

Project Report: Prepacked Solid Fuel

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Date: March 2025

Executive Summary

A survey to assess the prevalence of short weight prepacked solid fuel products was carried out by Trading Standards Officers throughout Scotland. 13 Local Authorities conducted checks at retail level of coal, wood and other solid fuel products to determine compliance with weights and measures legislation and to ensure no packs below T2 were on the market.

The key findings of the project were –

- Short weight packs were found in 1/3 of premises visited – 43 out of 130.
- 70 product lines were checked – 28 (40%) contained at least 1 pack below T2
- A total of 2164 packs were checked – 317 (15%) of these were below T2
- The largest deficiency in terms of weight was 3.52kg on a 14kg pack of logs – this same pack also led to the largest financial detriment to consumers of £3.77 per pack
- The largest percentage deficiency was 57% on packs of supermarket kindling

Follow-up work with each packer/importer and retailer has been carried out either directly or indirectly through their Home/Primary Authority. Details of the findings will also be shared with each Home/Primary Authority where necessary to facilitate follow up actions. Product lines with the greatest number of T2 packs have also led to warnings being issued to packers/importers.

Further work may be required in this area to monitor the level of compliance, particularly of those packers found to have placed a large proportion of packs below T2 on the market.

Referrals to the Fair Trading Group in respect of the application of weight to non-weight marked products and the allegation that some “kiln dried” products are misdescribed.

Background

The cost of gas and electricity has seen a massive increase in recent years, due in part to international pressures. In 2022, the UK Government introduced the [Energy Price Cap](#) which limits how much suppliers can charge per unit of gas and electricity, the aim being fairer prices for customers. It does not however apply to alternative sources of heat – households using wood fuel and coal to heat their homes will not benefit from this. Households which are on the gas network may also use alternative sources of heat as a cost-effective option.

[UK Government figures](#) from 2015 show that 7.5% of the UK population burns solid fuel to keep warm, with 2.3% using it as their sole heating source. With around 26.4 million homes in the UK, this means roughly 1.3 million burn solid fuel for heating and 607,200 use it exclusively. Scottish Government research states that 20% of homes use alternative fuels.

In 2022, the [Scottish House Condition Survey](#) reported that 791,000 households (31% of all households) were estimated to be in fuel poverty, of which 472,000 (18.5% of all households) were in extreme fuel poverty. Households in remote rural areas – where solid fuel use is likely to be highest – had higher rates of fuel poverty (47%) than other locations.

[This is Money](#) reported in December 2023 that households heating their homes with log burners were tackling the high cost of living by buying less fuel and making it stretch further, further evidencing the impact of high energy prices and the cost of living crisis on fuel poverty.

The ability to purchase in bulk often means lower costs, but if this is not possible consumers have to buy smaller amounts more often. This means purchasing prepacked bags, not from the specialist suppliers, but from supermarkets, filling stations, garden centres and convenience stores where the costs are inevitably much higher.

With solid fuel a necessity to provide heat for some households, it is crucial that the quantity of product being paid for is provided. Increases in the cost of energy and solid fuel are visible to consumers while any potential short measure would be hidden detriment. Where both occur then consumers are being disadvantaged twofold.

Trading Standards are the only regulator with the ability to reassure Scottish households that they are in fact receiving the correct quantity of fuel from suppliers. In the absence of such checks, short measure products may be unknowingly contributing to fuel poverty.

Main Report

Trading Standards Officers throughout Scotland carried out inspections of retail premises selling prepacked solid fuel products. These retail premises included supermarkets, petrol stations and garden centres. As the focus of the project was on solid fuel products which could be used as a source of heat it included checks on coal, wood and charcoal products. where officers inspected and check weighed packs of coal, wood and other solid fuel products. Due to seasonal availability of these product types, visits were carried out between September 2024 and January 2025.

Officers were instructed to check the compliance of weight marked packs with the Weights and Measures (Packaged Goods) Regulations 2006. Checks were also to be carried out on non-weight marked packs where an indication of weight was provided elsewhere (e.g. on a shelf-edge-label) to ensure compliance with the Consumer Protection from Unfair Trading Regulations 2008.

