. The legislation is largely derived from European directives and regulations including cosmetics, toys, aerosols and general product safety, together with national legislation with no European basis such as furniture flammability and nightwear flammability. A full list of the product safety regulations made under the Consumer Protection Act 1987 can be found at Annex C (p.36).

We remain a major negotiator on safety issues within Europe. Through our attendance at the General Product Safety Committee we are able to ensure the UK's voice on safety issues is taken on board during the various EU-wide safety legislation discussions. We always seek to respect the balance between ensuring that consumers get the protection that they need and avoiding overburdening industry with unnecessary regulation.

Alongside an effective framework for market transactions and closure of the information gap between producers and consumers, there is a clear role for BIS on consumer safety and making sure that there are mechanisms in place to deal with instances where products are unsafe. The Department makes available a range of documents regarding consumer product regulations consultations, guidance on regulations and other information materials on its website ([BIS Publications](#)) a list is found in Annex C (p.36). Improving consumer confidence in the goods available for purchase helps ensure the effective operation of open, fair and dynamic markets leading to increased competition and productivity.

The General Product Safety Regulations 2005

The main obligations on economic operators

The General Product Safety Regulations 2005 (the 2005 Regulations) which implement General Product Safety Directive 2001/95/EC (the GPSD), came into force in the UK on 1st October 2005.

In principle, the 2005 Regulations apply to all products (new and second-hand) intended for, or likely to be used by consumers. The caveat to this is that product-specific legislation will continue to take precedence in areas where this has provisions with similar objectives to those of the 2005 Regulations. There are also some exceptions for second-hand products.

The 2005 Regulations impose a general duty on producers not to place products on the market (or supply them) unless they are safe under normal or reasonably foreseeable conditions of use. Distributors also have an obligation to act with due care to ensure the safety of products placed on the market. The principal responsibility for day-to-day enforcement of the Regulations lies with local authorities.

The 2005 Regulations recognise that conformity with certain technical standards will result in products being deemed to be safe for the purposes of the Regulations. Such standards are referenced in the Official Journal ([Harmonised Standards](#)) of the European Union and are listed in Annex D (p.38).

Producers and distributors must notify an enforcement authority where they know that they have placed a product on the market which poses a risk to consumers. They must also co-operate with the authorities in action to prevent risks to consumers. And there is a last resort power for the authorities to order product recall when necessary.

The main enforcers and their powers

Local Authority Trading Standards Services

Local Authority Trading Standards Services (Trading Standards) discharge the statutory duties of those authorities designated as “weights and measure authorities” to enforce a wide range of general and sectoral legislation aimed at protecting consumers and ensuring fair trade, including

- The Weights and Measures Act
- The Act
- Enforcement provisions of the Enterprise Act
- The 2005 Regulations
- The Pyrotechnic Articles (Safety) Regulations 2010
- The Toys (Safety) Regulations 2011
- The Cosmetic Products (Safety) Regulations
- Electrical Equipment (Safety) Regulations 1994

In addition to the above legislation and its associated regulations, the service enforces the provision of laws based on European Directives in order to achieve uniform standards of consumer protection and fair trade throughout the European Union.

The service is delivered by a number of means, including

- Visits to trade premises to check for compliance
- Investigation of complaints
- Sampling and testing of goods and services
- Provision of advice and guidance to consumers and business
- Taking enforcement action such as suspending the supply of dangerous goods, prosecuting offenders (see p.20) and seeking injunctions against repeated unfair or illegal practices.

Although it is not a statutory duty, many authorities provide support and assistance to consumers when needed in order to resolve complaints against retailers, and if appropriate, seek to obtain redress.

A number of authorities share specialist skills and areas, including feed enforcement, metrology and calibration laboratories, petroleum licensing and animal health work. The majority of trading standards services are situated within larger departments which typically include licensing and environmental health, with some Heads of Service managing these functions as well as trading standards. Most departments are known as Regulatory Services, Community Safety or Public Protection.

Notification

Unsafe product notification

Under the 2005 Regulations, enforcement authorities have various duties to notify the Secretary of State. There is a duty to notify where they receive notice from a producer or distributor indicating that a product has been placed on the market which poses a risk to consumers. Enforcement authorities also have a duty to notify the Secretary of State if they take measures which restrict the placing on the market of a product or require a withdrawal or recall. In addition, enforcing authorities must notify the Secretary of State where they recommend, agree or impose a measure to prevent restrict or apply conditions to the marketing or use of a product by reason of a serious risk.

If the Secretary of State considers that the effects of the risk do not or cannot go beyond the territory of the United Kingdom, he shall notify the European Commission of the measure concerned insofar as it involves information likely to be of interest to Member States from the product safety standpoint, and in particular if it is in response to a new risk which has not yet been reported in other notifications.

Where the effects of the serious risk go beyond the territory of the United Kingdom, the Secretary of State shall immediately notify the European Commission of the measures taken as required under article 12 of the GPSD or regulation 33(5) of the 2005 Regulations through the Community Rapid Information System, known as RAPEX.

RAPEX

The Rapid Alert System for non-food dangerous products (“rapid exchange” also known as RAPEX) allows the 31 participating countries (EU countries, Norway, Iceland and Liechtenstein) and the European Commission to **exchange information** on products posing a risk to health and safety of consumers and on the measures taken by these countries to do away with that risk. National authorities take measures to prevent or restrict the marketing or use of those dangerous products. Both measures ordered by national authorities and measures taken 'voluntarily' by producers and distributors are reported via the system.

RAPEX was established by the GPSD in 2004 and implemented in the UK by the 2005 Regulations.

RAPEX also covers products posing risk to health and safety of **professional users** and to **other public interests** protected by relevant EU legislation (e.g. environment and security). It **does not cover food, pharmaceuticals and medical devices which are covered by other mechanisms**.

There are four types of information exchanged through RAPEX:

RAPEX notifications

- Notifications under Article 12 GPSD: notifications of measures ordered by the national authorities, or actions taken voluntarily by producers or distributors in relation to products presenting a serious risk

Other Information

- Notifications under Article 11 GPSD: notifications of measures ordered by the national authorities in relation to products presenting a moderate risk.
- Notifications for information: notifications of measures ordered by the national authorities, or actions taken voluntarily by producers or distributors in relation to dangerous products, disseminated for information purposes due to insufficient product identification
- Reactions: these are where Member States market surveillance authorities (in the UK Trading Standards) provide information to the Commission if they found a dangerous product on their market as a result of a RAPEX notification and what measures they took; they are also used to convey a divergence in the risk assessment between market surveillance authorities, which will then need to be adjudicated by the European Commission’s RAPEX team to decide one way or another.

The UK’s RAPEX National Contact Point is located in BIS’s EU Single Market Team. A weekly list of RAPEX notifications can be found on the European Commission’s website ([RAPEX notifications](#)).

Information and Communication System for Market Surveillance (ICSMS)

In addition to RAPEX there is ICSMS. This is an EU database which provides information on products to fulfil Article 23 of EU Regulation 765/2008 which sets out the requirements for accreditation and market surveillance. Article 23 requires the European Commission to develop and maintain a general archive and exchange of information relating to market surveillance activities, and related information on non-compliance with EU harmonisation legislation.

ICSMS was initiated in the EU with EU funding by Belgium, Sweden and Germany in 2000. A number of Member States use it, the UK since 2005.

