

DEPARTMENT OF TRADE AND INDUSTRY

NO. 627

22 JUNE 2018

**NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT
(Act No. 5 of 2008), AS AMENDED THROUGH LEGAL METROLOGY ACT
(Act No. 9 of 2014)**

**THE AMENDMENT OF THE COMPULSORY SPECIFICATION FOR THE
SAFETY OF LIGHTERS**

I, Dr. Rob Davies, Minister of Trade and Industry, under Section 13(4) of the National Regulator for Compulsory Specifications Act, (Act 5 of 2008), intends to amend VC 8076, the Compulsory Specification for the safety of lighters, as set out in the attached Schedule.

Any person, who wishes to comment on the intention of the Minister to thus amend the Compulsory Specification concerned, shall submit their comments, in writing, to the Chief Executive Officer, National Regulator for Compulsory Specifications, Private Bag X25, Brooklyn, 0075, on or before the date two (2) months after the publication of this notice.



Dr Rob Davies, MP

Minister of Trade and Industry

SCHEDULE

VC8076

Compulsory Specification for the safety of lighters

1 Scope

- 1.1 This specification applies to cigarette, cigar and pipe lighters.
- 1.2 This specification specifies the conditions governing the placing of lighters on the market and the minimum safety requirements that lighters shall satisfy in order to ensure the protection of the health and safety of users.

2 Normative references

This specification incorporates by dated or undated reference, provisions from other publications. These normative references are cited at the appropriate places in the text. For dated references, subsequent amendments to or revisions of any of these publications apply to this Specification only when incorporated in it by amendment or revision. For undated references the latest edition of the publication referred to applies.

National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008)

Regulation 2 relating to the payment of fees in the form of levies as published by Government Notice No. R. 924 (Government Gazette No. 33615) of 15 October 2010.

Regulation 3 relating to the payment of fees for services provided as published by Government Notice No. R. 924 (Government Gazette No. 33615) of 15 October 2010.

SANS 9994: '*Lighters — Safety specification*'

3 Terms and definitions

For the purposes of this document, the terms and definitions given in SANS 9994 and the following apply.

applicant

The manufacturer or importer of a type of lighter. The manufacturer or importer shall be an established legal entity within the Republic of South Africa.

approval

Permission by a NRCS that a type of lighter may be imported, sold or supplied.

type of lighter

Category of lighter that does not differ in such essential respects as:

- a) the trade name or mark, or
- b) the shape, materials, dimensions, operating method, manufacturing processes or methods of assembly.

4 Symbols and abbreviated terms

NRCS

National Regulator for Compulsory Specifications

5 General requirements

- 5.1** A type of lighter shall be approved in accordance with this specification.
- 5.2** The holder of an approval shall satisfy the requirements as set out in regulation 2 relating to the payment of fees in the form of levies as published by Government Notice No. R. 924 (Government Gazette No. 33615) of 15 October 2010.

6 Safety requirements

Lighters shall comply with the functional and structural integrity requirements as set out in paragraphs 3 and 4 of SANS 9994.

7 Markings

- 7.1** Each lighter shall be marked with the appropriate safety information as set out in paragraphs 6.3, 6.4, 6.5 and 7 of SANS 9994.
- 7.2** When markings consist of or incorporate words or sentences, such words or sentences shall be in at least one of the official languages of the Republic of South Africa.

8 Application for approval

- 8.1** The application for approval of a type of lighter shall be submitted by the applicant, and for each type the application shall be accompanied by the following:
 - 8.1.1** Drawings in sufficient detail to permit identification and dimensions of all the component parts of the lighter type, including the methods of assembly. The drawings shall show the marking of the lighter type as set out in paragraph 7.
 - 8.1.2** A comprehensive technical description stating the materials used in each component part.
 - 8.1.3** Test reports to the satisfaction of the NRCS, demonstrating compliance of the lighter type with the functional and structural integrity requirements of SANS 9994, and ensuring that all component parts have been covered.
 - 8.1.4** Two specimens of the lighter type. The first specimen shall be fully assembled and shall not contain fuel. The second specimen shall be dismantled into its different component parts. The fuel container shall not contain fuel.
 - 8.1.5** Additional specimens shall be supplied at the request of the NRCS.
 - 8.1.6** Proof of payment of a non-refundable application fee for the approval of the lighter type as published in the Government Gazette in accordance with regulation 3 relating to the payment of fees for services provided as published by Government Notice No. R. 924 (Government Gazette No. 33615) of 15 October 2010.
- 8.2** The NRCS shall verify the existence of satisfactory arrangements in order to ensure effective control of the conformity of production in accordance with the requirements of paragraph 11 before approval is granted.
- 8.3** The NRCS shall verify that the applicant is in compliance with the requirements as set out in regulation 2 relating to the payment of fees in the form of levies as published by Government Notice No. R. 924 (Government Gazette No. 33615) of 15 October 2010 before approval is granted.

