British Jewellery Council
Response to UK Product Safety Framework Consultations

Prepared by the British Jewellery Council
For the Office for Product Safety & Standards (OPSS), and Department for Business & Trade (DBT)

Regarding the following two consultations:
1. Product regulation: the UK's new product safety framework
2. Product regulation: the UK's new core product regulation market surveillance and enforcement framework

Introductory position statement

The British Jewellery Council welcomes the UK Government's proposals to modernise the UK's product safety, market surveillance and enforcement framework.

The UK jewellery, silverware, horology and allied crafts sector support a clearer, more enforceable regime that reflects how products are now sold, including through online marketplaces, social commerce, fulfilment services and overseas direct-to-consumer sales.

For our sector, the key issue is accountability. The same rules should apply to all sellers placing products on the UK market, but stronger checks are needed where accountability is weakest.

The framework should also recognise the distinct role of hallmarking. Hallmarking protects consumers by assuring precious metal content and description where the Hallmarking Act applies. An important clarification is that it's not a general product safety approval and does not show that a product is free from cadmium, nickel release, lead, allergens or other safety risks.

The Hallmarking Act should remain a separate regime, but its enforcement should be capable of working effectively in modern online and cross-border markets.

To respond to both consultations, we are submitting this single response outlining our core principles to address the sections most directly related to our sector. At the end of this response is a key indicating the parts of the consultations our response is directed to.

1) Marketplace accountability and direct duties

The British Jewellery Council supports direct, proportionate legal responsibilities on marketplaces and other digital sales channels where a platform controls or materially influences the listing, promotion, checkout, payment, fulfilment or access to UK consumers.

This should include reliable regulatory contact routes for online marketplaces and relevant overseas sellers, with UK-based responsible-person or local-presence requirements available where justified by risk, including overseas direct-to-consumer sales of precious metal articles.

We also strongly support a due care duty, because the reactive enforcement model - relying on authorities to identify and report dangerous, non-compliant or misdescribed products - has manifestly failed at the scale of modern online supply chains.

The framework should also establish shared, current definitions of online marketplaces, fulfilment service providers, producers, importers, distributors and overseas distance sellers, so that actors are identifiable and accountable across product safety, hallmarking and wider product regulation.

2) Verified seller identity and traceability by marketplaces

Marketplace access should be conditional on verification. This verification should include reliable contact details, legal identity, geographic location, UK operator, importer or responsible economic operator details where relevant, repeat offender identification and retaining transaction records.

We strongly support the proposed mandatory seller contact verification and repeat offender controls and escalating enforcement - such as additional checks, monitoring, education, warnings, and removal.

Because a seller banned from one online marketplace for repeated non-compliance often simply moves to another, we also support information sharing mechanisms for online marketplaces about confirmed bad actors (subject to appropriate safeguards).

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3) Pre-listing prevention checks are better than takedown after harm

Reasonable, risk-based compliance verification by online marketplaces should be required before listings using regulated precious-metal descriptions go live, particularly where articles described as gold, silver, platinum or palladium may exceed statutory exemption weights.

In other words, pre-listing verification should be the default expectation for claims about regulated precious metal descriptions.

We also support having additional pre-publication prevention steps. These checks could include sponsor mark checks, Convention Common Control Mark checks, legible product images, consistency between fineness claims and visible marks, and screening for products on known non-compliance registers.

This approach is structurally more effective than post-publication removal. In the latter scenario, by the time a non-compliant listing is identified and removed, consumer harm or detriment may have occurred, and the seller may already have relisted.

4) Digital systems should support traceability, consumer information and enforcement

We support the development of digital product information and traceability systems. Digital systems can significantly enhance consumer transparency, supply chain traceability, enforcement capability, product authentication and sustainability verification.

These systems should support traceability, verification, consumer information and enforcement access, including through digital product records and interoperable data systems.

5) Digital should supplement, not replace, essential physical hallmarks

Digital verification, product records and traceability systems should complement physical statutory hallmarks, not replace them. Physical hallmarks remain essential because they are durable, independent, article-level evidence of statutory verification.

The hallmarking sector is already exploring unique item identifiers, digital hallmark verification, API-accessible compliance records, digital product passports and provenance systems. These developments should support enforcement, traceability and consumer confidence, while preserving the legal requirement for physical hallmarks under the Hallmarking Act 1973.

Hallmarks are physical marks applied to the article itself by a UK Assay Office and required by primary legislation. They are not analogous to product information labels, and the “digital by default” framing should not be interpreted as applying to statutory hallmarking itself.

