

Code of Practice

This Code of Practice applies to any member selling paint which does not comply with the Paint Product Regulations¹ to customers who intend to use the materials when restoring or maintaining vintage vehicles or historic buildings.

All members of the [trade association] must comply with the following:

1. Non-compliant paint to be used to restore or maintain vintage vehicles² or historic buildings shall only be sold either direct from the manufacturer or via a trade outlet.
2. Non-compliant paint shall only be sold to customers if:
 - a) the quantity the customer seeks to buy is strictly limited (see below), and
 - b) the customer gives his or her name and address and shows proof of these details, and
 - c) the customer provides evidence that the paint will be used for the stated purpose. In relation to vintage vehicles, such evidence should show that the vehicle is over 30 years old at the time of sale of the paint (in the form of documents such as the vehicle log book, or photographs) and a brief written note of the parts of the vehicle to be painted. In relation to historic buildings, such evidence should include evidence of the building's historic status and the requirement (e.g. from the local planning authority) that it be painted using paint of a type or colour that is only available in non-compliant paint form.
3. If the seller has reason to suspect that the customer is also buying non-compliant paint from other outlets, the seller shall ask for written details of such purchases made over the previous 12 months to ensure there is no overall breach of paragraph 2a).
4. The information provided for each sale under items 2 and 3, together with details of the paint bought, shall be kept on the premises where the paint is sold for a minimum of two years, by way of a record which can be checked by the regulatory authorities.

In the context of this Code, "strictly limited quantity" means the amount of paint strictly required to undertake the specific restoration and maintenance work declared under items 1 and 2c) and no more. Exceptionally, it may be appropriate to allow slightly larger quantities to be sold to specialist vehicle restoration companies in the following circumstances: the restoration company wishes to buy enough of a commonly-used paint in order to hold small stock on site (i.e. small enough to be strictly limited in terms of the scale of the business); it keeps a record of the vehicles and vehicle parts painted and amount of paint used; and it sends a copy of the record to the seller at the time of ordering new stock or once every 3 months, whichever is the sooner. (The "strictly limited" requirement is in accordance with recital (11) and Article 3.3 of EU Directive 2004/42/CE³.)

¹ The Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2005, statutory instrument number 2005/2773) <http://www.opsi.gov.uk/si/si2005/20052773.htm>

² for the purposes of this Code, a vintage vehicle is one that is 30 or more years old at the time the paint is sold

³ on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products and amending Directive 1999/13/EC, Official Journal L143, 30/04/2004 P.0087-0096 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0042:EN:HTML>

PAINT PRODUCTS DIRECTIVE - INFORMATION NECESSARY TO BUY NON-COMPLIANT PAINT FOR RESTORING OR MAINTAINING VINTAGE VEHICLES OR HISTORIC BUILDINGS

1. Name and address of purchaser

2. Name and address of person or company who will be using the paint, if different from 1

3. Quantity, type and colour of non-compliant paint to be purchased (the quantity must be strictly limited) and vehicle parts to be painted

I hereby certify that the above information is true in all respects.

.....signedname in capsdate

To be completed by paint seller:

Proof of name and address shown (*tick whichever is appropriate*):

- utility bill
- company notepaper
- other – *specify*.....

Evidence shown that paint will be used for the stated purpose (*tick whichever is appropriate*):

- vehicle log book.
- photograph of vehicle
- official letter confirming building is historic + need to use non-compliant paint
- other – *specify*.....

If relevant, details of non-compliant paint bought by customer from other outlets in previous 12 months (*tick whichever is appropriate*):

- invoice from other outlet
- other – *specify*.....

.....signedname in capsdate