

# Consumer Law Bulletin

Ian Turner, BA (Hons), DTS, MTSI  
Editor of *O'Keefe: The Law of Weights and Measures*

**Filing instructions:** This Bulletin contains material available on 1 December 2013. It should be filed behind the Bulletins Guide Card and in front of Bulletin No 318. **Remove Bulletin 306.** If desired Bulletin 306 may be retained outside the Binder for future reference. The Binder should now contain Bulletins Nos 307 to 319.

## ENFORCEMENT

### New Legislation

#### *The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013, SI 2013/1506*

The Regulations, in respect of Great Britain, provide for the appointment of competent authorities in relation to Council Reg (EU) 528/2012 of 22 May 2012 concerning the making available on the market and use of biocidal products (“the Biocides Regulation”) and Council Reg (EC) 1272/2008 of 16 December 2008 on classification, labelling and packaging of substances and mixtures (“the CLP Regulation”).

They also, in respect of the UK, provide for the appointment of designated national authorities in relation to Council Reg (EU) 649/2012 of 4 July 2012 concerning the export and import of hazardous chemicals (“the PIC Regulation”).

The Regulations also provide for the enforcement, in respect of Great Britain, of the Biocides Regulation and the CLP Regulation and in respect of the UK, of the PIC Regulation, and of certain provisions of these Regulations.

The CLP Regulation replaces Council Dir 67/548/EEC and Council Dir 1999/45/EC (The main purpose of the CLP Regulation is to adopt within the European Community the Globally Harmonised System of Classification and Labeling of Chemicals (GHS) published by the UN Social and Economic Council (Fourth Revised Edition ISBN-978-92-1-117042-9). The UN GHS is a result of an international agreement made at the United World Conference on Environment and Development in Rio de Janeiro in 1992, and

## ENFORCEMENT

the World Summit on Sustainable Development in Johannesburg in 2002. It sets out internationally accepted definitions and criteria to identify the hazards of chemicals and to communicate those hazards via labels and safety data sheets. The CLP Regulation requires duty holders to classify, label and package hazardous chemicals before placing them on the market in accordance with its provisions.

The PIC Regulation is a recast of Council Reg (EC) 689/2008 deemed necessary in the interests of clarity as a result of several substantial amendments to other European chemicals legislation. The PIC Regulation implements the UN Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade, establishes a procedure by which chemicals qualify for prior informed consent (“PIC”) status and maintains in force a common export notification procedure for chemicals either banned or severely restricted within the European Union. The European Commission acts, on behalf of all member states, as the central administrative authority for contact with the secretariat, other parties and non-parties to the Convention.

Most of the terms and expressions used in these Regulations are defined in regulation 4.

Regulations 5 and 6 provide that the Secretary of State in relation to England, the Scottish Ministers in relation to Scotland, and the Welsh Ministers in relation to Wales are designated as the competent authorities in relation to the Biocides Regulation and the CLP Regulation. Where a matter is outside the competence of the Scottish Ministers or the Welsh Ministers, the competent authority is the Secretary of State.

Regulation 7 provides that the Great Britain Executive and the Northern Ireland Executive are the designated national authorities with responsibility for the performance of administrative functions required by the PIC Regulation and for controlling the import and export of chemicals listed in Annex I of the PIC Regulation.

Regulation 9 provides that the Biocides Regulation and regs 12 and 13(2) are enforced either by the Health and Safety Executive, the Office of Rail Regulation, the local weights and measures authority or the local authority, depending on the circumstances as set out in the regulation.

Regulation 12 requires that information required to be shown on the label of a biocidal product by art 69(2) of the Biocides Regulation must be in English.

### ***The Crime and Courts Act 2013 (Consequential Amendments and Saving Provision) Order 2013, SI 2013/2318***

This Order makes amendments to subordinate legislation in consequence of the Crime and Courts Act 2013, Pt 1 (CCA 2013) which abolishes the Serious Organised Crime Agency and the National Policing Improvement Agency and establishes the National Crime Agency.

CCA 2013, Sch 8, para 190 provides that in subordinate legislation references to SOCA, the Director General of SOCA, the staff of SOCA and a member

of staff of SOCA are to be read as (or including) the corresponding NCA related reference. This means that, for example, a Regulation that imposes an obligation on SOCA will be read as imposing the same obligation on the NCA. Consequently there are references to SOCA in subordinate legislation where textual amendments are not required.

