



Office for Product
Safety & Standards

Attitudes to product safety among small businesses

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The views expressed in this report are those of the authors and research participants, not necessarily those of the Office for Product Safety and Standards (OPSS) or the Department for Business and Trade (DBT), nor do they necessarily reflect government policy.

Contents

1. Executive Summary	5
1.1 Background	5
1.2 Methodology	5
1.3 Prioritisation of product safety	6
1.4 Business engagement with product safety: manufacturers, sourcing materials and retailers	7
1.5 Awareness of regulations	8
1.6 Impact of OPSS intervention	8
1.7 Business interactions with public sector bodies	9
1.8 Business use of product safety regulatory information	9
1.9 Engagement with product safety when importing products.	10
2. Background and methodology	11
2.1 Background	11
2.2 Methodology	11
3. Prioritisation of product safety	16
3.1 Introduction	16
3.2 Businesses' main challenges	17
3.3 Business priorities	18
3.4 Business engagement with product safety	19
3.5 Engagement with product safety during manufacturing	28
3.6 Engagement with product safety for retailers	32
3.7 Chapter 3 conclusion	34
4. Awareness of regulations	35
4.1 Introduction	35
4.2 Awareness of relevant product safety regulations	35
4.3 Businesses' understanding of product safety regulations	37
4.4 Ease of product safety regulation implementation	38
4.5 Awareness of PAS 7050:2022	39
4.6 Awareness of Market Surveillance Authorities protocols	39
4.7 Chapter 4 conclusion	40
5. Impact of OPSS intervention	42
5.1 Introduction	42
5.2 Business interaction with OPSS	43
5.3 How interactions with OPSS could have been improved	43

5.4 Business views on product safety after OPSS interaction	44
5.5 Case studies	45
5.6 Chapter 5 conclusion	49
6. Businesses interactions with public sector bodies	50
6.1 Introduction	50
6.2 General interaction with Local Authorities, GOV.UK or Trade Associations	50
6.3 Primary Authority partnerships	51
6.4 Business awareness of BSI and UKAS	52
6.5 Business interaction with OPSS	52
6.6 Chapter 6 conclusion	53
7. Businesses' use of product safety regulatory information	54
7.1 Introduction	54
7.2 Sources of information	55
7.3 Resources to ensure high product safety standards are upheld	58
7.4 Improvements to resources to ensure high standards	61
7.5 Engagement with and knowledge of business support organisations	63
7.6 Chapter 7 conclusion	65
8. Engagement with product safety when importing products	66
8.1 Introduction	66
8.2 Attitudes towards product safety as a factor during importing	66
8.3 Sources of information used by businesses to understand importing regulations	68
8.4 Attitudes to the implications of not abiding by regulations when importing	69
8.5 Chapter 8 conclusion	70
9. Conclusions	71

1. Executive Summary

1.1 Background

One of the goals of the Office for Product Safety and Standards (OPSS) is to strengthen the evidence base for the development of product safety policy, delivery, and enforcement. As such, it launched its Strategic Research Programme in May 2018 and, in August of the same year, its strategy for strengthening product safety¹, with an updated strategy launched in 2022². Central to both initiatives is a suite of research projects to build on OPSS's understanding of the actors within the system; their attitudes, current behaviours, and how government may seek to impact on those behaviours. Alongside research on consumer attitudes, the Product Safety and Industry research focuses on supply-side actors for this piece of research.

The first two waves of the Product Safety and Industry Research found that smaller businesses showed less awareness of their product safety responsibilities³. As a result, OPSS commissioned IFF Research to conduct a qualitative exploration of small and medium-sized enterprises (SMEs). IFF conducted 105 qualitative interviews with sole traders, micro, small and medium sized businesses to explore in more detail how smaller businesses prioritise product safety and are aware of their responsibilities.

1.2 Methodology

The research was designed to hear responses from two groups of businesses. The first group included businesses from the general population. The second group included businesses that had had direct contact with OPSS regarding concerns over the safety of some of the products they sold.

The first, general population, group was sourced from a commercial business database called Market Location. The second group was sourced from the Product Safety Database (PSD). The PSD is the secure, restricted website maintained by OPSS to enable Market Surveillance Authorities to report and share product safety information and manage any resulting investigations. This sample was selected so businesses would be able to provide feedback on their experience of OPSS intervention and how their behaviours had changed since.

The research was designed with a plan of conducting 70 interviews from the PSD sample source and 35 from the general population. However, there were fewer than predicted useable records from the PSD due to data protection laws preventing contact details being shared and a number of non-UK based and large businesses which were outside the scope of this research.

As a result, a decision was made to prioritise recruiting interviews from the PSD, but to make up the shortfall from the general population.

In total, 105 interviews were completed across a range of sectors, sizes, and types of business; 97 were from the Market Location sample and 8 from the PSD sample.

¹ [Strengthening national capacity for product safety: Strategy 2018-2020 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/684441/Strategy_2018-2020.pdf)

² [OPSS Product Regulation Strategy 2022-2025](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/104444/OPSS_Product_Regulation_Strategy_2022-2025.pdf)

³ In comparison to larger businesses who partook in the previous waves of the research.

Quotas were tracked on the importing status (seller of imported products or not) of businesses; the size of businesses; and their supply chain position. Businesses with more than 249 employees were excluded from the research.

1.3 Prioritisation of product safety

Businesses were asked what the main challenges they faced as a business were. Answers varied but predominantly related to negotiating the current economic climate. Most businesses interviewed did not spontaneously mention maintaining product safety standards as a challenge they faced. Among businesses that did mention product safety, some cited the challenge of stock complying with product safety regulations, and having third party accreditation, where relevant.

Those that did spontaneously mention safety as a priority said they were focused on ensuring that products were safe and compliant.

When prompted on how much product safety was prioritised within their business, most of the businesses interviewed fell into **three rough groups**, broadly corresponding to priority given to product safety.

High priority

The **first group** treated product safety as a high priority and were able to articulate why. These businesses were able to: demonstrate understanding of the regulations and standards required to ensure high levels of product safety; explain how they maintained product safety; express concern about the implications of not ensuring that product safety standards were upheld.

Findings did not suggest that there was a clear distinction between business types or sectors in the extent to which they prioritised product safety. Given that the research focused on small businesses—often offering a limited product range—there was considerable variation in assessments of risk even within the same sector.

Despite this, many manufacturers as well as those in the cosmetics and electronics sectors did place high importance on product safety.

This first group of businesses approached their compliance responsibilities in a number of ways; including testing protocols, ingredients checks and pre-qualification questionnaires. Others ensured that relevant safety certificates were held and insisted on proof of compliance from their suppliers or manufacturers. Some medium sized businesses had customer protocols or a quality assurance team, but these were very rare among smaller businesses.

Priority with lighter touch approach to standards

Most of the businesses interviewed fell into the **second group**, where safety was a priority but maintaining standards was not a heavily involved process. These tended not to have many protocols around product safety beyond legal requirements and basic quality controls. They often explained that product safety was a priority because they did not want to sell unsafe products but tended not to have formal policies or frameworks.

They tended to maintain product safety in three ways: purchasing their products from reputable vendors or suppliers; relying on other members of the supply chain to ensure product safety; and acting should something be obviously unsafe.

Not a priority

A sizeable minority fell into the **third group**, stating that product safety was not an ongoing priority. These businesses were mostly retailers and wholesalers who believed their products posed no safety risk and often felt the responsibility of product safety fell with others in the supply chain.

Businesses that fell within this group tended to be in perceived 'lower risk' sectors, such as sports and leisure, though a small number were in perceived 'higher risk' sectors such as electronics or cosmetics.

Many businesses in this category had reached the conclusion, based on their perceived understanding of the products they sold, that they did not need to prioritise product safety.

1.4 Business engagement with product safety: manufacturers, sourcing materials and retailers

Manufacturers

When considering sourcing materials for manufacturing, product safety considerations evoked mixed responses. Many, especially micro and small manufacturers, did not consider product safety when sourcing their materials, instead relying on their suppliers to ensure standards were met. However, manufacturers within the cosmetics sector tended to say that when sourcing materials and manufacturing products, product safety was '*highly considered*'.

Some businesses did say that product safety was considered when sourcing materials but often explained that safety and quality came hand-in-hand.

Many manufacturers stated that adhering to safety standards was not a challenge during the manufacturing process. Many felt that if the sourced materials were from reputable suppliers, they would not have issues because of their experience in manufacturing these products.

Some manufacturers reported carrying out formal risk assessments on their products. However, the majority of the manufacturers interviewed reported that these risk assessments applied only to processes and machinery used during manufacturing, rather than the life cycle of the products themselves.

Examples of risks assessments carried out by businesses included:

- general product testing (including recording any risks and potential hazards associated with product use);
- logs of the products' reaction across different environments or situations;
- reactions to different storage situations.

Some businesses also created safety booklets for the products' use.

Retailers

Retailers⁴ which were sole traders and micro-businesses said that they would rely heavily on their manufacturers and suppliers to conclude what steps to take if a product was deemed unsafe. Retailers in the cosmetics sector often had good traceability of their products, something that was uncommon among other industries.

⁴ Some businesses self-defined as retailers.

If informed that a product they sold was unsafe, most retailers would remove the product from their shelves or online platforms as quickly as possible. Those who sold via online marketplaces said they would inform the site of the unsafe product.

The majority of the retailers interviewed that sold products through third party marketplaces did not recall any specific product safety policies or procedures. Several businesses could remember some policies around safety, but often these were described as being general, for example stating that products must adhere to UK standards and regulations.

1.5 Awareness of regulations

Awareness and understanding among businesses interviewed of relevant product safety regulations varied by size. Smaller businesses had less knowledge of specific regulations and medium-sized businesses had more confidence in understanding of the relevant regulations.

There was no consensus among businesses as to the accessibility of regulations. Some suggested they were unnecessarily long winded, while others felt they were easy to understand due to their experience working with them. Businesses tended to say they found product safety regulations relatively easy to implement due to their level of experience within their industries. For some businesses, adhering to the highest levels of product safety regulations took time and effort. However, this did not translate into a lack of ability to adhere to them given their familiarity with the process and the importance placed on product safety.

Most businesses interviewed were not aware of PAS 7050:2022⁵, a code of practice established by the British Standards Institution (BSI). This OPSS-sponsored guidance was created to give practical advice to enable the production and delivery of safe consumer products. Of the businesses that were aware, many commented it was not useful to them because it did not relate specifically enough to their products.

Businesses were likely to be unaware of the need to notify market surveillance authorities should they be informed or identify that one of their products was unsafe. Awareness of this need appeared to increase with business size.

1.6 Impact of OPSS intervention

IFF conducted 8 interviews with businesses from the PSD that had faced intervention from OPSS because of concerns over the safety of one or more of their products. These businesses were generally positive about their interaction with OPSS. OPSS interventions typically related to safety concerns about the composition of a product, and in fewer cases, product labelling.

Several businesses shared reflections on how engagement with OPSS could be further enhanced, these included:

- contact at an earlier point before the corrective action was required;
- more face-to-face interactions; less technical vocabulary in written correspondence.

⁵ PAS 7050:2022 provides guidance on building plans and processes to bring safe products to market and awareness of it is discussed in Chapter 4. [PAS 7050:2022 Bringing Safe Products to the Market | BSI \(bsigroup.com\)](https://bsigroup.com/pas-7050-2022-bringing-safe-products-to-the-market/)

Some businesses stated product safety was already a priority prior to their interaction with OPSS, but that interactions contributed to greater urgency, solidifying, and formalising their safety procedures.

1.7 Business interactions with public sector bodies

Interactions with public and private bodies on matters of product safety was mixed and varied little by size or sector. Many businesses interviewed had not interacted with local authorities, GOV.UK or other central government information sources. Only one business in the sample had a Primary Authority partnership, while the vast majority of the businesses interviewed had no knowledge of what a Primary Authority partnership was.

Businesses were likely to have heard of both the British Standards Institution (BSI) and the United Kingdom Accreditation Service (UKAS) but not interacted with them. Businesses recruited from the general population (purchased from Market Location), were unlikely to have interacted with OPSS or DBT.

Those who had interacted with OPSS had registered their company or products on the portal. Some had also engaged with OPSS for prototype safety testing or to consult on legislative changes.

1.8 Business use of product safety regulatory information

Businesses identified three broad sources from which they would seek information about the safety rules relating to their products:

- external companies;
- information from within the sector;
- regulators.

A large proportion of participating businesses said that they had enough resources for ensuring product safety, however sole traders often struggled, citing limited access and prioritisation challenges. Those that said they had enough resources cited the following as useful sources of information:

- GOV.UK;
- manufacturers and suppliers;
- industry bodies.

A small number of businesses did not know where to look for information on product safety or how resources could be improved, citing no need to think about product safety as a reason.

Regarding what they would like to be available to help maintain high standards of product safety, businesses suggested a dedicated database or portal to check the safety requirements or standards for their products. They also suggested more regular, free, or reasonably priced advice and support from the government; and more information from the government on test houses, or cheaper/free test houses.

Some of these suggested improvements may already be available. This highlights the importance of raising awareness to businesses of existing resources as well as the need to offer a wider range.

Overall, there was some awareness of wider government business support such as growth hubs, accelerators, or incubators, but very limited interaction, particularly with accelerators and incubators.

1.9 Engagement with product safety when importing products.

Most businesses interviewed felt that product safety was a priority when importing their products, but it was not often their first consideration. Many did not have specific protocols in place to ensure their products or materials were safe.

Of the few businesses that did have protocols, examples included sending standards requirements to suppliers, checking safety certificates and purchasing from reputable vendors. Businesses within the electronics sector were likely to report that they consistently carried out additional checks on their products to ensure they adhered to UK standards upon arrival to the country.