9 Approval

- 9.1** When the type of lighter submitted in accordance with paragraph 8.1 meets the requirements of this specification, approval shall be granted.
- 9.2** A type approval number shall be assigned to each type approved. Its first two digit groupings shall indicate the letters "NRCS" and the number "8076". The third digit grouping shall consist of the customer number as allocated by the NRCS to the applicant. The fourth digit grouping shall consist of a sequential number unique to the type approved. The NRCS shall not assign the same number to another lighter type covered by this specification.
- 9.3** Notice of approval or of extension or refusal or withdrawal of approval of a lighter type pursuant to this specification shall be communicated by means of a letter of authority conforming to the model in Annex A to this specification.
- 9.4** In addition to the marks described in paragraph 7 above, the type approval number shall be indicated on every lighter conforming to a type approved under this specification so as to be visible and legible.
- 9.5** Annex B to this specification gives an example of the arrangement of the type approval number for lighters.
- 9.6** When applicable, the NRCS shall communicate the reason(s) for the refusal of an approval to the applicant.

10 Conformity of production and routine tests

- 10.1** The lighter approved under this specification shall be so manufactured as to conform to the type approved by complying with the requirements prescribed in paragraphs 6 and 7.
- 10.2** In order to verify that the conditions stated in paragraph 10.1 have been met, appropriate control of the production shall be performed.
- 10.3** The holder of the approved is responsible for the conformity of production procedures and he shall in particular:
- 10.3.1** Ensure that the body as agreed to by the NRCS in paragraph 10.5.1 has access to the testing equipment needed to inspect the conformity of each approved type;
- 10.3.2** Ensure that the test results are recorded and that the test results remain available for a time period of five (5) years after test;
- 10.3.3** Analyse the results of each type of test in order to verify and ensure the stability of the lighter characteristics, making allowances for the variations of industrial production;
- 10.3.4** Ensure that for each type of lighter at least those tests prescribed in paragraph 10.5 of this specification are carried out;
- 10.3.5** Ensure that when any samples or test pieces show non-conformity with the standard test concerned, further samples are taken and tested. All the necessary steps shall be taken to restore conformity of the corresponding production and prevention of importation, sale and supply of non-compliant lighters.
- 10.4** The NRCS, which has granted the approval, may at any time verify the conformity control methods applied in each production facility.
- 10.4.1** At every inspection, the test records shall be available to the visiting inspector.

10.4.2 When the level of control appears unsatisfactory, or when it seems necessary to check the validity of the tests carried out in application of paragraph 10.3, the inspector may select samples that will be sent to a technical service for testing.

10.4.3 In cases where unsatisfactory results are found during an inspection or test, the NRCS may withdraw the approval granted in respect of a lighter type pursuant to this specification.¹

10.5 Minimum conditions for the control of conformity

10.5.1 In agreement with the NRCS, one of the following bodies shall undertake the control of conformity: the holder of an approval, or the manufacturer, or a technical service.

10.5.2 The holder of an approval shall ensure that the body as agreed to by the NRCS in paragraph 10.5.1 carries out continuous conformity control on a statistical basis and by random sampling. In agreement with the NRCS, the tests can be carried out by a technical service, the manufacturer's test laboratory or the holder of an approval.

10.5.3 The samples shall be taken in accordance with the provisions of paragraph 10.5.5.

10.5.4 The specimens are taken at random and the tests to carry out are described in paragraph 10.5.5.

10.5.5 For the production to be considered conform, the tests of continuous control shall meet the following requirements:

1	2	3	4
Tests to be conducted	Sample size ²	Sampling and test frequency	Body to carry out tests
The body as agreed to by the NRCS in paragraph 10.5.1 shall identify the tests to be conducted in accordance with of SANS 9994 and to the satisfaction of the NRCS.	The body as agreed to by the NRCS in paragraph 10.5.1 shall determine the sample size and to the satisfaction of the NRCS.	The body as agreed to by the NRCS in paragraph 10.5.1 shall determine the sampling and test frequency for each identified test and to the satisfaction of the NRCS.	In agreement with the NRCS, the tests can be carried out by a conformity assessment body, the manufacturer's test laboratory or the holder of an approval.