Details of all checks carried out were completed on test sheets and returned to the lead officer while any reported incidences of short measure were to be accompanied by photographs of the affected products.

As a key objective of the project, an assessment of consumer detriment was carried out where any short measure packs were identified using the unit price of each affected product line, providing a loss per pack figure. Where possible, annual sales figures were also obtained from retailers to allow for an assessment of potential collective consumer detriment.

Why solid fuel?

The decision to carry out a national project looking at the prevalence of short weight solid fuel packs was taken based on a number of reasons. This included the rise in the cost of gas and electricity, the energy price cap not applying to solid fuel products used for heating, and the equivalence between fuel poverty / remote rural areas / high use of solid fuel products – all set out within the background section above.

Recent work in this area had also been carried out, giving evidence of non-compliance and potential detriment to consumers. In [December 2022](#) the Northern Ireland Trading Standards Service visited 35 retail premises to check the weight of pre-packed coal. 1107 packs were sampled and 104 (9%) were found to be below T2. Of these 104 packs, 62 were from 1 packer.

Aberdeen City Council carried out a mini solid fuel project in February 2023, visiting 7 petrol stations. 76 bags of 10kg coal products were checked and 6 (8%) were below T2. The lightest pack was 8.953kg, representing a deficiency of 1.047kg (10%).

The West of Scotland Metrology Group's [retail monitoring project](#) 2023/24 found several issues with wood fuel and charcoal products. 4 packaged goods product lines contained 41 packs below T2. Some retailers were found to be adding a weight declaration to non-weight marked products through the inclusion of a weight on point of sale information. This was found to be the case at 5 retailers and affected 10 product lines. 84 out of 113 packs were below the equivalent T2 level. A total of 125 wood fuel and charcoal products were below T2, or the equivalent level of T2.

What does the law say?

The Weights & Measures Act 1985 requires that coal be sold by net weight. Any packs of coal made up in sealed bags in quantities of up to 25kg and found in a retail environment will likely fall within the scope of the Weights & Measures (Packaged Goods) Regulations 2006. Although retail monitoring is restrictive as it does not allow for a batch to be inspected, it can provide a snapshot of compliance at packer level as well as retail level. As a full batch is unlikely to be accessible at retail level, the focus of retail checks will be on the presence of any packs below T2.

Unlike coal, wood does not need to be sold by net weight unless the local authority has passed a bye-law regarding the sale of wood. Packers may make a voluntary declaration of weight – this may bring the packs within the scope of the Packaged Goods Regulations. Where the packer has made no weight declaration on its packs but the retailer has included this on point of sale information, in the event that the pack contains less than the declared quantity this may be a misleading action offence under Consumer Protection from Unfair Trading Regulations 2008.

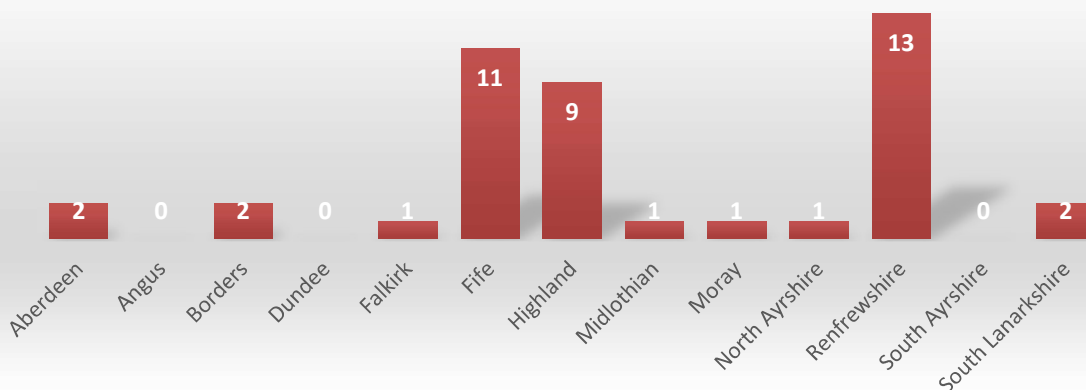
Findings

(1) Incidences of T2 packs were widespread

T2 packs were found during 43 out of 130 (33%) visits throughout Scotland.