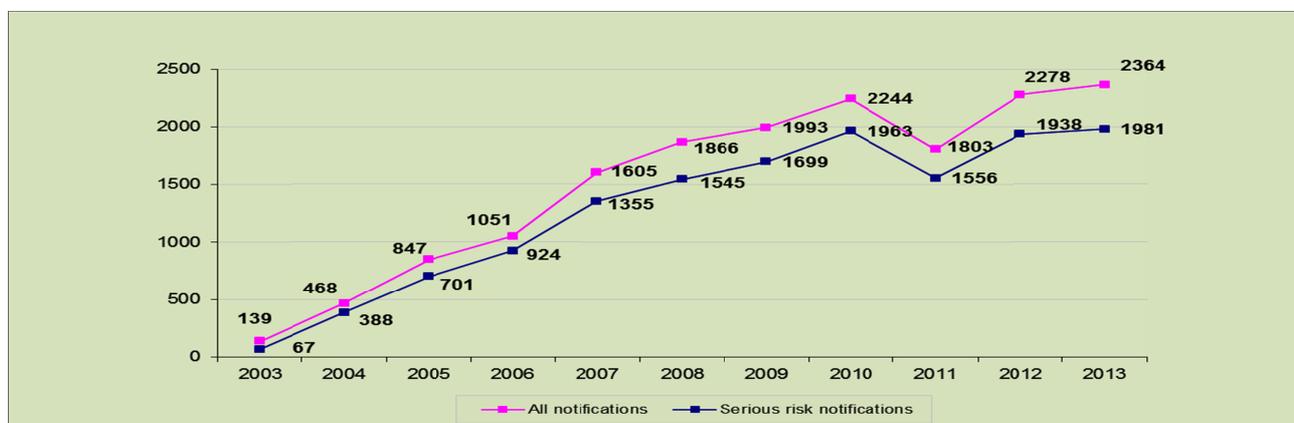
The Health & Safety Executive (HSE) is the national administrator for ICSMS. HSE, the UK enforcement body for products in the workplace and Trading Standards, the UK enforcement body for consumer products, are the main users of the system. Some other Market Surveillance Authorities (MSAs) are using it and BIS are actively encouraging all UK MSAs to use ICSMS.

BIS developed a link from one system common to all Trading Standards which feeds directly into ICSMS. This will help to facilitate the use of ICSMS as Trading Standards will therefore only have to use one system.

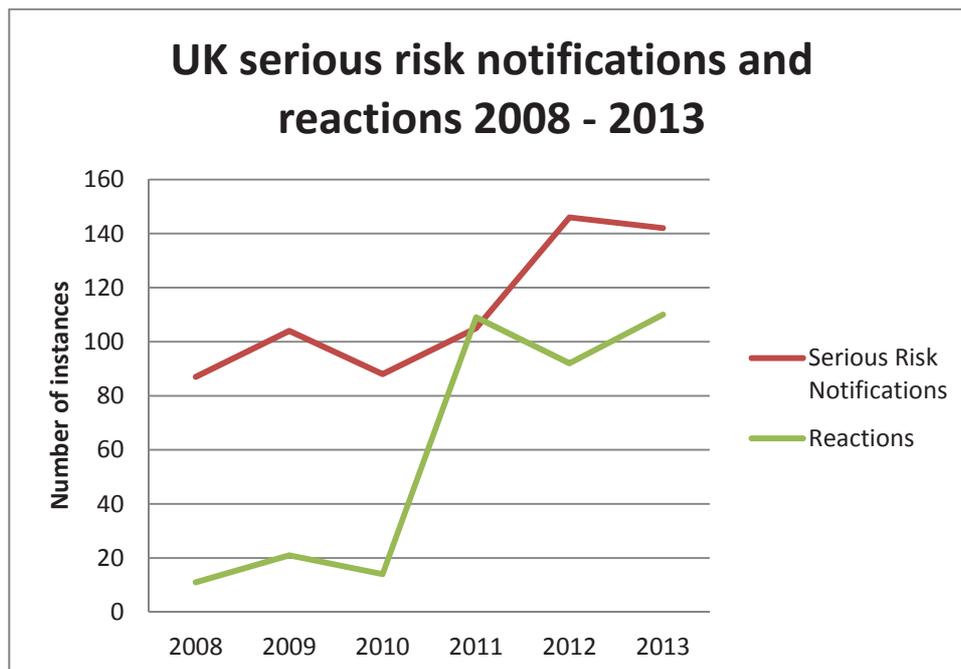
Statistics

At its introduction in 2004 RAPEX saw an initial 140 notifications registered. In 2008, this number had grown to 1,900 and at the close of this reporting period in 2012 saw 2,278 notifications registered. Each year continues to see childcare articles, electrical goods and motor vehicles with the highest notifications, and the most common risks were injuries, chemical and choking.

The graph below provided by the European Commission's RAPEX unit, shows the 10 year trend for all RAPEX notifications from all the participating countries. The dip in 2010/2011 was understood to have been caused across the board (in many Member States) by a cut in funding towards market surveillance activities as a result of the financial crisis.



The number of UK RAPEX notifications is shown in the graph below and reflects the overall picture for the European Union, showing a steady rise in the number of serious risk notifications issued by the UK, but also mirroring the dip in 2010/11 in the rest of Europe. There were 87 notifications in 2008, 104 in 2009 with a dip to 88 in 2010, reaching a high of 146 in 2012.



The number of UK reactions has shown a remarkable rise from 11 in 2008, 21 in 2009 and 14 in 2010 to a high of 109 in 2011. The rise in 2011 is due to trading standards using the reaction procedure more but also to the large number of vehicle recalls that year.

What is different from the previous report (published in 2010) is we are now able to present a more complete picture of the all the types of enforcement and market surveillance activities carried out by Trading Standards through a more collaborative approach in requesting and recording data where previously there was no requirement to do so. The statistics provided in the two following tables below (p.14) provide data for 2011 (approximately 60% of Trading Standards responded) and 2012 (approximately 93% of Trading Standards responded) on UK enforcement and market surveillance activities related to product safety under the GPSD, and European Union harmonisation legislation (plus vehicles).

This data is also presented in the Commission's annual Consumer Markets Scoreboard, a tool to help assess the performance of consumer markets across Europe. While indicators can never fully capture the outcomes of enforcement actions, they can offer important insights that may need to be followed up with deeper analysis.

Table for UK Enforcement and Market Surveillance Activities in 2011

Local Authority Region: United Kingdom 01 Jan 2011 to 31 Dec 2011	Total	Toys	Electrical Appliances	Cosmetics	Childcare Articles
Number of inspections	9674	1665	1453	1749	328
Number of inspections concerning products sold over the internet	524	92	77	19	128
Number of products inspected	87302	45517	38950	19436	4185
Number of products tested in labs	1867	696	331	132	77
Number of non compliant products found on the market	75026	2195	51376	15165	175
Number of dangerous products posing a serious risk	10317	353	9590	12008	105
Number of administrative decisions taken	1129	561	137	138	17
Number of products withdrawn from the market	1055	690	415	52	150
Number of products recalled from the market	55	8	4	8	22
Number of decisions taken by authorities in charge of external border controls to suspend products at the border	252		2	1	
Number of decisions to reject products at the border	2		2	1	
Number of products destroyed	9543	827	9295	77	
Number of voluntary measures taken by companies	529	347	63	25	14
Number of voluntary withdrawals	417	135	81	59	10
Number of voluntary recalls	78	32	18	7	4
Number of sanctions imposed	94	18	27	10	

Table for UK Enforcement and Market Surveillance Activities in 2012

Local Authority Region: United Kingdom							
01 Jan 2012 to 31 Dec 2012	Total	Toys	Electrical Appliances	Cosmetics	Childcare Articles	Vehicles	Other
Number of inspections	11141	1299	1588	906	440	461	4617
Number of inspections concerning products sold over the internet	487	62	123	76	32		114
Number of products inspected	111095	8806	77866	9677	1282	7	10940
Number of products tested in labs	2603	570	735	442	70		477
Number of non compliant products found on the market	9317	955	3272	1336	55	199	2723
Number of dangerous products posing a serious risk	3005	149	2408	42	18	184	366
Number of administrative decisions taken	361	36	59	22	24		278
Number of products withdrawn from the market	2234	67	348	558	28		1083
Number of products recalled from the market	125	33	14		34	184	8
Number of decisions taken by authorities in charge of external border controls to suspend products at the border	414	160	122	7	2		5
Number of decisions to reject products at the border	15		10				4
Number of products destroyed	2928	451	463	373	21		1272
Number of voluntary measures taken by companies	754	76	78	33	12	242	66
Number of voluntary withdrawals	464	34	40	9	11	6	40
Number of voluntary recalls	105	28	28	2	8	210	14
Number of sanctions imposed	234	37	23	6			46
Number of total pieces of advice offered to all in supply chain	3453	335	409	189	221		708

Developments relating to specific products and risks dealt with under the Regulations 2005

PRODUCTS CONTAINING BIOCIDES DIMETHYL FUMARATE (DMF)

In 2007 and 2008 Trading Standards received a large number of complaints from consumers who claimed to have suffered skin (burns), chest and eye problems after buying leather sofas sold by major high street retailers, and what the media at the time entitled 'toxic sofas'. To stop leather goods namely sofas but also shoes and bags from going mouldy whilst in storage in Asia or during shipment manufacturers inserted sachets of the anti-fungal chemical dimethyl fumarate (DMF). Upwards of 100,000 sofas were sold which were treated in this way. However, when the sofas went into people's homes the solid sachets turned into a gas that burned through people's clothes and onto their skin.