10.5.6 The test results described in paragraph 10.5.5 shall comply with the values prescribed for each test described in SANS 9994.

11 Modification and extension of approval of a lighter type

11.1 Every modification and/or addition to an approved lighter type or its control of conformity of production shall be notified to the NRCS prior to its implementation.

11.2 The NRCS may require further evidence of conformity demonstrating compliance with this specification.

11.3 Confirmation or refusal of approval, specifying the alterations shall be communicated by the procedure specified in paragraph 9 above.

^{1/} Unsatisfactory results mean values exceeding L, where L is the limit value prescribed for each test.

^{2/} Number of test items.

11.4 The NRCS issuing the extension of approval shall assign a series number for such an extension and inform thereof by means of a letter of authority conforming to the model in Annex A to this specification.

11.5 When applicable, the NRCS shall communicate the reason(s) for the refusal of an extension of an approval.

12 Penalties for non-conformity

12.1 The approval granted in respect of a lighter type pursuant to this specification may be withdrawn if the requirements in this specification are not met.

12.2 If the NRCS applying this specification withdraws an approval it has previously granted, it shall forthwith so notify thereof by means of a letter of authority conforming to the model in Annex A to this specification.

12.3 The NRCS shall communicate the reason(s) for the withdrawal of the approval. The communication shall also make reference to the relevant offences and penalties as set out in section 34 of Act No. 5 of 2008.

13 Transitional provisions

13.1 As from the official date of entry into force of this specification, approved lighters pursuant to the Compulsory Specification for the safety of lighters as published by Government Notice No. R. 1279 (Government Gazette No. 23928) of 18 October 2002 may be deemed to comply with the requirements of paragraphs 5.1 and 10.

13.2 Twelve (12) months from the official date of entry into force of this specification, lighters shall comply with the requirements of paragraphs 7.1 and 9.4.

13.3 The requirements of a new edition of a referenced standard in this specification shall become effective twelve (12) months from the date of publication as a South African National Standard.

13.4 Twelve (12) months from the official date of entry into force of this specification, approved lighters pursuant to the Compulsory Specification for the safety of lighters as published by Government Notice No. R. 1279 (Government Gazette No. 23928) of 18 October 2002, the homologation or type approval number issued in terms of the aforementioned specification shall be indicated on every lighter conforming to a type approved under the aforementioned specification so as to be visible and legible.

Annex A
(Normative)

Letter of authority

(Maximum format: A4 (210 x 297 mm))

Issued by: Name of regulatory authority
.....
.....
.....

Concerning: ³ APPROVAL GRANTED
APPROVAL EXTENDED
APPROVAL REFUSED⁴
APPROVAL WITHDRAWN⁵

of a type of lighter pursuant to this specification.

Type approval No.: Extension No.:

- 1. Type-identifying information:
 - 1.1 Logo or name of the manufacturer or distributor that appears on the type:
 - 1.2 Model number/name:
 - 1.3 Brief description of type:
- 2. Holder of the approval information:
 - 2.1 Holder of the approval name:
 - 2.2 SARS importers code:.....
 - 2.3 Address:
- 3. Manufacturer's information:
 - 3.1 Manufacturer's name:
 - 3.2 Address:
- 4. South African National Standard applicable to the type: ⁶
- 5. Approval granted/extended/refused/withdrawn ⁷
 - 5.1 Place:
 - 5.2 Date:
 - 5.3 Signature:
- 6. The following documents, bearing the type approval number shown above, are attached to this certificate:

³ Delete what does not apply.
⁴ The reason(s) for the refusal of an approval or extension of an approval shall accompany the letter of authority.
⁵ The reason(s) for the withdrawal of an approval shall accompany the letter of authority.
⁶ The number and the year date of the appropriate South African National Standard shall be indicated.
⁷ Delete what does not apply.

Annex B
(Normative)

Arrangement of type approval number

Example of the arrangement of a type approval number for a lighter:

NRCS/8076/000000/0001

The above type approval mark affixed to a lighter shows that the lighter type concerned has been approved under type approval number NRCS/8076/000000/0001. The type approval number shows that this approval was granted to company XYZ (whose customer number with the NRCS is 000000) with unique sequential number 0001 for the lighter type.

Note The use of Roman numerals as approval numbers should be avoided so as to prevent any confusion with other symbols.