



Office for Product
Safety & Standards

Office for Product Safety and Standards

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Ian Potter
HM Assistant Coroner,
Inner North London
St Pancras Coroner's Court
Camley Street
London, N1C 4PP

08 October 2024

Dear Ian Potter,

Regulation 28: Prevention of Future Deaths Report
Elizabeth Van Der-Drift

Thank you for sending me your Regulation 28 Prevention of Future Deaths Report, dated 13 August 2024, following your investigation and inquest into the death of Elizabeth Van Der-Drift who died on 19th March 2024.

I was very sorry to hear of Ms Van Der-Drift's death. If you have the opportunity, please do pass on my deepest sympathies to her family and friends.

I know that you have also written to the Department for Health and Social Care, which I understand has asked the Health and Safety Executive to respond on the issues that fall within their purview, and the UK Cleaning Products Industry Association (UKCPI). I have therefore, focussed my response on the areas within OPSS' area of responsibility.

As you will know, the UK's product safety laws require that only safe consumer products be placed on the market. Manufacturers or importers have obligations to ensure their products are safe. In addition, distributors must not supply products they know, or should know, are unsafe. OPSS has not been made aware of any evidence to suggest that the pods were non-compliant with relevant product safety rules, or did not meet the requirements in relation to the chemical substances the laundry pods contained.

In considering the issues raised in your report we, like you, have considered the requirements of the Food Imitations (Safety) Regulations 1989. The requirements extend to products in scope that any person, including but not restricted to children, could ingest, causing harm. The exact details of how Ms Van Der-Drift came to access the laundry pods, leading to this tragic incident, are unclear. OPSS is only aware of one other case on record where a person suffering from dementia has ingested a similar type of product leading to a similar outcome. I therefore do not think that an amendment to the Food Imitations (Safety) Regulations or its supporting guidance, to include laundry pods within their scope, would be a proportionate response to this incident.

However, other legislation, such as the Chemicals Classification Labelling and Packaging (CLP) Regulations (2008), is in place to help protect vulnerable individuals from mistakenly

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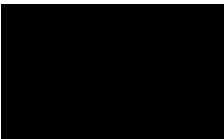
ingesting the products such as laundry pods, by requiring manufacturers to take reasonable steps to provide that protection. I know that the Health and Safety Executive, who have ownership of CLP, will be responding to you separately on the consideration of whether the CLP requirements have been met.

I can assure you that where appropriate we will continue work with and through other agencies to address safety issues where we identify breaches of existing legislation or where there are concerns around packaging that leads to an unacceptable risk to consumers and vulnerable groups.

As part of this the OPSS has spoken to the UKCPI to obtain further insight into industry views and actions they might be able to take. I understand that the UKCPI is exploring a new awareness campaign dedicated to providing information for those with caring or safeguarding responsibilities.

OPSS will ensure that this campaign is promoted to local regulators across the UK, through our relationships with Trading Standards in Great Britain and Environmental Health in Northern Ireland.

Yours sincerely,

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Chief Executive

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