

Red Tape Challenge: Retail and Manufacturing Consultation. Response Form

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is 23/05/2012

Organisation (if applicable): Child Accident Prevention Trust

Please return completed forms to:

Department for Business, Innovation & Skills
Business Environment
1 Victoria Street
3rd Floor, Spur 2
London
SW1A 0ET

Telephone:
Email: retailandmanufacturing@bis.gsi.gov.uk

Please tick a box from the list of options below that best describes you as a respondent.

<input type="checkbox"/>	Business representative organisation/trade body
<input type="checkbox"/>	Central government
<input checked="" type="checkbox"/>	Charity or social enterprise
<input type="checkbox"/>	Individual
<input type="checkbox"/>	Large business (over 250 staff)
<input type="checkbox"/>	Legal representative
<input type="checkbox"/>	Local Government
<input type="checkbox"/>	Medium business (50 to 250 staff)

	Micro business (up to 9 staff)
	Small business (10 to 49 staff)
	Trade union or staff association
	Other (please describe)

Question 1 Do you agree with the amendment of the Pyrotechnic Articles (Safety) Regulations 2010?

We have no view relating to these regulations as they are outside our area of expertise.

Question 2. Are there any other consequences to the amendment of the Pyrotechnic Articles (Safety) Regulations 2010 not outlined in this document?

Question 3. What benefits will the amendment of the Pyrotechnic Articles (Safety) Regulations 2010 have? Can you quantify these?

Question 4. Are there any costs for business that have not been anticipated as a result of the amendment of the Pyrotechnic Articles (Safety) Regulations 2010? Can you quantify these?

Question 5. Do you agree with the revocation of the Bunk Beds (Entrapment Hazards) (Safety) Regulations 1987?

Yes. There is a revised version of BS EN 747 Bunk Beds and High Beds. This standard covers the entrapment hazards specified in the Regulations. However, we would suggest that the latest version of BS EN 747 is not suitable for its reference to be published in the OJEU, as there are some outstanding safety issues concerning the gap between the bunk bed and any wall/structure. These safety issues are not covered by the Regulations, so make no difference to revoking the Regulations.

Question 6. Are there any other consequences to the revocation of the Bunk Beds (Entrapment Hazards) (Safety) Regulations 1987 not outlined in this document?

We have no comments in response to this question.

Question 7. What benefits will the revocation of the Bunk Beds (Entrapment Hazards) (Safety) Regulations 1987 have? Can you quantify these?

We have no comments in response to this question.

Question 8. Are there any costs for business that have not been anticipated as a result of the revocations of the Bunk Beds (Entrapment Hazards) (Safety) Regulations 1987? Can you quantify these?

We have no comments in response to this question.

Question 9. Do you agree with the revocation of the Children's Clothing (Hood Cords) Regulations 1976?

Yes. We feel that BS EN 1468 covers all the hazards and risks covered by the Regulations.

Question 10. Are there any other consequences to the revocation of the Children's Clothing (Hood Cords) Regulations 1976 not outlined in this document?

We have no comments in response to this question.

Question 11. What benefits will the revocation of the Children's Clothing (Hood Cords) Regulations 1976 have? Can you quantify these?

We have no comments in response to this question.

Question 12. Are there any costs for business that have not been anticipated as a result of the revocation of the Children's Clothing (Hood Cords) Regulations 1976? Can you quantify these?

We have no comments in response to this question.

Question 13. Do you agree with the revocation of the Imitation Dummies (Safety) Regulations 1993?

No. Consumer safety associated with these products is not adequately covered through any other mechanism. The draft of EN 1400 does not adequately cover this product.

Until the Imitating Products Directive is made to apply to non-food products and is possibly combined with the GPSD, these Regulations should be maintained. However, the Regulations need amending to call up the latest version of BS EN 1400: Soothers for babies and young children and not the old BS 5239: Babies dummies.

Question 14. Are there any other consequences to the revocation of the Imitation Dummies (Safety) Regulations 1993 not outlined in this document?

We have no comments in response to this question.

