

# BEST PRACTICE GUIDELINES FOR COVERMOUNTS



## A. BEST PRACTICE GUIDELINES

Covermounts are used to promote and enhance magazines to consumers. Often such items pose no Health & Safety risk or legal compliance issue regarding distribution, selling or disposal.

This Best Practice document is a guide for Publishers on the types of item which carry additional requirements. It highlights those items which PPA recommends Publishers do NOT use and also those items which should only be used after due consideration. It is offered as a practical guide, to be updated as required, on the regulatory issues surrounding the use of covermounts, with particular emphasis on the health & safety issues for handling in the supply chain and by consumers.

**Notwithstanding the advice given here in good faith, it must be noted that individual companies carry their own responsibility for being aware of legal compliance, and for maintaining awareness of legal and good practice developments.**

### 1. **NOT RECOMMENDED** - potential compliance issues

Publishers are strongly recommended NOT to use any of the following as covermounted gifts, inserts, or co-bagged items as to do so may breach ADR (Transport of Dangerous Goods) and/or health and safety regulations:

- a). Explosive substances and articles containing explosive substances (Fireworks, Flares, etc);
- b) Gas: compressed, liquefied or dissolved under pressure;
- c) Flammable Liquids (Aerosols, Lighters, Lighter Refills, Liquid oil or solvent based paints, Christmas Crackers, Cooking Oil, etc);
- d) Flammable Solids or Gases (Firelighters, Matches, Butane Gas, etc);
- e) Oxidising Substances & Organic Peroxides (Mercury Thermometers, Bleaches, etc);
- f) Toxic and Infectious Substance (Thinners, Solvents, etc);
- g) Radioactive Substances;
- h) Corrosive Substances (batteries, etc); and
- i) Miscellaneous Harmful Substances (Medicines, Mace Spray, Weed Killer, etc).

### 2. **ACCEPTED BUT PRIOR NOTIFICATION & CAUTION REQUIRED**

The following articles may be used but only if SUBJECT TO prior notification to wholesalers so that appropriate health and safety precautions can be implemented:

Glass Products,	Canned Drinks,	Beauty Products	Bathroom products,
Razors,	Knives,	Fish Hooks,	Other Sharp Objects,
Objects larger than the Magazine;			

always provided that they are contained within appropriate packaging and are properly labelled.

### 3. **ACCEPTED SUBJECT TO CONDITIONS**

- a) Toys, provided they meet BS Kitemark regulations.
- b) Foodstuffs provided that they:
  - (i) Conform to safety standards relevant to the product; and
  - (ii) The sell by date does not expire during the on sale period of the magazine/title.
- c) DVDs, CDs and Video Tapes (*referred to as DVDs hereafter for simplicity*), provided they meet the regulatory requirements by carrying appropriate age guidance as follows:
  - i) The DVD must carry symbols indicating the age rating applicable to that DVD;
  - ii) The label or symbol should be printed on both the front and reverse of the DVD cover so that it is visible to the buyer. If the symbol on the DVD is visible through the cover it is not required to be printed on that side of the cover. If the spine of the DVD cover is not less than 2 centimetres in depth (or height), the spine must also carry the symbol;
  - iii) One of the symbols must also be accompanied by the relevant explanatory statement within a single rectangular shaped frame;

- iv) Each symbol must meet the minimum size requirements such that the relevant letters/numbers must be at least 5mm high excluding any shadow;
- v) No other printing or labelling must obscure the symbol on the finished DVD cover;
- vi) All DVDs planned for circulation within the Irish Republic must carry the appropriate age rating symbol as defined by the Irish Film Censor's Office ([www.ifco.ie](http://www.ifco.ie)) shown to the required format.
- vi) Any wrapper around the covermounted magazine should not obscure the label or symbol from the buyer such that:
  - The label or symbol on the DVD remains clearly visible through the wrap; or
  - If the label or symbol might be or is obscured by the wrapper, then the same symbol must be printed prominently on the front of the wrapper, and preferably also on the reverse, remain clearly visible during handling of the wrapped magazine, and it is recommended that the relevant letters/numbers are at least 10mm high.
- vii) The publisher/distributor must advise the wholesaler in advance of any DVDs with a rating of 18.

