Department for Business & Trade

Office for Product Safety & Standards

Consultation on the UK's new product safety framework:

Response form

Summary

We are seeking views on a new, modernised and enhanced core product safety framework.

Please return to: ProductSafetyReform@businessandtrade.gov.uk

Closing: 23.59 on 23 June

Introduction

The existing product safety framework needs an upgrade. It is based on the General Product Safety Regulations 2005, introduced two decades ago, and overlaid with specific regulations for certain product sectors. We live in a world vastly different from the turn of the century, and the way people buy products has evolved. There are simply too many instances of dangerous products being sold to UK consumers, often online, resulting in serious harm.

The need for a new core framework was identified by the Product Safety Review and endorsed by Parliament in passing the Product Regulation and Metrology Act 2025. In this consultation we propose a new, modernised and enhanced framework giving people confidence that what they buy will be safe, thereby supporting growth and giving businesses incentives to invest by providing a level playing field, with clearer responsibilities and a more consistent and streamlined set of regulations.

Our proposals are grouped into the following themes:

1. Getting the basics right
2. Accountability throughout the supply chain
3. A new approach to product information
4. Supporting enforcement activity

The new core product safety framework will:

- require proactive action from everyone in the supply chain to protect consumers;
- reflect modern products and supply chains;
- capitalise on the opportunities new technology has provided for both businesses and consumers; and
- support delivery of the government's Regulation Action Plan.

This consultation should be read together with its companion consultation on the market surveillance and enforcement aspects of the new framework. The proposals and questions in this document are in the format ‘A1, A2’ and in the other document are in the format ‘B1, B2’ Please ensure your answers reference the proposal and questions numbers with the correct letter and number.

Read and respond to the consultation on market surveillance and enforcement.

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Your Details	
1. Your name	Eilis McGowan
2. Your email address	
3. Are you responding:	
As an individual? Please go to ‘Consultation Questions’	
On behalf of an organisation? Please continue	X
4. Name of organisation	The Cosmetic, Toiletry and Perfumery Association (CTPA)
5. Number of employees	
1 to 9	
10 to 49	X
50 to 249	
250 or more	
6. Type of organisation	
Business	
Trade Association	X
Test House or Laboratory	
Consumer Body	
Local Authority	
Fire and Rescue Service	
Government Body	
Other (Please specify)	

Consultation Questions

Getting the basics right

Question A1: Do you agree or disagree with the proposed scope of the regulations, including the exemptions from scope?

Agree		**Neither agree nor disagree**	X
Disagree		**Don't know**	

Please explain your answer

CTPA supports the proposed scope of the regulation but believes there should be clear guidance for companies subject to sector specific legislation on the applicability of the provisions, as well as consideration of the distinction of 'business use' products.

CTPA recognises and agrees with the objective established in consultation to ensure that a consistent baseline of requirements for safety is important to ensure consumers are adequately protected.

Cosmetic products are regulated for safety under the UK Cosmetics Regulation (UKCR) in GB and the EU Cosmetic Products Regulation (EU CPR) in Northern Ireland. As such, and following the introduction in the consultation, cosmetic products are exempted from most of the requirements of the GPSR in both jurisdictions. However, cosmetic products are still subject to GPSR requirements for those areas which are not regulated for under sector-specific provisions, as this applies to individual requirements and outcomes rather than a blanket exemption from the requirements in the framework overall. The exemption of GPSR under a new framework might have to be not only where the specific requirements are already in sector-specific legislation, such as labelling, but also in relation to the objective or type of harm the framework intends to prevent. It should be clear in the updated GPSR, the scope of applicability of the provisions in relation to products where there is already established regulation. The GPSR should closely consider such regulations to avoid duplication of existing provisions. Clear and timely guidance will be pivotal in supporting businesses in their compliance with any new requirements.

Drawing an example from the EU context, cosmetics products are not exempted from the provisions included in Article 19 of the updated GPSR. Companies must make available certain information on a virtual point of sale. Since this is not directly covered under the EU CPR, it is within scope despite the existence of sector-specific legislation.