Question 15. What benefits will the revocation of Imitation Dummies (Safety) Regulations 1993 have? Can you quantify these?

We have no comments in response to this question.

Question 16. Are there any costs for business that have not been anticipated as a result of the revocation of the Imitation Dummies (Safety) Regulations 1993? Can you quantify these?

We have no comments in response to this question.

Question 17. Do you agree with the revocation of the Pencils and Graphic Instruments (Safety) Regulations 1998?

No. The Toys Safety Regulations apply to toys and products for use IN PLAY by children up to the age of 14 years. With very few exceptions pens and pencils are not toys. If they were then they would be CE marked. Some are CE marked but mainly as a safeguard in case they should be incorporated into toys by others. Hence the Toys Regs. would offer none of the protection of the Pencils and Graphic Instruments (Safety) Regulations it is proposed to revoke, even to children at school let alone adults. The same applies to BS EN 71-3, it too only covers toys, defined as "products designed or intended, whether or not exclusively, for use IN PLAY by children under 14 years of age.

Question 18. Are there any other consequences to the revocation of the Pencils and Graphic Instruments (Safety) Regulations 1998 not outlined in this document?

If the 1988 Regulations are revoked it is difficult to visualise how the General Product Safety Regulations 2005 could be used to deal effectively with a pen, pencil or brush with uncontrolled levels of heavy metals if there are no Standards or Regulations with which it is obliged to comply.[again, of course, unless it is marketed as a toy].

Question 19. What benefits will the revocation of Pencils and Graphic Instruments (Safety) Regulations 1998 have? Can you quantify these?

There would seem to be possible savings for manufacturers and importers if the 1998 Regulations are revoked as there would be no necessity to submit their products for heavy metal analysis or indeed to issue Product Data Safety Sheets specifying the regulations or standards with which they conform [unless of course they intend to market them as toys].

Question 20. Are there any costs for business that have not been anticipated as a result of the revocation of the Pencils and Graphic Instruments (Safety) Regulations 1998? Can you quantify these?

One unintended consequence will be the opportunity it will offer to low cost overseas producers of pens, pencils or brushes, which do not comply with the existing regulations, to enter the UK market without the risk of prosecution. Therefore, the main cost to UK business could be the loss of sales due to a large influx of imports.

Question 21. Do you agree with the revocation of the Wheeled Child Conveyances (Safety) Regulations 1997?

Yes, but see below

Question 22. Are there any other consequences to the revocation of the Wheeled Child Conveyances (Safety) Regulations 1997 not outlined in this document?

BS EN 1888: Wheeled child conveyances has never been equivalent to BS 7409: Wheeled child conveyances and never will be. BS EN 1888 covers more hazards and risks than BS 7409, but on some hazards/risks it does not cover them as well as BS 7409. Also the latest version of BS EN 1888 is not drafted as well as it could be and will lead to test methods that are not repeatable or reproducible hence giving different results on the safety of a wheeled child conveyance. Having said this we feel that it will be very difficult to fully justify keeping BS 7409, as we understand that few if any

suppliers/manufacturers fully comply with it, as they are all using BS EN 1888. We would encourage a further revision of EN 1888 to improve it.

Question 23. What benefits will the revocation of Wheeled Child Conveyances (Safety) Regulations 1997 have? Can you quantify these?

We have no comments in response to this question.

Question 24. Are there any costs for business that have not been anticipated as a result of the revocation of the Wheeled Child Conveyances (Safety) Regulations 1997? Can you quantify these?

We have no comments in response to this question.

Question 25. Do you agree with the revocation of the Gas cooking Appliances (Safety) Regulations 1989?

We have no view relating to these regulations as they are outside our area of expertise.

Question 26. Are there any other consequences to the revocation of the Wheeled Gas cooking Appliances (Safety) Regulations 1989 not outlined in this document?

Question 27. What benefits will the revocation of Gas cooking Appliances (Safety) Regulations 1989 have? Can you quantify these?

Question 28. Are there any costs for business that have not been anticipated as a result of the revocation of the Gas cooking Appliances (Safety) Regulations 1989? Can you quantify these?

