

New national NCT sale regulations

Full Cheltenham and North Cotswolds branch version

NCT nearly new sales are a national event and so we must conform to the regulations set out by Head Office. However, as a branch we are able to adapt the list of what can be sold to suit our local Sale setup. NCT updated the national regulations in August 2008, and there have been some significant changes as highlighted below in bold. If you have any questions, please ring Rachel on 07793028918.

1 Sellers Guidance

1.1 What do we sell

Clothing Sales	<ul style="list-style-type: none"> • Good quality baby and children's clothes (Ages tiny baby – 7yrs) Please ensure all items are clean, ironed and have no stains, holes or buttons missing
Toys and Equipment Sales	<ul style="list-style-type: none"> • Children's toys and equipment safe, complete and in good working order (see below) • Children's books • Pregnancy and birth books • Pregnancy equipment
At ALL sales	<ul style="list-style-type: none"> • Swimwear and accessories • Baby sleeping bags • Children's bedding • Reusable nappies • Shoes including wellies, jellies and slippers • Maternity clothing

1.2 What we can sell if you meet the terms and conditions

- Prams or buggies (see overleaf)
- High chairs and other upholstered items (see overleaf)
- Nightwear
- Stands for carrycots
- Ceramic or cookware

1.3 What we do not sell (Please see Section 3 for further explanation)

- **Car seats or car** booster seats or car seats from travel systems, although you may offer the Car seat of a travel system to its buyer for private sale at a later date (new national decision)
- Second hand mattresses from cots, cribs or Moses baskets, although you can sell travel cots with mattresses
- Door bouncers, baby walkers or **sit-in activity centres (new national decision)**
- **Breast pumps manual, battery or mains (new national decision)**
- Riding hats or crash helmets

- Mains powered electrical equipment or toys, even if these also run on batteries as well
- **Plastic bottles**, baby food and formula milk. **(new national decision)**
- **Pedal cycles, though we do accept toddler trikes (local branch decision)**

1.4 Adverts for private sales

Following these changes, at this sale there will be private seller's board to be displayed in the entrance area. You can advertise an item here for sale that we are unable to sell through the NCT e.g. sit in activity centres, children's bicycles, breast pumps, sterilising equipment, as listed above. Please note: we take no responsibility for the items sold in this way as it will be a private transaction between the seller and buyer.

Adverts are charged for an A5 display space and are per single item or set. We suggest your advert includes a photo of the item for sale, description, price and contact details. You do not have to inform us in advance if you wish to place an advert. We will charge a display fee based on the value of the item(s) listed:

Price of item for sale	Fee
£1 - £10	£1
£10 - £30	£3
£30 +	£5

Fees are payable in cash when you submit the advert (at drop off), and are non-refundable.

1.5 Why we do and don't sell items

Goods sold at NNS must, by law, be safe and fit for purpose. Our guidance is based on that provided by Trading Standards. They do not have anything specific for Nearly New Sales, but felt that the closest advice they could offer was for charity shops. Please note that this guidance is for Ticket Sales, where the NCT is acting as an agent for the seller and we are therefore responsible for the safety of the goods. In addition, liability disclaimers must be displayed clearly at all sales. These disclaimers waive the NCT for any loss, damage or injury arising from items purchased at the NNS.

Disclaimer "Although every care will be taken with the security of your sale goods, the NCT cannot accept responsibility for labels that become detached and lost, or for lost and damaged items. All items are left at the owner's risk".

2 Item Specific Regulations

2.1 Children's Toys

All children's toys must meet strict safety requirements, whether they are new or second-hand. All new toys are required to bear a CE mark, which is a declaration that they toy complies with safety requirements. Whenever you receive a second-hand toy to sell, whether CE marked or not you should thoroughly inspect it to ensure it is not unsafe. Generally speaking toys must not:

- Be made of flammable materials

- Have sharp edges or points
- Have easily detached parts or features (eyes, buttons, stuffing etc.)
- Contain toxic substances, or be painted with toxic paints
- Operate at more than 24 volts

Toys should be designed and manufactured to meet standards of hygiene and cleanliness and avoid any risk of infection, sickness or contamination. To avoid suffocation, plastic bags used for packing toys must be too small for a child's head, and should be made of plastic which is of sufficient thickness not to pose a suffocation risk. Bear in mind that small parts are a choking hazard to children under 36 months of age. As a branch we will be stickering the labels of items highlighting if it is not suitable for a child under 36 months, if it is not clear on the toy/packaging.

2.2 Wheeled child conveyances regulations – Prams, buggies, travel systems.

From 1 January 1999 major changes in the law relating to the sale of both new and second-hand 'wheeled child conveyances' came into force. The new regulations may reduce the number of buggies, pushchairs and prams branches are able to sell at Nearly New Sales, but they are a legal requirement, and must be obeyed. The maximum penalty for failing to comply with these requirements is a £5,000 fine and/or six months imprisonment. The term 'wheeled child conveyances' refers to all wheeled vehicles designed to carry one or two babies or infants, but does not apply to transporters for carrycot, toys or vehicles enabling children to move themselves about.