This was not limited to the UK at least five European countries received similar complaints and as this was now a European problem the European Commission took measures to protect consumers.

On 17 March 2009 the European Commission adopted a Decision requiring Member States to ensure products containing the biocide DMF were not placed on the market and any products already on the market had to be recalled. The Decision was adopted as an emergency measure under Article 13 of the GPSD (the measure is temporary, lasting for a maximum of 12 months, and to remain in place until a more permanent remedy is established).

Member States are required to implement this Decision. In the UK we implement via a Ministerial Direction addressed to local authorities under regulation 35(2) of the UK's 2005 Regulations. The Direction details how Trading Standards as enforcement authorities should interpret the general safety requirements and enforce the Decision.

The Direction was disseminated to all Trading Standards and placed on the department's web-page. The Decision and ministerial Direction were reissued a further three times - 2010, 2011 & 2012 - until a permanent solution was found under EC Regulation 1907/2006 on the Registration, Evaluation, Authorisation & Restriction of Chemicals (REACH) in 2013.

In 2009 over 5,000 people who suffered as the result of the 'toxic' sofas brought two class actions under the CPA and Sale of Goods Act and considered the largest group consumer action in English legal history. In 2010 a High Court judge ordered the major retailers involved to pay out £20m to the victims with awards ranging from £1,200 - £9,000 each and resulting in two of the retailers going into administration.

Disposable Lighters and Child-appealing Novelty Lighters

Since the mid-1990s, the Commission and Member States have been trying (and failing) to reach unanimous agreement on a European Technical Standard that would set safety requirements for child-resistance in disposable lighters – consistent enforcement of product safety legislation relies on such standards. A child-resistant solution was

considered necessary to reduce the number of deaths and injuries that resulted each year from domestic fires accidentally started by very young children playing with lighters.

It was estimated in 2006 (based on UK fire statistics) that each year across Europe there are around 35-40 deaths and 1,500-1,900 injuries resulting from such fires.

The greatest risk was seen with cheap throw-away lighters that were often bought in bulk and left lying around within reach of children and child-appealing novelty lighters. Luxury and semi-luxury lighters were not thought to present a risk in this context.

As a result the European Commission published a Commission Decision 2006/502/EC on 20 July 2006 that required Member States to take measures, starting from 11 March 2007, to ensure that only lighters which are child resistant are placed on the market and to prohibit the placing on the market of novelty lighters.

It was established under Article 13 of Directive 2001/95/EC on general product safety (GPSD). In accordance with the provisions of Article 13, the initial period of validity was limited to 12 months, but with the possibility that it could be extended for additional periods, each of up to one year.

CEN was given a mandate on 9 July 2008 to revise the relevant standard, EN 13869:2002 'Lighters — Child-resistance for lighters — Safety requirements and test methods'. CEN could not complete the revision however because the relevant committee (CEN/PC 355 "Lighters") was unable to establish a test method for child resistance that is not based on the use of child panels.

Member States are required to implement this Decision. In the UK as with the Decision on DMF (p.15) we implement via a Ministerial Direction addressed to local authorities under regulation 35(2) of the UK's 2005 Regulations. The Direction details how Trading Standards as enforcement authorities should interpret the general safety requirements and enforce the Decision.

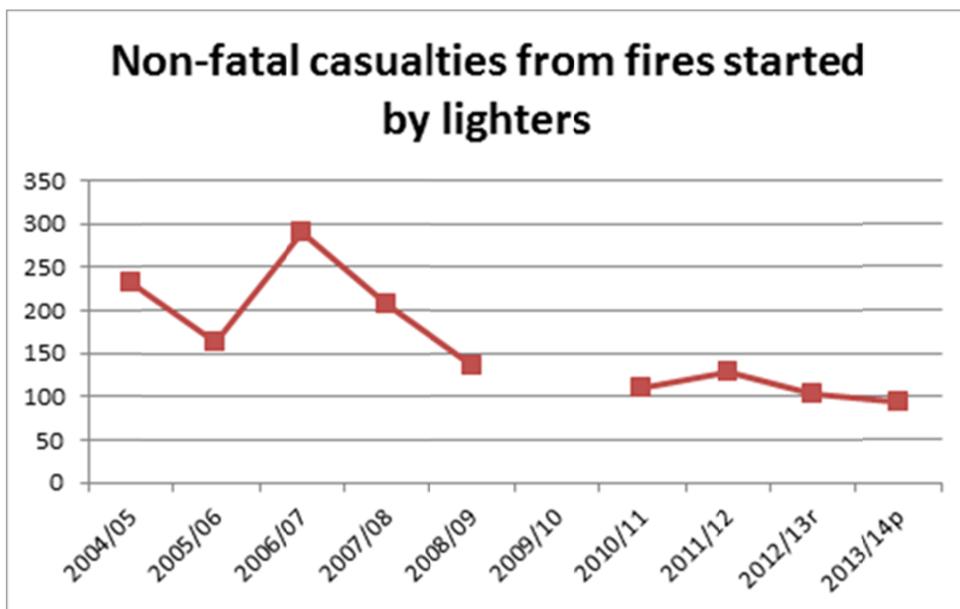
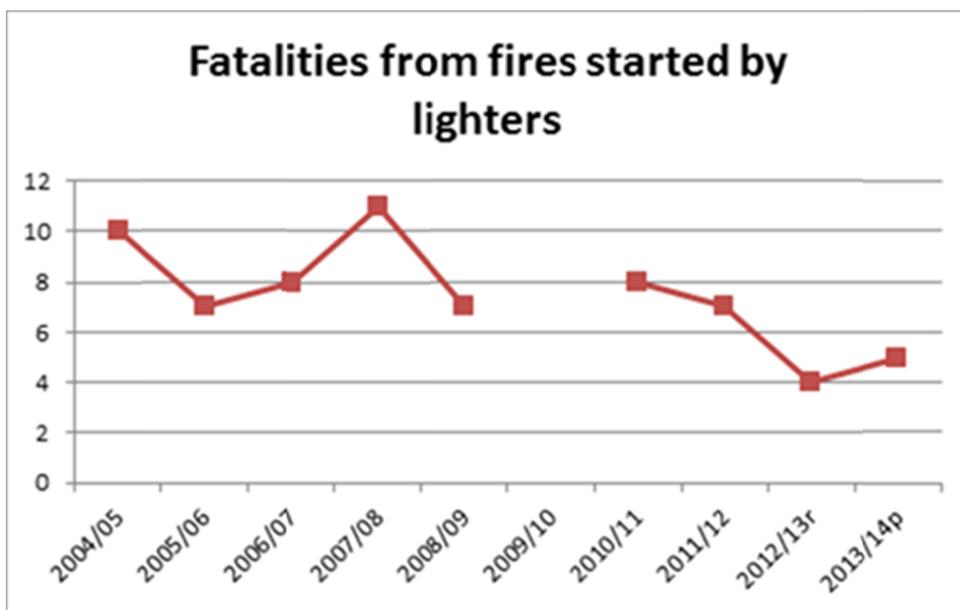
The Direction was disseminated to all Trading Standards and placed on the department's web-page ([Lighters Direction](#)) The Decision and ministerial Direction continues to be reissued until a permanent solution was found.

Following the publication of the European Commission Decision under Article 13 of the GPSD statistics for Great Britain provided by the UK Fire and Rescue Authorities in the table and graphs below (p.17) show that in 2004/05 there were 233 non-fatal casualties from fires started by lighters down to 103 in 2012/13. There was also a fall of 10 fatalities in 2004/05 to 4 in 2012/13 providing evidence that action at a European and National level to protect consumers can and does work.