Question 29. Do you agree with the revocation of the Heating Appliances (Fireguards) Regulations 1991?

We have no view relating to these regulations as they are outside our area of expertise.

Question 30. Are there any other consequences to the revocation of the Heating Appliances (Fireguards) Regulations 1991 not outlined in this document?

Question 31. What benefits will the revocation of the Heating Appliances (Fireguards) Regulations 1991 have? Can you quantify these?

Question 32. Are there any costs for business that have not been anticipated as a result of the revocation of the Heating Appliances (Fireguards) Regulations 1991? Can you quantify these?

Question 33. Do you agree with the revocation of the Gas Catalytic Heaters (Safety) Regulations 1984?

We have no view relating to these regulations as they are outside our area of expertise.

Question 34. Are there any other consequences to the revocation of the Gas Catalytic Heaters (Safety) Regulations 1984 not outlined in this document?

Question 35. What benefits will the revocation of Gas Catalytic Heaters (Safety) Regulations 1984 have? Can you quantify these?

Question 36. Are there any costs for business that have not been anticipated as a result of the revocation of the Gas Catalytic Heaters (Safety) Regulations 1984? Can you quantify these?

Question 37. Do you agree with the revocation of the All-Terrain Motor Vehicle (Safety) Regulations 1989?

We have no view relating to these regulations as they are outside our area of expertise.

Question 38. Are there any other consequences to the revocation of the All-Terrain Motor Vehicle (Safety) Regulations 1989 not outlined in this document?

Question 39. What benefits will the revocation of All-Terrain Motor Vehicle (Safety) Regulations 1989 have? Can you quantify these?

Question 40. Are there any costs for business that have not been anticipated as a result of the revocation of the All-Terrain Motor Vehicle (Safety) Regulations 1989? Can you quantify these?

Question 41. Do you agree with the revocation of the Cooking Utensils (Safety) Regulations 1972?

We have no view relating to these regulations as they are outside our area of expertise.

Question 42. Are there any other consequences to the revocation of the Cooking Utensils (Safety) Regulations 1972 not outlined in this document?

Question 43. What benefits will the revocation of Cooking Utensils (Safety) Regulations 1972 have? Can you quantify these?

Question 44. Are there any costs for business that have not been anticipated as a result of the revocation of the Cooking Utensils (Safety) Regulations 1972? Can you quantify these?

Question 45. Do you agree with the revocation of the Indication of Prices (Beds) Order 1978?

We have no view relating to these regulations as they are outside our area of expertise.

Question 46. Are there any other consequences to the revocation of the Indication of Prices (Beds) Order 1978 not outlined in this document?

Question 47. What benefits will the revocation of Indication of Prices (Beds) Order 1978 have? Can you quantify these?

Question 48. Are there any costs for business that have not been anticipated as a result of the revocation of the Indication of Prices (Beds) Order 1978? Can you quantify these?

Question 49. Do you agree with the removal of the Child Resistant Packaging and Tactile Danger Warning (Safety) (Revocation) Regulations 1992 from the statute book?

We have no view relating to these regulations as they are outside our area of expertise.

Question 50. Do you agree with the removal of the Stands for Carry-cots (Safety) (Revocation) Regulations 1996 from the statute book?

Yes: BS EN 1466: Carry cots and stands addresses all the hazards and risks covered by the Regulations for carry cot stands.

Question 51. Do you agree with the removal of the Magnetic Toys (Safety) (Revocation) Regulations 2009 from the statute book?

Yes

Question 52. Do you have any other comments that might aid the consultation process as a whole?

What happens next?

Responses to this consultation will be used to finalise decisions regarding the removal or retention of these regulations. A government response to this consultation, outlining which regulations are to be removed and which are to be retained as a result of evidence gathered through this consultation, will be published within three months of this consultation closing. This will be available from the BIS website. Paper copies will be available on request.

Where regulations are to be removed, this will have effect from 1 October 2012.

Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply ☐

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

X Yes

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