The safety of cosmetic products is assessed regardless of whether they are intended to be used by consumers directly (both in a domestic and business setting), or whether they are intended for professional use (applied by a qualified professional). Therefore, the introduction of a category of 'business product' without a clear definition, risks including and increasing obligations for products that focus their safety outcomes on its end users. A product such as a hand soap which is currently outside of the GPSR framework, might be therefore treated differently if it is included in a 'business product' because it is placed in an office kitchen.

The consultation classes products that are to be donated to charitable organisations as non-consumer products and considers them to be for their own use. Once again, special

attention will be required to reflect what that use might be. CTPA and members have engaged with charitable organisations in the cosmetics sector, including some that accept the donation of products to use with volunteers in workshops aimed at increasing self-esteem on people in vulnerable or difficult health situations. Other organisations, such as hygiene banks, will distribute donated products as part of their activities. Up to now, the cosmetics industry, in the absence of clarity of whether these products are classified as 'placed on the market', has taken the view that these products should be fully safe and legally compliant. In making the distinction of 'business use', there should be consideration of what the broad range of activities in these organisations are, and how products might be used differently.

It is also important to note that worker safety is already under the remit of the Health and Safety Executive (HSE), and that any new obligations imposed on workplaces in relation to product safety should be compatible with those rules established by other departments and not be duplicative. Therefore, we would encourage OPSS to be clear on which safety outcomes are being regulated for in relation to workplace safety and avoid the regulatory gaps to be created between UK government agencies instead of within the existing frameworks.

Question A2: Do you agree or disagree with the proposed definition of a safe product?

Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA agrees with the proposed definition of a safe product under the new framework, noting its applicability to a wide scope of products and alignment with the EU definition.

Question A3: Do you agree or disagree with the new list of considerations when assessing safety?

Agree		**Neither agree nor disagree**	X
Disagree		**Don't know**	

Please explain your answer

CTPA believes the new framework should support proportionate, case-by-case risk assessment aligned with established business risk management, as demonstrated in the UKCR's risk-based approach.

The cosmetic industry remains committed to placing safe and effective products on the UK market. The current sector specific regulation, the UKCR includes product specific safety assessments for cosmetics which is well-established and effective. This is an example of a legislation closely linked to product risk evaluation, which considers consumer use, and continues to safeguard consumers whilst enabling innovation to meet the evolving consumer preferences.

Companies have the responsibility to examine the safety of the product in the correct context: considering use of ingredients within a formulation, product exposure, the

consumer and the method of use. This means that the safety of the product can be assessed based on an exposure focused approach, thus reflecting the real consumer risk when addressing safety.

Importantly, the current framework follows a risk-based approach and considers the foreseeable or normal use of the product. This allows for a more pragmatic assurance of safety for the product in use.

The inclusion of new risks should also be contextualised and assessed on a case-by-case basis according to the relevance indicated. For example, a cosmetic product should not have to factor in misinformation from artificial intelligence large language models instructing consumers to use the product differently than is commonly expected or indicated in the product's instructions for use. Attempting to account for every possible misuse would be neither reasonable nor proportionate to the risk posed by a cosmetic product and could create unwarranted liability.

In addition, the way in which risks are assessed from an enforcement perspective should be consistent with how businesses manage risk. When considering the extension of risks to be assessed, the same consideration should be given to improving and socialising the framework that will be used by enforcement to measure compliance in businesses.

An additional, important element that should be considered when assessing product safety is the presentation of the product, including the labelling; usage instructions for safe use and warnings on a product can drive safe use and reduced risk of a certain product.

Question A4: Do you agree or disagree with our proposal to revoke the Food Imitations (Safety) Regulations 1989?

Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

As a sector with specific food imitation provisions and considerations, CTPA supports the proposal as well as the legislative alignment with the EU

Under the UKCR, Article 3 outlines the considerations when assessing the safety of a cosmetic product, including the specific provision that cosmetic products must take account the requirements of the Food Imitation Safety Regulation.

