

Selling cigarette lighters

Lighters are consumer products which are inherently hazardous, since they produce a flame and contain fuel. They pose a serious risk when misused by children and have caused a number of deaths and injuries across the EU.

A decision was made by the European Commission, which has been introduced in the UK, to ensure that only child resistant lighters are placed onto the European market and also to prohibit the sale of novelty lighters.

Manufacturers and importers are prohibited from placing non child resistant and novelty lighters onto the European market. It is illegal for retailers to supply these lighters to consumers.

Implications for manufacturers and importers

- Must retain documentation demonstrating that the lighters comply with the relevant standards.
- Lighters must be child resistant i.e. cannot be operated by a child under 51 months.
- No novelty lighter can be placed on the European market for the first time. A novelty lighter:
 - Is appealing to children younger than 51 months;
 - May have entertaining audio effects or animated effects;
 - May have flashing lights, moving objects or other entertaining features;
 - May be of appealing shape or form e.g. toys, food and human body parts; or
 - Includes lighter holders.
- Lighters must still continue to meet the safety specifications detailed in BS EN ISO 9994: 2006, as well as the additional child resistant requirements laid down in BS EN 13869: 2002.

Implications for retailers and wholesalers

- Required to keep, and to show on request by their local Trading Standards authority, documentation identifying the party from whom they obtained their supply of lighters.
- Lighters must be properly marked before they can be sold to consumers (discussed further below).

What is exempt?

It is mandatory for **all** lighters to comply with BS EN ISO 9994 – lighter safety standard, however all lighters except the following must also comply with the child-resistance safety requirements of the Decision.

- Lighters with a specific purpose e.g. barbecue and utility lighters;
- Lighters which are sold with a 2 year written guarantee, are refillable and can be repaired by a European-based after-sales service.

There are no exceptions for novelty lighters; all supply is prohibited.

Lighters which are printed with logos or have shrink wrapped artwork are not classed as novelty lighters.

What simple tests can be carried out to ensure the lighter meets the safety requirements?

- Take a look at the lighter, does it resemble a novelty lighter:
 - A shape or form that is appealing to children under 51 months;
 - Entertaining effects.
- Check that all lighters are accompanied with the appropriate safety information and the specific word “**WARNING**” in close proximity. Along with the relevant safety information, it should also contain the statements “**KEEP AWAY FROM CHILDREN**” and “**Ignite lighter away from face and clothing**”.
- Check that each lighter is marked with the time period of manufacture, this can be in code, and that the manufacturer can be identified.
- Press the ignition system to check for child resistance. Consider whether a child of 51 months or younger would be able to operate it.

Other approaches to child resistance are possible.

This list is not exhaustive; you will still be responsible for ensuring the lighters comply with the relevant standard.

Where you have any concerns regarding lighters that you have purchased for resale please contact Trading Standards.

Giant lighters

There have been numerous problems with giant lighters, such as reservoirs breaking and gas being emitted, flames which are too high, spitting, flaming or not extinguishing properly. They are often labelled with incorrect addresses and sometimes CE marked (which is not appropriate for a lighter). These are breaches of EN9994. There are some giant lighters which have passed the relevant tests, but it is difficult to distinguish them from the items which fail.

What will happen if you fail to comply?

Trading Standards are responsible for enforcing the requirements of this decision. Where contraventions are discovered, officers will issue safety notices, which will require the relevant party to rectify the breach.

Where a retailer fails to show on request documentation identifying the party from whom they obtained their supply of lighters or where a party contravenes a safety notice, he shall be guilty of an offence which is punishable by fine and/or imprisonment.

Trading Standards departments will continue to use existing powers to remove from the market place lighters that have been found to be unsafe due to their child appealing nature.

Where can I get further help?

This leaflet is not an authoritative document on the law and is only intended for guidance. For further details or clarification contact Derbyshire Trading Standards at:

Chatsworth Hall
Chesterfield Road
Matlock
Derbyshire
DE4 3FW

Telephone:

Businesses: Call Derbyshire 08 456 058 058
Consumers: Citizens Advice consumer helpline 08454 040506

Fax: 01629 536197

Website: www.derbyshire.gov.uk/tradingstandards

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- Language interpreters, including for sign language
- Translation of written materials into other languages
- Materials in large print, on tape or in Braille.

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