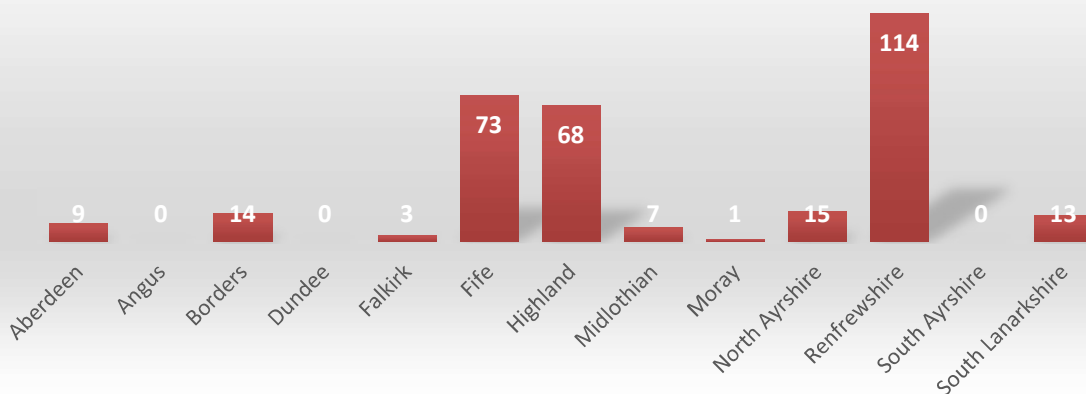
T2 packs were found in Aberdeen, Borders, Falkirk, Fife, Highland, Midlothian, Moray, North Ayrshire, Renfrewshire and South Lanarkshire highlighting a wide geographic spread of short measure packs. 33 of the 43 visits where a T2 pack was found were carried out in just 3 local authority areas – Highland (9), Fife (11) and Renfrewshire (13). These 3 authorities also carried out half of all visits for the project. Only 3 of the 13 participating local authorities (Angus, Dundee, South Ayrshire) reported finding no packs below T2.

Number of visits where packs below T2 found



The trend in number of visits with T2 packs is replicated by number of packs found, with those carrying out most visits finding most non-compliant packs. Any increase on the number of visits carried out by each Local Authority may therefore lead to an increase in the number of T2 packs being found.

Total number of packs below T2 by Local Authority



(2) 40% of sampled product lines contained at least 1 pack below T2

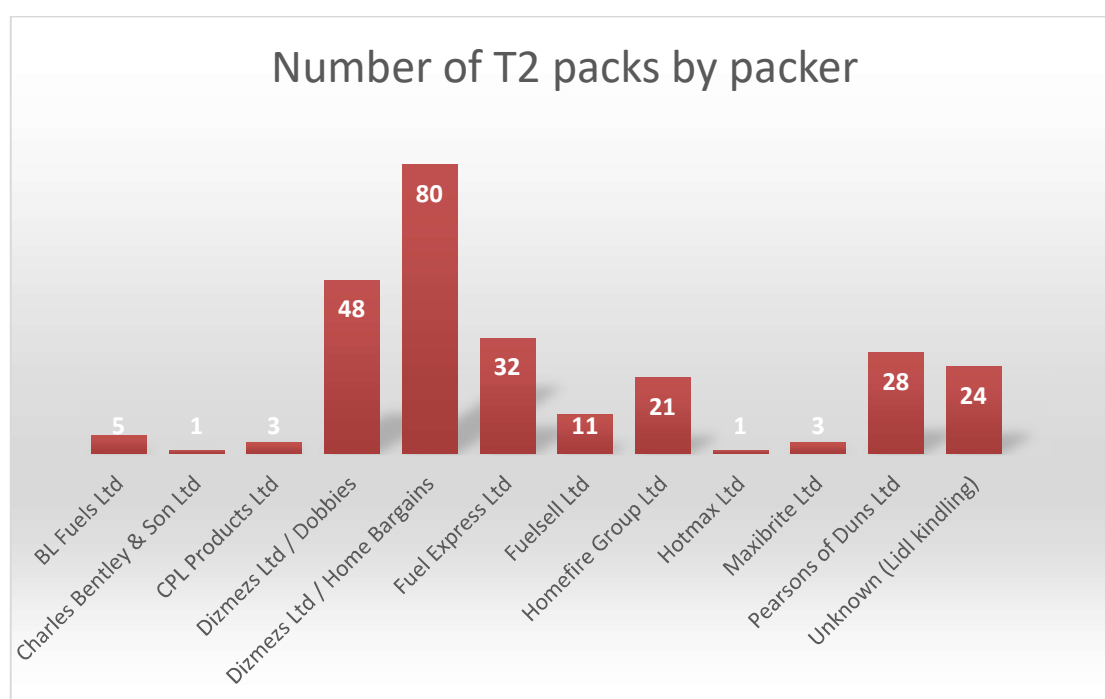
A total of 70 product lines were sampled across all Local Authority areas. 28 (40%) of these lines were found to have at least 1 pack below T2.