#### **4. GENERAL CONSIDERATIONS**

Items should be sensible, realistic and responsible and should reflect the target audience of the magazine. Many items such as replica guns or air guns could be deemed inappropriate.

Publishers should ensure that interactive games are labelled according to the Pan-European Game Information (PEGI) age rating system, see <http://www.pegi.info/pegi/index.do>

Where covermounts are used, they should always be sufficiently well secured to or contained with the core product in such a way as to prevent the bar code of the publication from being obscured.

Items should take into account environmental concerns. Publishers should be aware that a number of products, while not of themselves hazardous nor requiring notification to wholesale, can cause difficulties in the recycling process. These include all textiles, which can cause blockages, and items such as crayons and cosmetics which contain water-based dyes that affect the whiteness of newsprint (oil-based dyes can be skimmed off).

#### **5. DISPOSAL**

Note that disposal of covermounts is generally to landfill. However, certain products or packaging may cause contamination or be in breach of ADR regulations and will not be acceptable for such general disposal. Any such material will be disposed of by wholesalers in a safe manner and in line with Governmental guidance and at the full expense of the publisher or distributor.

#### **6. KEY EXAMPLES TO CONSIDER – (See References to Regulatory Regimes below)**

- a) Batteries - potential transport (ADR) and disposal (WEEE/RoHS) implications;
- b) Electrical Equipment - disposal by wholesaler and consumer (WEEE/RoHS);
- c) Replica Weapons - consider age of target audience, accessibility for malicious purposes;
- d) Knives and other sharp objects - age of audience, Health & Safety issues for all handlers in the supply chain and end consumers;
- e) Glass - Health & Safety issues for all handlers in the supply chain including consumers if breakages occur;
- f) Wire or Metal Bands - Health & Safety issues for all handlers in the supply chain where used as a product tie or used within products as strengtheners;
- g) Toys - consider age of audience - unsuitable for certain age groups (BS Kitemark);
- h) Malodorous Products - some items may give off either unpleasant or misleading odours such as smelling of natural gas, which may adversely affect all the supply chain and consumers;
- i) Liquids or Creams - breakage or bursting of containers or sachets can affect other products.

#### **7. NOTIFICATION BY PUBLISHER**

For all covermounts falling under 1 and 2 above:

- a) Publishers should advise distributors, wholesalers AND retailers when selling-in as soon as is reasonably practicable;
- b) The wholesaler must be notified by the Publisher at least 5 days before the on sale date of any DVD carrying an 18 rating. Note: At the time of publication of this Best Practice, magazine publishers are developing methods to also include age rating information within their EDI Issue Files sent to wholesalers.
- c) Publishers must ensure these Best Practice Guidelines are read by covermount buyers;
- d) Publishers should contact the ANMW on [info@anmw.co.uk](mailto:info@anmw.co.uk) or call 020 7520 0480 for further assistance if unsure about the potential impact of a particular covermount.

## B. REGULATORY REGIME

### 1. **British Board of Film Classification (BBFC)**

- a) The BBFC is an independent, non-governmental body funded through the fees it charges to those who submit films, videos, DVDs and digital games for classification.
- b) The BBFC classifies films on behalf of local authorities who license cinemas under the Licensing Act 2003.
- c) The BBFC classifies videos, DVDs and some digital works under the Video Recordings Act 1984. (The digital works covered by the VRA 1984 are those whose exemption is forfeited under section 2(2) because they depict human sexual activity, gross violence or other matters of concern.)
- d) The BBFC will not classify material which it believes to be in breach of the criminal law.