Every item of this type sold at an NCT NNS must conform to the three points below:

- Wheeled child conveyances must conform to British Standard 7409 (or an equivalent European Standard) and must be permanently marked BS7409:1996, together with the name or trademark of the manufacturer or importer. The label with these details is usually found on the frame or seat covering.
- A permanent notice on the vehicle must state: Children should be harnessed in at all times and should never be left unattended. The child should be clear of moving parts while making adjustments. This vehicle requires regular maintenance by the user. Overloading, incorrect folding and the use of non-approved accessories may damage or break this vehicle.
- *Instructions in English must be supplied with each vehicle.* These are to be headed: **IMPORTANT, KEEP FOR FUTURE REFERENCE** and must include instructions relating to operation, assembly, use and maintenance. If the original instructions are lost, replacements may be able to be downloaded from the internet. For secondhand prams etc, it is also important to check that it is in good condition. Here is a handy check list which shouldn't take long to complete:
 - Ensure there are no sharp edges or points
 - The folding chassis' must have a primary and secondary locking device. Do they both engage and work properly?
 - Is the safety harness in good condition? Make sure the harness is secure and the straps are not frayed

- Check the wheels are secure and there is no evidence of any heavy wear on the edges of wheels
- Does the parking brake work both forwards and backwards, and does it engage properly?
- Check the general stability of the pram in all directions (forwards, backwards and sideways left and right)
- Have the tubes or linkages been bent by heavy impact with kerbs or stairs?
- Can small fingers be trapped? Ensure that exposed tubes still have some means of preventing fingers from getting trapped.
- Is the permanent label headed 'Carelessness Causes Fire' is present indicating compliance with the Flammability requirements? If not, the item must be rejected as all upholstered items have to comply with flammability labelling.

2.3 New guidance concerning Maclaren pushchairs.

We have received the following guidance from NCT Head Office: Following recent reports about safety concern, if you are selling one of the following Maclaren Models:

Volo, Triumph, Quest Sport, Quest Mod, Techno XT, TechnoXLR, Twin Triumph, Twin Techno and Easy Traveller

It must be fitted with a hinge safety cover. Covers are available, free of charge, from the Maclaren website, <http://covers.maclaren.co.uk/> but must be fitted before the sale. Any of the above pushchairs presented for sale without the hinge cover will be removed from the sale.

2.4 Baby 'Bag Slings'

Due to guidance from NCT Head Office, we regret we cannot accept the following "bag-type" slings at the sale:

- Infantino sling rider
- Premaxx baby bag
- Munchkin cargo sling
- Boppy carry in comfort
- Lamaze close comfort
- Wendy Bellissimo sling

Most baby carrier/slings are still safe to use, including shallow pouch-style slings, ring slings, soft carriers and wrap slings. For more info see <http://www.babyslingsafe.com/>

2.5 Upholstered furniture (e.g. prams, highchairs etc)

All second-hand upholstered furniture including items such as prams and highchairs, made after 1950 must meet the same safety regulations as new upholstered furniture. When new upholstered furniture is supplied it should generally have a permanent label on each item, this label is headed 'Carelessness Causes Fire', and includes a summary of the measures taken to ensure compliance

with the Regulations. The label may be under the cushions or seat or perhaps under the base. If you cannot find this label, you should not sell the piece of furniture as there is no guarantee that it will meet current regulations.

2.6 Nightwear

It is an offence to sell children's nightwear that does not comply with the flammability requirement of BS5722. Children's nightwear means:

- Anything designed for wear by and that would normally be worn by a child over three months and under the age of 13 years.
- Nightdresses with a chest measurement not exceeding 91cm or the length measurement not exceeding 122cm.
- Non-terry towelling dressing gowns and bath robes where the chest measurements does not exceed 97cm or the sleeve measurement does not exceed 69cm.

Children's nightwear does not include pyjamas and cotton terry towelling bath robes or babies' garments (garments exclusively for babies under 3 months and having a chest measurement not exceeding 53cm). These do not have to comply with the flammability standard but they must carry a permanent label showing whether or not they meet the flammability standard. Other Nightwear (maternity nightshirts etc): Adults' nightwear must be labelled so as to inform the purchaser whether or not the item meets the flammability requirements of BS5722.

Labelling – If the item meets the requirements it must have a label printed in black stating: 'low flammability to BS5722' (in black letters), or 'low flammability to BS5722' (in black letters) and 'keep away from fire (in red letters). If the item does not meet the flammability requirements, it must have a label printed in red stating 'Keep Away From Fire'. Any nightwear that is treated with flame-retardant chemicals must carry a label with the words: do not wash at more than 50°C. Check suitability of washing agent (in black letters).