Whilst CTPA agrees that the risk of harm associated with placing in the mouth, sucking or ingesting something that resembles food will be captured within the new framework, it is important to consider that there is more than just the appearance that should be taken into account when considering food imitation. Under the existing Regulation, there is also account of the form, odour, colour, packaging, labelling, volume or size. This is information effectively captured in the cosmetic product safety assessment.

As a sector with specific Food Imitation provisions within its legislation, we believe it is important that these characteristics are explicitly outlined, to ensure all possible risks are captured within the new framework. Alignment with the EU, will help support and facilitate businesses, whilst maintaining a high level of protection for the UK consumer.

Question A5: Do you agree or disagree that essential safety requirements, testing or conformity assessment may be useful in the new framework?			
Agree		**Neither agree nor disagree**	X
Disagree		**Don't know**	
Please explain your answer			
CTPA believes that any new safety requirements or testing obligations should be introduced only where sector-specific rules do not already apply and should remain proportionate, supported by clear guidance. The cosmetics and personal care industry already relies on sector specific legislation and its own designated product safety requirements and assessments which allows for detailed, risk-based assessment of safety relating to consumer use. The introductions of additional essential safety requirements should be limited to those instances where there is no sector or product-specific requirements or where these are clearly evidenced to be insufficient. In some instances, a product might have several uses or functions and therefore be regulated under several frameworks. For example, the unique situation of cosmetics and toys, where such a product can have a hygiene and a play function at the same time. In these instances, it will be important to have essential safety requirements captured in the legislation that would enable companies to address outcomes-based regulation in a way that is specific to their product. In the same way, the introduction of mandatory testing or third-party conformity testing, while it might be helpful in some sectors, should be limited to scenarios where this would enable the reassurance of safety outcomes in a proportionate manner and does not simply create an additional externalised layer of compliance. Moreover, guidance would be required to determine the extent of such testing, as well as the threshold to meet the essential safety requirement in the absence of a designated standard.			
Question A6: Do you agree or disagree with introducing the 'designation' mechanism for products covered by the framework?			
Agree	x	**Neither agree nor disagree**	
Disagree		**Don't know**	
Please explain your answer			
CTPA believes that any introduced designation processes should include the scope and application of the standards to avoid conflicting with existing sector-specific legislation. The UK Cosmetics Regulation already benefits from the designation process in order to help companies establish a baseline of quality in the manufacturing process that translates into consumer protection and safety. We would agree that strengthening the designation process could be useful and helpful to give businesses further information on how to achieve the safety outcomes that are expected by consumers and regulators. However, it will be important that the designation process is built in a solid foundation			

that includes the scope and application of these standards, which must not conflict with already established sector-specific legislation.

Question A7: In what circumstances, if any, might it be appropriate to designate a standard from a competent standards body other than BSI, European standards bodies, or international standards bodies?

CTPA would encourage the adoption of international standards as a preference, as these have been developed with a collaborative approach and harnessing expertise from different jurisdictions. In many cases, the UK is an active participant into the development of ISO standards and is actively involved in their national adoption.

This approach will make the UK remain in the international landscape and avoid the introduction of technical barriers to trade.

Question A8: Are there any further actions you believe we should be taking to ensure lithium-ion batteries within consumer products are safe?

CTPA does not have a view on this matter.

Accountability throughout the supply chain

Question A9: Do you agree or disagree with the requirement that producers must only place safe products on the market?

Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA agrees with the proposal as the role requirements align with the UKCR provision of a Responsible Person.

CTPA agrees with the requirement that producers must only place safe products on the market. Under the cosmetic sector specific legislation, there are clear provisions for the role of the Responsible Person (RP) regarding the placing of safe products on the market. This includes the demonstration of the safety of the product through a product specific safety assessment undergone by a qualified safety assessor, as well as the maintaining of the supporting product documentation and verifying the compliance of the product label.

By default, the Manufacturer established in the market is the RP when placing the product on the UK market. When the product is placed on the market from outside the UK, the Importer is by default the RP. This responsibility can be transferred to another legal or natural person established within the UK, based on a written mandate.