The majority of businesses interviewed reported that they did not specify or simply had no say over which ports their products were imported through into the UK. Many explained that this was because the decision was made by third parties such as DHL, UPS, or FedEx. Those that did have a say usually chose the port based on geographic convenience and occasionally based on the time it would take to ship and process.

A minority of businesses interviewed reported they had previously had products stopped by customs due to missing paperwork or specific certifications. Although this can be an indicator of a potentially unsafe product, none of the businesses interviewed reported that customs officials had identified an unsafe product. Similarly, there were no mentions of any punitive action following intervention from customs officials. Most businesses interviewed, reported that if they needed to find out further information regarding importing regulations, their first instinct would be to check the GOV.UK website.

Businesses interviewed commonly reported that if businesses were found to be not adhering to product safety regulations when importing products, they would face consequences. These consequences include:

- prosecution;
- delays in getting products onto shelves/to customers;
- fines;
- tax increases;
- product recalls and removal of products from the market;
- business closure.

2. Background and methodology

2.1 Background

The Office for Product Safety and Standards (OPSS) is the UK's national product regulator within the Department for Business and Trade (DBT). OPSS has an aim of strengthening the evidence base for the development of product safety policy, delivery, and enforcement. In 2018 OPSS launched its Strategic Research Programme and strategy for strengthening product safety,⁶ which was subsequently updated in 2022.⁷ Central to these initiatives are research projects designed to build upon OPSS's understanding of the actors within the system, their attitudes, current behaviours and how government may seek to impact on those behaviours.

In 2020 and 2022 research was carried out on non-consumer attitudes towards product safety which complimented existing work on the views and behaviours of consumers in relation to product safety. This study was originally commissioned for a third wave in 2023/24, however due to limited year on year differences between the first and second wave, OPSS decided to postpone the third wave.

The first two waves of research identified that smaller businesses were less aware than medium and large sized businesses of their product safety responsibilities and where to find information on matters of product safety. As a result, OPSS commissioned this targeted research on small businesses in place of a third wave.

Research aims

Specifically, there were 6 main research questions that the research looked to answer:

1. How does product safety fit within business priorities?
2. To what extent are risk assessments carried out?
3. To what extent are businesses aware of relevant regulations?
4. What sources of information are used?
5. What interaction do they have with LAs, GOV.UK, PAS, Standards?
6. If they import, how does product safety factor into the process?

2.2 Methodology

Fieldwork was commissioned by the Department for Business and Trade and the Office for Product Safety and Standards (OPSS) and conducted by IFF Research, an independent research agency. The research was qualitative and comprised 105 in-depth interviews stratified by business sector, size, type and whether they import. Interviews were carried out between October 2023 and February 2024.

⁶ [Strengthening national capacity for product safety: Strategy 2018-2020 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101444/strategy-2018-2020.pdf)

⁷ [OPSS Product Regulation Strategy 2022-2025](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101444/strategy-2018-2020.pdf)

Sampling

The businesses interviewed came from two sample sources. The first was the Product Safety Database (PSD), which is the secure, restricted website maintained by OPSS to enable Market Surveillance Authorities to report and share product safety information and manage any resulting investigations. This sample was selected so businesses would be able to provide feedback on their experience of OPSS intervention and how their behaviours had changed since.

The original methodology consisted of sourcing 70 businesses from the PSD with whom OPSS had staged some intervention in the prior 12 months, as of August 2023. These businesses would feed back on their experience of OPSS intervention and how their behaviours had changed since. The remaining 35 interviews were to be sourced from Market Location sample with businesses that had likely not interacted with OPSS to get feedback on their attitudes.

Difficulties extracting a sample from the PSD

OPSS were able to identify 562 records which met the sample criteria. All records contained the necessary information to support sampling (including contact details and nature of the OPSS engagement). Due to data protection laws, OPSS was not able to share information which was not publicly available, so of the 562 records shared by OPSS, many were not contactable; IFF therefore determined they would not be able to meet the target of 70 from the PSD.

IFF conducted standard data cleaning to narrow the sample to fit the methodology, removing larger and non-UK based businesses. IFF then conducted a sample building exercise, including an online search for phone numbers, using Market Location to conduct telephone matching; this resulted in 106 records remaining from the PSD. Consequently, it was agreed to increase the window of intervention by one year, including a sample of businesses who had had some intervention with OPSS between August 2021 and August 2022. Following a similar data cleaning process and sampling exercise, the final sample of contactable businesses totalled 186.

Due to a smaller PSD sample size than originally planned, it was acknowledged before the research began that the target number of interviews from the PSD sample was unlikely to be reached. The PSD records were therefore prioritised to maximise the number of possible interviews, and the remainder of the sample would be sourced from Market Location sample. In total 1,800 records were ordered from Market Location, delivered in two batches.

Recruitment

It was agreed to stratify the interviews by business size, type, products sold and import status. Businesses were offered an incentive of £50 if they agreed to take part. It was agreed that for businesses from the Market Location sample this would be payable directly to the respondent via PayPal or Wise, or as a charity donation. For the PSD sample only a charity donation was offered, because there was a risk of being seen to incentivise businesses that had fallen short of meeting regulatory requirements.

Table 1 shows the breakdown of all respondents recruited; 105 interviews were completed by business type, 97 of these came from the Market location sample and 8 came from the PSD sample. Business size groupings were defined by the number of people employed using standard UK government groupings.⁸ Some businesses identified as both

⁸ [Small and medium-sized enterprises action plan 2020 to 2022 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/90444/small-and-medium-sized-enterprises-action-plan-2020-to-2022.pdf)

manufacturers and retailers or performed multiple retail functions. These businesses have been counted under each relevant business type, which explains why the total businesses within this section of table sums to more than 105. Alternatively, businesses that reported operating across multiple sectors are included only in the 'Multi' row.

Table 1: Completed interviews split by size⁹, sector and import status

Business type	Sole (0)	Micro (1-9)	Small (10-49)	Medium (50-249)	Total businesses
Manufacturer	4	18	9	15	46
Retailer ¹⁰ / wholesaler-bricks and mortar	10	31	9	8	58
Retailer / wholesaler-online own website	14	30	10	10	64
Retailer / wholesaler – online third party	7	18	7	7	39
Sector	Sole (0)	Micro (1-9)	Small (10-49)	Medium (50-249)	Total businesses
Furniture	2	6	2	6	16
Toys / baby products	4	3	1	0	8
Cosmetics	3	5	1	2	11
Electronics	1	6	2	1	10
Sports / Leisure	2	4	2	0	8
Clothing / textiles	4	4	3	0	11
Multi	4	11	7	7	29
Other	0	5	4	3	12
Import status	Sole (0)	Micro (1-9)	Small (10-49)	Medium (50-249)	Total businesses
At least some imports	14	37	18	18	87
Total businesses¹¹	20	44	22	19	105

⁹ Business size is determined by number of employees

¹⁰ Some businesses self-defined as retailers

¹¹ Total reflects number of businesses interviewed and is not the sum of the column above, whereby some businesses appear more than once if they are multi-sector.

Businesses completed a screening survey to assess eligibility. Businesses self-reported their size, type, sector and whether they imported. These responses were used to monitor the quotas. Businesses that gave more than one response to the types of products they sold or manufactured, were classified as multi-sector. Businesses from the 4 PSD interviews that were classified as multi-sector interviews included businesses that sold furniture (1); toys and baby products (4); cosmetics (1); electronics (1); sports & leisure (2); and clothing and textiles (2). Businesses from the market location sample that were classified as multi-sector sold or manufactured products from all the sector groupings.

It is worth noting that due to the nature of the PSD sample there may be an element of non-response bias in the responses from the businesses that did take part. Businesses within this sample had been contacted previously by OPSS regarding concerns about the safety of their products, and in some cases OPSS will have delivered enforcement action. This may have left some businesses unhappy or unwilling to take part in the research.

PSD recruitment

Of the 186 clean records from the PSD sample that IFF used for their recruitment, a total of 8 were converted into interviews. A further 3 were recruited but did not turn up to their booking and attempts to recontact were unsuccessful. The call outcomes of the PSD sample are shown in table 2 and the final completed interviews from the PSD sample are shown in table 3.

In an attempt to boost recruitment of the PSD sample in January 2024, OPSS and IFF agreed to change the incentive options offered to the PSD sample. At this stage, the whole sample had been contacted with 6 interviews having been completed and 2 further booked in. To address this, where only charity donations had previously been offered, a £50 incentive was introduced, to be paid to the respondent. The remaining PSD sample was contacted again, offering the paid incentive option. However, no more bookings were achieved, meaning that ultimately no respondent opted for the paid incentive option.

Table 2: PSD sample call outcomes

Call outcome	Number of records	Proportion of records
Completed interviews	8	4%
Booked but interview not complete	3	2%
Voicemail	58	31%
Refused	35	19%
Unreachable ¹²	82	44%

¹² Unreachable records include those where the correct contact could not be reached. This includes numbers being rejected, wrong numbers, nobody at site, businesses not available during fieldwork, closed companies, residential numbers, non-UK based companies and large companies.

Table 3: PSD sample completed interviews split by size¹³ and sector

Primary business type¹⁴	Sole (0)	Micro (1-9)	Small (10-49)	Medium (50-249)	Total businesses
Manufacturer	-	1	-	1	2
Retailer ¹⁵ / wholesaler-bricks and mortar	-	4	1	1	6
Retailer / wholesaler-online own website	-	5	-	1	6
Retailer / wholesaler – online third party	-	4	1	-	5
Sector	Sole (0)	Micro (1-9)	Small (10-49)	Medium (50-249)	Total businesses
Furniture	-	-	-	-	-
Toys / baby products	-	-	-	-	-
Cosmetics	-	-	-	-	-
Electronics	-	2	-	-	2
Sports / Leisure	-	-	-	-	-
Clothing / textiles	-	-	-	-	-
Multi	-	4	-	1	5
Other	-	-	1	-	-
Import status	Sole (0)	Micro (1-9)	Small (10-49)	Medium (50-249)	Total businesses
At least some imports	-	4	1	1	6
Total businesses¹⁶	-	6	1	1	8

¹³ Business size is determined by number of employees

¹⁴ Some businesses said they were **both manufacturers and retailers** and so have been included in multiple rows/business type. Any multi sector businesses have only been included in the multi sector row.

¹⁵ Some businesses self-defined as retailers

¹⁶ Total reflects number of businesses interviewed and is not the sum of the column above, whereby some businesses appear more than once if they are multi-sector.

3. Prioritisation of product safety

Key Takeaways

Challenges facing businesses

- Businesses rarely mentioned product safety when asked about the main challenges they faced as a business.

Priority of product safety

- Most businesses we spoke to had a light touch approach to product safety; it was a priority but maintaining standards was not heavily involved or formalised.
- Some businesses treated safety as a high priority. They maintained standards by having formal measures in place such as:
 - testing protocols;
 - ingredients checks;
 - pre-qualification questionnaires.
- A sizeable minority of businesses interviewed did not treat product safety as a priority.
 - These businesses felt that their products posed no safety risk or thought that responsibility fell somewhere else within the supply chain.

Manufacturers

- Most micro and small manufacturers interviewed did not consider product safety when sourcing their materials.
- Manufacturers within the cosmetics sector tended to say product safety was highly considered when sourcing materials.
- Some manufacturers carried out formal risk assessments. However, often these applied to the processes and machinery used during manufacturing, rather than the lifecycle of the product.

Retailers

- In the majority of cases retailers said they would react to being told a product was unsafe by removing the item from sale and issuing a recall.
- Retailers that sold via online marketplaces would inform the site if a product was unsafe.
- A few retailers, notably in the cosmetics sector, felt they had good traceability of product sales due to batch coding.
- Sole-traders and micro-businesses said they would rely on manufacturers to conclude what steps to take if a product was unsafe.

3.1 Introduction

In this chapter, we will discuss business priorities and how product safety fits within those priorities. Firstly, in section 3.2 and 3.3 we show that businesses faced a number of

challenges and had differing priorities, but only a small number mentioned product safety as one of these. In section 3.4 we categorise businesses by the extent to which they prioritise product safety and show that most businesses interviewed said that product safety was a priority but that few formal procedures were in place to maintain it.

In section 3.5 we show that product safety was one of a number of priorities for manufacturers when they purchase materials. Finally in section 3.6 we show that retailers generally lack formal protocols for handling unsafe products, often relying on manufacturers for guidance.

3.2 Businesses' main challenges

When asked about the main challenges businesses faced, most businesses focused on broader economic pressures rather than product safety. Businesses generally said the main challenges they faced arise from the current economic climate. This included the fallout of and difficulties from the Covid-19 pandemic, adjustments following the UK's exit from the EU, the cost-of-living crisis and rising inflation. These responses reflect the wider business environment at the time of fieldwork, rather than a lack of concern for product safety.

Spontaneous mentions of product safety

Whilst product safety was not spontaneously mentioned by most businesses as a primary challenge, a minority of businesses mentioned product safety as one of the main challenges, these businesses tended to refer to the challenge of ensuring that their stock met product safety regulations and securing relevant product safety accreditations.

"Making sure any stocks we do bring in are up to full standards and regulations." - Retailer (bricks and mortar), Multi, Medium (50-249),
Importer

"[Challenge] would be to make sure that we are appropriately accredited ready for UKCA marking (coming in 2025)." - Retailer (bricks and mortar),
Other, Micro (1-9), Importer

Meeting regulations was particularly an issue for businesses that sold products both within and outside of the UK, because of the differing labelling requirements and complications with the competing regulations.

"It's a bit of a grey area so we have to read between the lines and interpret the legislation... There's a disparity between UK and European legislation in this area. EU legislation is better developed and was easier understand, whereas UK legislation is further behind and often full of jargon which makes interpreting it difficult until guidance is published." - Retailer (3rd party), Cosmetics, Small (10-49), Non-importer

"We need to consider how to approach it in terms of dual labelling or producing products for EU sale and making sure that they [customers] are supplied a product that is both EU and UK compliant." - Retailer (bricks and mortar), Cosmetics, Small (10-49), Importer

Some businesses that reported specific challenges in meeting standards or regulations also expressed frustration that competitors were not adhering to the same standards, or that they had effective materials, but these materials failed to meet regulatory criteria.

