

SALE OF SECOND HAND GOODS

Each year many dangerous items (particularly electrical items) are generously donated to jumble sales and charities with the end customers often being the most vulnerable members of society.

Whilst these items are given with the best of intentions, the end result could be injury or possibly death. These guidance notes are designed to help you avoid accepting the most hazardous items and to ensure the safety of those who purchase from you.

Sale or supply as a main business

If you sell or supply second hand goods as the main or as a substantial part of your business you should follow the guidelines noted below.

Furniture and soft furnishings

The S.I. 316/1995 Industrial Research and Standards (Fire Safety) (Domestic Furniture) Order 1995 governs the sale and supply of new and second hand furniture and furnishings. The law applies to retailers, second-hand shops and charity shops as well as auctioneers.

The regulations apply to upholstered domestic furniture, including settees, chairs, bed bases, mattresses, headboards, stools, dining chairs, sofa beds and garden furniture suitable for indoor use. Nursery items such as prams, pushchairs, playpens, cots and carrycots are also included. Cushions and pillows are controlled as well as loose covers for upholstered furniture.

You should be able to tell that furniture complies with the Regulations as a 'permanent' label should be attached to the item. This is normally headed 'CARELESSNESS CAUSES FIRE' and then states that the item complies with the S.I. 316/1995 Industrial Research and Standards (Fire Safety) (Domestic Furniture) Order 1995. It also explains in detail that the various components comply with the relevant ignitability tests. Beds and mattresses do not have to have the permanent label but should comply with the S.I. 316/1995 Industrial Research and Standards (Fire Safety) (Domestic Furniture) Order 1995.

As a guide, furniture and furnishings manufactured between 1950 and 1990 should not be accepted for sale.

Electrical appliances

Heating appliances and electric blankets should not be accepted. There is a substantial risk of these items being faulty and possible serious injuries or death resulting. Other electrical items may be accepted for sale provided that you have them inspected and tested by a competent person such as a suitably qualified and experienced electrician (preferably a member of the Register of Electrical Contractors of Ireland (RECI) or Electrical Contractors Safety and Standards Association (ECSSA) before the goods leave your control. A register should be kept of all items inspected including date inspected, the name of the inspector, description of the item and any serial numbers. The item should also be tagged to show that it has been inspected.

Gas appliances

These items may be accepted for sale provided that you have them inspected and tested by a Registered Gas Installer with Bord Gáis Networks in conformance with the relevant Irish Installation Standards (I.S. 813 or I.S. 820) and a record is kept of all items inspected including date inspected, description and any serial numbers. The item should also be tagged to show that it has been inspected.

Toys

Toys, including second-hand toys, must comply with the 1990 Toy Safety Regulations. It is now an offence to supply a toy that does not carry a CE conformity marking. Details must be included of the name, trade name or trademark, and address of the manufacturers if they are established in the Community, or the importer if appropriate. The use of the CE marking is confirmation that all the provisions of the Regulations

have been complied with. Electrically operated toys (other than battery toys) must be inspected prior to sale by a qualified and experienced person in the same way as for other electrical items and details recorded as noted above. Any other toy must be inspected prior to sale by a suitably trained and experienced person to ensure it complies with all the relevant regulations. Guidance can be obtained from the Office of the Director of Consumer Affairs (ODCA).

Children's clothing

In order to prevent injury and possible strangulation to children, the Industrial Research and Standards (Hood Cords for Children's Clothing) Order 1976 prohibit the sale or possession of a child's outer garment with a hood, where a hood cord is fitted. This includes second-hand clothing. The regulations apply to raincoats, overcoats, anoraks and other garments suitable for outerwear. This includes tracksuit tops. To see if the regulations apply, fasten the garment and lay it out as flat as possible. If the chest measures less than 44cm (approx 17.5 inches) then the garment must not be fitted with a hood cord. There are also regulations that apply to the sale, manufacture and assembly of children's nightwear under the Industrial Research and Standards (Children's Nightwear) Order 1979. All clothing should be checked to ensure that it is clean and safe for someone else to wear.

Occasional sales of goods at fêtes and jumble sales

You should always try to follow the guidelines given above as far as possible, but we accept that it is not often practical to arrange a professional inspection of electrical and gas equipment. The best thing is to refuse donations of electrical and heating appliances. For toys and other items, use common sense. A responsible person should be appointed to check through the items prior to sale to eliminate any that seem dangerous by their nature or condition.