Therefore, we would not generally consider the imposition of this obligation as an additional requirement for cosmetic products, but there is a need to balance how this is

imposed across different sectors. Under the UKCR, there are no provisions that allow for the role of RP to be attributed to an overseas seller. CTPA's understanding is that UK enforcement authorities would not have the ability or power to prosecute or impose obligations on companies or individuals outside of the UK territory. Otherwise, the categories proposed in the consultation are broadly aligned to the UKCR understanding.

Question A10: Do you agree or disagree with the requirement that onward suppliers should act with due care and not supply a product unless it is compliant?

Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA supports a due care obligation for onward suppliers, but requests clearer defined responsibilities proportionate to the role to avoid the introduction of additional provisions already addressed in sector specific legislation.

CTPA agrees that onward suppliers, within the context of their activities, should act with due care to ensure the products supplied are in conformity with the requirements laid out within the framework.

The proposal for new terminology for 'onward supplier' to be inclusive of the roles of distributor and fulfilment service provider is noted as an effort to simplify and ensure cohesive terminology. However, clear steer will need to be provided to businesses operating across the whole of the UK to ensure they are able to recognise their role and associated responsibilities under the GB and EU frameworks.

Under the UKCR, the role of the 'Distributor' has the due care when making a product available on the market, to ensure the product they are supplying is safe and compliant. Article 6 of the UKCR outlines the obligations of the distributor; this includes the verification that certain aspects of the labelling are present, and that the product is still within the date of its minimum durability. Notably, the Distributor is not responsible for assessing the safety of the product, nor do they require access to the product documentation. The safety assessment which forms as part of the Product Information File (PIF) is only required to be made accessible to the competent authority upon request. The Distributor does not have access to this information and is not entitled to access the PIF. Therefore, the current responsibility of the distributor under the UKCR is to ensure that they are not handling the product in a way that would render it unsafe.

The consultation proposes the introduction of a new category of 'online marketplaces'. CTPA has previously commented that the definition within the PRAM is broad, and encompasses a multitude of business models, from own-brand retail spaces under the manufacturer's or RP's control, to traditional retail models both in supermarkets and convenience stores making products available online, to fulfilment centres and selling platforms. Therefore, the introduction of additional responsibilities should be introduced for online marketplaces that meet certain criteria or business model to ensure that the right businesses are being targeted.

The obligations of each of these actors might also be significantly different, and not always separate or distinct from a 'distributor' or 'onward supplier'. This introduces the

risk of redundant requirements or needing to achieve compliance for the same outcome (safe products) through different means depending on whether they are being interrogated as an onward supplier or online marketplace.

It is important that additional actions as part of their duty of care is proportional to their role as a Distributor equivalent. Establishing the requirement for onward suppliers to act with due care to ensure the products are compliant is a legitimate objective, but it is likely to result in impractical applications for the avoidance of liability or risk. For example, the requirement for onward suppliers to undertake checks of the product to identify hazards and risks, as well as requiring the business supplies applicable safety information could lead to an online marketplace or onward supplier requesting full safety documentation to the manufacturer in lieu of a regulator-led pre-market authorisation. This could pressure companies into the need to share confidential business information with retailers, compromising intellectual property and unfairly shifting the market surveillance onto the supply chain with no visibility of the administrative burden generated as a result. This means that while the effort remains principle-based and deregulatory, the result will not mean a reduction in business burden and would likely generate uncertainty around legal consequences and liability.

CTPA believes further refinement and clarification is required to ensure as part of these new processes, the role of the 'onward supplier' does not go beyond those established under the product specific legislation, and requests company and commercially sensitive information which is only required for the Producer/Responsible Person.

Moreover, responsibility within the supply chain should remain clearly with the appropriate actor, to avoid the introduction of "grey areas", which could lead to difficulties in obtaining information by the relevant authorities via second- or third-hand intermediaries.