"We use British Standards 6102 but how this implemented between organisations varies...there is no framework across the industry." - Retailer (bricks and mortar), Sports / leisure, Micro (1-9), Importer

"A component (HEMA) was found in a product, not ours, but it caused a reaction - challenge to [now] find products that work as well but without HEMA." - Retailer (3rd party), Cosmetics, Micro (1-9), Importer

Similarly, a small number of businesses went further and stated that they were competing with non-compliant businesses who were supplying products that were cheaper, but less safe.

"Competitors may not be following the standards as we believe they should be...and trading standards neither have the resources or the technical know-how to understand the issues that we're trying to raise with them, nor are they able to police the standards in such way that there is a level playing field." - Retailer (bricks and mortar), Other, Micro (1-9), Importer

In summary, most businesses interviewed did not spontaneously mention product safety as one of their main challenges, instead focusing on broader economic pressures such as rising costs and the economic climate. A small number of businesses mentioned challenges around ensuring their products meet regulations and standards. Linked to this, a small number of businesses went further and argued that competitors were not complying with regulations and as a result supplying cheaper, more dangerous products.

Summary of 3.2

- Businesses tended not to think product safety was one of the main challenges facing their business.
- Those that did mention product safety most commonly spoke about the challenge of ensuring that their stock met product safety regulations and had the relevant accreditations.

3.3 Business priorities

The majority of businesses, when asked about their priorities, did not spontaneously mention anything relating to product safety. This was particularly true of sole traders and micro businesses.

Most commonly, businesses' main priorities focused on a combination of maximising or increasing revenue, turnover and sales; diversifying and expanding; and maintaining product quality and standards.

Some businesses did spontaneously mention priorities relating to product safety, though these were often combined with other priorities such as maximising sales and customer satisfaction.

"1. A product that works. 2. A product that is safe to go onto the market by using ingredients at specified levels. 3. Sales. 4. Access to ingredients and the latest ingredients and how they can be used in the formulations."

Retailer (3rd party), Cosmetics, Small (10-49), Non-importer

"Provide our consumers or customers with high quality brands and products that are safe and legal"- Retailer (bricks and mortar), Multi, Medium (50-249), Importer

A small number of businesses stated that a priority for their businesses was ensuring their products complied with regulations.

"I am the queen of compliance and am employed to keep the MD out of prison [laughter]." - Retailer (3rd party), Cosmetics, Medium (50-249), Importer

As with the abovementioned challenges, most businesses interviewed did not have product safety as one of the main priorities, suggesting that abiding by regulations does not take up much time but also that businesses may be unaware of their responsibilities.

Summary of 3.3

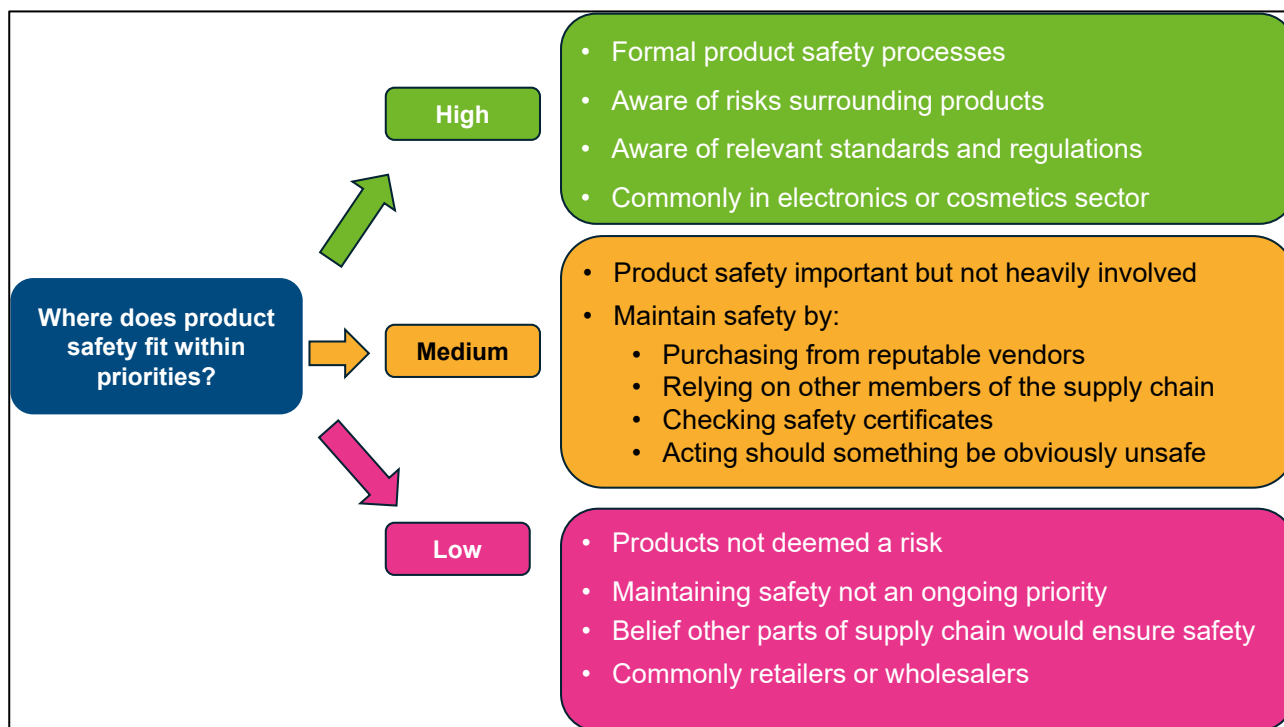
- Business priorities varied, and product safety was rarely mentioned as a leading priority.

3.4 Business engagement with product safety

This section will explore responses from businesses after they were specifically prompted on where product safety fits within their priorities.

Businesses fell within three rough groups in their responses to this question. The majority of businesses said that product safety was a priority but did not expand beyond saying that they did not want to sell unsafe products and wanted to abide by regulations. The second most common group were businesses that were able to explain why product safety was a high priority for them as well as the processes they had in place to ensure high standards. A small number said that product safety was not a priority. The three groups and how they maintained the safety of their products is outlined in figure 1 below.

Figure 3.1 How product safety fit within the priorities of businesses.



Category 1: Businesses for whom product safety was a high priority

A number of businesses did say that product safety was a high priority and were able to explain how they ensured safety. These businesses were able to:

- Demonstrate understanding of the regulations and standards required to ensure high levels of product safety.
- Explain how they maintained product safety.
- Express concern about the implications of not ensuring that product safety standards were upheld.

Findings did not suggest that there was a clear distinction between business types or sectors in the extent to which they prioritised product safety. The level of prioritisation appeared to be more closely linked to the specific products being manufactured or sold. Given that the research focused on small businesses—often offering a limited product range—there was considerable variation in assessments of risk even within the same sector.

Despite this, many manufacturers as well as those in the cosmetics and electronics sectors did place high importance on product safety.

“Product safety starts at the beginning. All our suppliers are vetted to make sure they are working to cosmetic practices. Before we even engage with a supplier, we ask for a copy of their Good Manufacturing Practice (GMP) and if they have ISO, we ask for a copy of the certificate.”-
Retailer (own website), Cosmetics, Small (10-49), Importer

"Product safety is non-negotiable.... compliance is the bare minimum... we do not want any litigation. All our products carry a 15-year guarantee."-
Manufacturer, Furniture, Medium (50-249), Non-importer

Motivations for prioritising product safety

Several businesses in category 1 explained that they prioritised product safety because if they did not abide by regulations, they would not secure future contracts or business. Others explained that not abiding by product safety standards would have implications on their ability to get insurance.

"[It's] Important that we are compliant with safety and adhere to HSE guidelines in terms of our product manufacturing and risk assessments. All this will assist in procuring any future contracts."- Manufacturer, Other, Small (10-49), Importer

"Product safety is a high priority as we have risk assessment visits from insurers. Although it is a long-winded thing to do, there's a lot of paperwork involved, but it's something we need to have in place."-
Manufacturer, Clothing / textiles, Small (10-9), Non-importer

A few businesses spoke specifically about the risks surrounding their products and the importance of why they needed to prioritise meeting standards and regulations.

"We deal in equipment that will be used with extremely high voltage, so safety is paramount. When you're dealing with utilities, there's a lot of high voltage involved so we're familiar with the various standards and make sure our Chinese suppliers meet them."- Manufacturer, Electronics, Micro (1-9), Importer

"When you manufacture products, the key thing is the product safety. If your products are not safe then you're highly likely you're going to run into major problems because customers aren't going to stand for it...I'll always make sure they're safe and up with regulations."- Retailer (3rd party), Clothing / textiles, Micro (1-9), Importer

A minority of businesses from category 1 mentioned previous safety issues with one of their products as a main reason why they were vigilant.

"After the experience we had, we made sure we would not buy products that were not tested within the UK or have appropriate test certificates. We now only work with two factories in China, and we audit them regularly, so product safety is very high for us."- Retailer (3rd party), Clothing / textiles, Micro (1-9), Importer

How category 1 businesses prioritised product safety

Figure 3.2 shows the most common ways that businesses in category 1 maintained product safety. These methods are discussed in more detail below.

Figure 3.2 How product safety fit within the priorities of businesses.

Methods of ensuring product safety

- Testing protocols
- Ingredients checks
- Pre-qualification questionnaires
- Obtaining safety certificates
- Product Sampling
- Standards checks
- Customer protocols
- QA departments (specifically among medium sized businesses)
- Use of product catalogues

Category 1 businesses often had testing protocols and ingredients checks, both internally and as a requirement for suppliers. Some businesses had pre-qualification questionnaires for their suppliers to ensure that the products they were purchasing had been tested.

“All products are required to be tested by a qualified toxicologist which is done by the supplier. Once manufactured on site the final product is sent away for further biological testing.”- Manufacturer, Cosmetics, Small (10-49), Importer

“We send a pre-qualification questionnaire to suppliers in order to ensure the materials have been tested as safe. Once materials are on site, they would be product safety managed by one employee within each department.”- Manufacturer, Other, Small (10-49), Non-importer

Additionally, businesses ensured that relevant safety certificates were held and insisted on proof of compliance with regulations and standards from suppliers.

“We submit samples to the safety assessment laboratory to check the formulation of the product so I can get a safety certificate, which I make publicly available on the business website.”- Manufacturer, Cosmetics, Micro (1-9), Importer

“The product must be manufactured to a very specific specification which is guaranteed by the manufacturer. Testing is done on a random selection of products by a third-party testing house to confirm that it has complied with BSI standards.”- Retailer (own website), Clothing / Textiles, Sole trader, Importer.

Several businesses had product sampling protocols or product catalogues to ensure that the products provided were reaching the standards required.

“Any new products being brought onto the market we will request samples, material safety data sheets, emissions testing reports, and we’ve created a checklist over the years to go through all of these products and the various reviews of documentation that’s provided to us by the manufacturer to do our own independent testing as well.”- Retailer (own website), Electronics, Small (10-49), Importer

A few businesses had customer protocols that involved checking in with customers to ensure they were happy with the products. Other businesses had an enshrined process of what to do should an unsafe product reach a customer. This was more common among medium sized businesses who had the resources to invest in this part of the business. Some were required by their customers to abide by prescribed standards.

“All the independent retailers we supply to ask for different things. Some will just trust us to have done the work to ensure everything is legally compliant. [Client] will send us the standards ...what they want us to do and ask for certain standards and fire standards ...certain tests to be done.” - Manufacturer, Furniture, Medium (50-249), Importer

“We have regular liaisons with their main customers, and they have a sales department who makes phone calls to make sure they are happy with the products they receive.”- Retailer (3rd party), Furniture, Medium (50-249), Importer

One noticeable distinction was that many medium sized businesses had a quality assurance (QA) department, or roles that specifically focused on safety and quality. These departments or roles liaised with suppliers or manufacturers to ensure that the products they received reached the required standards. In contrast, a very small number of sole traders, micro and small sized businesses mentioned anything to do with a QA team or role. In smaller organisations product safety responsibility often fell on the purchaser, owner, director, or the broader team.

“I’m the person [owner] who does the work and where the buck stops!”- Retailer (own website), Multi, Sole Trader, Non-importer

“All products and safety compliance ultimately falls on me [owner], but I will outsource and get advice and testing.” - Retailer (3rd party), Cosmetics, Micro (1-9), Importer

Furthermore, employees focused on QA and safety compliance also had other responsibilities such as health and safety compliance.

“The buying teams have to run it through the QA department before purchasing any products so they can ensure everything is legal and meets all the quality standards imposed.”- Retailer (bricks and mortar), Multi, Medium (50-249), Importer

Specific standards that businesses adhered to

Businesses were asked which standards and regulations which they adhered to. Among those mentioned were:

- European standards (EN);
- British Standards Institution (BSI);
- Good manufacturing practice;
- International Organisation for Standardisation (ISO) certification;
- General Product Safety Regulations (GPSR);
- Health and Safety Executive (HSE).

“In the UK they use notifiable bodies like Intertek (laboratory), BSI, Satra (laboratory), with other bodies in Europe.”- Retailer (3rd party), Clothing / textiles, Micro (1-9), Importer

“We keep up to date with the current government guidelines and laws/regulations, so there’s the TPD regulations, the TRPR regulations. We also make sure that we are compliant with the Weights and Measures act, and General Product Safety Regulations.”- Retailer (Own website), Electronics, Small (10-49), Importer

Many businesses mentioned industry specific standards that they adhered to, such as EMC and IEC in the electronics sector, and Crib 5 in the furniture sector.