(Incomplete records from one Fire and Rescue Authority meant that it was not possible to produce some of the more detailed statistics for 2009-10)

Tables relating to fire statistics from non-compliant Lighters

Year	2004/05	2005/06	2006/07	2007/08	2008/09	2010/11	2011/12	2012/13	2013/14
Fatalities	233	163	290	208	135	110	128	103	93
Non-fatalities	10	7	8	11	7	8	7	4	5



The Consumer Protection Act 1987

The Consumer Protection Act came into force on 1 October 1987. Part II of this Act (and Part IV as far as it relates to Part II) consolidates the regulatory and other powers available under the Consumer Protection Acts 1961 and 1971, the Consumer Safety Act 1978 and the amending Act of 1986.

Section 42 of the Act requires the Secretary of State to lay before each House of Parliament a report on the exercise of the consumer safety functions under Part II of the Act at least once every five years.

Devolution

Under the Scotland Act 1998, product safety is reserved to the UK Parliament. There are no transferred functions in relation to product safety in the Government of Wales Act 1988 and consumer safety in relation to goods is a reserved matter to the UK Parliament under the Northern Ireland Act 1998. However, Northern Ireland retains responsibility for some safety regulations (see Appendix 2) that were made prior to devolution under the Consumer Protection Act (Northern Ireland) 1965.

Powers exercised by the Secretary Of State

Regulatory Powers

The power to make Regulations is used both for the implementation of European legislation and for the making of national regulations. A list of all Statutory Instruments made under Part II of the CPA and preceding legislation are listed at Annex B.

Section 11(5) of the Act requires that before making any regulations under that section, the Secretary of State must consult such organisations as appear to be representative of the interests substantially affected by the proposal and such other persons as he considers appropriate and, in the case of proposed regulations relating to goods suitable for use at work, to consult the Health and Safety Executive. Notwithstanding this requirement, the Secretary of State may make regulations without such consultation provided that the need to protect the public requires that the regulations should be made without delay and that they cease to have effect after a maximum of twelve months.

Prohibition notices

Under section 13(1) (a) of the Act, the Secretary of State may serve a notice on any person prohibiting him from supplying, offering to supply, exposing for supply, or possessing for supply, any relevant goods which are considered to be unsafe, except with the consent of the Secretary of State and in accordance with any conditions imposed by the Secretary of State. Relevant goods are goods which are covered by safety regulations made under the Act.

Notices to warn

Under Section 13(1) (b) of the Act the Secretary of State may require a supplier to publish, at his own expense, a warning about any relevant goods which the Secretary of State considers are unsafe. The Secretary of State may specify the form and manner of the notice, as well as the occasions on which it should be published. It has not been found necessary in the period of the Report to serve any such notice. Often, this is because the Department has been able to secure the necessary co-operation of suppliers without exercising this power.

Power to obtain information

Under section 18 of the Act the Secretary of State has power to obtain information required for the purpose of deciding whether to make, vary, or revoke safety regulations or to serve, vary, or revoke a prohibition notice or to serve or revoke a notice to warn. During the period of this Report it has not been necessary to exercise this power.

Powers exercised by Local Enforcement Authorities

Section 27(1) of the Act provides that it shall be the duty of every weights and measures (i.e. Trading Standards) authority and every district council in Northern Ireland to enforce within its area the provisions of safety regulations made under the Act, together with prohibition notices and suspension notices.

The Secretary of State has the power under Section 27(2) to transfer the whole or part of the duty to another person or to relieve the authorities of any of their duties, but did not need to exercise this power during the period of the report.

Under the Act, enforcement authorities are empowered to:

(i) inspect, purchase and test goods for the purpose of determining whether they comply with safety requirements;

(ii) examine any procedure connected with the production of goods;

(iii) require books or documents to be produced for examination;

(iv) seize and detain goods;

(v) obtain warrants to enter premises if there is reasonable cause to believe that relevant provisions have been contravened and admission has been refused or is urgent;

(vi) serve a suspension notice on any person whom they have grounds to suspect is contravening any safety provision. This has the effect of prohibiting the person on whom the notice is served from supplying the goods for up to six months. A suspension notice may also require the person on whom it is served to keep the enforcement authority informed on the whereabouts of all the goods in question; and

(vii) in England, Wales and Northern Ireland apply to a magistrates' court for an order that goods be forfeited or destroyed on the grounds that there has been a contravention of a safety provision. Such orders may also be made in Scotland by a sheriff.

Ultimately, enforcement authorities have the power to prosecute persons who have contravened the safety provisions contained in notices served under the Act or in safety regulations made under the Act.

The Secretary of State is an enforcement authority for the purposes of the Act.

Prosecutions under the CPA

The National Anti-Fraud Network (NAFN) exists to support its members in protecting the public interest. It is the largest shared service in the country managed by, and for the benefit of its members, and part of the service is the acquisition of data legally, efficiently and effectively from a wide range of information providers. Users of NAFN include Enforcement and Regulation Teams from Local Authorities. Only 87% of local authorities are members of NAFN and the following table (p.21) is an indicative list of the number of prosecutions made under the CPA 2008 – 2013.

Examples of prosecutions under the CPA:

A retailer in Cardiff who was prosecuted on 19 May 2011 for offences under the Cosmetic Product Regulations. The offences were in relation to excessive levels of hydrogen peroxide within tooth whitening treatments. They received a fine of £6,200 and the local authority was granted a forfeiture order for disposal.

In the London Borough of Southwark a retailer was prosecuted in April 2009 under the CPA for offences under the Cosmetic Product Regulations. The offences were in relation of banned ingredients. He was fined £6,400 and ordered to pay the prosecution costs of £6,904.

Also in the London Borough of Southwark a retailer was prosecuted in June 2011 under the CPA for offences under the Electrical Equipment (Safety) Regulations. The offences were in relation to dangerous chargers. He was given a 6 month conditional discharge and ordered to pay £500 costs.

Indicative list of Prosecutions under the Consumer Protection Act 1987



Indicative list of Prosecutions under the Consumer Protection Act 1987	08/09	09/10	10/11	11/12	12/13
The Children's Clothing (Hood Cords) Regulations 1976	2	1	0	0	0
The Cigarette Lighter Refill (Safety) Regulations 1999	3	4	2	3	0
The Cosmetic Products (Safety) Regulations 1989	1	1	0	0	0
The Electrical Equipment (Safety) Regulations 1994	32	39	30	33	73
The Fireworks (Safety) Regulations 1997 – Reg 6	24	22	7	0	2
The Food Imitations (Safety) Regulations 1989	0	0	0	0	0
The Furniture and Furnishings (Fire)(Safety) Regulations 1988	17	2	9	25	21
The Motor Vehicles Tyres (Safety) (Amendment) Regulations 2003	0	3	0	0	0
The Motor Vehicles Tyres (Safety) Regulations 2003	0	0	0	0	6
The Pencils & Graphic Instruments (Safety) Regulations 1998	0	0	0	0	0
The Plugs and Sockets etc (Safety) Regulations 1994	10	8	8	1	13
The Tobacco Products (Manufacture, Presentation and Sale) Safety Regs 2002	18	52	73	253	295
The Toy (Safety) Regulations 1995	17	14	0	6	5
Annual Totals	124	146	129	321	415

Northern Ireland

Section 49 of the Act provides that the safety provisions made by or under Part II of the Act shall extend to Northern Ireland. It is a duty under section 27(1) of the Act for district councils in Northern Ireland to enforce safety regulations made under the Consumer Protection Act (Northern Ireland) 1965, under the Consumer Safety Act 1978 and the Consumer Protection Act 1987.

Implementation of European Legislation by Regulations

When a European Directive laying down safety requirements for a specific product or class of products is adopted by the Council, that too is typically implemented in the United Kingdom by means of Regulations made under section 11 of the Act often in conjunction with the powers available under section 2 (2) of the European Communities Act 1972 or, by means of Regulations made under section 2(2) alone.

Review of Safety Regulations

The need for new or amending Regulations, or the repeal of existing Regulations, is kept under review in the light of information received from various sources, in particular from the public and its elected members, enforcement authorities, consumer organisations, and industry bodies. In addition, the Department takes into account any need for protection identified by its consumer safety research programme and other intelligence and data services.

Coordination bodies

The Local Authorities Coordinators of Regulatory Services (LACORS)

LACORS provided advice, guidance and support to local authorities throughout the UK and provided the link between trading standards and government - BIS. However, this service was dissolved in 2009.