The UKCR contains also provisions for cosmetovigilance that resemble the proposal for the collection of complaints. We would expect, therefore, cosmetic products to be outside of the scope of these proposals. However, should that not be the case, CTPA believes the scope provided goes beyond consumer protection from harm and introduces provisions that relate more to consumer rights in relation to the purchase of goods. Consumer rights are enforceable under other regimes, and CTPA would urge to make a clear distinction between 'consumer complaints' and 'consumer reports'. Under the UKCR, adverse events are monitored to create a history of safety for the product that is considered within the decision of whether a product can be considered safe. Serious adverse events are well defined and are required to be reported to the authorities, and companies will undertake causality assessments. Aspects like the identification of hazards or potential harms might be useful for companies if they had not considered them in their risk assessments, but they must be cautioned also with what the foreseeable and instructed use of the products might be under normal circumstances.

Question A11: Do you agree or disagree that online marketplaces should be required to act with due care to prevent, identify and remove non-compliant products from their sites?

Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA believes there needs to be clearer differentiation between online platform models to assign proportionate responsibilities and avoid duplicative burdens or de facto pre-market approval process for businesses.

CTPA acknowledges that the definition of online marketplaces provided under the PRAM Act allows for the capturing of a variety of different supply chain models to help bring consistent accountability for product safety for consumers regardless of the origin of the product. The growth of online commerce has increased the ease of access of to the UK market for both legitimate businesses, as well as rogue traders. The current product safety regulations in place for cosmetic products do not reflect the latest digital developments and the evolving digital supply chains which has led to a rise in the sale of non-compliant and counterfeit goods to consumers.

However, CTPA is concerned over the lack of distinct differentiation of the various online platforms, for example between a third-party facilitator and brand own website. This may lead to many brand websites and e-retailers falling under the scope of the definition, which could result in a duplication of requirements for companies already subject to the obligations of a producer/Responsible Person, creating additional regulatory burden.

Clear distinction of roles to further refine the scope of the online platforms should be provided to allow for proportionate roles in the scope of online marketplaces. For example, under the current EU GPSR, an online marketplace is defined as "*a provider of an intermediary service using an online interface which allows consumers to conclude distance contracts with traders for the sale of products;".* Notably, this definition excludes the likes of e-retail spaces.

As mentioned, an outcome-based approach to legislating on the way in which compliance and safety is verified, and providing overall flexibility for online marketplaces to define their approach to ensuring they are only selling safe products can shift the balance of enforcement onto business-to-business relationships. Additional guidance would always be required to ensure that the process and obligations remain proportionate and do not create a *de facto* pre-market approval process with no regulatory supervision that could affect competition and competitiveness. This is also likely to create disparity in the way in which businesses behave, and place undue power and influence as well as burden on the online marketplaces.

Question A12: Do you agree or disagree with the introduction of a requirement that online marketplaces should practice due diligence to identify and take action against non-compliant sellers and sellers that provide non-compliant goods?

Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA strongly believes that any due diligence obligations for online marketplaces should be clearly outlined, with a focus towards sellers rather than products, to allow for better identification of rogue sellers for enforcement, without imposing disproportionate burdens across the supply chain.

Whilst online marketplaces have transformed the interaction to the consumer, leading to significant growth for many legitimate businesses, it has also facilitated the access for rogue, non-compliant sellers. Counterfeit products remain a significant issue within the cosmetic industry; the growth of e-commerce spaces and online marketplaces has aided in the accessibility of counterfeit products to consumers, subsequently leading to a growth in the sale of non-compliant products, which can often pose a risk to the unsuspecting consumer.

The introduction of due diligence for online marketplaces may support in limiting the access of these non-compliant sellers of counterfeit products, thus disrupting the sales channels to the consumer.

When considering the due-diligence obligations, it might be important to think about the focus of these in line with other areas of the consultation proposal. A possible approach that might be reflected is to strengthen the need for an entity or individual to have accountability over the product (a 'responsible person' adequately established in the UK), as opposed to focusing on the safety of the product itself. Making the product the initial focus would likely require the sharing of sensitive technical and commercial information throughout the supply chain, carrying risks to confidentiality and intellectual property. The focus on sellers would enable any subsequent enforcement action to take place on a measured, proportionate and more effective way.

It is important that these due diligence requirements are clearly outlined, and do not introduce administrative burdens for compliant, reputable companies.

