

## **Argyll and Bute Council**

Comhairle Earra Gháidheal agus Bhòid

### **Development and Infrastructure Services**

Executive Director: Pippa Milne

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## **Do you sell at Markets or Car Boot Sales?**

**If you sell at markets/**





We advise consumers not to buy items such as electric fires, electric blankets and irons at boot sales; so unless the item has a reputable recent source, we would caution strongly against its sale.

### **Food**

Boot sales are not the place to try to get rid of those unwanted tins and packets lurking in the back of your food cupboards. It is not a good idea to sell items past their 'sell-by' date - food must be unfit for human consumption and environmental health officers may penalise you. Please act responsibly and exercise caution.

### **Clothes**

Think twice before selling nightwear. It might well not meet flammability requirements that apply to nightwear sold by traders. Children's coats with hood-cords can also pose a hazard, so beware of selling these items if their source and safety is uncertain.

### **Toys**

Check toys to make sure there are no sharp points or small parts that can be pulled off. Put the toy in a skip rather than a sale if it is in bad shape or very old. It will assist you if you still have the packaging, as instructions on usage, or intended age of the user, can then be provided to the purchaser.

### **Cosmetic products**

Some ingredients are regulated and, if seals are not intact, the items can become contaminated. There are many controls over what can and cannot be sold.

### **Other danger areas**

Caution should be exercised in the sale of the types of goods listed below. All of them have their own safety standards when sold by traders and you should have them checked carefully before you even think about selling them.

- Prams and pushchairs.
- Paraffin heaters.
- Oil heaters.

### **RECEIPTS**

There is a general misconception among the public that a trader must provide a receipt for purchases. This is a convention - even good practice - but not a legal requirement. Of course, if you are a trader, it never hurts to try to please the customer, but you are not obliged to comply. However, it may help you to keep a detailed log, so you can submit reliable records to the Inland Revenue.

### **A POLICE MESSAGE**

Handling stolen goods can attract greater penalties than the theft. If you sell stolen goods, the buyer is entitled to their money back from you, not the thief.

In your own interest, when buying goods, ask for a RECEIPT and proper IDEN

## **TOY AND BALL BEARING ('BB') GUNS**

Whether you are buying or selling toy or imitation firearms, you need to make sure that you do so responsibly. The Violent Crime Reduction Act 2006 and supporting Regulations now makes it an offence to sell an 'imitation firearm' to a person under 18 and, for a person under 18 to buy one. Apart from a few exceptions, it is also an offence to sell 'realistic imitation firearms'. Those guns, which are obviously toys, e.g. due to their unrealistic look or size, can still be sold with no restrictions. If you are unsure about any gun you wish to sell, you should seek further advice from the police.

## **REMEMBER**

It is not our intention to spoil the fun of people who enjoy buying and selling at boot sales or markets. As well as being a social occasion, boot sales recycle goods and, therefore, have some environmental benefits.

Our main objective is to see that where traders move in, they behave as traders and meet their obligations.

Whether you are a regular trader or not, you should be ready to co-operate with trading standards officers who may visit boot sales and markets at any time to carry out inspections, give advice and investigate complaints.

This leaflet is not an authoritative document on the law and is only intended for guidance. For further details or clarification contact Trading Standards:

Telephone            01546 605519  
Email                tradingstandards@argyll-bute.gov.uk

Bute and Cowal - 22 Hill Street, Dunoon, PA23 7AP  
Helensburgh and Lomond - Blairvadach, Shandon, Helensburgh, G84 8ND  
Mid Argyll, Kintyre and Islands - Area Office, Manse Brae, Lochgilphead, PA31 8QU  
Oban, Lorn and the Isles - Municipal Buildings, Albany Street, Oban, PA34 4AW

Office Hours: 9.00am - 5.00pm Monday-Friday