(3) 15% of all sampled packs were below T2

A total of 2164 individual packs were check weighed by officers. The vast majority of these were above T2 (1847 packs) however a significant minority of 317 packs were below T2, representing a failure rate of 15%.

(4) 12 packers/importers were responsible for all packaged goods below T2

Focussing on only those packages falling within the scope of the Packaged Goods Regulations, 12 packers/importers placed 2098 packs on the market, and 257 of these were below T2.



(5) 50% of all failed packaged goods were from the same packer

Dizmezs Ltd based in Latvia produces and packs a range of wood fuel products. These were imported into the UK and sold by Dobbies Garden Centres Ltd and TJ Morris Ltd t/a Home Bargains. No checks on the quantity of these packs were carried out by the importers.

Retail checks of Dizmezs Ltd packs were carried out on 214 packs – 128 (60%) of these were below T2. These 128 packs represented 50% of all packs found to be below T2.

(6) Retailers applied 'misleading' weight descriptions to solid fuel products

6 retailers added weight descriptions to non-weight marked solid fuel products by including a reference to weight on shelf-edge-labels. This led to significant levels of short measure on 5 products at 5 of the retailers.

As these packs fell outwith the scope of the Packaged Goods Regulations the practice was instead looked at under the Consumer Protection from Unfair Trading Regulations 2008 as being a misleading action.

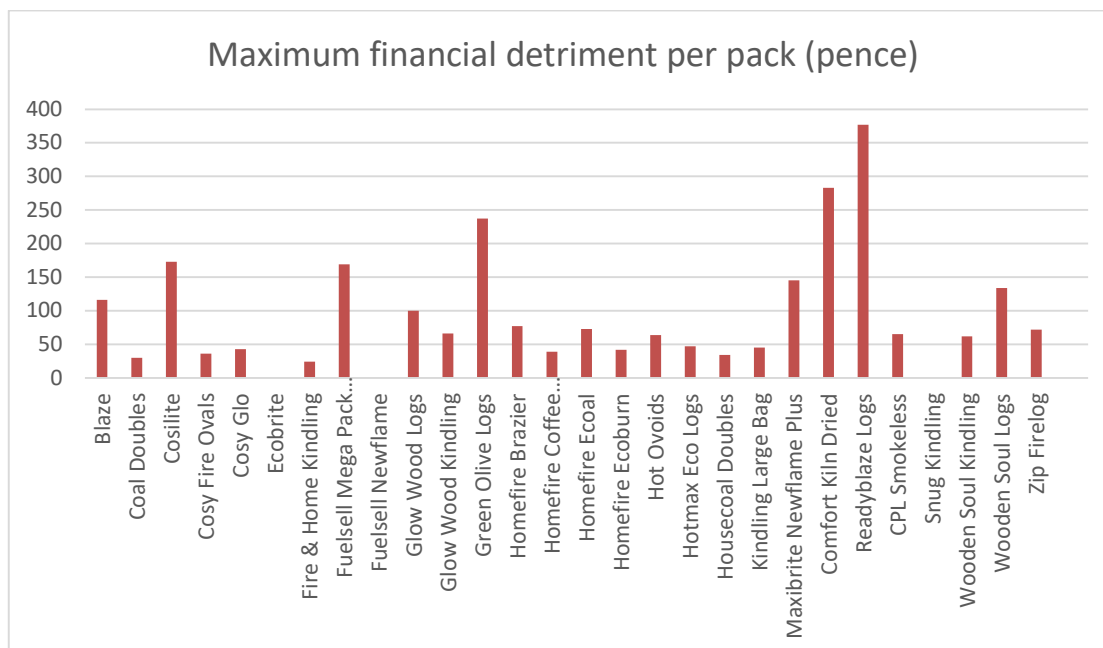
Retailer	Product	Weight on SEL	Total packs checked	No. packs below equivalent T2 level	Max deficit	% deficit	Value
Supermarket	Kindling	2kg	10	7	195g	10%	24p
Hardware	Kiln Dried Logs	24kg	3	3	3.41kg	14%	£2.83
Petrol Station	Firelog	700g	22	22	165g	24%	73p
General Retailer	Kindling	3kg	15	15	1.7kg	57%	£1.69
Garden Centre	Logs	7kg	12	12	2.08kg	30%	£2.37