Question A13: In which situations or for which products do you think additional verification requirements or local presence requirements would be useful?

CTPA believes any additional verification requirements should be proportionate to each actor's role in the supply chain, and that the requirement for a local presence as already established in the UKCR is key in supporting legal compliance and consumer protection.

Regarding the additional verification of information, as noted previously, the role of the Distributor under the UKCR has a duty of care to ensure the supply of a safe and compliant product, of which CTPA believes is an important and well-functioning role. However this role has clearly defined obligations, which is proportionate to the position within the supply chain and considerate of the sensitivity of the nature of the information. It is therefore important that under the new framework, there are clear outlines of what is relevant, to ensure there is no incursion of the roles within the sector specific legislation.

Cosmetics are already subject to their own local presence requirements through the provision of the Responsible Person. The presence of a RP allows for ease in cooperation with the local authorities, to help promote compliance with the legal requirements and ensure consumer protection. This has allowed for the high standard and functioning of the cosmetic regulation, which continues to champion the principles of safeguarding consumers whilst meeting their evolving needs.

Question A14: Do you agree or disagree that we should give all supply chain actors a duty to participate in monitoring of products already supplied and to cooperate in corrective action?			
Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA supports the proposal, which should strengthen traceability and enforcement through proportionate, targeted duties across the supply chain without imposing a blanket requirement.

Traceability and enforcement have been shown as being the main challenges in the rise of new product distribution paths. Whilst the Responsible Person may have knowledge of the product's distribution channels, the further distribution paths can lead to a lack of visibility. CTPA is supportive of the new framework putting an emphasis on the traceability and monitoring of products supplied on the market, to help aid in enforcement and the monitoring of product safety, particularly in the event of an adverse event.

Regarding supply chain visibility and traceability, this must also be balanced with business practices and relationships. The obligation of all actors to have the supply chain fully mapped out for every product and unit may be overly burdensome where there is minimal or well-managed risks. A common approach is to introduce a "one-up-one-down" approach where the supply chain is easily traced if needed, but there isn't a standing requirement to hold that information.

The introduction of obligation to provide information across the supply chain and place the responsibility on actors could be considered. Current practices in traceability highlight that there can be difficulty in obtaining information or documents from up or downstream, so the obligation to provide certain safety-related information in a timely manner may support improvement.

Question A15: Do you agree that all supply chain actors should have a duty to cooperate with relevant authorities and others in the supply chain?			
Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA supports the requirement of the duty for all supply chain actors to cooperate with the authorities.

The roles of the Responsible Person and Distributor defined under the UKCR have the obligation to cooperate with the authorities upon reasoned request and provide all

information and documentation relevant and necessary to demonstrate conformity of the product to the regulation.

CTPA supports the inclusion of all supply chain actors in cooperating with the authorities, provided that like outlined in the UKCR, the duty of care is proportionate to the role.

Question A16: Do you agree or disagree with the proposal for online marketplaces and producers to have a single point of contact?

Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA agrees that a single point of contact could support enforcement, but the broad scope of online marketplaces should be refined to avoid duplicative obligations where roles overlap.

CTPA supports the proposal of a single point of contact to allow for the easy and quick contact with the relevant authorities. However, CTPA believes there should be further refinement or distinction of the scope of the online marketplaces. The current definition of online marketplace, not exclusive to a third-party selling platform, may include a company that is both a producer and who retails their products on their own website. There must be a clear way to ensure there is no duplication of obligations under the registering of a contact with the relevant authorities in cases where a producer has already provided their point of contact on the product and is making this available through their own website or an online retailer (but nor a third-party marketplace)

The UKCR already provides a notification of a product and responsible person, giving the authorities the single point of contact for matters related to safety and compliance. Therefore, the new obligations should not add or replace the Submit Cosmetic Product Notification platform and requirements. Furthermore, cosmetic products in the UK must also have the address of the RP on pack, allowing ease of contact by the authorities.

A new approach to product information

Question A17: Do you agree or disagree with the proposal for information that must be provided on or with the product?

Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA supports the voluntary digital labelling initiative and alignment with the EU and welcomes clarity on its introduction across product sectors currently excluded from the provisions.

CTPA supports the opportunity for the digital availability of certain aspects of information for consumers and authorities respectively. With increasing labelling requirements needing to be present on product packaging, such as information linked with environmental legislation, the cosmetic industry in particular faces increasing legibility issues with product packaging.

At a time where products are trying to reduce the amount of waste through initiatives of reduced and smaller packaging, the conflicting objective of increased on pack information has created difficulties for companies. This is particularly relevant to the cosmetic industry, where small products with limited packaging and therefore spacing are common.

CTPA would like to express support in the development of such initiatives, and the considerations of developments within the EU to allow for close alignment and ensure there are no barriers to trade for the two markets.

Currently, the proposal excludes where sector-specific legislation requires the physical presence of the information on the product label. The UKCR is one of such legislations and therefore the cosmetics industry would not be in a position to benefit from the 'digital by default' approach and the flexibility given to other consumer goods. Therefore, when introducing the approach, it should be clear which sectors will not be able to benefit and work with industry to establish a timeline and pathway for its introduction on a voluntary basis.

Question A18: Do you agree or disagree with the proposed types of information that can be provided digitally?

Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA agrees with the information proposed for voluntary digital labelling and believes it is a good first step towards exploring further labelling aspects under sector specific legislation.

CTPA is aligned with the proposed types of information for voluntary digital provision. CTPA supports the preservation of the consumer's immediate access to safe use information via physical labelling but acknowledges the ever-increasing use of digital means for the access of information which should be explored further.

Cosmetic products are labelled with information to aid consumers in understanding the use, safety and purpose of the products, to support in purchasing decisions. The cosmetic industry affords from more extensive labelling requirements, including the product function and the list of ingredients. Whilst the current proposal focuses on the three points of product information, we believe this is a good first step in exploring further aspects that could be utilised through digital labelling.

CTPA supports consideration of EU developments around digital initiatives to aim for alignment between the two market. From the cosmetic sector standpoint, the EU CPR is in the process of undergoing an Evaluation, where the topic of digital labelling has been prominent.

Question A19: What, if any, protections would be necessary to ensure that consumers with limited digital access or low digital confidence online are not disadvantaged?

Digital labelling should be supported by clear point of sale access to essential product information to allow consumers to benefit from greater flexibility and accessibility without losing access to safe-use guidance.

The creation of products that are inclusive by design is complex, as different accessibility requirements may result in sometimes conflicting solutions. We recognise that the UK population is generally regarded as digitally-literate, and it is generally understood that the digital native generations will continue to expand as products evolve in line with the population. However, technology access may have other limiting factors, such as socio-economic background considerations. Therefore, obligations related to the availability of information at the point of sale, to be provided by the retailer, could be an achievable way to achieve this. Information related to the safe use of the product are already contemplated in the way that the supply chain must ensure the product made available on the market, if this information is available to the retailer through their duty of care obligations, then it should be provided upon request to consumers.

Question A20: Are there any further actions you believe we should take beyond the existing and proposed requirements to ensure period products are safe?

CTPA does not have a view on this matter.

Question A21: Do you agree or disagree with the proposed information that producers and onward suppliers selling products online should provide on an online listing?

Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA agrees with the information requirements for online listings and would welcome clear guidance on any additional information requirements that could arise under sector-specific legislation.

CTPA supports the provision of information via online listings. The rapid expansion of digital markets and e-commerce has transformed consumer access to a product; however, the UKCR has not been updated to reflect the latest digital developments. The EU GPSR is an example of effective cross market labelling requirements; the alignment

of the labelling requirements helps to ensure the consumer has access to essential safety information, regardless of the product's origin.

It should be clear in the context of the sector specific legislation what additional information may be required to be provided on an online marketplace to allow the consumer to make an informed purchasing decision, to allow for consistency of information to the consumer.

Question A22: Do you agree or disagree that online marketplaces should be required to design their interface to allow sellers to provide customer information?