6) Information sharing and regulatory co-operation are central

We support expanded, lawful and proportionate information sharing and regulatory co-operation between OPSS, Trading Standards, Border Force, HMRC, statutory Assay Offices, the British Hallmarking Council, online marketplaces, specialist technical bodies and approved conformity assessment bodies where relevant, so that hallmarking, product safety, customs and consumer-protection risks can be addressed together.

Relevant information should include seller identity, verified contact details, marketplace listing data, importer or responsible operator details, sponsor’s mark and hallmarking records, assay or testing results, import and trade data, and records of prior non-compliance, subject to safeguards including purpose limitation, data protection, commercial confidentiality, access controls, retention limits and audit trails.

The duty to cooperate should support cooperation with all relevant regulatory authorities, not solely product-safety authorities. The four UK Assay Offices, the British Hallmarking Council, Trading Standards and other authorities operating across the product-regulation landscape all have legitimate interests in supply-chain information that the new duty would help to obtain.

Assay Offices should act as specialist technical partners for precious metal and hallmarking-related compliance, not as general product-safety regulators. They should support hallmarking-related verification, technical assessment and market intelligence.

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7) Hallmarking must remain distinct from product and chemical safety

The framework should recognise that hallmarking assures precious-metal content and description where the Hallmarking Act applies but does not address all jewellery safety risks. A hallmark should not be treated as a general product-safety declaration, approval or authorisation, or as evidence that a product is free from cadmium, nickel release, lead, coatings, allergens, ingestion hazards or other material risks.

Hallmarking should be accurately characterised as, and remain in practice, a distinct third-party statutory consumer-protection regime operating alongside – not inside or instead of – product safety, chemical safety and online marketplace obligations. The framework should make the relationship between hallmarking, product safety and chemical compliance clear.

At the same time, maintaining hallmarking as a distinct regime should not prevent modernisation of its enforcement architecture. For hallmarking, modernisation should be achieved through linkage rather than absorption: the new framework should provide online definitions and remedies that support Hallmarking Act enforcement, particularly where online marketplaces, social commerce, fulfilment-led models and overseas direct-to-consumer sales create practical enforcement gaps. The hallmarking offences, assay-based evidential standard, sponsor's mark regime and recognition of International Convention marks should remain in the 1973 Act.

8) Proportionate, risk-based regulation

New duties should be proportionate, risk-based and workable for compliant SMEs, with stronger obligations and verification duties targeted at the routes of greatest enforcement weakness: online marketplaces, overseas direct-to-consumer sellers, high-volume sellers and repeat offenders.

The objective should be the same substantive rules for all sellers, with stronger checks where accountability is weakest.

Proportionality should also apply to sanctions and cost recovery. Penalties should remove the economic advantage of non-compliance, particularly for high-volume sellers and repeat offenders, while cost recovery should attach to demonstrated non-compliance rather than routine compliant activity.

Concluding position statement

The British Jewellery Council supports the Government's aim of creating a modern and effective product safety and enforcement framework.

For jewellery and precious metal articles, this means making compliance visible, traceable and enforceable across all routes to market.

Online marketplaces and other digital sales channels should have direct, proportionate duties where they control or influence listings, payment, fulfilment, promotion or access to UK consumers. The framework should support verified seller identity, reliable regulatory contact routes, repeat-offender controls, retained transaction records and risk-based pre-listing checks for regulated precious metal descriptions such as gold, silver, platinum and palladium.

Hallmarking should remain distinct from product safety and chemical safety. Modernisation should be achieved through linkage, not absorption: the new framework should support Hallmarking Act enforcement through shared definitions, online remedies, information sharing and marketplace accountability, while keeping the hallmarking offences, assay-based evidence, sponsor's mark system and recognition of International Convention marks within the 1973 Act.

Digital systems can improve traceability, consumer information and enforcement, but they should supplement, not replace, physical hallmarks.

The overall objective should be simple: the same substantive rules for all sellers, stronger checks where accountability is weakest, and a fairer, safer market for consumers and responsible jewellery businesses.

British Jewellery Council
June 2026

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For ease of reference, the key principles above address these sections of both consultations:

Principle 1	*A11, A13, A15, A16, B1, B2, B7*
Principle 2	*A12, A14, B7, B19–B21*
Principle 3	*A13, A21–A23, B7, B8–B16*
Principle 4	*A17–A19, A21–A23, B19–B21*
Principle 5	*A17, A18, A24, B1–B3*
Principle 6	*A14–A16, B7, B19–B21*
Principle 7	*A1, A3, A5, A17–A18, A24, B1–B3, B7*
Principle 8	*A5, A9–A13, B8–B18*