

United Kingdom Lubricants Association's Metalworking Fluid Product Stewardship Group

Metalworking Fluid Marketing Claims Guidelines.

1. Who is this guidance for?

This document is intended for all metalworking fluid (MWF) suppliers across the supply chain, including manufacturers and distributors, who provide MWF products to end- users.

1.1 Key Principles of This Guidance.

- Health Risks: Exposure to MWF can pose health risks, including skin and respiratory diseases.
- Best Practice: End users must follow best practice guidelines to reduce health risks while optimising fluid performance.
- CoSHH Compliance: Users must conduct a Control of Substances Hazardous to Health (CoSHH) assessment to manage MWF quality and minimise contaminants such as swarf, bacteria, and tramp oil.
- Product Choice: There are no industry-wide standards for MWF; customers are free to select the coolant type that best suits their needs.
- Regulatory Compliance: All suppliers must comply with current chemical supply regulations.
- Evidence-Based Claims: Any claims regarding health, safety, environmental impact, or sustainability must be supported by verifiable evidence.

2. Introduction.

Metalworking fluids serve as lubricants and coolants during the machining of metals and, occasionally, other materials such as composites. The two primary types are:

- Water-miscible fluids.
- Neat oils.

Fluid selection depends on factors such as cost, composition (e.g., exclusion of substances undesirable to the end user), performance requirements, and warranty recommendations.

Although no formal industry standards exist for MWFs, performance claims should be substantiated through testing. Seek guidance from reputable suppliers who can provide evidence to support their product claims.

All marketing claims and application guidelines should be reviewed by a qualified professional prior to publication. For SMEs, this may be an experienced applications specialist.

3. Health and Safety Risks of Metalworking Fluids.

The UKLA Good Practice guidance outlines health risks associated with MWFs, including skin and lung diseases caused by contact or inhalation.

These risks apply to all fluid types, whether mineral oil-based, vegetable oil-based, or oil-free and include conventional fluids, bioconcept grade during use and become contaminated with tramp oil, metal salts, fines, and microorganisms (bacteria, yeast, fungi), increasing health risks.

4. Avoiding Misleading Marketing Claims.

MWF suppliers must not make claims without supporting, verifiable, technical evidence

This includes claims related to:

- Sustainability.
- Performance.
- Cost.
- Durability.
- Health and Safety.
- Regulatory Compliance.

Marketing materials should be regularly reviewed and updated to reflect changes in legislation.

Examples of acceptable claims include:

- Performance: Supported by laboratory tests and/or field data.
- Health, Safety, Environment, and Sustainability: Based on evidence and compliant methodologies. Claims such as “less hazardous” must be substantiated with SDS data, for example. Claims must consider the recommended diluted sump concentration and potential contamination during use.
- Disposal: All MWFs must be disposed of in accordance with national and local regulations. They must not enter the general environment or pose health risks during storage or transport.

5. Regulatory Requirements.

5.1 UK/EU Chemical Regulations.

MWFs in the UK must comply with:

- UK REACH (Registration, Evaluation, Authorisation, and Restriction of Chemicals).
- BPR (Biocidal Products Regulation).
- CLP (Classification, Labelling and Packaging).

Once diluted by the end user, water-miscible fluids fall outside chemical regulations and must be managed under GB CoSHH regulations. The end user assumes responsibility for safe use and disposal, although suppliers may support compliance efforts.

5.2 From ‘Misleading Marketing Regulations 2008’ (BPRs).

- These regulations prohibit misleading advertising and unfair comparative marketing practices between businesses. Key provisions include:
- Prohibition of misleading information that could influence purchasing decisions or harm competitors.
- Restrictions on comparative advertising that misrepresents competing products.

5.3 Misleading advertising.

Misleading advertising is prohibited in the following areas:

- Product characteristics.
- Pricing or pricing structure.
- Supply conditions.
- Advertiser's nature, attributes, and rights.

4.0 Additional regulatory considerations.

4.1 Product Characteristics: There are 13 main characteristics of the product that are regulated:

- Product availability.
- Nature of the Product.
- Execution of the product.
- Composition of the product.
- Method and date of manufacture of the products.
- Method and date of provision of the product.
- Fitness for the product's purpose.
- Uses of the product.
- Quantity of the products.
- Product specifications.
- Geographical or commercial origin of the product.
- Results to be expected from the use of the product.
- Results and material features of tests or checks carried out on the product:

5. Comparative Advertising.

Comparative advertising involves promoting products by comparing them to competitors, e.g., 'Tim's Oil lasts 50% longer than Martin's Oil.' Such advertising is only permitted under the following conditions:

- It is not misleading under the BPRs, the Digital Markets, Competition and Consumer Act 2024 (DMCC), or CPRs (Cost per Results).
- It compares products that meet the same needs or are intended for the same purpose.
- It objectively compares one or more material, relevant, verifiable, and representative features of those products (this may include price).
- It does not create confusion among traders, either between the advertiser and the competitor or between the trademarks (or similar) of the advertiser's products and those of a competitor.
- It does not discredit, denigrate, or unfairly take advantage of a competitor's trademark (or similar).
- For products with a designation of origin, it relates, in each case, to products with the same designation.

- It does not take unfair advantage of the reputation of a trademark (or similar) of a competitor or the designation of origin of competing products.
- It does not present products as imitations or replicas of goods bearing a protected trademark or trade name.

6. Compliance with criminal law.

Anyone making claims or quoting performance data in the course of business must exercise due diligence to ensure that such claims are defensible and substantiated if challenged.

Larger and more specialised businesses are expected to conduct thorough checks on the accuracy of the claims made by their suppliers.

Neglecting to verify claims may expose resellers of misdescribed products to legal scrutiny and challenges.

6.1 The Position in Civil Law.

Unlike the DMCC, the BPRs do not provide a civil law redress mechanism, as businesses are considered capable of protecting their own interests.

Disputes regarding payments or product descriptions are subject to standard civil court procedures.

Although business protections are not as extensive as those for consumers, they remain significant, and caution should be exercised in all transactions and contractual agreements to ensure compliance with regulations.

6.2 Advertising Standards (Non-Broadcast Code).

All marketing communications must be legal, decent, honest, and truthful.

Marketing materials should be created with a sense of responsibility towards consumers and society, adhering to both the spirit and the letter of the Code of Advertising Practice.

7.0 For more details, visit:

<https://www.ukla.org.uk/metalworking-fluid-product-stewardship-group/mwf-psg-publications/>

