



Trading Standards have a statutory duty to enforce a wide range of legislation. This guidance note summarises your obligations in respect of Trading Standards legislation, and aims to assist you in complying with the law generally. I would remind you that this department takes infringement of the law very seriously, and **you may be liable to formal action, including arrest and / or prosecution and goods and or equipment (including vehicles) seized**, should you be found to be infringing the legislation we enforce.

➤ Weights and Measures

- Items for sale by weight must be marked with metric quantities
- It is an offence to sell short weight or short measure
- Weighing and Measuring equipment in trade must bear inspector's stamp (Crown or black M possibly on a green back ground. The year of manufacture appears next to the M (newer equipment only; on older equipment the year appears next to the CE mark).) Using a machine without these markings makes it liable for seizure and the owner for prosecution.

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➤ Food

- Must be accurately described
- Must be sold within its use by date
- If appropriate, it must meet compositional standards
- Must declare allergens

➤ Pricing

- All goods for sale must be clearly priced.
- There should be no hidden costs and the price should not be misleading

➤ Trade descriptions of goods and services

- All goods and services should have an accurate description that does not mislead. The omission of important information can also mislead.

➤ Counterfeit / Fake Goods

- **It is an offence** to supply an item bearing an unauthorized trademark or breaching copyright. Tell tale signs include: misspelling on label, grammatical errors, missing "CE" or "UKCA" marks or manufacturers name and addresses on toys, poor quality of items, images or packaging.

➤ Age Restricted goods

- **It is an offence** to supply to a person under the specified age, **solvents, vapes, e-cigarettes, cigarettes and tobacco products (including papers), alcohol, knives, video recordings (including DVDs, Blu Rays and certain video games)**

➤ **Product Safety** (Including toys, second hand goods, electrical goods, furniture etc)

- **It is an offence to supply an unsafe product.**
- All goods being sold must be safe taking into account reasonably foreseeable use of the product.
- Many products including new toys, electrical items, medical devices, gas appliances etc must bear a “**CE**” or “**UKCA**” mark. Many items, including toys must bear the manufacturers or importers name and address.
- **Furniture** (including cushions) must bear a sign warning of the fire risk.
- **Children’s outer garments** less than 44cm across the chest should not have a hoodcord that can be pulled through the garment.
- **Second hand electrical or gas appliances.** It is advisable that if selling second hand electrical or gas appliances that the items be tested for safety before sale.

(Please note that this is not an exhaustive list)

We would also **strongly** advise you to have documentation (such as invoices etc.) identifying the suppliers of your products and when they were purchased. This will assist in our enquiries should we find infringing goods on your stall.

Without evidence of purchase, liability for any offences found may lie solely with you as the seller.

Reputable suppliers will provide you with these documents, less reputable ones are less likely to.

Further advice can be obtained from the following:

www.npt.gov.uk/tradingstandards

www.tradingstandards.gov.uk

<https://www.businesscompanion.info/>

Should you have any queries, please do not hesitate to contact your local trading standards department.



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