Agree	X	**Neither agree nor disagree**	
Disagree		**Don't know**	

Please explain your answer

CTPA supports the provision of customer information via online marketplaces, to allow for informed purchasing decisions regardless the product origin.

Whilst the UKCR establishes the labelling requirements for cosmetic products, this is notably limited the on-pack labelling. Therefore, the framework's proposals surrounding the provision of information via online marketplaces would be a key development for the UK cosmetic industry. CTPA agrees with the proposal for online marketplaces to include customer information. It is important that the consumer is able to receive all information necessary to make an informed purchasing decisions, even when via a digital platform.

Question A23: Should online marketplaces introduce additional steps, such as verifying certain product information or making some information mandatory, before listings are published?

Yes		**No**		**Not sure**	X

Please explain your answer

CTPA supports the verification of the presence of information by online marketplaces, but the accuracy of such should remain with the Producer or Responsible Person who are better suited to fulfil this requirement.

Under the CPR, the role of the Distributor is required to verify that certain labelling information is present and in English, however they are not responsible for the accuracy of the information that can only be verified with data held by the RP. For example, the correctness of the ingredients list.

CTPA supports the verification of the presence of the information before a product is listed, however, the accuracy of such information should lie with the Producer or Responsible Person, as they will have the relevant information to ascertain its accuracy.

Building on the new foundations					
Question A24: Do any of the provisions in existing sector regulations fit these categories?					
Yes		**No**		**Not sure**	X
If you responded 'Yes', please provide details of the provisions and your reasons. If you consider that any of the additional tools in proposals A5 or A9 may be helpful for the relevant products, you may include this in your response.					
The UK Cosmetic Regulation is based on a globally considered gold standard regulation, that effectively achieves its objective of placing safe products on the UK market and thus should remain an independent sector for product safety. Following its entry into force, the UKCR has implemented globally recognised standards in place, allowing for a rigorous, science-based approach to risk and safety, to continue to safeguard consumers whilst enabling industry agility and innovation. The sector specific regulation has provided businesses with clear understanding of compliance requirements, ensuring accessibility for SMEs and micro-businesses. The commitment to consumer safety whilst allowing the industry to meeting consumer expectations through innovation and investment has allowed the cosmetic industry to continue to grow whilst maintaining these high standards. This has been essential in preserving the UKCR's effectiveness. CTPA does not believe there are areas regulation of cosmetic products that would be considered burdensome or unnecessary. The cosmetic industry has a long and thorough understanding of the requirements for placing cosmetic and personal care products on the market and will continue to maintain this. CTPA does not have sufficient knowledge on the product sectors within this framework proposal, therefore CTPA cannot comment on sectors outside of the cosmetic industry. The cosmetic industry remains committed to placing safe and effective products across the UK market, including Northern Ireland. CTPA believes that the current framework, as well as the interaction of the various horizontal regulations such as those governing safety of chemicals and packaging, is a proportionate way to achieve this objective. Thus, the cosmetic industry should remain as an independent sector within product safety.					
Question A25: Are you aware of any data or evidence on the types of AI-enabled products that are likely to be manufactured in the future?					
Yes		**No**		**Not sure**	
If you responded 'Yes', please detail the data or evidence you are aware of.					
CTPA does not have a view on this matter.					
Question A26: What do you think are the current or potential harms associated with AI-enabled products?					

CTPA does not have a view on this matter.
Question A27: How can we ensure that the reformed product safety framework effectively addresses the unique challenges posed by AI-enabled products and digital innovations, while supporting innovation? **When responding to the question, please consider:** • Is the framework proposed in this consultation sufficient? • Are any additional sector-specific provisions required? • What new approaches might be needed to safeguard consumers while supporting innovation, and how could measures such as consumer information, standards, quality assurance, data governance, documentation requirements or human oversight improve the safety of AI-enabled products?
CTPA does not have a view on this matter.
Question A28: Considering that the role of AI can adapt and evolve across a product's entire life cycle, how can regulation best account for this?
CTPA does not have a view on this matter.

Please return to: ProductSafetyReform@businessandtrade.gov.uk