businesscompanion
trading standards law explained

Selling solid fuel and wood fuel

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In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for Scotland and Wales

There are legal controls concerning the selling and delivery of solid fuel and wood fuel.

Solid fuel

Solid fuel includes coal, coke and solid fuel derived from coal or coke. It is normally sold to consumers by:

- deliveries in sacks
  or
- purchasing prepacked bags in retail outlets (petrol stations, for example)

It must always be sold by reference to weight in kilograms.

Weighing

Scales that are used must be accurate, of an approved construction for retail sale use, and have certain required markings and stamps on them. For more information, please see 'Weighing equipment for legal use'.

Door-to-door deliveries

Solid fuel merchants can either respond to specific orders from consumers or operate standard delivery rounds to regular customers. The fuel must be sold in sacks of 25 kg or multiples of 50 kg and, if delivering more than 110 kg to an individual consumer, the consumer must be given a delivery note before the fuel is unloaded. If the consumer is not in when you call, a delivery note must still be left.

The delivery note must contain the following information:

- your name and address
- consumer's name and address
- type of fuel
- total net weight
- net weight in each sack
- number of sacks

Your vehicle is required to display your name and address and a notice that states the following: 'All open sacks on this vehicle contain either 25 or 50 kg'.

If the consumer queries the weight delivered, they have the right (subject to certain conditions) to request that the merchant re-weighs the fuel in their presence; if it is correct, you are entitled to reasonable expenses for doing this work.

Some delivery vehicles, called auto-baggers, weigh loose fuel into bags at the rear of the vehicle. These vehicles have a bag counter on them, which the driver should zero before starting; it shows the number of bags delivered at the end.

Merchants that are members of the Approved Coal Merchants Scheme will display the logo of the scheme on their vehicles and delivery notes.

Prepacked solid fuel from retail outlets

This fuel comes in sealed bags, which must have the net weight marked on them. They will be in fixed quantities (10, 20 or 25 kg are usual). The packer is required to conform with rules designed to ensure that the correct weight is contained in each bag. For more information, see 'Packaged goods: average quantity'.

Quality and safety of fuel

There are industry standards for quality of solid fuel, and experts exist who can examine fuel and ensure that any descriptive terms applied are accurate. A number of documents on solid fuel are available on the Solid Fuel Association (SFA) website.

Trade association

The Approved Coal Merchants Scheme is run by the SFA.

Members are required to abide by the Coal Trade Code and:

- be a reputable trader
- supply fuel that is correctly described and of good quality
- make sure that there is sufficient information supplied with packed fuels
- ensure that the correct fuel is supplied for the correct appliance
- make sure that staff have adequate knowledge of the coal trade
- display a price list
- inform consumers about the dangers of carbon monoxide poisoning
- deal with consumer complaints properly

The scheme also provides a range of leaflets concerning the safe use of appliances such as open fires, room heaters and boilers.

Wood fuel

Quantity of wood fuel

The local authority in your area may have passed bye-laws regarding the sale of wood fuel, and your local Trading Standards service should be able to confirm whether such bye-laws are in existence.

Where there are local bye-laws, wood fuel must be sold by net weight, and if it is in a container ready for sale, the net weight must be made known to the customer. The requirement to sell wood fuel by net weight does not apply for quantities of less than 7.5 kg or more than 500 kg.

If wood is sold by the 'truckload' with an indication of net weight, merchants are advised to weigh the vehicle on a weighbridge and obtain a weight ticket.

If there are no bye-laws in existence, you may still make a voluntary declaration of weight. If that declaration is incorrect in terms of quantity, you may be liable to legal action under the Weights and Measures Act 1985.

The SFA website contains brief information on the Approved Wood Fuel Merchant Scheme. Scheme members must ensure that they:

- apply correct descriptions to wood fuel
- provide advice on the safe and efficient use of wood burning appliances
- have levels of customer service in line with SFA standards

Smoke control areas

The Clean Air Act 1993 allows councils to establish smoke control areas, which are aimed at improving air quality by burning authorised smokeless fuels. In these areas, the emission of smoke from chimneys is prohibited.

Coal and wood are not authorised smokeless fuels and, therefore, they can only be burnt in a smoke

control area if they are used with an exempt heating appliance. Such appliances burn off or 'eat' the smoke produced by the fuel. For further information on this subject, please contact your local Environmental Health service.

The dangers of carbon monoxide poisoning

Carbon monoxide is an extremely poisonous gas, which can cause illness, damage to health and even death. This gas is generated when carbon-based fuels have not combusted properly in, for example, a wood burning stove, open fire or barbecue (gas, charcoal and disposable). It is difficult to detect as you cannot see it, smell it or taste it.

For more information on carbon monoxide poisoning, ventilation, flue and chimney cleaning, as well as a safety checklist, see the safety advice section of the SFA website.

Other legislation

Part 4, Chapter 1 of the Digital Markets, Competition and Consumers Act 2024 (DMCCA) makes it an offence to give any false or misleading statements about the price charged and descriptions applied to goods. For example, claiming solid fuel is suitable for use in a smoke control area or that wood fuel is of a premium kind such as hardwood, or from a particular area or region, when this is not the case.

See 'Protection from unfair trading (criminal law)' for more information on the Act.

Contracts between traders and consumers are also controlled by the Consumer Rights Act 2015 (CRA). The Act requires that goods and services provided by traders to consumers be in accordance with the contract, provided with reasonable care and skill, at a reasonable price, etc. It also provides consumers with remedies they can require from the trader if goods and services provided do not meet the terms of the contract; these remedies include a reduction in the price paid.

Under the CRA, solid fuel and wood fuel supplied to consumers must be:

- of satisfactory quality (for example, it must burn correctly)
- fit for purpose (for example, it must be compatible with any appliances for which it is specified, and must be fit for any specific or particular purpose the consumer makes known to the merchant)
- as described (for example, if it is described as being a particular brand of smokeless fuel, wood logs of a particular size, etc, that is what must be delivered to the consumer)

See 'Selling and supplying goods' for detailed information on the CRA.

Where specific legal requirements, such as those detailed earlier in this guide, impose stricter duties and requirements on traders, they take precedence and must be complied with.

Trading Standards

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

In this update

Changes made to reflect the coming into force of the Digital Markets, Competition and Consumers Act 2024 (Part 4, Chapter 1: 'Protection from unfair trading').

Last reviewed / updated: April 2025

Key legislation

- Weights and Measures Act 1985
- Consumer Rights Act 2015
    - Part 1, Chapters 2 and 4
- Digital Markets, Competition and Consumers Act 2024
    - Part 4, Chapter 1

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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