“We fully adhered to EMC product safety and had to obtain independent safety certificates for products even before it went to manufacture.”- Manufacturer, Electronics, Micro (1-9), Importer

Businesses in category 1 tended not to be sole traders and included many of the medium sized businesses interviewed. Overall, those in the cosmetic and electronics industry often, but not always, fell into this category; likelihood of falling into category 1 was mostly to do with the perceived risk of the products that were sold. Businesses in category 1 were aware of their responsibilities and had processes in place to ensure that they were met.

Category 2: Businesses for whom product safety was a medium priority

For most of the businesses interviewed, maintaining product safety was said to be a priority, but not a heavily involved process. These businesses tended not to have many protocols around product safety beyond legal requirements and basic quality controls. They often explained that product safety was a priority because they did not want to sell unsafe products but tended not to have formal policies or frameworks.

“It’s a top priority because we don’t want to be selling anything that compromises anyone’s safety.”- Retailer (bricks and mortar), Clothing / textiles, Small (10-49), Importer

“Product safety is a necessity to ensure customer satisfaction.”- Manufacturer, Furniture, Small (10-49), Importer

Category 2 businesses tended to say product safety standards were maintained in four ways:

- Purchasing products and materials from reputable vendors and suppliers.
- Relying on other members of the supply chain.
- Checking safety certificates.
- Reactively acting if a product was deemed unsafe.

Purchasing materials from reputable vendors and suppliers

Many businesses in category 2 explained that they only purchased their products or materials from reputable vendors and suppliers. They regularly conducted due diligence on the companies they purchased from and avoided businesses they perceived to be untrustworthy. Many also explained that they had established relationships with vendors that were well known and well trusted.

"Everything we buy, we buy from reputable suppliers... so product safety is taken into account." - Retailer (bricks and mortar), Toys and baby clothes, Micro (1-9), Non-importer

"[We only buy from] approved suppliers not off any backstreet supplier, we've got our trusted suppliers... We don't just use anybody; we only buy new equipment we wouldn't buy any refurbished equipment." - Retailer (bricks and mortar), Electronics, Small (10-49), Non-importer

A number of category 2 businesses vetted their distributors based on their location, avoiding purchasing from countries with perceived lesser safety standards.

"A lot of the companies that look like a British website, if you look into it, it's actually based overseas. We only buy from reputable [companies] that are well-established and well-known worldwide." - Retailer (bricks and mortar), Sports / leisure, Micro (1-9), Importer

A majority also said that they would make sure products were correctly CE marked and were sent with the required paperwork.

"We make sure everything we buy has the relevant marks and trademarks on it and we'll check this before putting them out. We also have a policy where if we are in doubt, we won't sell it. It might have the marks on it, but we think no we won't sell that." Retailer (bricks and mortar), Toys and baby clothes, Micro (1-9), Non-importer

Relying on other members of the supply chain

Many businesses in category 2 felt that ultimate responsibility for product safety fell with other members of the supply chain. These businesses explained they kept records and threads of communication to trace any safety issues that occurred, but that the ultimate responsibility of safety was not theirs. These businesses tended to be confident that other members of the supply chain, who they felt were responsible, were meeting guidelines.

"Our brand handles the product safety; we are their local distributor. We make sure that any new product is all registered, but that [safety] falls under their remit."- Retailer (own website), Cosmetics, Small (10-49), Importer

"I get stuff from Finland, Germany, France and the US ...all of those countries follow the international requirements of SDS (safety data sheets). They have independently tested and evaluated SDS's which tell you what you really are working with, what you need to be aware of and what safety precautions you need."- Retailer (own website), Multi, Sole trader, Importer

"Because we're selling it to them, they're then responsible for the product."- Manufacturer, Furniture, Micro (1-9), Importer

Reactively acting if a product was deemed unsafe

The third way in which businesses from category 2 maintained product safety was by taking a reactive approach to encountering unsafe products. Many of these businesses explained how products needed to match their own internal standards and that if they were unsure about a product meeting the required standards, they would not sell it. Others, predominantly retailers, would conduct random testing on the products they received.

"I operate my own quality control on making sure I doesn't sell broken or rusty pieces."- Retailer (own website), Toys or baby clothes, Sole trader, Importer

"Every product is certificated, and we randomly test product coming in containers from suppliers."- Retailer (own website), Other, Small (10-49), Importer

"If it doesn't meet the standards that I want in the shop, then I won't deal with them [the supplier]." Retailer (own website), Clothing / textiles, Sole trader, Non-importer

Category 2 businesses included the majority of the businesses interviewed for this research. They argued that product safety was a priority for their business but lacked the formal processes of businesses in category 1 for ensuring products were safe. Instead, businesses in category 2 often relied on other organisations to ensure product safety.

Category 3: Businesses where product safety was low priority.

A sizeable minority of businesses interviewed, mostly retailers and wholesalers, reported that product safety was not an ongoing priority. This was due in large part to the belief that their products did not pose any safety risks.

Businesses that fell within this group tended to be in perceived 'lower risk' sectors, such as sports and leisure, though a small number were in perceived 'higher risk' sectors such as electronics or cosmetics. The latter generally sold a limited range of lower risk products, despite the overall higher risk of their sector; for example, an electronics retailer and a cosmetics retailer sold branded computer hardware and branded moisturiser respectively.

When asked, both businesses considered their products to pose limited safety risks, which contributed to their decision not to prioritise product safety.

Many businesses in this category had reached the conclusion that they did not need to prioritise product safety. This conclusion also tended to be based on their perceived understanding of the products they sold and their risks; they did not appear to have conducted any testing to determine this level of risk, however.

"There are no dangers, you know it's not like I am supplying explosives or something like that, at most it would be inserting a couple of batteries."

Retailer (own website), Sports / leisure, Sole trader, Importer

"There is no safety element that I can see."

Retailer (bricks and mortar),
Clothing / textiles, Sole trader, Non-importer

Other businesses in category 3 concluded that they had no need to focus on product safety due to how well established their products were, citing that they had been in circulation for several years. A small number of these businesses felt confident in the safety of their products due to testing conducted at the company's inception. This testing tended to be for best practice reasons rather than out of particular concern for risk.

"The reason for that is the products that we are making have been around for years and years, we are not pushing the barriers of innovation. A lot of our stuff is tried and tested."

Manufacturer, Other, Medium (50-249),
Importer

"A hairbrush, it's not a very dangerous product obviously, a comb. One thing we did do right back when we started is that we actually had some product testing done...I don't think we had to do it, [but] it was a good thing to do."

Retailer (3rd party), Other, Micro (1-9), Importer

Similarly to those in category 2, some businesses in this group felt that responsibility for product safety lay with others in the supply chain rather than with themselves. They considered that their responsibilities were fulfilled by checking for relevant CE marks or had taken steps to ensure correct labelling and warnings on all their packaging.

"It doesn't enter into our realm of consciousness really... as we just sell fabric in its unmade state so any safety, which revolves around allergies, is down to the customer."

Retailer (3rd party), Clothing / textiles, Micro (1-9), Importer

"[Products come from] huge global manufacturers who have to follow stringent safety measures before they come into the UK. We buy direct from the importer, and they will have done any safety checks prior to us purchasing. Very little for us to do."

Retailer (own website), Toys or baby clothes, Sole trader, Non-importer

"We put a lot of information about the products on the website because we want people to be ready to know as much as we do about them."

Manufacturer, Cosmetics, Micro (1-9), Importer

"We do state on all of our box facing that it is not suitable for under 3-year-olds."- Retailer (own website), Toys or baby clothes, Micro (1-9), Non-importer

Across all businesses interviewed in all 3 categories, there was no clear sector that was less likely to prioritise product safety than another. The level of priority appeared to be more closely linked to the specific products each business handled, and businesses tended to feel confident in the safety of their products regardless of their prioritisation category. Category 1 businesses, who highly prioritised product safety, referenced confidence in their robust internal policies and procedures, both proactive and reactive. Category 2 businesses relied on others in the supply chain, who they vetted thoroughly, citing confidence in their trading partnerships and their reactive internal procedures. The majority of businesses fell into category 2, viewing product safety as a medium priority.

Those in category 3 cited feeling confident in safety due to the low risk of products they sold, trusting others in the supply chain, and their internal labelling efforts. Category 3 businesses, who did not consider product safety an ongoing priority, were made up predominantly of retailers and wholesalers. Of those in categories 1 and 2, there was not a clear predominant business type.

Business size somewhat influenced product safety procedures and priority levels. Medium-sized companies often had a dedicated quality assurance department or post which was focused on safety and quality; this was uncommon amongst small and micro businesses and sole traders, where the responsibility fell on either the purchaser, a single senior member of staff, or with the whole team.

Summary of 3.4

- The majority of businesses interviewed had a light touch to product safety. These businesses said that product safety was a priority but tended not to have many formalised processes or protocols beyond legal requirements and quality controls.
- Many businesses said product safety was an important priority and were able to explain how it was maintained through processes and protocols. Manufacturers and those in the cosmetics and electronics sector often treated safety as a high priority.
- A significant minority of businesses interviewed said product safety was not an ongoing priority, due to their perception that the products they sold did not pose safety risks.

3.5 Engagement with product safety during manufacturing

Manufacturers were asked how product safety fits into the manufacturing process. This included whether safety was considered when sourcing materials, the challenges of adhering to standards and how the business would typically manage safety across the life cycle of the product.

Manufacturers were first asked what the most important considerations were when sourcing materials for their products. The following were commonly considered:

- quality of materials;

- price of materials;
- functionality or suitability of materials;
- speed of delivery;
- sustainability.

Often manufacturers explained they had multiple considerations and that a balance had to be struck between these.

“[We] Take quality very seriously as well as availability and price when importing. [A] Balance [is] needed between cost and quality.”

Manufacturer, Electronics, Micro (1-9), Non-importer

“Quality and price, and where they come from.”- Manufacturer, Multi, Sole trader, Importer

Several manufacturers also stated that sustainability was considered when sourcing materials. One explained that their business was founded on being eco-friendly. Another highlighted that the importance of sustainability when sourcing materials depended on their customers' specs and requests.

“But it can vary depending on the customer, for example [named client] wants recycled content in their products... others aren't so bothered about that.”- Manufacturer, Furniture, Medium (50-249), Importer

Extent to which product safety was considered when sourcing materials

Many, especially small and micro manufacturers, said they did not consider product safety when sourcing their materials, instead relying on their suppliers to ensure standards were met. Often these businesses assumed that suppliers would not supply unsafe products but did not have checks in place to make sure they weren't.

“[We] expect the suppliers would be supplying materials which are safe, but we wouldn't necessarily expect any specific evidence of that.”-

Manufacturer, Furniture, Small (10-49), Importer

“Not a consideration. We just rely on our suppliers.”- Manufacturer, Clothing / textiles, Small (10-49), Non-importer

“We are assuming that whoever we're buying from because of their reputation etc, are providing products that conform to our regulations.” -

Manufacturer, Multi, Micro (1-9), Non-importer

Others stated that they purchased materials in their raw form and so there was no need to consider safety. This was more common among micro and small manufacturers than it was medium sized manufacturers.

There was some difference by sector and manufacturers within the cosmetics sector who tended to say that when sourcing materials and manufacturing products, product safety was '*highly considered*'. This was due to strict regulations and the control of substances hazardous to health (COSHH) analysis that is often required with their materials.

“That's the top of the list. If it wasn't safe we couldn't put it into our products.”- Manufacturer, Cosmetics, Small (10-49), Importer

Some businesses did state that product safety was considered when sourcing materials but often explained that safety and quality came hand in hand. Several businesses explained that they would conduct checks on safety sheets, and standards specifications to ensure that the materials abided by safety regulations.

“To a high extent; product safety comes with quality. I consider the best quality to be the best way forward, and I'd rather pay more.” Manufacturer, Multi, Micro (1-9), Importer

Challenges of manufacturing products that adhered to product safety standards

Manufacturers generally reported that adhering to product safety standards was not challenging. They attributed this to sourcing materials from reputable suppliers, extensive experience in product manufacturing, and the simplicity of some of the products, which often required compliance with few safety standards.

A couple of manufacturers said that although adhering to safety standards was a slight challenge, it was non-negotiable, therefore it did not feel like a burden.

“I don't think, it is not much of a challenge really because it's quite basic products.”- Manufacturer, Other, Medium (50-249), Importer

As mentioned in the previous section manufacturers of products with tight regulations or standards, such as those in the cosmetic or electronic sector, found adhering to product safety standards during manufacturing more challenging.

“It's difficult because there are quite strict set of standards that we have to meet. We're balancing the requirements of a customer and adhering to safety regulations.” Manufacturer, Electronics, Micro (1-9), Importer

Regulations to be met

Regarding these regulations, some furniture manufacturers mentioned Crib 5 and BS 5871 as standards that they needed to ensure was being met for fire regulations. A manufacturer in the cosmetics industry said they needed to ensure all their products were tested by a toxicologist, and a manufacturer in the electronics sector said that they needed to ensure that their products passed EMC safety requirements.

A few other manufacturers said that a challenge of having strict regulations was ensuring that the organisations supplying their materials also meet these regulations. Furthermore, building up trust with suppliers took time.

Use of risk assessments

The majority of manufacturers reported that risk assessments were carried out on the processes and machinery used rather than on the product life cycle. Regular health and safety assessments were also common, but again these were related to ensuring safety of employees, for example conducting checks on sewing machines or ensuring people were wearing the correct PPE.

“Risk assessments involve a strategy to make sure that the materials are tested... we do risk assessments for the employees, the people who manufacturer them, to make sure procedures are correct.”- Retailer (bricks and mortar), Furniture, Micro (1-9), Importer

Some manufacturers reported that they did carry out formal risk assessments on their products. The type of risk assessments carried out on products varied by sector and general use of the product, but examples of assessments included:

- General product testing (including assessing risks and listing potential hazards associated with product use).
- Logs of how products react in different situations / environments.
- How products react to different storage situations (e.g. COSHH analysis, contamination control).

