

20 November 2019

Our ref: 5765369

Thank you for your request received on 30 October 2019, for the following information:

Pursuant to our rights under the Freedom of Information Act 2000, we request that you send us the following information:

1. Records of all complaints made in 2018 and 2019 to date by consumers or businesses to Trading Standards relating to misleading claims or false representation with regards product description;

2. Records of all complaints made in 2018 and 2019 to date by consumers or businesses to Trading Standards:

a. which are based on misleading claims that a product is "organic", "biodegradable", "bio", "compostable", "eco-friendly", "eco", "natural", "recycled", "vegan", "zero waste", "cruelty-free", "green", "sustainable", "decomposable", "ethical"; or

b. that the product is falsely represented as being certified by FSC, PEFC, MSC, Rainforest Alliance™, UTZ, Fairtrade®, Eco-label, Leaping Bunny™, PETA, BCI Cotton, certified organic cotton, recycled cotton/polyester/wool/cashmere/down, responsible wool standard, responsible down standard, terracare®, IVN Naturlleder, bluesign®, Oexo-Text® 100, Made in Green, Cradle to Cradle™, 1% for the Planet®, Tencel™, ecovero™, reprove™, ECONYL®;

3. Separately, which of these complaints are then pursued by Trading Standards; and

4. Finally, which of these complaints end up with enforcement decisions taken by Trading Standards.

We have processed this request under the Freedom of Information Act 2000.

Response

We are refusing your request under section 12 because we estimate that compliance with your request will exceed the "appropriate limit" under section 12. The appropriate limit is £450 which is equivalent to 18 hours at £25 per hour. The per hour figure is set by Regulations rather than actual salary paid to any officers handling requests. The appropriate limit includes the time it will take the council to discover if it holds the information requested, to locate it, extract it and collate it as well as putting it into any particular format requested by the requester.

In order to provide the information requested an individual search would have to be undertaken of more than 2816 separate casefiles

We estimate that it will take over 18 hours to comply with your request. We have decided to refuse the request because we have 2816 cases to check and it would take up to 7.5 minutes to go through each case.

7.5 minutes times 2816 cases divided by 60 minutes = 352 hrs

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.