

Sampling Policy

Mission Statement

The Trading Standards Service forms part of the Commissioning, Communities and Policy department within Derbyshire County Council and has a responsibility for seeking compliance with a wide range of legislation intended to protect consumers and businesses. Our Mission Statement is 'Supporting local businesses, helping consumers and tackling unfair and unsafe trading practices.'

Derbyshire Trading Standards Service

The trading standards service is responsible for legislation covering the sale and supply of goods and services. This includes:

- Preventing false or misleading descriptions – e.g. in relation to counterfeit goods, 'clocked cars', 'cowboy builders' and property repairers;
- Inspecting weights and measures equipment to ensure accuracy and that goods are of the correct measure – e.g. pre-packed coal, petrol, beer etc.;
- Checking that goods supplied in Derbyshire are safe – e.g. toys, electrical goods, general consumer products;
- Ensuring that food is safe and complies with labelling and composition requirements – use by dates, minimum meat content;
- Protecting the welfare of livestock and preventing the spread of disease – e.g. foot and mouth, avian flu;
- Preventing the illegal sale of age-restricted products – alcohol, cigarettes, fireworks, knives etc.

The trading standards service adopts a variety of market surveillance activities in seeking to fulfil its duty to ensure that businesses comply with consumer protection legislation. This includes taking samples to check that goods comply with stated claims and labelling and compositional requirements where these are stipulated by legislation.



Sampling Programme

The trading standards service operates detailed sampling programmes to monitor product standards within Derbyshire.

The vast majority of samples will be taken as part of intelligence-led, targeted, enforcement projects outlined in our annual service plan which can be viewed by visiting

<https://www.derbyshire.gov.uk/council/policies-plans/service-planning/service-planning.aspx>

Samples may also be procured:

- During risk based inspections at retail, wholesale and manufacturing premises.
- As part of an investigation into a consumer or business complaint.
- On the initiative of trading standards staff based on their professional expertise and/or as a result of intelligence or information received by the service.

To reduce costs, save time and to ensure a wide spread of sampling activity, trading standards staff are authorised to undertake “informal” sampling whenever this is deemed operationally appropriate. However formal enforcement action will only be taken in respect of samples of goods and services taken in accordance with official guidance (where this exists). This guidance includes:

- Legislation and codes of practice made relating to the sampling of food products.
- Legislation prescribing the taking of sample of fertilisers and feeding stuffs
- Regulations made under the Weights and Measures Act 1985 in respect of goods being sampled for “average quantity” compliance.
- Home Office guidance on covert test purchases of age-restricted products by young people.

For further details about Derbyshire’s trading standards service, please see our website at <http://www.derbyshire.gov.uk/tradingstandards/>