Certain businesses also created safety booklets for product use.

“Yes, all the time... We’re constantly monitoring, we’re constantly assessing, it’s part and parcel of what we do. We do not just produce, we assess; it’s very important because things change, don’t they?”-
Manufacturer, Multi, Micro (1-9), Importer

Businesses in the cosmetics sector were likely to report undertaking risk assessments because of tight regulations and COSHH analysis.

“Every raw material has a full COSHH analysis. These assessments probably take up to 40 days a year for and it’s just something we have to do.”- Retailer (online own website), Cosmetics, Medium (50-249), Importer

“How does it need to be stored? What precautions need to be taken? Are there any spill contaminant products I need to look at?”- Retailer (online own website), Multi, Sole trader, Importer

The small number of manufacturers who were able to recall the costs of risk assessments, stated that they were usually expensive.

“I am often reminded how much we spend on product testing and evaluation, and I think that after salary, it is our biggest expenditure.”-
Manufacturer, Toys and baby clothes, Medium (50-249), Importer

Overall, there was limited variation across sectors and business sizes in how manufacturers approached product safety. However, manufacturers of cosmetics appeared to face more challenges in meeting regulatory requirements and often described carrying out more regular risk assessments on the life cycle of their products.

Summary of 3.5

- Micro and small manufacturers often did not consider product safety when sourcing materials.
- Those in the cosmetics sector often said safety was considered when sourcing materials.
- Manufacturers tended to not find adhering to manufacturing safety standards a challenge.
- Formal risk assessments were not often carried out on the lifecycle of the product.

3.6 Engagement with product safety for retailers

This section will explore retailers' understanding of their requirements if they were informed that one of their products was unsafe, as well as their use of online marketplaces.

Retailers' process when informed of an unsafe product

The majority of retailers interviewed had informal steps they would take if they were told a product they were selling was unsafe. There was some variation by size, and the majority of small and micro retailers said they would rely heavily on their manufacturers and suppliers to determine what steps they should take if a product was deemed unsafe. Most of the retailers interviewed noted they would remove the product from sale in the first instance.

"We don't have like a plan... I would depend on what the manufacturers told us."- Manufacturer, Electronics, Micro (1-9), Importer

Generally, the retailers we spoke to mentioned one or more of the following steps they would take if they were informed that one of the products they were selling was unsafe. They would:

- Remove the product from shelves and online platforms as quickly as possible.
- Issue a full recall by putting notifications on their website and social media.
- Online marketplace retailers said they would inform the host.
- Bricks and mortar retailers said they would put up posters in their shops.

"[We would] Immediately withdraw product from sale and immediately notify people who had bought the product that there was a recall, and we would have it retested to look at rectification and if not, a recall, and look for recompense from the manufacturer."- Retailer (3rd party), Other, Small (10-49), Importer

It is worth noting that most retailers interviewed had never been involved in a product recall or previously been informed of a safety concern about one of their products. Therefore, some of the responses provided by retailers are based upon the assumptions of what they would do in this scenario and are not based on written protocols or experience.

There was some difference by sector, notably in the cosmetics sector which more commonly used batch coding to help trace products. This was not common among retailers in other sectors. Retailers that used batch coding explained that if a customer purchased a product off their website from a batch that was deemed unsafe, they would be able to directly contact them using the contact details provided at the point of purchase.

"We have full traceability with batch coding... we would look at the batch code and go back to the manufacturer, we can check through the testing data to see if at any time this product would have failed or became a problem."- Retailer (online own website), Cosmetics, Small (10-49)

Use of online marketplaces

Most of the retailers interviewed that sold products through third party marketplaces could not recall any specific product safety policies and procedures. Additionally, some flagged

that there were considerable terms and conditions involved in allowing sellers to place products on the marketplace but could not remember any safety specific policies.

Those that could remember the product safety policies of the third-party marketplaces mostly said that these policies were generic, simply stating that products must adhere to UK standards and regulations.

"Tons of policies and procedures were provided, and they were all completely irrelevant... Such a leviathan." - Retailer (3rd party), Cosmetics, Micro (1-9), Importer

"They [online marketplace] are a pain in the backside as they want pieces of paper left right and centre, it has become unmanageable. The paperwork is around safety and also compliance and have you got permission to sell." - Retailer (Bricks and mortar), Multi, Micro (1-9), Non-importer

In contrast to the previous finding, a sizeable minority did recall product safety policies and highlighted that they were long and detailed. There was no clear difference by sector regarding retailers that recalled detailed safety policies and those that recalled generic safety policies. It is possible that this is due to the individual engagement with the policy.

One particular online marketplace was mentioned on several occasions as having detailed policies and requiring certification and safety assessments before allowing products onto the site. However, one retailer explained that while there were detailed policies, the volume of information made it difficult to discern which policies applied to each product.

"They [online marketplace] ask us for safety assessments before and are actually quite strict with what they will take so you need a full cosmetics dossier to send to them which you can upload." - Retailer (own website), Cosmetics, Small (10-49), Non-importer

"The problem with [online marketplace] is their product catalogue is [very big] and it is sometimes quite hard to determine what applies to you." - Retailer (own website), Sports/Leisure, Small (10-49), Importer

There was no clear difference in size or sector among retailers and their approach to product safety in the event that a product they sold be deemed unsafe. The only noticeable differential was that several retailers in the cosmetics sector said they could trace their products. Similarly, among retailers that sold through online marketplaces, those that were required to provide safety assessments came from a range of different sectors and sizes.

Summary of 3.6

- Retailers would take steps to inform customers and issue a recall if they were informed a product they had sold was unsafe.
- Many retailers, especially sole traders and micro businesses, would rely on manufacturers and suppliers to determine what steps they should take if a product was deemed unsafe.
- Third-party retailers generally could not recall specific product safety policies from the online marketplaces they used.
- Some businesses specifically mentioned a particular online marketplace as requiring certification and safety assessments before they could sell products.

3.7 Chapter 3 conclusion

This chapter on the intersection between business priorities and product safety covered businesses' main challenges, their processes and procedures, a focus on manufacturers, and a deep dive on retailers and their reactive protocols. Most of the businesses interviewed did not spontaneously cite product safety as a main priority or challenge, though some flagged difficulty interpreting regulations or a perception of competitors not complying, indicating that they may feel undercut.

While the business size, type and sector did not significantly impact trends amongst the responses, the type of products sold or manufactured did somewhat. This did not correspond directly with sector, as products within each sector range from a perceived higher to lower risk; this perceived risk is what tended to correspond with higher prioritisation of product safety and more thorough procedures. This highlights a potential need for further research into attitudes towards product safety by product type, rather than by sector; this can be considered in future research.

Throughout the topics explored in this chapter, businesses who sold cosmetics products consistently featured amongst those who highly prioritised product safety and had stricter procedures; often, this was due to additional health and safety regulations within the sector.

A possible suggestion for future research would be to explore in more detail how businesses reached their conclusion on the perceived safety of their products and the extent to which OPSS agree with their conclusions.

4. Awareness of regulations

Key takeaways

Awareness and understanding of regulations

- Sole traders reported limited awareness of regulations relevant to their products.
- Sole traders that were aware of regulations found them difficult to understand or access.
- Micro and smaller businesses demonstrated slightly more awareness of regulations, but some found them difficult to understand due to complexity and technical language.
- Awareness and understanding rose considerably among medium sized businesses.
- A large proportion of participating businesses that were aware of and could understand regulations found them easy to implement.

Awareness of PAS 7050:2022 and Market Surveillance Authorities protocols

- Businesses interviewed were mostly unaware of PAS 7050:2022.
- Businesses that were aware of PAS felt it was limited in use, because it was not specific enough to the products they sold.
- Awareness of the legal obligation to notify MSAs in the event of discovering a product was unsafe was limited.

4.1 Introduction

This chapter will cover businesses' awareness of product safety regulations. Firstly in 4.2 and 4.3, we show how businesses' knowledge of regulations varied by size. Then in 4.4 we cover how accessible and easy to implement businesses felt these regulations were. Finally in 4.4 and 4.5, we present findings that show small businesses had limited awareness of PAS 7050:2022¹⁷ and the need to notify market surveillance authorities (MSAs) if products are deemed unsafe.

4.2 Awareness of relevant product safety regulations

Awareness of and ability to recall regulations varied by business size. Smaller businesses had less self-reported knowledge, while medium-sized businesses spoke with more confidence and had more detailed understanding of relevant regulations.

¹⁷ PAS 7050:2022 provides guidance on building plans and processes to bring safe products to market and awareness of it is discussed later in this chapter. [PAS 7050:2022 Bringing Safe Products to the Market | BSI \(bsigroup.com\)](https://www.bsigroup.com/PAS-7050-2022-Bringing-Safe-Products-to-the-Market)

It is worth noting that businesses were asked specifically about their awareness of General Product Safety Regulations 2005 (GPSR) and responses suggest that awareness was low across all business types.

Awareness of regulations by business size

Regarding awareness of other regulations and focusing initially on sole traders, awareness was low. Several explained that their knowledge of the products they sold meant that they did not see the need to familiarise themselves with specific regulations. For example, many knew that they had to ensure certification and meet labelling requirements but were unlikely to be able name specific regulations relevant to their products.

“I don't know. I suppose I am aware, but it's the companies that I deal with responsibility, because they are selling to me. I have never had any problems...”- Retailer (bricks and mortar), Multi, Sole Trader, Importer

Micro and small businesses tended to have slightly more awareness of regulations than sole traders. Some were able to name the regulations that were relevant to them; for example, EN166 for eye protection, or ISO 2443 for sun cream. However, there were a large proportion who could not name relevant regulations. Several small businesses suggested they did not have to adhere to consistent, specific regulations because they made their products bespoke. Those who could not name relevant regulations also reiterated their awareness of certification and labelling.

“We're aware that we're not covered by any specific standards.”-
Manufacturer, Clothing / textiles, Small (10-49), Importer

“We did a lot of different research around it; we tried to get as much information as we could. I've independently tried to cover all bases.”-
Manufacturer, Multi, Micro, importer

Awareness rose considerably amongst medium-sized businesses. As we also demonstrated in chapter three, several medium sized businesses had roles and teams dedicated to product safety. Part of their responsibility was to understand the regulations that impacted the products they made or sold.

It can be surmised that the differing awareness of regulations across business sizes was likely due in part to smaller businesses lacking specific appointed staff to ensure product safety. Furthermore, the number of products sold was also likely to impact confidence and self-reported knowledge. Smaller businesses tended to sell a smaller number of products compared with their larger counterparts. This could mean that these businesses were less required to engage with regulations as they were not updating their stock as regularly.

Summary of 4.2

- Sole-traders, micro, and small businesses tended to have limited knowledge of the regulations that their products had to adhere to.
- A sizeable minority of interviewed small and micro businesses could name the regulations relevant to the products they sold.
- Awareness of regulations rose considerably among medium sized businesses.

4.3 Businesses' understanding of product safety regulations

There was no consensus among businesses as to the understandability of regulations and there was little difference by import status or sector.

Generally, some businesses suggested that frequent updates and technical language made regulations challenging to navigate in a day-to-day business context. Other businesses said that they had years of experience complying with regulations and therefore found them fairly easy to understand.

Similarly to section 4.2's findings on awareness of regulations, there was some difference in understanding by business size. Sole traders regularly found it challenging to understand regulations. Several suggested it was not necessary to understand them in detail because they purchased their products from reputable suppliers. Many explained they did not know where to access information on regulations.

"I don't find them that accessible or understandable...it doesn't really mean anything to me. You see different numbers in different places, and you don't understand where they come from, what they apply to, what product category they apply to." - Retailer (own website), Clothing / textiles, Sole trader, Importer

Opinion was more divided amongst small and micro businesses. A proportion suggested the complexity and technical language of regulations acted as a barrier to accessibility and understanding. Some, as with sole traders, felt they did not need to know the details of specific regulations, with that responsibility resting with suppliers. Other small or micro businesses felt that regulations were easy to understand due to their understanding of the industry.

"100% they are accessible, because I know where to look for them, for our particular industry." Manufacturer, Electronics, Micro (1-9), Importer

"Sometimes you can't find all the information you need just online, so that's frustrating, you have to buy a book...or use an external company. It should all be just accessible for free." Retailer (own website), Electronics, Micro (1-9), Importer

"The information is out there but sometimes, especially for our niche and unique products, it can be sometimes difficult to decide if it is a sporting good or a toy. We may not know where the categories are." Manufacturer, Sport and leisure, Small (10-49), Importer

Understanding of regulations was greater among medium-sized businesses and they regularly explained that they knew where to find information on regulations. Some were able to refer to bodies such as the Cosmetic, Toiletry and Perfumery Association (CTPA). Others worked with their suppliers and manufacturers to make sense of regulations.

In summary, while many businesses were able to speak confidently on the regulations that applied to them, others – particularly smaller businesses - reported challenges in interpreting and applying the UK regulations. For example, a small number said they found regulations hard to implement on a case-by-case basis. These insights highlight

opportunities for further support and sector-specific guidance to improve accessibility and understanding of the regulations.

Summary of 4.3

- Business opinions of the accessibility and understandability of regulations was mixed and did not vary by importing status or sector.
- Most sole traders interviewed either did not understand regulations or did not know how to access them.
- Several micro and small businesses explained they found the complexity of regulations and technical language used an accessibility barrier.
- Medium sized businesses demonstrated a greater understanding of regulations.

4.4 Ease of product safety regulation implementation

The majority of the businesses that were aware of the regulations relevant to them said they found product safety regulations relatively easy to implement. This was consistent across size and sector.

