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By Email

Ana de Miguel
Consumer and Competition Policy
Department for Business, Innovation and Skills
1 Victoria Street
London SW1H 0ET

19 May 2014

Dear Ms de Miguel

Review of the enforcement provisions of the Consumer Protection from Unfair Trading Regulations 2008 in respect of copycat packaging

The Trading Standards Institute is grateful for the opportunity to respond to this review.

TSI is the UK national professional body for the trading standards community working in both the private and public sectors. Further brief information about TSI is provided in the postscript to this letter.

Local authority trading standards services currently have the power under the CPRs to prosecute where they have the evidence of misleading packaging.

Businesses, meanwhile, already have rights under the trademark and copyright legislation.

Whilst TSI understands that larger companies may wish for greater powers, we are concerned that any new powers for businesses would only be of use to those companies which can afford to take legal action.

TSI believes that it is imperative that businesses are supported in a fair way and that consumers are protected. Trading standards has the powers under current regulations, given the necessary evidence and resources.

In compiling this response, TSI has canvassed the views of its Members and Advisers. The response has been composed by TSI Service Director (Communications and Policy) Suzanne Kuyser. If you would like to discuss the response with us, please do not hesitate to contact Suzanne at suzannek@tsi.org.uk.

TSI does not regard this response to be confidential and is happy for it to be published.

Yours sincerely

A handwritten signature in black ink that reads 'Sandy Driskell'.

Sandy Driskell
Information Officer



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The Trading Standards Institute

The Trading Standards Institute is the UK national professional body for the trading standards community working in both the private and public sectors.

Founded in 1881, TSI has a long and proud history of ensuring that the views of our broad church of Members are represented at the highest level of government, both nationally and internationally. TSI campaigns on behalf of the profession to obtain a better deal for both consumers and businesses.

We are also taking on greater responsibilities as the result of the government's announcement in October 2010 that trading standards is one of the two central pillars of the new consumer landscape (the other being Citizens Advice) and we have taken over responsibility for business advice and education.

The TSI Consumer Codes Approval Scheme, established at the request of the government to take over from the OFT scheme, went live in April 2013 and was formally launched in June 2013.

TSI is a member of the OFT's Consumer Protection Partnership which was set up by the government to bring about better coordination, intelligence sharing and identification of future consumer issues within the consumer protection arena.

Local authority trading standards services have for some years promoted public health through, for example, tobacco control activities (thus reducing smoking prevalence); food standards and labelling (tackling nutrition); and reducing the illegal supply of age restricted products such as alcohol to young people. This role gained in importance recently when, as part of its health reforms, the government repositioned public health back into English local government.

TSI is also a forward-looking social enterprise delivering services and solutions to public, private and third sector organisations in the UK and in wider Europe.

We run events for both the trading standards profession and a growing number of external organisations. We also provide accredited courses on regulations and enforcement which deliver consistent curriculum, content, knowledge outcomes and evaluation procedures, with the flexibility to meet local authority, business and operational needs.
