



Office for Product Safety & Standards

Office for Product Safety and Standards

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Miss Kirsty Gomersal

HM Area Coroner

County of Cumbria

Fairfield

Station Rd

Cockermouth, CA13 9PT

15/06/2023

Dear Miss Kirsty Gomersal,

Thank you for your Regulation 28 Report (Prevention of Future Deaths) dated 20 April 2023, following your investigation and inquest into the death of Chester Allan Stanley Mossop.

First, I would like to say how deeply saddened I was on hearing of the tragic death of baby Chester. I would be grateful if you could pass on my condolences to the family if you have the opportunity to do so.

The Office for Product Safety and Standards (OPSS) is the UK's national product regulator. The UK has a product safety system designed to provide a high level of protection for consumers and all consumer products including baby bath seats, must be safe before they can be sold on the UK market. The safety of baby products is a priority area for OPSS and we have recently taken action to prevent the sale of a number of unsafe baby products including baby self-feeding devices.

Baby bath seats are regulated under the General Product Safety Regulation 2005 (GPSR). This places an obligation on manufacturers or importers to ensure their products are safe before they can be placed on the market (Regulation 5 of GPSR). They must also provide safety information to enable consumers to assess risks that are not immediately obvious without adequate warnings and to take precautions against those risks (Regulation 7 of GPSR). Distributors have a separate duty to act with due care to ensure that products they offer for sale comply with the law; are safe; and to pass on the necessary information on the risks posed by the product (Regulation 8 of GPSR).

Since receiving your Report, OPSS has been in contact with your office to obtain further details of the product involved in this incident. As a result, OPSS will be assessing the safety and compliance for similar models of baby bath seat to assess their compliance with legal requirements. While we do not currently have any evidence that the product itself is unsafe or non-compliant, should that be identified, we have a range of actions open to us to ensure products are brought into compliance or removed from the market.

We will also work with the Baby Products Association (BPA), the relevant trade association for the sector, to ask them to remind their members of the requirements for including appropriate instructions for safe use and to ensure that any safety warnings for baby bath seats are suitably clear and prominent. We have worked closely with the National Health Service (NHS) on our programme of activity on the safety of baby products and will ask them to consider whether there is an opportunity to include safety messages related to baby bath seats through their communications with healthcare professionals and new parents.

Thank you again for bringing this tragic case to our attention.

Yours Sincerely,



**Deputy Chief Executive
Office for Product Safety and Standards**