BIS needed to establish a new way of working and engaging with the many trading standards services which meant working with established bodies within Trading Standards and starting new ones as are detailed under the following headings:

Association of Chief Trading Standards Officers (ACTSO)

ACTSO is a section of the Trading Standards Institute (TSI) which operates on a subscription basis. It provides support including leadership and management training to the Heads and up to three senior managers responsible for Trading Standards Services in England and Wales. As part of its leadership role, ACTSO endorses best practice guidance across the range of trading standards activities; on consumer product safety it has issued guidance for officers on internal window blinds and on the CE marking of fireworks to ensure consistency of enforcement.

ACTSO Ltd acts as the employing and delivery mechanism for the National Trading Standards Board.

National Trading Standards Board (NTSB)

NTSB is a group of senior and experienced local government heads of trading standards, representing all trading standards services across England and Wales. The Board was set up in 2012 by the Government as part of changes to the consumer protection landscape and an enhanced role for trading standards. NTSB provides leadership influence, support and resources to help combat consumer and business detriment locally, regionally and nationally.

The National Tasking Group allocates funding for trading standards projects and a campaign distributing 103,000 posters alerting consumers to the dangers posed by button cell batteries, nappy sacks, liquid tabs and internal window blinds was funded this way.

The Safety at Ports and Borders work stream funds consumer product safety trading standards work at border points in England and Wales. Sea ports, airports and postal hubs (both Royal Mail and private courier hubs) are funded to prevent unsafe goods from entering the country. The Single Point of Contact based at Suffolk Trading Standards, profiles the United Kingdom Border Force intelligence system to provide 'hits' for a range of market surveillance authorities so that high risk imports can be intercepted at source of entry.

The Programme Office also provides administrative support to the Product Safety Focus Group.

Product Safety Focus Group (PSFG)

The PSFG is made up of a representative from each of the nine established regional groups in England with a standing invitation to one representative from Wales, Scotland, Northern Ireland, with representatives also from BIS and TSI. The purpose of the PSFG is to facilitate consistent enforcement of consumer product safety by Local Authority Trading Standards Authorities in England, Wales and Scotland and Environmental Health Services in Northern Ireland through the dissemination of advice, guidance and good practice. Examples of issues dealt with include the work on Fulfilment Houses where the PSFG obtained Counsel's Opinion on the legislative implications for enforcement of consumer product safety for products supplied to consumers via this means. This has moved the issue forward and further work is currently being done on this issue which cuts across all enforcement agencies. The PSFG uses the Knowledge Hub as a key means of communication with Officers in the field.

The Royal Society for the Prevention of Accidents (RoSPA)

The Royal Society for the Prevention of Accidents (RoSPA) is committed to promoting safety and the prevention of accidents in all areas of life: at work, at leisure, on the road, in the home and in schools.

They are a registered charity and have been at the heart of accident prevention in the UK and around the world since our inception more than 90 years ago. Their mission is to save lives and reduce injuries and their vision is to lead the way on accident prevention. Both

these aims are fundamental in setting priorities for long-term strategic goals and day-to-day operations.

They aim to bring about life- and cost-saving changes in UK society by promoting key safety issues and providing relevant services. Their varied activities include informing and educating, collecting data, carrying out research, developing policies, auditing and providing expert consultancy.

On average every year, 14,000 people die as a result of an accident, 5000 of which happen in the home, 2.7 million home accident casualties occur in the UK every year, resulting in an estimated cost of £45.6 billion p.a.

RoSPA has always been at the forefront of product safety advice. Their product safety advisor works closely with the Product Regulations Team within BIS to provide consumer safety advice and consumer awareness campaigns as well as providing statistical data.

BIS provides funding to RoSPA on 4 key areas:

- Investigate statistical trends and identify potential issues and solutions in relation to injuries involving consumer goods
- Delivery of their campaign to reduce the incidence of death and injury associated with internal looped blind cords
- Delivery of their campaign to reduce the incidence of death and injury associated with nappy sacks
- Delivery of campaign to reduce the incidence of death and injury associated with poisoning (particularly young children)

Other Enforcers

Co-operation with Customs authorities

With the entry into force of the Regulation on Accreditation and Market Surveillance on 1 January 2010, the involvement of customs authorities in enforcing product safety legislation was put on a stronger footing. Further work has had to be done as a result to assist customs officials in fulfilling their new surveillance role.

In 2011, a European Expert Working Group composed of customs and market surveillance experts from Member States proposed a set of guidelines for implementing the new legislative requirements and a set of check lists to be available for use by customs officials when checking the safety of products entering the EU.

In 2012, the Commission proposed a new road map consisting of 26 concrete actions to be taken by the Commission and the Member States by 2014 to ensure that product safety customs controls are properly carried out across the EU.

The co-operation between market surveillance and customs authorities was also strengthened in 2012 by the fact that RAPEX notifications which were considered to contain relevant information for customs officials were distributed via the Risk Information Form (RIF) system.

Single Point of Contact (SPoC)

The main purpose of the SPoC is to act as an intelligence hub to enable the use of profiled “customs” information at all UK points of entry (as appropriate) and to act on behalf of all UK market surveillance authorities. The SPoC team is hosted by the Market Surveillance Authority with responsibility for consumer goods and is based at the UK’s main container port. This port handles over 42% of all consumer goods entering the EU via the UK.

The SPoC team collects, collates and analyses all available intelligence which, together with risk assessment, is used to identify the products and economic operators that pose the greatest risks. The SPoC then works with UK Customs to set controls at appropriate levels and at relevant border points. The SPoC manages the levels of “hits” to ensure that they are always at a sustainable level for both the MSAs and UK Customs authorities. It is the SPoC team that first receives any “hit” which is then subject to a second risk assessment to ensure that the consignment meets all relevant risk criteria. If this is the case, the entry documentation will be forwarded to the relevant MSA at the appropriate border point for documentary check/visual examination and/or sampling.

The SPoC also collects and analyses the outcome of all interventions undertaken within the criteria of Reg. 765/2008 and uses this information as part of the intelligence cycle.

The SPoC team therefore has a significant and critical role within the UK’s border controls and as such, it has considerable expertise and knowledge which is used to good effect when they are invited to attend as the UK expert at meetings of the European Commission on border controls.

DVSA (The Driver and Vehicle Standards Agency)

DVSA is the Enforcement Authority for all Automotive Products.

During the period April 1 2008 to 31 March 2013 DVSA invoked no prosecutions and no convictions or dismissals. This is simply because all issues with manufacturers taken up by DVSA that needed a safety recall had one undertaken.

That is all issues that DVSA considered had proven evidence to show that it met the criteria for a safety recall had a full voluntary recall undertaken, registered and monitored. It has not been necessary to issue a notice to invoke any of the powers that exist under the GPSR 2005 as negotiation has always resulted in the right action being taken whether it is a safety recall action or something more suitable to the evidence. Over the five year period DVSA have registered 1232 safety recalls which dealt with 5,611,687 vehicles /component parts.

Of this 304,692 vehicles/or component parts were recalled as a result of DVSA’s investigations which resulted in agreement by the manufacturer to initiate a safety recall. That is 22% of the total number of vehicles/components and accounted for 135 registrations (10%).

The response rate over the 5 year period (that is the percentage per year of vehicles/components reworked) has been further explored and split between each

category of vehicle / component managed within the scheme. As an example the average for passenger cars for the period was 92%.

During that time DVSA has reviewed the “Guide to Recalls in the UK Automotive Sector”. This is available for viewing or downloading on Gov.UK or contacting DVSA’s Vehicle Safety Branch on (+44) 0117 9543300.

During the five year period DVSA has continued its education programme and has produced a number of consumer guides as well as specialised guidance for the industry. These guides are available for viewing and downloading on Gov.uk or contacting the number above.

In all instances we are acting under the two Codes of Practice that are in place for the automotive safety recall scheme which are supported by the General Product Safety Regulations 2005. These were reviewed with the industry in 2012.

DVSA investigated 2656 allegations of safety defects in automotive products during the 5 year period.

Reform

The New Legislative Framework (NLF)

Prior to 2008 the European Commission conducted a review of the way that the internal market for goods was working. This included a review of “non-harmonised” or “sector-specific” legislation, and harmonised legislation (that which has legal elements in common). As part of its stock-taking exercise, the Commission found that harmonised legislation was not working effectively across and within EU Member States. They identified three main problems with the way that it was working, including (i) the number of products that were on the EU market that did not comply with the requirements of the legislation; (ii) unsatisfactory performance of some Notified Bodies (the bodies which determine whether a product meets the essential requirements of the legislation) and (iii) that the current legislation was difficult to understand and use.

