

1978 No. 322

CONSUMER PROTECTION**Babies' Dummies (Safety) Regulations (Northern Ireland) 1978***Made 24th October 1978**Coming into operation in accordance with Regulation 1(2) and Regulation 1(3)**To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974*

The Department of Commerce, after consultation with such persons and bodies of persons as appear to it to be requisite, in exercise of the powers conferred by section 1 of the Consumer Protection Act (Northern Ireland) 1965(a) and now vested in it(b) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1.—(1) These Regulations may be cited as the Babies' Dummies (Safety) Regulations (Northern Ireland) 1978.

(2) These Regulations, except Regulation 5(3), shall come into operation

(a) on 11th December 1978 in the case of goods sold by the manufacturer or importer into Northern Ireland, or in his possession for the purpose of sale, and

(b) on 1st January 1979 in any other case.

(3) Regulation 5(3) shall come into operation on 1st January 1980.

Interpretation

2. In these Regulations—

“the Act” means the Consumer Protection Act (Northern Ireland) 1965;

“baby's dummy” means a substitute nipple for a baby to suck or bite not being designed to facilitate a baby's obtaining fluid;

“British Standard 5239” means the British Standard Specification for babies' dummies BS 5239 : 1975, published on 28th November, 1975, as amended by Amendment Slip No. 1 published on 14th January 1977.

Construction of dummies

3.—(1) Subject to paragraph (2), a baby's dummy shall be made entirely of—

(a) rubber; or

(b) plastics; or

(c) a combination of components made entirely of rubber and components made entirely of plastics.

(2) Solid particles intended to produce a rattle effect shall be made of any material which is radio opaque.

(a) 1965 c. 14 (N.I.)

(b) By S.R. & O. (N.I.) 1973 No. 504 Art. 5(c) (II, p. 2992)

(3) The materials, design and construction of a baby's dummy shall comply with the requirements contained in clauses 4 and 5 of British Standard 5239.

(4) In this Regulation "rubber" includes rubber compounds.

Resistance to damage

4. A baby's dummy shall satisfy the requirements of the compression, impact, bite and tensile tests contained in clause 6 of British Standard 5239 when tested in accordance with clause 7 thereof.

Requirements

5.—(1) A baby's dummy shall be in a clean condition in a closed container.

(2) A notice shall be enclosed in the container, or the container shall itself be marked, with clear and legible instructions for the safe use of babies' dummies, which shall include instructions as to the following matters, namely that a dummy—

- (a) should be washed thoroughly before first and any subsequent use and sterilized either in a baby-bottle sterilizing solution or by boiling for five minutes;
- (b) should be kept in a dry, covered container;
- (c) should not be taken apart;
- (d) should be inspected regularly and thrown away when worn or damaged.

(3) The instructions specified in paragraph (2) shall be distinguished by the word "Caution" or the word "Warning" or some other expression indicating that the instructions are given for the purpose of safety.

Goods already manufactured

6. Section 2(1) and (2) of the Act (which prohibit sale and possession for sale of goods and component parts not complying with Regulations) shall apply in relation to babies' dummies and component parts manufactured before the imposition of these requirements notwithstanding anything in section 2(4) (which exempts such goods and parts unless Regulations otherwise provide).

Testing and enforcement

7.—(1) The Schedule to the Act (which relates to inspection, testing and enforcement by district councils) shall have effect in relation to goods to which these Regulations apply.

(2) Any test of the requirements mentioned in Regulation 4, being a test such as is referred to in paragraph 2 of the Schedule to the Act (which empowers a district council to purchase goods for the purpose of a test), shall be carried out, at the expense of the district council, by such person or body as may be authorised by the Department of Commerce to carry out such a test.

Sealed with the Official Seal of the Department of Commerce for Northern Ireland on 24th October 1978.

(L.S.)

W. T. McCrory
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations impose requirements relating to the safety of babies' dummies. The requirements are concerned with the materials and construction of dummies, (Regulation 3), their resistance to damage (Regulation 4), and their packaging and the instructions to be given with them for their safe use (Regulation 5). The British Standard Specification BS5239:1975 and the Amendment Slip No. 1 referred to in the Regulations may be obtained from the British Standards Institution, 101 Pentonville Road, London N1 9ND.