(7) Consumers are losing out on up to 3.52kg of product with a value of £3.77 per pack

The largest deficiency found was 3.52kg on 14kg packs of logs. This deficiency also led to the largest financial detriment to consumers of £3.77 per pack

Readyblaze Kiln Dried Birch Logs 14kg e, had gross weights as low as 10.48kg. These packs were in the name of Dizmezs Ltd (Latvia) and had been imported into the UK by Dobbies Garden Centres Ltd.

The below chart shows the maximum level of financial deficiency found per pack for each of the 28 lines found to contain short measure for consumers.



(8) Products described as “kiln dried” may be misdescribed

An allegation was received from a supplier of kiln dried logs that local competitors were misleading their customers by describing their products as “kiln dried” when they were not. This supplier stated that this leads to customers paying more for an inferior product and an unfair commercial advantage is being exerted in the marketplace. This may be an area to be explored due to the risk of potential detriment.

Retailers may also be storing wood fuel products in an unsuitable manner, particularly those described as “kiln dried”. Some retailers were observed to be storing such products outdoors and exposed to winter weather, contrary to the storage conditions stated on the product labelling. This may lead to products no longer being fit for purpose or as described, contrary to the Consumer Rights Act 2015.

Evaluation

13 Local Authorities participated in the project and submitted a return, representing a 40% participation rate. Some authorities with large rural areas did not participate when data shows that these are the areas most likely to be impacted by fuel poverty and detriment where short measure occurs. The preference would be for a greater number of participating authorities and so further engagement and encouragement will be employed for future projects.

There was an uneven distribution of visits carried out across the country with 50% of all visits carried out by just 3 Local Authorities – Fife, Highland and Renfrewshire. However, with each of these authorities located in different regions of Scotland this has still allowed for a spread of large samples throughout the country.

With each Local Authority having its own approach to enforcement, co-ordination and consistency can be difficult when running a national project.

Conclusions and Recommendations

(1) Due to the level of non-compliance identified during this project, a repeat should be carried out at a later date. An increase in the number of participating Local Authorities should also be encouraged to give greater validation to the results – this approach should be adopted for all future national projects with support from SCOTSS sought in pushing the agenda for legal metrology.

(2) The results of this project and recent retail monitoring projects have highlighted widespread non-compliance of packers and importers of packaged goods. More work is advisable at packer/importer level to ensure non-compliant packs do not make it to retail and cause detriment to consumers. A national project with a focus on packers and importers of packaged goods would be beneficial. In the absence of a national project Local Authorities should be encouraged to carry out inspections of their packers and importers on a regular basis.

(3) The project identified instances of potential breaches of Fair Trading legislation. This included the application by retailers of weight to non-weight marked products resulting in short measure and an allegation that some supplier of wood fuel described their products as “kiln dried” when they were not. Instances of unsuitable storage of wood fuel by retailers was also identified. These details will be shared with the Fair Trading group and work may be required in this area to ensure compliance.

Thank you to the authorities that participated: Aberdeen City Council, Angus Council, Borders Council, Dundee City Council, Falkirk Council, Fife Council, Highland Council, Midlothian Council, Moray Council, North Ayrshire Council, Renfrewshire Council, South Ayrshire Council, South Lanarkshire Council