The Commission proposed the NLF in an attempt to improve this, which the European Council and Parliament then debated and adopted.

The New Legislative Framework (NLF) is a framework of general principles and rules, which aims to make legislation on the Single Market for Goods clearer, more consistent and more effective.

The NLF consists of an EU Regulation and an EU Decision, both made in July 2008. The Regulation¹ establishes a framework for accreditation and market surveillance to better

¹ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No. 339/93.

protect consumers from unsafe or uncompliant products. The Decision² lays down provisions that are intended to be incorporated into future EU product harmonisation legislation and existing product legislation when it is revised or recast.

In order to bring existing product harmonisation legislation into line with the Decision, an “Alignment Package” was introduced to align 9 European Union Directives (which would not otherwise have been revised in the near future) to the NLF. The Alignment Package was fully published in March 2014. Other EU product legislation will also be aligned to the NLF when it undergoes a formal review.

The 9 Directives which have been aligned to the Decision are:

- Low Voltage
- Simple Pressure Vessels
- Lifts and their safety components
- Pyrotechnic Articles
- Equipment for Use in Explosive Atmospheres (“ATEX”)
- Electromagnetic Compatibility
- Measuring Instruments (managed by the National Measurements Office)
- Non Automatic Weighing Instruments (managed by the National Measurements Office)
- Civil Explosives (managed by the Health and Safety Executive)

These must be transposed (written into UK law) by April 2016, with the exception of the Pyrotechnic Articles Directive which must be transposed by July 2015.

The NLF is not intended to change the technical essential requirements of EU product legislation (however that may happen where a Directive is specifically subject to a wider revision, such as legislation on Personal Protective Equipment and Radio Equipment). Instead, it builds on the existing systems to reinforce the application and enforcement of legislation. The NLF is intended to make legislation consistent so that similar provisions have consistent text. It only requires the legislation to use the provisions which are necessary for each sector; the recommended text from the Decision might also be expanded or slightly modified to make it appropriate for that particular sector. For example the “new” Lifts Directive has more provisions on non-compliant products than its predecessor but, for the most part, it uses the text set out in the NLF Decision.

² Decision No 768/2008/EC on a common framework for the marketing of products and is available here: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0082:0128:en:PDF>

There are other Directives which are also currently being revised and which are in the process of being aligned to the Decision:

- Personal Protective Equipment
- Gas Appliances
- Radio Equipment
- Recreational Craft Directive
- Pressure Equipment

A table of these Directives listing their old and new numbers can be found below (p.29) at Annex A.

Annex A

New Legislative Framework – List of Directives:

<u>Alignment Package Directives</u>		
<u>Name</u>	<u>“Old” Number</u>	<u>“New” Number</u>
<u>Low Voltage</u>	<u>2006/95 EC</u>	<u>2014/35</u>
<u>Simple Pressure Vehicles</u>	<u>2009/105 EC</u>	<u>2014/29 EC</u>
<u>Lifts and their safety components</u>	<u>1995/16 EC</u>	<u>2014/33 EC</u>
<u>Pyrotechnic Articles</u>	<u>2007/23 EC</u>	<u>2013/29/EU</u>
<u>Equipment for use in Potentially Explosive Atmospheres (ATEX)</u>	<u>94/9EC</u>	<u>2014/34 EC</u>
<u>Electromagnetic Compatibility</u>	<u>2004/108 EC</u>	<u>2014/30 EC</u>
<u>Measuring Instruments</u>	<u>2004/22 EC</u>	<u>2014/32 EC</u>
<u>Non Automatic Weighing Instruments</u>	<u>2009/23 EC</u>	<u>2014/31 EC</u>
<u>Civil Explosives</u>	<u>93/15 EC</u>	<u>2014/28 EC</u>
Other Directives that have been revised and aligned		
<u>Recreational Craft</u>	<u>94/25/EC</u>	<u>2013/53/EC</u>
<u>Pressure Equipment</u>	<u>97/23/EC</u>	<u>2014/68/EU</u>
<u>Radio Equipment</u>	<u>1999/5 EC</u>	<u>2014/53 EC</u>
<u>Other Directives being revised and aligned</u>		
<u>Gas Appliances</u>	<u>2009/142 EC³</u>	<u>n/a</u>
<u>Personal Protective Equipment</u>	<u>89/686 EEC⁴</u>	<u>n/a</u>

³ Being Revised as a European Regulation

⁴ Being revised as a European Regulation

Annex B

All Statutory Instruments made under s. 11 of the Consumer Protection Act 1987 (1987 – 2013)

Active Implantable Medical Devices (Amendment and Transitional Provisions)

Regulations 1995 (S.I. 1995/1671)

Active Implantable Medical Devices Regulations 1992 (S.I. 1992/3146)

Aerosol Dispensers (Amendment) Regulations 2014 (S.I. 2014/1130)

Aerosol Dispensers Regulations 2009 (S.I. 2009/2824)

All-Terrain Motor Vehicles (Safety) Regulations 1989 (S.I. 1989/2288)

Asbestos Products (Safety) (Amendment) Regulations 1987 (S.I. 1987/1979)

Ceramic Articles in Contact with Food (England) Regulations 2006 (S.I. 2006/1179)

Ceramic Articles in Contact with Food (Scotland) Regulations 2006 (S.S.I. 2006/230)

Ceramic Ware (Safety) Regulations 1988 (S.I. 1988/1647)

Child Resistant Packaging (Safety) (Amendment) Regulations 1993 (S.I. 1993/1546)

Cigarette Lighter Refill (Safety) Regulations 1999 (S.I. 1999/1844)

Cigarettes (Maximum Tar Yield) (Safety) Regulations 1992 (S.I. 1992/2783)

Controls on Certain Azo Dyes and "Blue Colourant" (Amendment) Regulations 2004 (S.I. 2004/2913)

Controls on Certain Azo Dyes and "Blue Colourant" Regulations 2003 (S.I. 2003/3310)

Cosmetic Products (Safety) (Amendment No. 2) Regulations 2008 (S.I. 2008/2566)

Cosmetic Products (Safety) (Amendment No. 2) Regulations 2010 (S.I. 2010/1927)

Cosmetic Products (Safety) (Amendment No.2) Regulations 2009 (S.I. 2009/1346)

Cosmetic Products (Safety) (Amendment No.3) Regulations 2009 (S.I. 2009/2562)

Cosmetic Products (Safety) (Amendment No.4) Regulations 2009 (S.I. 2009/3367)

Cosmetic Products (Safety) (Amendment) (No. 2) Regulations 2005 (S.I. 2005/3346)

Cosmetic Products (Safety) (Amendment) (No. 2) Regulations 2006 (S.I. 2006/2231)

Cosmetic Products (Safety) (Amendment) (No. 2) Regulations 2007 (S.I. 2007/2400)

Cosmetic Products (Safety) (Amendment) (No. 3) Regulations 2006 (S.I. 2006/2907)

Cosmetic Products (Safety) (Amendment) (No. 3) Regulations 2007 (S.I. 2007/3452)

Cosmetic Products (Safety) (Amendment) (No.2) Regulations 2004 (S.I. 2004/2988)

Cosmetic Products (Safety) (Amendment) Regulations 2005 (S.I. 2005/1815)

Cosmetic Products (Safety) (Amendment) Regulations 2006 (S.I. 2006/1198)

Cosmetic Products (Safety) (Amendment) Regulations 2007 (S.I. 2007/1623)

Cosmetic Products (Safety) (Amendment) Regulations 2008 (S.I. 2008/2173)

Cosmetic Products (Safety) (Amendment) Regulations 2009 (S.I. 2009/796)

Cosmetic Products (Safety) (Amendment) Regulations 2010 (S.I. 2010/1150)

Cosmetic Products (Safety) (Amendment) Regulations 2011 (S.I. 2011/3037)

Cosmetic Products (Safety) (Amendment) Regulations 2012 (S.I. 2012/2263)

Cosmetic Products (Safety) Regulations 1989 (S.I. 1989/2233)