Experience within the industry was the most commonly mentioned reason businesses interviewed gave for being able to implement regulations easily. A large number of businesses suggested that the onus to implement product safety regulations did not fall with them, but the manufacturer or distributor who was responsible for testing and certification.

"It's easy for us because we rely on external support."- Retailer (own website), Electronics, Micro (1-9), Importer

Some businesses commented that adhering to the highest levels of product safety regulation did take time and effort. However, given the importance of product safety and their familiarity with the process, this did not translate into a lack of ability to implement them.

These opinions did not vary by importing status, sector, or size. Additionally, results are distinct from findings presented in section 4.2 about awareness of product safety regulation, which saw small and micro businesses tending to rely more on manufacturers and their supply chain.

Summary of 4.4

- Most of the businesses interviewed that were aware of the regulations relevant to them said they found these regulations easy to implement.

4.5 Awareness of PAS 7050:2022

PAS 7050:2022, is a code of practice established by the British Standards Institution (BSI) to give practical guidance on enabling the production and delivery of safe consumer products. Most businesses interviewed were not aware of it.

Businesses that were aware of PAS 7050:2022 generally commented it was not useful to them because it did not relate specifically enough to their products. For example, businesses in the cosmetics sector explained that it was not relevant to them. Several commented that because of this lack of specificity, they tended to look at standards more specific to their sectors or products.

“We look at the standards rather than PAS which I think are voluntary...the standards have more teeth.”- Manufacturer, Furniture, Medium (50-249), Importer

“We refer to the standards that we have to follow and by the time you have done that, you've probably covered everything in the PAS anyway.”- Manufacturer, Electronics, Micro (1-9), Importer

A minority of businesses interviewed were aware of PAS 7050:2022 and found it useful. These businesses tended to treat it as a guideline. One commented that it was useful in the way it broke down what to do with a product recall. Most of the businesses that were aware of PAS 7050:2022 were manufacturers, suggesting that there was possibly more engagement with requirements among businesses that deal with products at the start of their life cycle, but also that awareness could be raised among retailers.

Summary of 4.5

- Awareness of PAS 7050:2022 was low across all business types.
- Businesses that were aware of PAS 7050:2022 felt it had limited use because it was not specific enough about the products they sold.
- A minority of businesses interviewed thought that PAS 7050:2022 was useful as a guideline.

4.6 Awareness of Market Surveillance Authorities protocols

Businesses were largely unaware of their obligations to notify Market Surveillance Authorities (MSAs) should they be notified or identify that one of their products was unsafe. Although in line with findings from earlier in this chapter awareness tended to increase with size.

Among sole traders, awareness of the need to notify MSAs was generally low. Instead, they suggested that, in the event of learning a product was unsafe, they would dispose of remaining items and contact customers who had already purchased them. Several suggested that, since it was just them, they did not have official procedures and that they had little experience with recalls or product safety issues.

“There is no official procedure written down, I'm a one-man band.” Retailer (own website), Clothing / textiles, Sole trader, Importer

Awareness of MSAs was slightly higher among micro and small businesses than with sole traders. However, name recognition of MSAs and the obligation to notify them remained low. Similarly to sole traders, these businesses suggested they would organise a recall themselves using customer records and report to the manufacturer or distributor they sourced products from directly. However, they usually would not notify MSAs as standard procedure.

“We’re aware that if something serious happened we’d have to act, and it would be at that point that we’d find out exactly what we need to do.”-

Manufacturer, Electronics, Micro (1-9), Importer

“It has got to be done, and I have no problem with it. If a product is not safe – morally you should do it.”- Retailer (3rd party), Other, Small (10-49), Importer

Awareness was higher amongst medium businesses. Several suggested they knew they had to contact MSAs in the event of a product safety issue. Additionally, medium sized businesses said they would contact customers, remove products from shelves and alert manufacturers and distributors in the event of a product being deemed unsafe. One medium sized business had contacted an MSA already.

As with previous findings in this chapter, smaller businesses, especially sole traders, tended not to have the resources to be fully aware of their responsibilities.

Summary of 4.6

- The majority of businesses interviewed were unaware of the need to notify MSAs in the event of finding out one of their products was unsafe.
- Awareness tended to increase with business size, with several medium sized businesses aware of the requirement to notify MSAs.

4.7 Chapter 4 conclusion

Throughout this chapter we have shown that awareness of regulations and obligations regarding product safety generally increased with business size. Sole traders tended to demonstrate the least amount of knowledge or awareness of regulations while the medium sized businesses that were interviewed demonstrated the most knowledge.

There were some exceptions. Awareness of GPSR and PAS 7050:2022 was low among all business sizes, suggesting that these regulations are not as well-known population wide. Most of the businesses interviewed that were aware of PAS 7050:2022 were manufacturers – although awareness was still low within this group – suggesting that businesses at the start of the product life cycle may be more likely to engage with the regulations required, but businesses that sell a product mid-way through their life cycle may be less likely to engage.

These findings also suggest that sole traders especially require some sort of engagement from regulators to improve awareness and understanding of applicable regulations. Many are unaware of their responsibilities and don’t have the capacity or awareness to spend

time understanding them. Raising awareness of obligations earlier would help these businesses avoid intervention from OPSS at a later date.

Engagement could also include refreshers for sole traders that have been operating over a relatively long time, as findings suggest that some businesses stop engaging with regulations because they feel they have the experience within their field to produce or sell safe products.

5. Impact of OPSS intervention

Key Takeaways

Interaction with OPSS

- Businesses that took part in the study were generally positive about their experience of OPSS intervention.
- It is possible that the responses from participating businesses do not reflect the views of all businesses that have faced an intervention.
 - Businesses that had a less positive experience may have been less willing to take part in the research.
- Some of the businesses that had faced intervention suggested improvements to the process. These improvements included:
 - earlier contact from OPSS;
 - more face-to-face interactions;
 - less technical vocabulary used in correspondence.

How priorities of product safety changed after intervention

- Most businesses interviewed explained that the priority of product safety had not changed as a result of intervention.
- A portion of the businesses had made changes to their product safety protocols since the intervention. These changes included:
 - more thorough product checks;
 - more dialogue with trading standards;
 - more caution in importing from specific countries.

5.1 Introduction

This chapter relates solely to the 8 completed interviews from the Product Safety Database (PSD) sample. Businesses were on this database because they had previously faced an intervention from OPSS due to concerns over the safety of one of their products.

In this chapter we cover businesses' opinions of the intervention from OPSS. In 5.2, 5.3 and 5.4 we show that many of the businesses that were interviewed were positive about OPSS and that some had made improvements to their processes to improve product safety following their intervention. We also outline, in 5.5, four cases studies in further detail, covering the circumstances which led to individual business intervention, the actions taken after intervention and how those businesses reflected on their experiences with OPSS.

It is worth noting that, as explained in chapter 2, there is a possibility of non-response bias in this part of the research; the sampling challenges mentioned in the same chapter may also influence responses. None of the businesses we spoke to had faced enforcement action, and it is possible that businesses which had experienced enforcement, serious enforcement or punitive action, or businesses that had a less positive experience, may have a different perspective or opinions on OPSS intervention than those that did respond.

Furthermore, a couple of the businesses spoken to could not recall the intervention from OPSS and were not able to provide detailed responses to these questions.

5.2 Business interaction with OPSS

The businesses we spoke with were generally positive about OPSS after their interactions with them.

The incidents of this group typically involved OPSS intervening with concerns about the composition of, or the labelling on, a product.¹⁸ These concerns mostly involved new or imported products not meeting UK safety standards, either due to non-compliance or changes in the standards. In one instance, the business had communicated via Trading Standards and had not communicated with OPSS directly.

Summary of 5.2

- Businesses were generally positive about the intervention from OPSS.

5.3 How interactions with OPSS could have been improved

Overall, businesses described their experiences with OPSS in positive terms. However, some did suggest how engagement could be further strengthened to support and to facilitate better experiences. These were:

- Receiving contact from OPSS earlier, before corrective action was required.
- More opportunities for face-to-face interactions.
- Use of simplified language in written communications to support clarity, particularly for smaller businesses.

One business noted that an unannounced visit occurred before their usual operation hours which they found challenging and expressed frustration. However, another business suggested that, despite the formal nature of the process, it was well managed. They explained that OPSS had kept them updated throughout and were clear about the reasons for the intervention and the necessary actions that were required.

As we found in chapter 4 awareness of regulations was low among the smallest businesses, while findings from chapter 5 show that the businesses that had faced an intervention did not know they were in breach of regulation. This could suggest that proactive rather than reactive engagement from OPSS could help with businesses' understanding of their responsibilities.

Summary of 5.3

- There were some improvements to the intervention process suggested by the businesses interviewed.
- These were earlier communication, more face-to-face interactions, and less technical vocabulary in written correspondence.

¹⁸ It is worth noting the interpretation of these interventions as described in the report are based on explanations given to IFF by the businesses in question. It is possible that OPSS may have a different view of the intervention. According to OPSS businesses are on the PSD because they have placed a product on the market that presents a risk to consumers.

5.4 Business views on product safety after OPSS interaction

Businesses generally stated product safety was already a priority prior to their interaction with OPSS, but that interactions had contributed to greater urgency as well as solidifying and formalising their safety procedures.

"We were already there, we just needed to be headed perhaps in the right way and make some changes in some of the standards." - Manufacturer, Multi, Micro (1-9), Importer

Positive changes following their interactions with OPSS included:

- More thorough product safety checks prior to buying products, including checking certification.
- Increased dialogue with Trading Standards.
- Being more wary of products imported from countries where standards might not be equivalent to the UK.

"It is now at the forefront of any procurement decision we make." - Retailer (3rd party), Other, Small (10-49), Importer

"On that one product; now it's much more of a priority now than it was. We may subject it to some other own testing and wire it up to make sure that it's safe." - Retailer (Bricks and Mortar), Electronics, Micro (1-9), Importer

"When we receive any new placed orders regarding products...each product has its own performance specification-built in... spreadsheets that list all the standards and testing requirements that a product will need." - Retailer (Bricks and Mortar), Multi, Medium (50-249), Importer

Summary of 5.4

- Businesses generally explained that product safety was already a priority before OPSS intervention.
- However, some had made changes. These changes included: More thorough product checks; more dialogue with trading standards; more caution in importing from specific countries.

5.5 Case studies

Outlined below are four case studies that highlight anonymised individual experiences of the business' that took part.

Case study one: retail business

They mainly sold electronic products in their own shop, but also on their own website. They employed 1-9 employees and imported all their products.

The business became aware of the intervention when they received an email stating that OPSS had been made aware that a product they sold did not meet the necessary standards.

They explained that when they had purchased the product it had the relevant safety certificate and so thought that it automatically met UK standards.

“[The interaction with OPSS had led] to improved product safety, improved consistency of product and quality of product across our whole range.”

Following involvement from OPSS, the company conducted a full recall, which involved going through seven years of records and contacting any customers who had purchased the product. No further enforcement action was taken by OPSS.

They said that OPSS were pragmatic and did not try and penalise them, instead working with them to achieve a resolution.

They felt the interaction could have been improved with more face-to-face interactions (the whole process was conducted over email). However, they acknowledged that the intervention had improved safety standards within their organisation.

Their general protocols did not change much after the intervention. However, they did scrutinise safety certificates more thoroughly before they accepted them, and they started testing sample products.

They viewed their interaction with OPSS as a generally positive experience.

“On that one product [where OPSS intervened] it's much more of a priority now than it was.”

Case study two: retail and wholesale business

They mainly sold electronics online through a third party. They had 1-9 employees and imported some of their products.

The intervention began when they received an email from OPSS asking them to get in contact regarding one of their products. When they got in touch OPSS explained that a product had been tested and found to be unsafe. OPSS directed them to stop the sale of this product and recall what had been sold.

The business was not aware that the product did not meet regulations.

After intervention from OPSS, they issued a full product recall and received a full formal report from OPSS. No further enforcement action was taken.

"The process is very formal and very professional, and you were kept informed at all times...it was good."

Overall, they said the interaction was a positive experience. They explained that OPSS had kept them informed at every stage of the process.

They also noted that, while product safety was already high on their list of priorities, as a result of the interaction they had since introduced a product safety risk assessment which was not formally in place before.

"It really was an opportunity for improvement, and it has improved our approach."

Since the intervention, they had conducted a full review of all product files. Additionally, they had changed how they purchased the product which had caused the intervention, introducing a policy of only purchasing this product from big brand manufacturers or suppliers.

They explained that as a business they were more cautious about what they imported from abroad and engaged more with the Lighting Association than they had in the past.

"We just put a bit more focus on [product safety] day to day. Even though it was already there, there were some items that we didn't really think of as a product and now we look at everything that might be a minor part."

Case study three: manufacturing and retail business

They sold products from multiple sectors. Mainly they sold products from their own shop, but also through their own website. They employed 50-249 employees and imported some of their products.

OPSS contacted them because of a change in the law. As a result of increasing incidents of children swallowing batteries, new fast-track standard had been introduced that stated battery operated products had to be fastened with a screw. The battery-operated product this business sold did not have a screw so there was a small possibility children would be able to access the small coin battery. Even though the product met the standards when they purchased and started selling it, they were told it no longer met the standards.

“[The interaction with OPSS had led] to improved product safety, improved consistency of product and quality of product across our whole range.”

After the business was made aware of this, the product was withdrawn from sale. An agreement was reached that there was no need to recall the product due to the circumstances and the change in the law, so a new batch was brought in by the company which had a screw mechanism to meet the new requirements. Trading standards supported throughout the process. No enforcement procedures were necessary.

“It was really good...it’s helpful that I always deal with the same person from trading standards...anything that we do we always work together to eradicate any issues.”

The business insisted product safety was always the highest priority. However, the business reflected on their interaction with OPSS in a broadly positive sense. They said their behaviour had changed, making the company much more vigilant and on top of regulations, especially any fast-track PAS standards that they must comply with. They also introduced a performance specification spreadsheet. This listed all the standards and testing requirements a newly ordered product required, so all employees in the business have information in writing to ensure standards are being met.

