



Department for
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Our ref: ~~18080351405~~

Alison Mutch OBE
HM Senior Coroner
Coroner's Court
1 Mount Tabor Street
Stockport
SK1 3AG

19 December 2018



Dear Ms Mutch,

Thank you for your letter and Regulation 28 Report to Prevent Future Deaths, dated 22 November 2018, following your investigation and inquest into the death of baby Savannah-Rose Michelle Owen on 22 April 2018, who died after falling asleep on a nursing pillow on the sofa and becoming unresponsive. I am responding as the Minister responsible for product safety policy in the Department for Business, Energy and Industrial Strategy (BEIS).

I would first like to say how sorry I was to hear about this terrible incident. If you have the opportunity, please convey my deepest sympathies to Savannah-Rose's family.

The death of baby Savannah-Rose was unexplained and ruled on the balance of probabilities to be death by natural causes. However, we must do everything we can to ensure that our product safety system continues to function effectively for the safety of products used by babies and new parents, so as Minister for product safety policy I am addressing the points you have raised regarding the nursing pillow on which Savannah-Rose fell asleep.

You raise the concern that there are no specific safety regulations for nursing pillows. The safety of nursing pillows, along with many other products, is regulated by the General Product Safety Regulations 2005 (GPSR). Under the GPSR, products are required to be safe in normal or reasonably foreseeable use when placed on the market.

Before the product is placed on the market, manufacturers must ensure products are safe. Distributors and retailers must act with due care and must not supply a product which they know or ought to know is unsafe.

In this case, you have raised concerns that the product was sold with safety use warnings on a leaflet that was not attached to the product. Furthermore, three out of five images on the warning leaflet showed a baby using the product without an adult figure, which is not consistent with safe sleeping advice given to new parents. In determining whether a product is safe under GPSR, one of the factors is the presentation of the product, including any labelling, warnings and instructions for use.

Both the Office for Product Safety (OPSS) and Local authority Trading Standards have powers to act where unsafe products are identified including, requiring changes to safety information and instructions for use and, where appropriate, issuing a recall of the product.

I have passed your concerns regarding the nursing pillow on to OPSS's Product Safety Enforcement Team but in order to investigate further they have asked that any details you have of the specific product involved, including information about the distributor be shared with them. If you have any further information that would assist their assessment, I would be grateful if you could pass it directly to Graham Russell, Chief Executive, OPSS, Victoria Square House, Birmingham B2 4AJ. This would allow OPSS to work with Local Authority Trading Standards to determine whether further action is needed, based on all the evidence available.

Thank you for bringing this issue to my attention. I hope I have reassured you that the Government takes product safety issues seriously and is working with its partners to continually improve the level of safety for children and babies.

yours sincerely



KELLY TOLHURST MP
Minister for Small Business, Consumers & Corporate Responsibility