2.7 Carrycot Stands

Carrycot stands must be labelled with the maximum length and width of carrycot it is designed to hold. They must not have castors or wheels. The bottom of the carrycot must not be more than 432mm above the floor and the base must be at least as wide and three quarters as long as the carrycot. There must be a guard rail or rigid stops at least 75mm above the base of the carrycot. Second-hand carrycot stands are covered by the General Product Safety Regulations. In order to comply with these requirements, the following are some of the points to be considered when assessing the safety of a carrycot stand.

- Ensure that appropriate instructions for use including maximum sizes of carrycot and weight loadings are affixed to the carrycot stand.
- Ensure that the carrycot will be effectively retained in position on the stand.
- Ensure that the cot stand frame is not distorted or modified causing it to become unstable.

2.8 Pedal cycles

A child's bicycle is any bike where the saddle height is less than 635mm from the ground with the tyres fully inflated. These are not covered by cycle legislation but by toy legislation. The usual safety advice applies: no obvious damage, no sharp edges, no finger traps etc. Adult bicycles (those larger than this) are subject to cycle safety requirements. It is an offence to supply an unsafe bicycle (max penalty £5,000 and/or six months in prison) and you could be liable under civil law if the sale of such a bicycle results in a personal injury, it will not be enough to display a disclaimer. However, if you did want to sell larger bicycles there is a checklist of what to look out for and advice on keeping records of checks carried out. Provided you have exercised due diligence and can prove this, you should be OK.

FOR THIS REASON WE ARE CHOOSING AS A BRANCH TO NO LONGER ACCEPT ANY BICYCLES FOR SALE (THOUGH TOY TRIKES ARE ACCEPTABLE).

2.9 Ceramic ware, cooking utensils

The Ceramic Ware Safety Regulations 1988 prohibit the supply of any ceramic ware (plates etc) that does not meet the limits of metal release specified in British Standard 6748. Ceramic ware that does not come into contact with foodstuffs is not included. The Cooking Utensils (Safety) Regulations 1972 similarly prohibit the supply of any kitchen utensil for cooking a food which has any surface with a metal coating which contains more than 20 parts in 10,000 of lead unless the surface coating does not make contact with the food. Products meeting European standards will have a wineglass and fork logo on them. Any cooking ware or utensils manufactured in the last 30 years should easily comply with these regulations.

3 Further explanation of items not to be sold

3.1 Secondhand cot mattresses

The NCT policy is that second-hand cot mattresses may not be sold at NCT Nearly New Sales. This is because of information from the Foundation for the Study of Infant Deaths (FSID) which implicates second hand mattresses in cot deaths. You can sell travel cot with mattresses. Visit www.fsid.org.uk/faq---current---topics.html for further information.

3.2 Bouncers, baby walkers and sit in activity centres

Although these are available commercially NCT cannot recommend their sale on safety grounds. The Child Accident Prevention Trust (CAPT) advises parents not to use baby walkers. They give babies mobility, speed and height that puts them at risk of serious injury. Research has shown that baby walkers cause more accidental injuries than any other type of baby equipment or furniture. Studies from abroad have even suggested that one in three babies who are put in a baby walker will be injured as a result. Some parents want to use baby walkers because they think they help to teach children to walk, Paediatricians have repeatedly stressed that this is not true. In fact there is increasing evidence to suggest that baby walkers may delay normal child development. Rolling, sitting, crawling and playing on the floor are all important stages in developing strength and learning

to walk. Further information can be found on the CAPT factsheet at www.capt.org.uk/pdfs/factsheet%20baby%20walkers.pdf

3.3 Riding hats and crash helmets

The same advice applies here as for child car seats. It is impossible to tell if these items have become damaged in an accident therefore we cannot guarantee their safety.

3.4 Shoes

Leather shoes mould to fit a child's feet. We cannot recommend putting a child's still growing feet into second hand shoes moulded to another child's feet. This advice does not apply to Wellington boots, jellies and unworn slippers.

3.5 Mains Powered Electrical Equipment

Any electrical appliance can only be sold if tested and approved by a qualified electrician. This will also mean that the item incorporates a correctly fitted 3 pin plug. This advice includes equipment that also runs on batteries. In general we do not recommend that you sell any mains powered electrical equipment.

3.6 Bottles

Secondhand bottles should not be sold on safety grounds. There is a possibility that bisphenol A, a harmful chemical, can leak out of baby bottles. Further information can be found at: <http://news.bbc.co.uk/1/hi/health/4223984.stm>. Because of the difficulties of ensuring hygiene it is not advisable to sell baby food even if it is new and unopened. Similarly second-hand breast pumps. Brand new breast pumps, in an unopened original box may be sold if you wish.

3.7 Children's clothing with hood cords

It is an offence to supply any item of children's clothing (44cm chest measurements or less) if it has a hood designed to be secured by a cord drawn through the material. This is to prevent the possibility of strangulation. As the regulation banning cords has been in force since the 70s, it is unlikely that many such clothes will be sent to Nearly New Sales.