

Trading Standards Law and Coal Merchants

This leaflet is intended as a guide to the requirements regarding the sale of solid fuel to the public. It applies to any sale of coal, coke or any solid fuel derived from coal or coke.

How should solid fuel be sold?

By net weight. When using open sacks, their weight must be either:

- 25 kg
- 50 kg
- Or any multiple of 50 kg

There are separate requirements for securely closed bags of prepacked fuel not exceeding 30 kg.

What documents are required?

If you are carrying solid fuel by vehicle on a road, different documents are needed for ordered goods and for casual sales.

1. Orders

For orders over 110 kg, a delivery document is required which must state:

- (a) the name and address of the seller
- (b) the name of the buyer
- (c) the delivery address
- (d) the type of goods (e.g. Anthracite, Coalite)
- (e) the total net weight of the goods

If using containers/sacks, the document must include:

- (f) the number of containers
- (g) the net weight in each container, unless the whole load is for delivery to a single buyer.



(If the whole load is not in containers/sacks and is for delivery to a single buyer at one place, there are separate requirements.)

The delivery document must be signed by or on behalf of the seller and given to the person in charge of the vehicle *before* the journey begins.

Delivery documents must be carried by the person in charge of a vehicle. *Before* unloading, the document must be handed over to the buyer. If the buyer is absent, it should be left in a suitable place at the delivery premises.

If delivering orders to two or more buyers, the document requirements apply equally to *each* buyer.

2. *Casual Sales (Hawking)*

Where solid fuel which has not been ordered is carried:

A document must be given to the person in charge of the vehicle *before* the journey starts

This must:

- a) be signed by the person causing the fuel to be carried - usually the seller
- b) show that person's name and address; and
- c) contain a statement to the effect that "All or part of the relevant goods on the vehicle are goods to which paragraph 17(1) of Schedule 5 to the *Weights and Measures Act 1985* does not apply".

If in the course of carrying on casual sales a delivery of more than 110 kg is made, a statement in writing of the quantity delivered must be handed to the buyer *at or before* the time of delivery (or left at the premises (as above) if the buyer is absent).

What information must be displayed on a delivery vehicle?

When carrying open containers/sacks, vehicles must display:

- i) the operators' name and address (in letters at least 3cm high) and

- ii) a sign stating "All open sacks on this vehicle contain either 25kg or 50kg" which must be clearly and permanently marked and should be able to be read from either side of the vehicle.

What about weighing equipment?

Equipment used for weighing solid fuel must be of an approved type and "stamped" by an Inspector.

The law does not require that weighing equipment is carried on a delivery vehicle. If the buyer requests fuel to be weighed during the course of a delivery (or before the vehicle leaves the premises) the seller *must* arrange for the fuel to be weighed in the presence of the buyer. (If the weight is found to be correct the buyer is liable to pay for reasonable costs incurred in carrying out the weighing).

Weighing equipment used in the sale of solid fuel is usually subjected to a great deal of wear and tear. It is advisable to have equipment serviced and weights checked regularly. Derbyshire County Council Trading Standards Service has a calibration service which can calibrate and re-verify weights usually within 24-48 hours.

How do I give price information?

The *Price Marking Order 2004* applies to solid fuel. The unit price for solid fuel products is 50kg. In most cases the unit price and the selling price have to be given, in some cases they will be the same.

There are other specific requirements for the coal trade, please ask for our leaflet 'Coal Merchants and Price Marking' (http://www.derbyshire.gov.uk/images/std14_tcm9-8348.pdf).

Any prices quoted to consumers or in a price list must show the price *inclusive* of VAT at the current rate.

Any extra charges must also be clearly shown, such as delivery charges or additional charges for methods of payment, e.g. Credit cards.

If you would like further information on doorstep selling, please ask us for the Office of Fair Trading (OFT) leaflet 'A guide for businesses on distance selling' (http://www.offt.gov.uk/advice_and_resources/small_businesses/distance-selling/)

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

We want everyone to be able to understand us. On request, we will arrange:

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

To ensure that you are looking at the most up-to-date version of this leaflet, please visit our website at http://www.derbyshire.gov.uk/images/std16_tcm9-8378.pdf or telephone us on 01629 536166.

