

## 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):** BOSS Federation & Writing Instruments  
Association

Please return completed forms to:

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

Email: [retailandmanufacturing@bis.gsi.gov.uk](mailto:retailandmanufacturing@bis.gsi.gov.uk)

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

<input checked="" type="checkbox"/>	Business representative organisation/trade body
<input type="checkbox"/>	Central government
<input 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

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

Yes:

**No: We do not agree with the proposed revocation of the P&GI [S] Regs 1998**

Other (please specify)

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

**Comments:**

**When this Regulation was introduced in 1974 compliance was expensive as new non-toxic dyestuffs and pigments had to be sourced and paints and coloured pencil leads re-formulated but UK manufacturers are unlikely to revert to the old toxic formulas, even if they are cheaper.**

**This might not be so, however, if they are faced with a flood of cheap imports that the current regulation deters.**

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

**Comments:**

**The alternative safeguards quoted, i.e. The Toys Safety Regulations and/or BS EN 71-3 only apply to articles used IN PLAY by children up to**

**14 years of age. As pens, pencils and brushes ARE NOT TOYS (or they would be CE marked) they would not be subject to these controls, even if supplied to schools. Analytical testing by approved test houses would no longer be necessary and the elimination of these costs would result in a saving to the industry.**

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?

**Comments:**

**The main cost foreseen would be the loss of business from the unfettered competition of imports of cheap (but toxic) products mainly from the Far East. The effectiveness of the General Product Safety Regulations 2005 in preventing this is doubtful.**

Please acknowledge this reply X

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?

☒ Yes

☐ No