Where it has been necessary to achieve a different result to that produced by the glossing provision, Sch 1 of this Order amends the subordinate legislation. Where one SOCA related reference requires amendment all are amended without reliance on the glossing provision.

***The Regulation of Investigatory Powers (Covert Human Intelligence Sources: Relevant Sources) Order 2013, SI 2013/2788***

This Order introduces a notification and prior approval regime in relation to certain categories of Covert Human Intelligence Sources (CHIS), namely relevant sources, as well as an enhanced authorisation regime.

Part 1 of the Order contains general provisions.

Article 2 defines a “relevant source”.

Article 3 modifies the Regulation of Investigatory Powers Act 2000, s 43(3) (RIPA 2000) in relation to a “long term authorization” and defines what it is and how it is calculated.

Articles 3(1), (2) and (4) provide that only once a relevant source has been authorised for a period of 12 months in total in relation to the same investigation or operation does any subsequent authorisation become a long-term authorisation.

Articles 3(3) and (5) ensure that certain periods are disregarded from the calculation, namely periods in respect of which authorisations were granted orally or by a person whose authority to act is confined to urgent cases and periods more than three years prior to the intended date of authorisation.

Article 3(6) modifies the definition of a long-term authorisation by reducing the period of 12 months down to three in respect of authorisations involving access to legally privileged material. This is to provide consistency with the authorisation periods in the Regulation of Investigatory Powers (Covert Human Intelligence Sources: Matters Subject to Legal Privilege) Order 2010, SI 2010/213.

Part 2 of the Order contains provisions requiring notification of authorisations to and prior approval of certain authorisations from an ordinary Surveillance Commissioner.

Article 4 requires notice to be given (although not necessarily in advance) of the Article 5 provides that prior approval must be sought from an ordinary Surveillance Commissioner in respect of the grant or renewal of a long term authorisation and sets out the criteria to be applied, both in respect of any request for approval and the Commissioner’s decision.

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Article 6 creates an appeal mechanism where a request for prior approval is refused.

Part 3 of the Order creates an enhanced authorisation regime both in relation to the conduct or use of relevant sources and the long term authorisation of the same.

Articles 7 to 16 make a number of amendments to the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010, SI 2013/521.

## INFORMATION

### *Improving cross-border consumer protection*

Europe's 500m citizens should get the same benefits from their consumer rights if they shop at home, in another European Union country or online in Europe. The European Commission has launched a consultation with consumers, consumer protection organisations and business to see how best to strengthen consumer protection across borders.

The European Commission has organised a review that will feed into the Commission's ongoing, open ended, work to improve the pan-European network of consumer protection enforcement bodies. This network has a vital role in ensuring that people across the EU enjoy equal rights no matter where the purchases are made or whom they are made from. The consultation is open until the 31 January 2014 and is accessible online.

## FOOD

### NEW LEGISLATION

#### *The Fish Labelling (Wales) Regulations 2013, SI 2013/2139*

These Regulations enforce in Wales the consumer information requirements of Council Reg (EC) 104/2000, ch 2 on the common organisation of the markets in fishery and aquaculture products and Commission Reg (EC) 2065/2001 laying down detailed rules for the application of Council Reg (EC) 104/2000 as regards informing consumers about fishery and aquaculture products. They also enforce in Wales the traceability requirements of Council Reg (EC) 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy and art 67 of Commission Implementing Reg (EU) 404/2011 laying down detailed rules for the implementation of Council Reg (EC) 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy.

Regulation 4 sets out the consumer information requirements and the traceability requirements.

Regulation 5 applies the Food Safety Act 1990, s 10 (FSA 1990) with modifications so that an authorised officer of an enforcement authority can serve an improvement notice on an operator who fails to comply with the consumer information requirements or traceability requirements.

Regulation 6 applies FSA 1990, s 37 with modifications so that an operator can appeal against service of an improvement notice to the magistrates' court.

Regulation 7 applies FSA 1990, s 39 to enable the court to either cancel or affirm an improvement notice.

Regulation 11 and the Schedule apply certain other provisions of FSA 1990 to these Regulations with consequential modifications.

Regulation 12 provides that each food authority in Wales must execute and enforce these Regulations in its area.