### 2. **Video Recording (Labelling) Regulations**

- Reg 4 (1) ...the appropriate symbol shall be shown...(a) on the face of every disc...;
- (2) ...the appropriate symbol shall be shown on the spine ... of every case or cover in which a video recording is kept unless one of the dimensions of the spine is less than 2 centimetres.
- (5) ...the appropriate symbol shall be shown on one of the largest faces or the largest face, as appropriate of the case or cover in which a video recording is kept and the appropriate statement and the appropriate symbol shall be shown together on another of the largest faces or another face other than the spine, as appropriate, of the case or cover unless - a) the appropriate symbol is clearly visible through one of the largest faces or the largest face, as appropriate, of the case or cover in which the disc, tape or spool is kept; (b) the appropriate symbol and the appropriate explanatory statement are together clearly visible through another of the largest faces or another face other than the spine, as appropriate, of the case or cover, and (c) the appropriate symbol and the appropriate explanatory statement referred to in sub-paragraph (b) above are shown together in the manner provided for in Regulation 6, the appropriate symbol referred to in sub-paragraph (a) above is shown in the manner provided for in Regulation 7 and the said symbol or symbol and statement is or are shown in the manner provided for in Regulation 9 as if it was or they were required to be shown under these Regulations.

Reg 9 [as amended by the Video Recording (Labelling)(Amendment) Regulations 1995]:

- (1) Where under these regulations *the appropriate symbol, the unique title or the appropriate explanatory statement, or combination of them is or are* required to be shown it or they shall be clearly legible and indelible and no part of it or them shall be hidden or obscured by any other written or pictorial matter or by any other matter.
- (2) Where under these regulations the appropriate symbol is or the appropriate explanatory statement and the appropriate symbol are required to be shown in a case or cover in which a video recording is kept or on the spine or one spine, as appropriate, of such case or cover it or they shall be shown in such manner as it remains or they remain clearly visible where that case or cover is kept in a cover.

### 3. **Video Packaging Review Committee (VPRC)**

The VPRC is a voluntary scheme of self-regulation by the industry which regulates the sleeve of videos/DVDs. Approved packaging carries the VPRC logo.

Packaging is assessed by the BBFC in the first instance and referred to the VPRC as appropriate. See [http://www.bbfc.co.uk/customer/cust\\_procPack.php](http://www.bbfc.co.uk/customer/cust_procPack.php) for further details.

### 4. **Irish Film Censor's Office (IFCO)**

IFCO is a statutory body first established in 1923, which is responsible for examining and certifying all cinema films and videos/DVDs distributed in Ireland, see <http://www.ifco.ie>. IFCO's aim is to provide the public and parents in particular with a modern and dependable system of classification that protects children and young persons; has regard for freedom of expression; and respects the values of Irish society. IFCO certifies videos and DVDs under the Video Recordings Act 1989.

### 5. **ADR (Transport of Dangerous Goods)**

Carriage of dangerous goods in the UK has recently been brought into line with the European ADR Directive. Dangerous goods are divided into 9 UN hazard classes:

Class 1	Explosive substances and articles	Class 5.2	Organic peroxides
Class 2	Glass: compressed, liquefied or dissolved under pressure	Class 6.1	Toxic substances
Class 3	Flammable liquids	Class 6.2	Infectious substances
Class 4.1	Flammable solids	Class 7	Radioactive substances
Class 4.2	Substances liable to spontaneous combustion	Class 8	Corrosive substances
Class 4.3	Substances, which give off flammable gases on contact with water	Class 9	Miscellaneous dangerous substances and articles (Class 9 covers substances and articles which, during carriage, present a danger not covered by the headings of other classes (for

Class 5.1	Oxidising substances		example asbestos)
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ADR specifies the type of packing, labelling and marking required for each.

An information document is also required from the consignor. This may be part of the consignment note or an additional document (Material Safety Data Sheet) and should contain the following details:

The United Nations number; The name of the substance as specified in ADR; The hazard class, together with any subsidiary hazard; The packing group, where assigned; The number and a description of the packages; The gross mass (also net for explosives) in grams or kilograms; The name and address of the consignor; The name and address of the consignee(s); Any other relevant statements, for example, a declaration that the load does not exceed the exemption limits of ADR, or a declaration as required by the terms of any special agreement.