“This interaction solidified everything.”

Case study four: retail and wholesale business

They sold products from multiple sectors through 3rd party websites. They employed 1-9 employees and did not import any products.

OPSS intervened due to some products not meeting regulations. The business had brought some end of line stock from a reputable supplier. This stock was reportedly compliant with labelling and safety regulations at the time of its manufacture, but at the time of intervention had incorrect labelling due to a change of regulation. The labelling needed to be in a larger font than it was on the existing product.

Only a few units had been sold and two were returned and refunded. The remaining stock was returned to the supplier. The business wrote to OPSS and informed them of the response they had taken and there was no enforcement action.

The business thought the interaction could have been improved in the following ways:

- A clearer explanation in the letter they received of what the issue was and how regulations were being breached;
- Less technical language;
- More assistance from OPSS.

“They quoted numbers at me for regulations which didn't mean a lot.”

The business had requested help, but none had been forthcoming. As a result, they chose to contact the Federation of Small Businesses (FSB) to help them gain an understanding of what was required.

They did not think their priorities or protocols had changed as a result of the interaction, explaining that because they dealt with items for children and babies, product safety was always a priority.

The practice remained of only buying from large well-known suppliers who could provide them with safety certificates.

As a business they were more wary of clearance products and would be more likely to question suppliers on product safety implications and ask them for up-to-date safety test certificates in advance.

5.6 Chapter 5 conclusion

Businesses generally viewed their interactions with the Office for Product Safety and Standards (OPSS) positively, but there were opportunities for enhancing these engagements and fostering better compliance and understanding of product safety responsibilities.

Early communication increased face-to-face interactions, and clearer, less technical language in correspondence could significantly improve the experience for businesses. Smaller businesses in particular expressed desire for more proactive engagement, which if implemented, could have capacity to further increase awareness and understanding of safety obligation.

Post-interaction, businesses reported a heightened urgency and formalisation of safety procedures, indicating that OPSS interventions had some impact of reinforcing the importance of product safety. However, one challenge for OPSS would be to reinforce the importance of product safety prior to intervention.

6. Businesses interactions with public sector bodies

Key Takeaways

Interaction with public sector organisations

- Many businesses had not interacted with public sector organisations at all.
- GOV.UK was widely used by respondents and often the first port of call for information on product recalls or safety.
- Only one business had a Primary Authority partnership and most had no knowledge of what a Primary Authority partnership was.

Awareness of BSI and UKAS

- While many of the businesses interviewed had heard of BSI and UKAS, few had interacted with either organisation.

Interactions with OPSS

- Most businesses interviewed had not interacted with OPSS or DBT or had their prioritisation of product safety influenced by them.
- Some businesses had registered themselves on the OPSS online portal, while others had used OPSS consultations on changes to legislation or used OPSS for product testing.

6.1 Introduction

In this chapter we discuss interactions that businesses have had with public sector bodies in relation to product safety issues, including local authorities, GOV.UK and trade associations.

In sections 6.3 and 6.4, we show that there was little engagement with Primary Authority Partnerships, the British Standards Institution (BSI), and the United Kingdom Accreditation Service (UKAS). In section 6.5 we show that businesses in the general population had limited engagement with the Department of Business and Trade (DBT) and OPSS.

6.2 General interaction with Local Authorities, GOV.UK or Trade Associations

Businesses were asked what interactions they had with local authorities, GOV.UK and other central government information sources (hereafter referred to as named organisations) as well as trade associations, citizens advice and other business groups.

There was a mixed response from businesses interviewed on whether they interacted with any of the named organisations and there was little difference by business size or sector.

Businesses that had contacted at least one named organisation had tended to do so for two reasons:

- To access information on their products and applicable regulations.
- To register business online with them.

A small number had interacted with named organisations for other reasons. Several had been in contact in search of product safety information, including how to safely use products and how to safety test products. A couple had attempted to contact local authorities to make specific product safety enquiries but had not received a response.

GOV.UK was the most widely used of the public sector bodies among businesses interviewed and would often be the first port of call for businesses looking for information on product recalls and safety. Businesses used the site to find safety and commodity codes. The majority of this engagement was passive and involved reading information but not sending enquiries.

“We export so we have to identify products’ tariff codes, we use the government source for that.” - Retailer (own website), Cosmetics, Micro (1-9), Importer

“GOV.UK was very helpful and has a lot of free webinars to talk you through all the different procedures and what’s been changed...” - Retailer (bricks and mortar), Multi, Medium (50-249), Importer

As well as the named organisations, many businesses had also engaged with various trade associations to discuss raw material safety or changes to regulations. Several businesses did not have much active engagement with trade associations despite being members. Named trade associations included the Cosmetic, Toiletry and Perfumery Association (CTPA), British Turned Parts Manufacturing Association (BPTA) or the International Fragrance Association (IFRA).

Some businesses had chosen to cancel their trade association memberships because of the associated costs.

“We were a member of a Trade Association, but we just stopped the membership as we didn’t see the value for our money...” - Retailer (bricks and mortar), Furniture, Micro (1-9), importer

Summary of 6.2

- Many businesses had not interacted with their local authority; GOV.UK or other central government information sources.
- Those that had interacted had usually done so for information on their products and regulations and to register their businesses online.
- GOV.UK was used the most widely and was often a first port of call for information on product recalls and safety.
- Many businesses had engaged with relevant trade associations, some to discuss raw material safety and others to discuss changing regulations.

6.3 Primary Authority partnerships

Only one business was part of a Primary Authority partnership and the vast majority of businesses did not have any knowledge of what a Primary Authority partnership was.

6.4 Business awareness of BSI and UKAS

Most businesses interviewed were aware of British Standards Institution (BSI) and United Kingdom Accreditation Service (UKAS) but had not interacted or engaged with them. There was slightly more name recognition for the BSI than UKAS, but both were frequently recognised, and businesses tended to have a foundation level knowledge of what they do. This awareness did not vary between importing status, size or sector.

Despite this widespread awareness, the majority of businesses stated they had not had any interactions with the BSI or UKAS. Some used the BSI for their ISO accreditations or had gained certification through UKAS. A number of businesses were members of the BSI but did not utilise that membership or have any communication with them.

"Our main involvement with the BSI is to make sure we've got accreditation."- Manufacturer, Other, Medium (50-249), Importer

It is worth noting that a small number of businesses did not recognise either organisation when they were mentioned.

Summary of 6.4

- The majority of businesses interviewed had heard of BSI and UKAS and had a foundation level knowledge about what they did.
- A small number of businesses had interacted with BSI or UKAS.
- Those that had interacted with the organisations had used BSI for ISO accreditations or gained certification through UKAS.

6.5 Business interaction with OPSS

Businesses recruited from the general population (i.e. not from the OPSS product safety database) were unlikely to have interacted with OPSS or the Department for Business and Trade (DBT). This general population sample were also asked if OPSS had influenced their prioritisation of product safety in any way.

Businesses which had interacted with the DBT usually said they had attended seminars or presentations run by DBT or had received newsletter emails from them. Interaction rarely went beyond participatory engagement.

A small number of businesses interviewed said they had interacted with OPSS. Most commonly this interaction involved registering companies or products with them on their portal. A minority said they had responded to their consultations on changes to legislation or interacted with them to have prototypes safety tested. Despite a minority saying they had engaged with OPSS some suggested that engagement was necessary in order to sell certain products, suggesting that there may be some businesses engaging with OPSS that may not be aware of it.

"They heavily impact us, because you can't sell a cosmetic in the UK without being on the OPSS portal."- Retailer (3rd party), Cosmetics, Micro (1-9), Non-importer

Due to this lack of interaction, OPSS had not influenced many businesses' prioritisation of product safety. The small minority of those interviewed that did suggest OPSS influenced them said the information on their website had helped them shape their risk assessments.

Summary of 6.5

- Most businesses had not interacted with OPSS or DBT.
- A minority of businesses interviewed had registered their businesses with the OPSS portal.
- A similar amount had used OPSS consultations on changes to legislation or interacted with them for product testing.
- OPSS had not influenced many businesses' prioritisation of product safety.

6.6 Chapter 6 conclusion

Generally, interactions with public and private bodies on matters of product safety were mixed and varied little by size or sector. Most businesses interviewed were aware of GOV.UK and many had used it regarding product safety, however awareness and use of OPSS was low (though some businesses may be using OPSS pages on GOV.UK without knowing it). The limited influence of OPSS and other product safety bodies on product safety prioritisation suggests that businesses may not fully understand or utilise the resources available to them. This underscores the need for increased awareness and proactive engagement from these bodies to enhance product safety standards across industries.

7. Businesses' use of product safety regulatory information

Key Takeaways

Sources of information

Businesses said they would seek information on the safety of their products from three places:

1. External companies- including manufacturers and suppliers;
2. Within the sector- including sector bodies, trade associations and contacts within the industry;
3. Public bodies and regulators – including BSI, GOV.UK and HSE.

Availability and suitability of resources on product safety

- Most businesses said they had enough resources to ensure high standards of product safety.
- However, a sizeable minority of sole traders said they did not have the resources to ensure high standards.
- Some businesses suggested improvements to resources that may already be available, highlighting the importance of communicating and marketing available resources to businesses.
- Many businesses suggested that having a dedicated database or portal that was searchable and easy to use would help to maintain high standards of product safety.

Engagement with support organisations

- Awareness and interaction with growth hubs, accelerators and incubators was low.
- This suggests that going through these organisations to provide businesses with product safety information or updates would not be effective.

7.1 Introduction

In this chapter we explore the resources and information sources businesses used for matters regarding product safety. In section 7.2, we show that most of the businesses interviewed looked for information regarding product safety in one of three places: external companies; from within their sector; and public bodies. In section 7.3 we show that businesses generally felt they had the resources available to ensure standards were upheld, but that some sole traders felt under resourced. In section 7.4 we find that some of the suggested improvements that businesses gave to ensure that product safety standards are upheld may already be available. Finally, section 7.5 demonstrates that most businesses interviewed did not use business support organisations.

7.2 Sources of information

All businesses were able to give an answer on where they would look for information on the safety rules applicable to one of their products. Most provided detail, but a small number said they would generically look online, mainly businesses who had not had to look for information before.

Businesses generally stated that they would seek product safety information from three sources: external companies; within their sector; and public bodies or regulators.

External companies

Many businesses said that if they needed information on the safety of one of their products, they would first seek information from external companies. Commonly, retailers would check with the manufacturers or suppliers who they had purchased the products from.

“We would just have to go to the company themselves.” Retailer (bricks and mortar), Multi, Micro (1-9), Importer

“I would look on the website of the place I was buying to see what sheets they've got for the item.”- Retailer (own website), Multi, Micro (1-9), Importer

“We speak direct to chemists who make the products, so we get notifications very early on of any harmful products... it helps us maintain compliance...they are the most reliable source of information.”- Retailer (3rd party), Cosmetics, Micro (1-9), Importer

Some medium sized manufacturers said they might check with external risk assessors, safety consultants or testing labs. This was not mentioned by any of the sole traders or micro businesses.

“[We] work closely with laboratories and 3rd party service providers. Some are based in the UK and some overseas, but they liaise very closely with all of them to ensure that they are meeting safety rules/legislation and standards are met at end of play.”- Manufacturer, Multi, Medium (50-249), Importer

“[We] would probably start with one of the Testing and Certification organisations we work with -their bread and butter is testing to whatever standard we specify - ISO, BSO...”- Manufacturer, Multi, Medium (50-249), Importer

Seek information from within their sector

Some businesses also reported they would seek information from within their sector. This included internal checks of product technical files, but also sector bodies, trade associations and trusted contacts within the industry.

"Technical files will give chapter and verse of the product from start to finish and the compliance of each of the components."- Retailer (3rd party), Clothing / textiles, Micro (1-9), Importer

"We go to the Lighting Industry Association; we've had a close relationship with them for many years. The first thing I'd probably do is phone up them because they have a lot of very knowledgeable engineers and technical people who know the regulations inside out, and they'd be able to tell me straight away what was required."- Retailer (Bricks and mortar), Electronics, Micro (1-9), Importer

"We're a member of the British Furniture Manufacturers (BFM), they'll give us heads up if there's any changes to regulations. If I needed to know anything I wasn't sure of, I'd email SATRA or FIRA and ask them."- Retailer (Bricks and mortar), Furniture, Medium (50-249), Importer

Public bodies

Many businesses sought information from public bodies including GOV.UK, HSE, BSI, and in a small number of cases OPSS (often through the GOV.UK website).

In line with findings from chapter 6, GOV.UK was the most regularly mentioned public body, though sometimes it was mentioned alongside a generic web search that would lead respondents to GOV.UK pages. A large number of sole traders and micro businesses said they would go with this approach, possibly because it required the least amount of resource and connections.

"Probably GOV.UK but I don't know how far I'd would get in being able to source the information. in terms of [safety rules] and of an individual product I would struggle with that."- Retailer (3rd party), Toys and baby clothes, Sole trader, Non-importer

"I would mainly go to the government website. We would also search further into the actual web, so we would go to forums and stuff like that to see other people's experience."- Retailer (3rd party), Multi, Micro (1-9), Importer

"I'll only ever have a query if it's very specific. I tend to use ChatGPT first and then verify that with Google and then ultimately land on some GOV.UK website to verify what it's just taught me. That's been my winning formula at the moment."- Retailer (3rd party), Toys or baby clothes, Micro (1-9), Importer

When using government-based resources, many businesses used the Health and Safety Executive (HSE) and GOV.UK resources. Many used the two alongside one another or reached HSE after starting on the GOV.UK website.