***The Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Northern Ireland) 2013, SR 2013/220***

These Regulations provide for the execution and enforcement in Northern Ireland of the following EU Regulations:

- Council Reg (EC) 2065/2003 on smoke flavourings used or intended for use in or on foods;
- Council Reg (EC) 1332/2008 on food enzymes;
- Council Reg (EC) 1333/2008 on food additives;
- Council Reg (EC) 1334/2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods.

***The Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations (Wales) 2013, SI 2013/2591***

These regulations implement the requirements for the purposes of Wales. The content of the regulations is the same as outlined above.

***The Contaminants in Food Regulations (Northern Ireland) Regulations 2013, SR 2013/229***

These Regulations revoke and re-enact with changes the Contaminants in Food Regulations (Northern Ireland) 2010, SR 2010/335). They make provision for:

- The continuing implementation of Council Dir 76/621/EEC relating to the fixing of the maximum level of erucic acid in oils and fats intended as such for human consumption and in foodstuffs containing added oils or fats and of Commission Dir 80/891/EEC relating to the Community method of analysis for determining the erucic acid content in oils and fats intended to be used as such for human consumption and foodstuffs containing added oils or fats; and
- The continuing execution and enforcement of Commission Reg (EC) 1881/2006 setting maximum levels for contaminants in foodstuffs.

The Regulations provide make it an offence to place specified foods on the market containing erucic acid in excess of permitted levels (regs 3 and 4);

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The Regulations also provide that it is an offence to:

- Place on the market certain foods if they contain contaminants of any kind specified in the Commission Regulation or in Commission Reg (EC) 124/2009 at levels exceeding those specified;
- Use food containing contaminants at levels in excess of those permitted by the Commission Regulation as ingredients in the production of certain foods;
- Mix foods that do not comply with the maximum levels prescribed by the Commission Regulation or Commission Reg (EC) 124/2009 with foods which do comply;
- Mix foods to which the Commission Regulation relates and which are intended for direct consumption or as food ingredients with foods to which the Commission Regulation relates and which are intended to be sorted or otherwise treated prior to consumption;
- Detoxify by chemical treatment food containing mycotoxins in excess of the limits specified in the Commission Regulation;
- Fail to observe particular labelling requirements for certain groundnuts, other oilseeds, derived products thereof and cereals; and
- Place on the market certain foods containing specified coccidiostats and histomonstats in excess of prescribed limits

### ***The Contaminants in Food Regulations (Wales) Regulations 2013, SI 2013/2493***

These regulations enact the Contaminants in Food requirements for the purposes of Wales. The content of the regulations is the same as outlined above.

### ***The Fruit Juices and Fruit Nectars (England) Regulations 2013, SI 2013/2755***

These Regulations, which apply in England, implement Council Dir 2001/112/EC relating to fruit juices and certain similar products intended for human consumption as last amended by Council Dir 2012/12/EU. They revoke and replace the Fruit Juices and Fruit Nectars (England) Regulations 2003, SI 2003/1564, as amended.

The Regulations regulate the use of the names:

- “Fruit juice” (reg 4, Sch 2 and 11);
- “Fruit juice from concentrate” (reg 5, Schs 3 and 13);
- “Concentrated fruit juice” (reg 6, Sch 4);
- “Water extracted fruit juice” (reg 7, Sch 5);
- “Dehydrated fruit juice” and “powdered fruit juice” (reg 8, Sch 6); and
- “Fruit nectar” (reg 9, Schs 7 and 12).

They lay down what additional ingredients and substances may be added to regulated products (Schs 8 and 9) and what treatments the products may undergo in their manufacture (Sch 10).

They require certain particulars to be indicated when trading in regulated products, including:

- Regulation 10 creates a requirement to indicate the kinds of fruits, or (in some cases) the number of kinds of fruits, used to make a regulated product;
- Regulation 11 requires an indication of whether extra pulp and cells have been added to a fruit juice;
- Regulation 12 creates a requirement for a fruit juice made from a mixture of fruit juice and fruit juice from concentrate to indicate that it is partially made from concentrate or concentrates;
- Regulation 13 creates a requirement to indicate any added lemon juice, lime juice or acidifying agents in a concentrated fruit juice that is not intended for delivery to the final consumer;
- Regulation 14 requires various indications for a fruit nectar, including an indication of its fruit content;
- Regulation 15 outlines the provisions relating to the manner in which the particulars required by these Regulations should be marked or labeled;
- Regulation 16 imposes an obligation on food authorities to enforce the Regulations;
- Regulation 17 applies FSA 1990, subss (1) and (2) with modifications, enabling an improvement notice to be served to require compliance with specified provisions of these Regulations. The provisions, as applied, make the failure to comply with an improvement notice an offence;
- Regulation 18 applies FSA 1990, s 37, subss (1), (6), s 39 with modifications, enabling a decision to serve an improvement notice to be appealed;
- Regulation 22 provides for the revocation of certain legislation consequential amendments and transitional provisions.

