

Sale of Cleaning Chemicals Online and Off: an overview

Mark Woodhead of Selden Research brought to the attention of the CHSA Council the legal requirements for selling chemical products – both on and offline. The CHSA Council is sharing his input.



Whilst at work, regardless of location, employees should be regarded as **“professional”**, and are subject to employment law including all aspects of health and safety.

If someone is not at work, regardless of location, that person buys and uses products from the retail sector

- Any product sold “for professional use only” must be supplied with either safety data sheets or a summary thereof to Professional users to make a valid risk assessment.
- There is no concept of a safety data sheet or risk assessment to accompany a product in the retail environment, rather the manufacturer needs to ensure the product is safe for use as intended without the need for additional PPE.

Any professional product sold into the retail sector **MUST** have been designed to be used without the expectation of controlled dosing or PPE use. Equally, on the opposite side of the fence, any product bought from a retail source would not come with sufficient information from which a risk or safety assessment can be made.

There is an increasing threat, not just on a commercial basis but in terms of public safety, due to the

growing ability to source such potentially dangerous **“Professional use only”** products online through the likes of Amazon and eBay.

Whilst Manufacturers – as far as we know - only supply to professional users and Distributors, there is a risk for Distributors who may be either:

- Supplying professional product to end consumers through their website;
- Or supplying the product which was then being passed on to “retail” end users – with any resultant blame of injury then being directed towards both manufacturer and distributor.

This is, therefore, an issue of concern to both Distributor and Manufacturer members.

To minimise this risk, it is therefore critical - as proof of good practice - that all members keep a “correspondence” trail of online activity:

- Only supplying “professional use product” to Account Holders who show they are a business.
- Develop a system to ensure there is an audit trail to support this.