Cosmetic Products (Safety) Regulations 1996 (S.I. 1996/2925)

Cosmetic Products (Safety) Regulations 2003 (S.I. 2003/835)

Cosmetic Products (Safety) Regulations 2004 (S.I. 2004/2152)

Cosmetic Products (Safety) Regulations 2008 (S.I. 2008/1284)

Creosote (Prohibition on Use and Marketing) Regulations 2003 (S.I. 2003/721)

Creosote (Prohibition on Use and Marketing)(No. 2) Regulations 2003 (S.I. 2003/1511)

Dangerous Substances and Preparations (Nickel) (Safety) Regulations
2000 (S.I. 2000/1668)

Dangerous Substances and Preparations (Nickel) (Safety) Regulations
2005 (S.I. 2005/2001)

Dangerous Substances and Preparations (Safety) (Amendment) Regulations
2007 (S.I. 2007/386)

Dangerous Substances and Preparations (Safety) (Consolidation) (Amendment No. 2) Regulations 2002 (S.I. 2002/2479)

Dangerous Substances and Preparations (Safety) (Consolidation) (Amendment No. 3) Regulations 2002 (S.I. 2002/3010)

Dangerous Substances and Preparations (Safety) (Consolidation) (Amendment) (No. 2) Regulations 1999 (S.I. 1999/3193)

Dangerous Substances and Preparations (Safety) (Consolidation) (Amendment) Regulations 1996 (S.I. 1996/2635)

Dangerous Substances and Preparations (Safety) (Consolidation) (Amendment) Regulations 1999 (S.I. 1999/2084)

Dangerous Substances and Preparations (Safety) (Consolidation) (Amendment) Regulations 2004 (S.I. 2004/1417)

Dangerous Substances and Preparations (Safety) (Consolidation) and
Chemicals (Hazard Information and Packaging for Supply) (Amendment)
Regulations 2000 (S.I. 2000/2897)

Dangerous Substances and Preparations (Safety) (Consolidation) Regulations 1994 (S.I. 1994/2844)

Dangerous Substances and Preparations (Safety) Regulations 2006 (S.I. 2006/2916)

Electrical Equipment (Safety) Regulations 1994 (S.I. 1994/3260)

Fireworks Regulations 2004 (S.I. 2004/1836)

Fireworks (Safety) (Amendment) Regulations 2004 (S.I. 2004/1372)

Fireworks (Safety) (Revocation) Regulations 1995 (S.I. 1995/415)

Fireworks (Safety) Regulations 1996 (S.I. 1996/3200)

Fireworks (Safety) Regulations 1997 (S.I. 1997/2294)

Fireworks (Scotland) Regulations 2004 (S.S.I. 2004/393)

Food Imitations (Safety) Regulations 1989 (S.I. 1989/1291)

Furniture and Furnishings (Fire) (Safety) (Amendment) Regulations 1989 (S.I. 1989/2358)

Furniture and Furnishings (Fire) (Safety) (Amendment) Regulations 1993 (S.I. 1993/207)

Furniture and Furnishings (Fire) (Safety) (Amendment) Regulations 2010 (S.I. 2010/2205)

Furniture and Furnishings (Fire) (Safety) Regulations 1988 (S.I. 1988/1324)

Gas Appliances (Safety) Regulations 1992 (S.I. 1992/711)

Gas Appliances (Safety) Regulations 1995 (S.I. 1995/1629)

Goods Vehicles (Community Authorisations) (Modification of the Road Traffic (Foreign Vehicles) Act 1972) Regulations 2002 (S.I. 2002/1415)

Heating Appliances (Fireguards) (Safety) Regulations 1991 (S.I. 1991/2693)

Imitation Dummies (Safety) Regulations 1992 (S.I. 1992/3189)

Imitation Dummies (Safety) Regulations 1993 (S.I. 1993/2923)

In Vitro Diagnostic Medical Devices Regulations 2000 (S.I. 2000/1315)

Low Voltage Electrical Equipment (Safety) Regulations 1989 (S.I. 1989/728)

Magnetic Toys (Safety) (Revocation) Regulations 2009 (S.I. 2009/1347)

Magnetic Toys (Safety) Regulations 2008 (S.I. 2008/1654)

Medical Devices (Amendment) Regulations 2003 (S.I. 2003/1697)

Medical Devices (Amendment) Regulations 2007 (S.I. 2007/400)

Medical Devices (Amendment) Regulations 2008 (S.I. 2008/2936)

Medical Devices (Amendment) Regulations 2012 (S.I. 2012/1426)

Medical Devices (Amendment) Regulations 2013 (S.I. 2013/2327)

Medical Devices Regulations 1994 (S.I. 1994/3017)

Medical Devices Regulations 2002 (S.I. 2002/618)

Motor Vehicle Tyres (Safety) (Amendment) (No. 2) Regulations 2003 (S.I. 2003/2762)

Motor Vehicles Tyres (Safety) (Amendment) Regulations 1992 (S.I. 1992/3087)

Motor Vehicles Tyres (Safety) (Amendment) Regulations 1993 (S.I. 1993/2877)

Motor Vehicle Tyres (Safety) (Amendment) Regulations 1996 (S.I. 1996/3227)

Motor Vehicle Tyres (Safety) (Amendment) Regulations 1997 (S.I. 1997/815)

Motor Vehicle Tyres (Safety) (Amendment) Regulations 2003 (S.I. 2003/1316)

Motor Vehicle Tyres (Safety) Regulations 1994 (S.I. 1994/3117)

N-nitrosamines and N-nitrosatable Substances in Elastomer or Rubber Teats and Dummies (Safety) Regulations 1995 (S.I. 1995/1012)

Oil Lamps (Safety) (Revocation) Regulations 1992 (S.I. 1992/23)

Pedal Bicycles (Safety) Regulations 2003 (S.I. 2003/1101)

Pedal Bicycles (Safety) Regulations 2010 (S.I. 2010/198)

Pencils and Graphic Instruments (Safety) Regulations 1998 (S.I. 1998/2406)

Plugs and Sockets etc. (Safety) Regulations 1994 (S.I. 1994/1768)

Product Safety (Revocation) Regulations 2012 (S.I. 2012/1815)

Product Safety Amendment and Revocation Regulations 2012 (S.I. 2012/2963)

Pyrotechnic Articles (Safety) Regulations 2010 (S.I. 2010/1554)

Road Vehicles (Brake Linings Safety) (Amendment) Regulations 2003 (S.I. 2003/3314)

Road Vehicles (Brake Linings Safety) Regulations 1999 (S.I. 1999/2978)

Stands for Carry-cots (Safety) (Revocation) Regulations 1996 (S.I. 1996/2756)

Tobacco for Oral Use (Safety) Regulations 1992 (S.I. 1992/3134)

Tobacco Products (Manufacture, Presentation and Sale) (Safety) (Amendment) Regulations 2007 (S.I. 2007/2473)

Tobacco Products (Manufacture, Presentation and Sale) (Safety) Regulations 2002 (S.I. 2002/3041)

Tobacco Products Labelling (Safety) Amendment Regulations 1993 (S.I. 1993/1947)

Tobacco Products Labelling (Safety) Regulations 1991 (S.I. 1991/1530)

Toys (Safety) (Amendment) Regulations 1993 (S.I. 1993/1547)

Toys (Safety) (Amendment) Regulations 2010 (S.I. 2010/1928)

Toys (Safety) Regulations 1989 (S.I. 1989/1275)

Toys (Safety) Regulations 1995 (S.I. 1995/204)

Toys (Safety) Regulations 2011 (S.I. 2011/1881)

Unlicensed Medicinal Products for Human Use (Transmissible Spongiform

Encephalopathies) (Safety) Regulations 2003 (S.I. 2003/1680)

Wheeled Child Conveyances (Safety) Regulations 1997 (S.I. 1997/2866)

ANNEX C

List of BIS Publications relating to Product Safety and Consumer Product Regulations 1 April 2008 – 31 March 2013

2009

04/09/09 Consultation Pyrotechnic Articles (Safety) Regulations 2010

2010

30/03/10 Previous publication of this Report on the Application of Part II of the Consumer Protection Act 1987 Consumer Safety 1 April 2003 – 31 March 2008

2011

04/02/11 Consultation on Toy Safety

07/04/11 Review of the Furniture & Furnishings (Fire) (Safety) Regulations 1988 (FFRs): Letter from BIS to stakeholders

