

# Lighters novelties and child resistance

Trading Standards information

[www.southwark.gov.uk](http://www.southwark.gov.uk)

## 1. Introduction

Deaths and injuries can be caused when young children play with cigarette lighters safety. To reduce these safety rules are now in place.

## 2. Main legal requirements

- It is illegal to sell or supply any novelty lighters
- All lighters sold by businesses must be child resistant
- Holders supplied with lighters must not be child appealing

## 3. What are novelty lighters?

A novelty lighter is any lighter that will be appealing to children under 4 years 3 months, or which has audio or musical effects or animated effects such as flashing lights, moving objects or other entertaining features. This includes lighters that are in the shape of, or which look like;

- cartoon characters
- toys
- guns
- animals
- watches
- telephones
- musical instruments
- vehicles
- food or beverages
- human body or parts of the human body

Lighters printed or decorated with logos, labels or artwork are not deemed to be novelty lighters.

## 4. What is a child resistant lighter?

A child resistant lighter is a lighter that has some form of mechanism that makes it difficult for a child to use. Common types are either a lever or button that has to be pushed before the normal operation will work or a metal band around the flint wheel which requires greater pressure to make it work.

Lighters which meet the safety specifications detailed in BS EN 13869: 2002, - the standards for child resistant lighters will be deemed compliant with the requirement.

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## **5. How can I tell if my stock meets the requirements?**

- A warning label with the words "Keep away from children" and "Ignite lighter away from face and clothing" must be present.
- The lighter should be marked with a batch code and name or symbol of the manufacturer
- Check there is a child resistance mechanism to make it difficult for a small child to operate it
- Only buy from a supplier who gives you a detailed written invoice (make sure you keep such records)

Certain refillable lighters designed to last longer than five years do not have to be child resistant – further guidance on this exemption is available from BERR (see section 7).

## **6. What will happen if my stock doesn't comply?**

These requirements arise from a decision of the EU Commission. Any failure to comply would be an offence under the General Product Safety Regulations 2005. Any business persons in the chain of supply are liable for prosecution. On conviction the courts may impose a fine of up to £20,000 and/or imprisonment.

Under the regulations Trading Standards can issue certain notices requiring you to do things. Failure to comply with a safety notice is an offence. Goods can also be seized by Trading Standards Officers and forfeited by the courts.

## **7. Further information**

If you require further guidance or information please contact us.