
STATUTORY INSTRUMENTS

1993 No. 2923

CONSUMER PROTECTION

The Imitation Dummies (Safety) Regulations 1993

Made - - - - - *29th November 1993*
Laid before Parliament *30th November 1993*
Coming into force - - - *21st December 1993*

WHEREAS the Secretary of State has, in accordance with section 11(5) of the Consumer Protection Act 1987⁽¹⁾, consulted such organisations as appear to him to be representative of interests substantially affected by these Regulations and such other persons as he considers appropriate:

Now therefore the Secretary of State, in exercise of the powers conferred upon him by section 11 of the said Act, hereby makes the following Regulations:—

- 1.—(1) These Regulations may be cited as the Imitation Dummies (Safety) Regulations 1993.
- (2) These Regulations shall come into force on 21st December 1993.

2. In these Regulations:—

“BS 5239: 1988” means the British Standard Specification for babies' dummies published by the British Standards Institution on 31st October 1988⁽²⁾, as amended on 31st May 1989 and 28th February 1991, subject to any amendments made thereto and approved by the Secretary of State;

“dummies” means a substitute nipple for a baby to suck on or bite on that is not designed to facilitate a baby obtaining fluid.

3.—(1) No person shall supply, offer to supply, agree to supply, expose for supply or possess for supply any goods which are designed or constructed primarily as goods for private use—

- (a) which have a form, colour, appearance, packaging or labelling which may cause persons, in particular children, to confuse them with dummies (even if such goods are smaller than dummies) and in consequence place them in their mouths or suck them or swallow them; and
- (b) where such action as is mentioned in (a) above is taken in relation to them, may cause death or personal injury.

(2) In this regulation “goods” do not include—

- (a) goods which comply with the requirements of BS 5239: 1988 or with any standard or specification recognised for use in a member State where such compliance provides a

(1) 1987 c. 43.
(2) ISBN 0 580 16777 1.

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level of safety equivalent to that which would be provided if the goods complied with the requirements of BS 5239: 1988; or

(b) toys to which the Toys (Safety) Regulations 1989⁽³⁾ apply.

29th November 1993

Strathclyde
Parliamentary Under Secretary of State
Department of Trade and Industry

⁽³⁾ S.I. 1989/1275 amended by S.I. 1993/1547.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prohibit the supply of goods which are designed or constructed primarily as goods for private use, subject to the exceptions mentioned below, and which may by their form and so forth, be mistaken by persons (particularly by children) for dummies and, as a result, be placed in their mouths, sucked or swallowed with the consequence that they may suffer death or personal injury.

The prohibition does not apply to goods which comply with the requirements of BS 5239: 1988 or to toys to which the Toys (Safety) Regulations 1989 (S.I. [1989/1275](#) amended by S.I. [1993/1547](#)) apply. The prohibition does, however, apply to goods which are not regarded as toys for the purpose of those Regulations, for example, jewellery for children.

Copies of the British Standards referred to in these Regulations may be obtained from the Sales Department, British Standards Institution, Linford Wood, Milton Keynes, MK14 6LE.