18/04/11 Labelling Aerosol Dispensers: guidance on ADD & CLP Regulation requirements

21/07/11 Department for Business, Innovation & Skills Consultation on the Transposition of European Directive on the Safety of Toys: Government response

26/08/11 The Toys (Safety) Regulations 2011: guidance on appointing UK notified bodies

11/11/11 Proposal for a Directive on Recreational Craft and Personal Watercraft: consultation

25/11/11 The Supply of Machinery (Safety) (Amendment) Regulations 2011: guidance notes

2012

05/01/12 The Pressure Equipment Regulations 1999: appointment of UK conformity assessment bodies

09/01/12 The Simple Pressure Vessels (Safety) Regulations 1991: UK approved bodies appointment guidelines

09/01/12 The Equipment & Protective Systems intended for use in potentially explosive atmospheres Regulations 1996: guidelines on the appointment of notified bodies

- 13/01/12 New Legislative Framework for Community Harmonisation Legislation for Products: alignment package analysis checklist
- 13/01/12 New Legislative Framework for Community Harmonisation Legislation for Products: alignment proposals
- 24/02/12 European Internal Market: Government response to the BIS public consultation on the draft Market Surveillance and CE Marking Regulations
- 19/03/12 Dimethylfumerate Direction 2012: guidance for local councils

2013

- 07/01/13 The Pyrotechnic Articles (Safety) Regulations 2010: guidelines on the appointment of UK notified bodies to undertake conformity assessment

ANNEX D

Publication of titles and references of harmonised European standards under the GPSD and published in the Official Journal of the European Union.

ESO	Reference and title of the standard (and reference document)	First publication OJ	Reference of superseded standard
CEN	EN 581-1:2006 Outdoor furniture - Seating and tables for camping, domestic and contract use - Part 1: General safety requirements	22/07/2006	
CEN	EN 913:2008 Gymnastic equipment - General safety requirements and test methods	11/07/2014	EN 913:1996
CEN	EN 914:2008 Gymnastic equipment - Parallel bars and combination asymmetric/parallel bars - Requirements and test methods including safety	11/07/2014	
CEN	EN 915:2008 Gymnastic equipment - Asymmetric bars - Requirements and test methods including safety	11/07/2014	
CEN	EN 916:2003 Gymnastic equipment - Vaulting boxes - Requirements and test methods including safety	15/10/2005	
CEN	EN 957-2:2003 Stationary training equipment - Part 2: Strength training equipment, additional specific safety requirements and test methods	22/07/2006	
CEN	EN 957-4:2006+A1:2010 Stationary training equipment - Part 4: Strength training benches, additional specific safety requirements and test methods	11/07/2014	EN 957-4:2006
CEN	EN 957-5:2009 Stationary training equipment - Part 5: Stationary exercise bicycles and upper body crank training equipment, additional specific safety requirements and test methods	11/07/2014	EN 957-5:1996

CEN	EN 957-6:2010 Stationary training equipment - Part 6: Treadmills, additional specific safety requirements and test methods	11/07/2014	EN 957-6:2001
CEN	EN 957-7:1998 Stationary training equipment - Part 7: Rowing machines, additional specific safety requirements and test methods	22/07/2006	
CEN	EN 957-8:1998 Stationary training equipment - Part 8: Steppers, stairclimbers and climbers - Additional specific safety requirements and test methods	22/07/2006	
CEN	EN 957-9:2003 Stationary training equipment - Part 9: Elliptical trainers, additional specific safety requirements and test methods	22/07/2006	
CEN	EN 957-10:2005 Stationary training equipment - Part 10: Exercise bicycles with a fixed wheel or without freewheel, additional specific safety requirements and test methods	22/07/2006	
CEN	EN 1129-1:1995 Furniture - Foldaway beds - Safety requirements and testing - Part 1: Safety requirements	15/10/2005	
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CEN	EN 1130-1:1996 Furniture - Cribs and cradles for domestic use - Part 1: Safety requirements	24/04/2004	
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CEN	EN 1273:2005 Child use and care articles - Baby walking frames - Safety requirements and test methods	17/02/2009	
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CEN	EN 1400-3:2002 Child use and care articles - Soothers for babies and young children - Part 3 : Chemical requirements and tests	24/04/2004	
CEN	EN 1466:2004 Child care articles - Carry cots and stands - Safety requirements and test methods	24/04/2004	
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CEN	EN ISO 9994:2006 Lighters - Safety specification (ISO 9994:2005)	22/07/2006	EN ISO 9994:2002
CEN	EN 12196:2003 Gymnastic equipment - Horses and bucks - Functional and safety requirements, test methods	15/10/2005	
CEN	EN 12197:1997 Gymnastic equipment - Horizontal bars - Safety requirements and test methods	15/10/2005	
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CEN	EN 12491:2001 Paragliding equipment - Emergency parachutes - Safety requirements and test methods	15/10/2005	
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CEN	EN 13138-2:2002 Buoyant aids for swimming instruction - Part 2: Safety requirements and test methods for buoyant aids to be held	15/10/2005	
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CEN	EN 14350-1:2004 Child use and care articles - Drinking equipment - Part 1: General and mechanical requirements and tests	15/10/2005	
CEN	EN 14682:2007 Safety of children's clothing - Cords and drawstrings on children's clothing - Specifications	13/04/2011	EN 14682:2004
CEN	EN 14764:2005 City and trekking bicycles - Safety requirements and test methods	22/07/2006	
CEN	EN 14766:2005 Mountain-bicycles - Safety requirements and test methods	22/07/2006	
CEN	EN 14781:2005 Racing bicycles - Safety requirements and test methods	22/07/2006	
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CEN	EN 15649-1:2009+A2:2013 Floating leisure articles for use on and in the water - Part 1: Classification, materials, general requirements and test methods	11/07/2014	EN 15649-1:2009+A1:2012
CEN	EN 15649-2:2009+A1:2012 Floating leisure articles for use on and in the water - Part 2: Consumer information	04/09/2013	EN 15649-2:2009
CEN	EN 15649-3:2009+A1:2012 Floating leisure articles for use on and in the water - Part 3: Additional specific safety requirements and test methods for Class A devices	04/09/2013	EN 15649-3:2009
CEN	EN 15649-4:2010+A1:2012 Floating leisure articles for use on and in the water - Part 4: Additional specific safety requirements and test methods for Class B devices	04/09/2013	EN 15649-4:2010
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	water - Part 5: Additional specific safety requirements and test methods for Class C devices		
CEN	EN 15649-6:2009+A1:2013 Floating leisure articles for use on and in the water - Part 6: Additional specific safety requirements and test methods for Class D devices	11/07/2014	EN 15649-6:2009
CEN	EN 15649-7:2009 Floating leisure articles for use on and in the water - Part 7: Additional specific safety requirements and test methods for class E devices	04/09/2013	
CEN	EN 16156:2010 Cigarettes - Assessment of the ignition propensity - Safety requirement	17/11/2011	
CEN	EN 16281:2013 Child protective products - Consumer fitted child resistant locking devices for windows and balcony doors - Safety requirements and test methods	11/07/2014	
CEN	EN 16433:2014 (new) Internal blinds - Protection from strangulation hazards - Test methods	This is the first publication	
CEN	EN 16434:2014 (new) Internal blinds - Protection from strangulation hazards - Requirements and test methods for safety devices	This is the first publication	
CEN	EN ISO 20957-1:2013 Stationary training equipment - Part 1: General safety requirements and test methods (ISO 20957-1:2013)	11/07/2014	EN 957-1:2005
Cenelec	EN 60065:2002 Audio, video and similar electronic apparatus - Safety requirements IEC 60065:2001 (Modified)	04/09/2013	
	EN 60065:2002/A12:2011	28/02/2012	

According to the Commission Implementing Decision 2012/29/EU of 13 January 2012 (OJ L 13, 17.1.2012, p.7) the reference of standard EN 60065:2002/A12:2011 concerning protection against excessive sound pressure from personal music players shall be published.

Cenelec	EN 60950-1:2006 Information technology equipment - Safety -- Part 1: General requirements IEC 60950-1:2005 (Modified)	04/09/2013	
	EN 60950-1:2006/A12:2011	28/02/2012	

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