***The Fruit Juices and Fruit Nectars (Northern Ireland) Regulations 2013, SR 2013/253***

These regulations enact the requirements in relation to Fruit Juice and Fruit Nectars for the purposes of Northern Ireland. The content of the regulations is the same that as outlined above.

## FOOD

### ***The Fruit Juices and Fruit Nectars (Scotland) Regulations 2013, SSI 2013/305***

These regulations enact the requirements in relation to Fruit Juice and Fruit Nectars for the purposes of Scotland. The content of the regulations is the same as outlined above.

### ***Food Hygiene Rating (Wales) Act 2013 (Commencement No 1) Order 2013, SI 2013/2617***

This Order brought certain provisions of the Food Hygiene Rating (Wales) Act 2013 into force on 28 October 2013 for the purpose of making regulations. Article 3 brought the provisions mentioned in art 2 into force on 28 November 2013 for all other purposes, and brings all other provisions of the Act not yet in force into force on that date except for subs 2(5)(b)

## **CASES**

### ***Torfaen County Borough Council v Douglas Willis Ltd [2013] UKSC 59, [2013] All ER (D) 385 (Jul)***

This regards an appeal to the Supreme Court considering food requiring a “use by” date that had been stored in a freezer. The questions faced by the court addressed whether food that had been frozen required a “use by” date and whether the “use by date” ceased to have effect once the food was frozen.

The Supreme Court found that an offence under the Food Labelling Regulations 1996, SI 1996/1499, reg 44(1)(d) is committed if any person sells any food after the date shown in a ‘use by’ date relating to it.

It does not require the prosecution to prove either that the label or mark bearing the “use by” date was applied at a time when the food was ready for delivery, or, from the microbiological point of view, that the food was highly perishable and in consequence likely after a short period to constitute an immediate danger to human health when the offence occurred

It is sufficient for the prosecution to prove that the defendant had food in its possession for the purpose of sale that was the subject of a mark or label showing a “use by” date that had passed.

To read into paragraph an additional requirement that the food was in a highly perishable state at the time of the alleged offence would seriously weaken the regulatory scheme and the protection provided to consumers. It would enable a retailer of perishable food, which had passed its ‘use by’ date, to freeze it and then sell it without the consumer knowing how long it had been unfrozen.

## **INFORMATION**

### ***Guidance on Fish Labelling Regulations 2013***

The purpose of the Regulations is to ensure the correct and consistent labelling of fish at the point of sale so that purchasers are aware of what they are buying; whether they were caught at sea, in inland waters or was farmed and if caught at sea, in what sea area.



The Regulations also introduce new requirements to provide the scientific name and a previously frozen declaration at the point of retail. In addition to the Regulations, an updated list of UK Commercial Designations (approved fish names) has been published.

The Guidance should be read in conjunction with the Fish Labelling Regulations 2013 or the equivalent domestic Regulations in Scotland, Wales and Northern Ireland.

The Guidance notes can be found at: [www.gov.uk/government/publications/guidance-on-fish-labelling-regulations-2013](http://www.gov.uk/government/publications/guidance-on-fish-labelling-regulations-2013)

## ANIMAL HEALTH

### NEW LEGISLATION

#### ***The Animal By-Products (Enforcement) (Scotland) Regulations 2013, SSI 2013/307***

The Regulations revoke, in relation to Scotland, the Animal By-Products (Identification) Regulations 1995, SI 1995/614 and revoke and remake the Animal By-Products (Enforcement) (Scotland) Regulations 2011, SSI 2011/171, incorporating certain provisions of SI 1995/614.

The Regulations enforce in Scotland, Council Reg (EC) 1069/2009 on laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Council Reg (EC) 1774/2002.

These Regulations also enforce in Scotland Commission Reg (EU) 142/2011 implementing Council Reg (EC) 1069/2009 laying down health rules as regards animal by-products and derived products not intended for human consumption.

