

UK Product Safety and Online Marketplace Consultation

Article By:

Paul Jinks

The UK government announced on 2 August 2023 a [new consultation for proposed changes](#) to the UK's product safety laws.

Whilst much of this consultation is concerned with the regulatory compliance arrangements for the testing and marking of products what has received less immediate media coverage are proposals also included to impose additional duties on the operators of online marketplaces through which products are sold in the UK.

Specific proposals for online marketplaces which the government is now consulting on include:

- Duties for those marketplaces to co-operate with enforcement authorities and to take “appropriate action” if products offered for sale are unsafe or non-compliant.
- A requirement for marketplaces to have a compliance function established in the UK responsible for ensuring that appropriate policies, processes and systems are in place to address the risk of unsafe products being offered for sale.
- New “duty of care” requirements which would apply when hosting product listings.
- Requirements to proactively analyse data concerning product returns and complaints to identify potential product safety issues.

In addition to any such new requirements applying to the operators of online marketplaces, this consultation also highlights the possibility that those requirements could be extended to also apply to other operators in the online supply chain such as providers of fulfilment services.

The deadline for providing responses to this consultation is 24 October 2023 and as such, whilst this consultation is unlikely to result in any immediate changes it is something that operators of online marketplaces and other operators in the online supply chain should be aware of and may wish to

consider responding to.

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