There may be further requirements of: emergency instructions (Tremcard) supplied by the consignor; safety equipment (e.g. fire extinguisher); formal ADR driver training and qualification; orange warning plates on vehicle, etc. depending on the nature of the goods and the quantity carried.

For transport purposes, differing UN hazard classes above carry differing requirements, outlined below:

- Category 0 – Any amount carried is covered by full ADR requirements;
- Category 1 – If over 20L or 20kg is carried, then full ADR applies;
- Category 2 – If over 333L or 333kg is carried, then full ADR applies;
- Category 3 – If over 1000L or 1000kg is carried, then full ADR applies;
- Category 4 – Only basic ADR requirements apply.

These weight/volume thresholds include the weight of the containers holding the dangerous product.

Full ADR requires: information document; Tremcard (Transport Emergency Card); formal ADR driver training; appropriate safety equipment; and orange vehicle plates.

Basic ADR requires: information document and a 2kg dry powder fire extinguisher. (Smoking and naked flames are prohibited during product handling).

**Aerosols:** Note that aerosols are generally classed as UN Class 2 dangerous goods in regard to the above regulations. However, there are various special case provisions for certain aerosol movements.

Special provision 190 relates to aerosols, with a cap, where the volume of the container does not exceed 50 ml, and where the contents are classed as non toxic. In these circumstances ADR does not apply at all regardless of the total quantity of such containers handled in the load.

There is a second provision for "dangerous goods in limited quantities". Details vary by product, but for aerosols of up to 1 litre capacity, when contained in outer packs of no more than 20 litres, with the relevant UN number (UN1950), on the outer packaging, then again ADR does not apply.

## 6. WEEE/RoHS

The Restrictions on the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2005 (RoHS) come into force on 1 July 2006. The Waste Electrical and Electronic Equipment (WEEE) Regulations 2004 come into force on 1 January 2007. Put simply, if the covermounted product is electric or electronic, the retailer and/or distributor may be responsible for collecting any unwanted or waste products.

The relevant criteria for determining whether a covermounted product falls under the WEEE Directive (the criteria are the same for RoHS) are:

Nr	Criteria for equipment considered to be covered by Directive 2002/96/EC (WEEE)	Interpretation	Examples of products outside the scope of WEEE
1	Equipment, "which is dependent on electric current or electromagnetic fields in order to work properly, and equipment for the generation, transfer and measurement of such currents and fields" [WEEE Art. 3 (a)]	" <b>Dependent</b> " means that the equipment needs electricity (e.g. not petrol or gas) as its <b>primary</b> energy to fulfil its basic function.  It also means that when the electric current is off, the appliance cannot fulfil its basic (primary) function. If electrical energy is used only for support or control functions (e.g.) this type of equipment is not covered by Directive 2002/96/EC.	<ul style="list-style-type: none"> <li>- Piezo-electric ignition</li> <li>- Combustion engine with ignition</li> <li>- Petrol-driven lawnmower</li> <li>- Pneumatic tools</li> <li>- Teddy bear with battery</li> </ul>

WEEE encourages and sets criteria for the collection, treatment, recycling and recovery of waste electrical and electronic equipment. It makes producers responsible for financing most of these activities (producer responsibility) and will allow private householders to return WEEE without charge. However, retailers and distributors will also have responsibilities in terms of the take-back of WEEE and providing certain information.

## 7. BS Kitemark



A Kitemark Scheme can be developed using a publicly available specification: either a BS, EN, ISO or a Trade Association specification. The BSI then produces the formal scheme protocol for the certification based on this specification.

BSI Product Services have developed the RoHS Trusted Kitemark Service, contact them on 01442 278 607, or Write to: BSI Product Services, Maylands Avenue, Hemel Hempstead, HP2 4SQ.