The EU Control Regulation places obligations on operators in relation to animal by-products, including obligations as to disposal and use, prohibitions on feeding, and placing on the market. In addition, there are requirements for operators, plants and establishments to be registered or approved. The obligations vary according to the categorisation of the material; the higher risk animal by-product is categorised as Category 1 material, next in risk is Category 2 and then Category 3 material.

## LICENSING

### INFORMATION

#### ***Scrap Metal Dealers Act 2013 Determining suitability to hold a scrap metal dealer's licence—Statutory guidance for local authorities in England and Wales***

The Scrap Metal Dealers Act 2013 (SMD 2013) received Royal Assent on 28 February 2013. The majority of the provisions within the Act commence on 1 October 2013 including the requirement in SMD 2013, s 1(1) to be

## LICENSING

authorised by a licence in order to carry on business as a scrap metal dealer. Local authorities when determining the suitability of an applicant to hold a scrap metal dealers licence must use this guidance. In particular attention should be paid to whether:

- The applicant or any site manager has been convicted of any relevant offence;
- The applicant or any site manager has been the subject of any relevant enforcement action;
- Any previous refusal of an application for the issue or renewal of a scrap metal licence (and the reasons for the refusal);
- Any previous refusal of an application for a relevant environmental permit or registration (and the reasons for the refusal);
- Any previous revocation of a scrap metal licence (and the reasons for the revocation);
- The applicant has demonstrated that there will be in place adequate procedures to ensure that the provisions of this Act are complied with.

## MEDICINES

### NEW LEGISLATION

#### *The Medical Devices (Amendment) Regulations 2013, SI 2013/2327*

The Regulations amend the Medical Devices Regulations 2002, SI 2002/618 in order to implement Commission Reg (EU) 207/2012 of 9 March 2012 on electronic instructions for use of medical devices and Commission Reg (EU) 722/2012 of 8 August 2012 concerning particular requirements as regards the requirements laid down in Council Dirs 90/385/EEC and 93/42/EEC with respect to active implantable medical devices and medical devices manufactured utilising tissues of animal origin.

Regulations 2(4) to (6) ensures the requirements directly imposed under Commission Reg (EU) 207/2012 on manufacturers who adopt electronic labelling of medical devices are enforceable in the UK.

Regulations 2(2), (4) and (5), 3 to 7, 9 to 17 and 21 ensure that the requirements directly imposed under Commission Reg (EU) 722/2012 on manufacturer of medical devices that utilize tissue of animal origin are enforceable in the UK; and remove national requirements which duplicate requirements directly applicable under the Commission Regulation.

Regulations 2(2) and (3), 8, 19 and 20 update SI 2002/618 to take account of changes in the membership of the European Union.

## SAFETY

### NEW LEGISLATION

#### *The Detergents (Amendment) Regulations 2013, SI 2013/1244*

These Regulations amend the Detergents Regulations 2010, SI 2010/740 to reflect the changes made by Council Reg 259/2012/EC as regards the use of phosphates and other phosphorus compounds in consumer laundry detergents and consumer automatic dishwasher detergents.

Regulation 9 of SI 2010/740 (which made it an offence to place on the market a detergent intended for use in domestic laundry if the weight of phosphorous in inorganic phosphate contained in the detergent was greater than 0.4% of the weight of the detergent) was due to come into force on 1 January 2015, but has been revoked by these Regulations. Instead, reg 2(3) inserts a new offence of placing a consumer laundry detergent on the market which is in contravention of art 4(a) which limits the total content of phosphorus to 0.5g in the recommended quantity of the consumer laundry detergent to be used in the washing process.

Regulation 4 amends SI 2010/740, Sch 2 to show which enforcement authorities in the UK are responsible for enforcement of art 4a and Annex VI a of Council Reg 648/2004/EC.

### NEW EU LEGISLATION

#### *Laying down common criteria for the justification of claims used in relation to cosmetic products (Commission Reg (EU) 655/2013)*

These regulations lay down common criteria at EU level to justify the use of a claim made in relation to cosmetic products. The main objective of laying down such criteria is to guarantee a high level of protection for end users, in particular from misleading claims in relation to cosmetic products.

A common approach at EU level should also ensure better convergence of actions taken by the member states' competent authorities, and prevent distortions in the internal market. Such an approach should also enhance cooperation between national authorities responsible for the enforcement of consumer protection as laid down in Council Reg 2006/2004/EC (The Regulation on consumer protection cooperation)

According to this regulation claims on cosmetic products shall conform to the following common criteria.

- Legal compliance
- Truthfulness
- Evidential Support
- Honesty
- Fairness
- Informed decision making

## **SAFETY**

The guidelines to these regulations further elaborate these common criteria

### **CONSUMER CREDIT AND PRICES**

#### **NEW LEGISLATION**

*The Credit Unions (Maximum Interest Rate on Loans) Order 2013, SI 2013/2589*

This Order increases the limit on the interest which a credit union may charge on loans made by it under the Credit Unions Act 1979 from 2% to 3% per month.

### **FAIR TRADING**

#### **NEW LEGISLATION**

*The Business Protection from Misleading Marketing (Amendment) Regulations 2013, SI 2013/2701*

These Regulations amend the Business Protection from Misleading Marketing Regulations 2008, SI 2008/1276.

Regulations 3 and 4 give the Gas and Electricity Markets Authority (GEMA) certain powers as an enforcement authority in respect of SI 2008/1276. This includes the power to bring proceedings for an injunction where GEMA considers that there has been or is likely to be a breach of regs 3, 4 or 5 of those Regulations

Regulation 5 requires GEMA to notify the Office of Fair Trading (OFT) of its intention to apply for an injunction and certain related provisions.

Regulation 6 enables the OFT to direct which enforcement authority is to bring proceedings, or decide that only it may do so, in cases where more than one enforcement authority in Great Britain are contemplating bringing proceedings for an injunction under SI 2008/1276.

Regulations 7 to 9 provide that certain investigatory powers under SI 2008/1276 will not apply to GEMA.

#### **NEW EU LEGISLATION**

*Supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of space heaters, combination heaters, packages of space heater, temperature control and solar device and packages of combination heater, temperature control and solar device (Commission Reg (EU) 811/2013)*

Commission Reg (EU) 811/2013 supplements Council Dir 2010/30/EU with regard to the energy labelling of space heaters, combination heaters, packages of space heater, temperature control and solar device and packages of combination heater, temperature control and solar device. It establishes requirements for the energy labelling of, and the provision of supplementary

product information on the aforementioned heaters and devices with a rated heat output  $\leq 70\text{kW}$ . The detailed requirements are set out in art 3 and mainly apply as of 26 September 2015.

***supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of water heaters, hot water storage tanks and packages of water heater and solar device (COMMISSION REG (EU) 812/2013)***

Commission Reg (EU) 812/2013 supplements Council Directive 2010/30/EU with regard to the energy labelling of water heaters, hot water storage tanks and packages of water heater and solar devices. It establishes requirements for the energy labelling of, and the provision of supplementary product information on the aforementioned devices.

***Implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for space heaters and combination heaters (Commission Reg (EU) 813/2013)***

Commission Reg (EU) 813/2013 of 2 August 2013 implements Council Dir 2009/125/EC with regard to ecodesign requirements for space heaters and combination heaters. It establishes ecodesign requirements (aimed at improving energy efficiency) for the placing on the market and/or putting into service of space heaters and combination heaters with a rated heat output  $\leq 400\text{ kW}$ , including those integrated in packages of space heater, temperature control and solar device or packages of combination heater, temperature control and solar device as defined in art 2 of Commission Reg (EU) 811/2013. The requirements are listed in Annex II and apply in a staggered fashion starting 26 September 2015.

***Implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for water heaters and hot water storage tanks (COMMISSION REG (EU) 814/2013)***

Commission Reg (EU) 814/2013 of 2 August 2013 implements Council Dir 2009/125/EC with regard to ecodesign requirements for water heaters and hot water storage tanks. It establishes ecodesign requirements (aimed at improving energy efficiency) for the placing on the market and/or putting into service of water heaters and hot water storage tanks. The requirements are listed in Annex II and apply in a staggered fashion starting 26 September 2015.

## **INFORMATION**

***Packaging (Essential Requirements) Regulations: government guidance notes***

This guide is for those involved in the placing of packaged goods on the market. It explains the requirements of the Packaging (Essential Requirements) Regulations 2003, SI 2003/1941 on business, how to comply with the law and gives sources of further information. This version of the guidance

## FAIR TRADING

has been updated to meet the requirements Code of Practice on the Guidance of Regulation published in 2009 and does not reflect any material change to SI 2003/1941 and any amendments.



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