"HSE straight away for safety."- Retailer (own website), Multi, Micro (1-9), Cosmetics, Importer

"GOV.UK, this is number one because I'm in the UK. If they have the data, I will go to them because they're the ones who make the rules. Then we would go to HSE..."- Retailer (own website), Multi, Sole trader, Importer

Several businesses said they checked with national or international standards agencies such as the BSI or ISO. Businesses said they used these organisations because they were setting the standards and therefore businesses could be confident the information they were getting would be accurate.

"We would go to the BSI as the standards are published by them."
Retailer (bricks and mortar), Sports and leisure, Micro (1-9), Importer

"We rely heavily on IEC, ISO, and BSI most of the products that we do will be covered by some sort of documentation or rules... So, all our products I fit into one of those categories."- Manufacturer, Electronics, Micro (1-9), Importer

A smaller number of businesses had connections with local trading standards and would use them for advice or bring products to them to check they were compliant.

"We meet with them twice a year when we launch products and go through a catalogue of products and tell them what we are doing to get advice from them."- Retailer (bricks and mortar), Multi, Medium (50-249), Importer

Alternative sources

It is worth noting that businesses tended not to say they would look exclusively in one place or another. Many mentioned they would use multiple sources to look for information including Google, external companies within the supply chain, trade associations, and contacts within the industry.

"Will search for a product on Google. I have recently done this for a new camping stove product. Also draw on colleague's experience, peers in the industry and testing labs. It's a mixture of research, using our network of experienced labs, technical committees which I'm part of LinkedIn is a massive thing."- Retailer (bricks and mortar), Multi, Medium (50-249), Sports / leisure, Importer

A small number of businesses, notably those that did not think their products posed a safety risk, said they did not know where to look for safety information because they had never had the need to do so. Some of these businesses guessed that they would Google for information while others said that looking for information was not necessary.

"I've got to be honest with you, we don't look because like I say, it's not knives it's board games."- Retailer (bricks and mortar), Toys or baby clothes, Micro (1-9), Non-importer

Findings from this section show that while government sources of information on product safety are used, often the first point of call for businesses is to engage with another

element of their supply chain. This highlights a potential challenge for OPSS in engaging with some businesses.

Summary of 7.2

- Most commonly businesses said they would seek information on the safety of their products from external companies.
 - This usually included retailers checking with manufacturers and suppliers.
- Businesses also said they would check within their sector
 - This included internal checks of files, but also sector bodies trade associations and trusted contacts within the industry.
- Finally, businesses said they would seek information from public bodies including BSI; GOV.UK and HSE.
- A small number of businesses said they did not know where to look for safety information.

7.3 Resources to ensure high product safety standards are upheld

The majority of businesses said that they had enough resources for ensuring product safety. The resources commonly cited as being useful were GOV.UK, manufacturers and suppliers, and industry bodies. A small number of businesses did not know where to look or how resourcing could be improved because they did not feel the need to think about product safety.

There was some variation by business size and a sizeable minority of sole traders interviewed felt that they did not have the resources to ensure they were meeting product safety requirements. They struggled for the following reasons:

- Not knowing where to look or who to consult to make sure high standards were being delivered;
- An inability to prioritise product safety over other areas of the business;
- A lack of intervention on how to maintain standards from authorities.

"Because it is just me. When you are doing the accounts, the marketing, the logistics, the ordering, the customer service there is not a lot of extra time for looking into [product safety]." - Retailer (own website), Clothing / textiles, Sole trader, Non-importer

Several businesses said that they had the resources available but were concerned about how they would be notified on changes or updates to standards. A small number of businesses said they would like there to be more of an outreach from the government to notify them of any changes, explaining that it was difficult to keep checking for changes to regulations.

"That the information is out there but there needs to be more interaction to help companies understand any changes and be informed of them." - Manufacturer, Other, Small (10-49), Importer

"Things change all the time don't they, with the government and things like that, they may decide that they're putting something in place...but when it comes to general information [about product safety] that we may need there really isn't much there for that, we have to dig deep."- Retailer (own website), Clothing / textiles, Sole trader, Non-importer

"Not particularly I wouldn't really know what we need to do, for example if the law changes how would we as a manufacturer find out about it. As a company I am not sure, should we be checking somewhere periodically?"- Manufacturer, Other, Medium (50-249), Non-importer

Resources used

In line with previous findings, GOV.UK was the most commonly used resource and generally the businesses interviewed found it useful.

"[GOV.UK website] has a table of contents and you can see the headings - whereas with the US site you have to figure out your own path."- Retailer (own website), Sports or leisure, Small (10-49), Importer

"Guidance on the government website is useful."- Manufacturer, Electronics, Micro (1-9), Importer

A proportion of businesses found GOV.UK challenging to use, with some saying it was outdated and did not provide the most up to date legislation.

"The government website doesn't really cover legislation changes like the EU does it would be nice if the UK government had something very similar to the European union way you could access recently published legislation and have it in a clearly defined format so that you could easily access it at your will."- Manufacturer, Electronics, Small (10-49), Importer

"I think if you don't know where you start, it's not the most intuitive. It's the same with the inland revenue one unless you ask a specific question, you're not going to get the answer."- Retailer (3rd party), Electronics, Medium (50-249), Importer

Many businesses felt that they currently applied high standards of product safety and as covered in other sections, relied on their suppliers for this. These businesses were also confident that their suppliers had the resources to maintain high levels of product safety or would keep the business informed and updated to any changes to regulations or standards.

"Wood suppliers tend to be on-the-ball because of the penalties for doing anything illegal. If they get caught with wood that they shouldn't, it would probably end their business."- Manufacturer, Furniture, Medium (50-249), Importer

"We don't actually have to deal with that because it is guaranteed by the supplier." - Retailer (bricks and mortar), Electronics, Medium (50-249), Importer

A small number of businesses paid for membership and subscriptions to industry standards organisations, trade bodies, or consultants. These tended to be medium sized businesses. While these membership and subscriptions were expensive, businesses that used them felt confident and reassured that their products would be covered by regulations.

"... we operate under Certifier which is warranty scheme that is the worldwide industry standard for the certification of fire hardware and is the mechanical assessment and fire assessment of those products..." - Manufacturer, Multi, Medium (50-249), Importer

"[we have] a consultant on health and safety who we can go to and does update us when rules change..." - Manufacturer, Furniture, Medium (50-249), Importer

"The sector is highly regulated, and we pay a lot of money to be members of organisations, so plenty of resources and support available." - Retailer (bricks and mortar), Furniture, Medium (50-249), Importer

However, a number of smaller businesses mentioned that the costs of joining these organisations were too much for them to justify the benefits.

"There have been various companies who turn around and say they can do this and that, but like a lot of this it comes with a price to pay and sometimes it outweighs the benefits." - Retailer (3rd party), Clothing / textiles, Micro (1-9), Importer

A small number of businesses, across various sectors, said that they had enough resources, but that regulators and enforcement bodies did not, leaving some industries with lower minimum standards and unregulated products in the market.

"Until we left the EU, yes. Since then, the level of additional burden that seems to have been placed on HSE around compliance – they take far longer to answer things now and far less reactive. That is not their fault, it is the sheer fact that they do not have enough people." - Manufacturer, Cosmetics, Medium (50-249), Importer

"Yes [have enough resources to manage product safety], but the industry does not because of the unscrupulous businesses that operate without the appropriate compliance, and trading standards does little to address the issue." - Retailer (bricks and mortar), Other, Micro (1-9), Importer

In the electronics industry, where safety is a major priority due to the potentially hazardous nature of the products, almost all businesses felt that they had enough resources to ensure high standards of product safety.

'I think we're fairly well catered for, but it is provided largely by the LIA (Lighting Industry Association), rather than government bodies and the standards people themselves.' Retailer (bricks and mortar), Electronics, Micro (1-9), Non-importer

Summary of 7.3

- Businesses commonly reported that they had enough resources to ensure high standards of product safety.
- GOV.UK was the most commonly used resource and generally businesses found it useful.
- Several businesses said they were concerned about how they would be notified on changes or updates to standards.
- A sizeable minority of sole traders said they did not have the resources to ensure they were meeting product safety requirements.
- A small number paid for membership or subscriptions to industry standards organisations, but others said the costs of these did not justify the benefits.
- Almost all businesses in the electronics sector felt they had enough resources to ensure product safety.

7.4 Improvements to resources to ensure high standards

This section will explore what resources businesses thought would help them improve product safety standards. Many businesses felt that they had all the resources they required to ensure high standards were met. Furthermore, some of the suggested improvements from businesses may already be available. For example, a small number of respondents said they would like a phoneline to call about product safety, whilst others highlighted being able to call their local trading standards as being a useful resource.

This highlights not only the need to offer more resources but also to ensure these resources are well communicated to businesses.

This is illustrated in the quotes below: one business felt there was no way to speak to someone directly about product safety guidance and therefore relied on the GOV.UK website, while another found calling Trading Standards to be the most useful source of product safety advice.

"I wish I had someone I could call on at any point. ...As a small company, it's difficult to find suitable guidance on the GOV website."- Retailer (3rd party), Cosmetics, Micro (1-9), Importer

"The most useful resource is being able to call Trading Standards."- Manufacturer, Sports / leisure, Micro (1-9), Importer

Suggested improvements

Many businesses suggested some form of dedicated database or portal that allowed them to check the safety requirements or standards for their products in a way that is searchable, sector specific and easy to understand.

"I suppose if there was a simple database you could just look up the product to see if there was relevant legislation that would be handy, and if that was through a government body of some sort then at least we could type lanyard in and it came up with, either don't worry about it or yes you should be looking at these regs."- Manufacturer, Clothing / textiles, Small (10-49), Importer

"It would be good if there was a dedicated portal for companies who are selling similar products to them. We could present a menu of standards to potential suppliers to show the specifications that the products must meet in the UK."- Retailer (own website), Electronics, Micro (1-9), Importer

"Having a list of what tests are required for every type of device in a catalogue or database somewhere...It would have helped if there was almost like an idiots guide to product safety for manufacturers and UK companies."- Retailer (own website), Cosmetics, Micro (1-9), Importer

Businesses also suggested more regular, free, or reasonably priced advice or support from the government. Many stated that advice from trade bodies, or standards agencies was expensive, and that any subsidised government support would be valuable.

"We pay a premium for this service, so if the government supplied a similar service free of charge that would be welcomed... we've made the effort to join the organisations, not because of anything the government's done."-Manufacturer, Cosmetics, Small (10-49), Importer

On a similar note, several businesses said that they would like more information from the government on test houses, where they were and what they were able to test.

"Something that lays out all the testing needed with all the standards for the industry. Laid out clearly... Also, which testing houses do what - as they all do different things."- Manufacturer, Furniture, Medium (50-249), Importer

Some also mentioned that private testing was a burden financially and that government subsidised test houses would be valuable. However, one business mentioned that their local trading standards were sometimes able to arrange free testing.

"Private testing centres charge extortionate prices for testing e.g. a foil balloon was quoted as £400, so either a price cap on testing or for a government body to have its own testing facility. We should have like a cheap service...so you could send it to a government facility, they can check it all out and test it for cheap."- Retailer (3rd party), Clothing / textiles, Micro (10-49), Importer

"For us in the UK manufacturing operation, it can be a struggle to get the equipment or to get things tested independently ...can be expensive."-
Manufacturer, Electronics, Micro (1-9), Importer

"Local trading standards can sometimes organise testing for us free of charge, so we have a good relationship with them, and they are very helpful in terms of putting documents to us and giving advice."- Retailer (3rd party), Other, Small (10-49), Importer

Summary of 7.4

- Some of the improvements to resources that were suggested by businesses to improve product safety standards may already be available.
- This highlights that communicating available resources is as important as providing the resources themselves.
- Many businesses suggested a dedicated database or portal that allowed them to easily check safety requirements or standards.
- Another common suggestion was more regular, reasonably priced advice or support from the government.
- Several businesses asked for more information on test houses, while other businesses said test houses were currently too expensive.

7.5 Engagement with and knowledge of business support organisations

OPSS are interested in whether support organisations, such as growth hubs, accelerators or incubators may be a viable point to intervene with smaller businesses about product safety responsibilities. This research found that businesses had some knowledge of growth hubs, accelerators, and incubators, but very limited interaction, particularly with accelerators and incubators.

Growth hubs

More organisations were aware of growth hubs and had interacted with them than with accelerators and incubators, though this was still a minority of the businesses interviewed. Those that had used them had found them useful, and some were still signed up to their local growth hub because of the benefits they received.

"There's training that's available and they do a lot of webinars that are available and that's very useful...it's something I got directed to from somewhere...but it could have been better publicised." - Retailer (3rd party), Electronics, Small (10-49), Importer

"Excellent connections and support from that, and a really good service. I understand that there are further services you can use when you're more established rather than new in business. I don't remember too much about health and safety or product safety being mentioned...it was more about generating business." - Retailer (bricks and mortar), Cosmetics, Sole trader, Non-importer

A minority of businesses interviewed expressed interest in growth hubs after they had been explained the premise. However, in the main, even businesses that had heard of them were not interested in signing up, often explaining that they were a well-established company and therefore had no need.

Accelerators

As with growth hubs the majority of businesses interviewed had not heard of accelerators, and none had used them. Most of these businesses were not interested in joining them; however, a couple did express interest in finding out more.

"There's so much more growth potential we can get, and that Accelerator element sounds like exactly what we need, because if there's mentorship in there that have seen businesses at your level before that have been running, you're six years old, you're at a point now where you're stable and you want to get to the next level, this is how you do it." - Retailer (own website), Cosmetics, Micro (1-9), Importer

Incubators

Similarly, awareness and use of incubators was low. One business mentioned having used one when they were setting up their business. There were some other suggestions that incubators would be useful during the first few years of a business, but not many suggested that they were aware of incubators when their business began.

"The first conversation was through a Growth Hub and they in fact signposted to Acceleration through Innovation – which is an incubator!" - Manufacturer, Furniture, Micro (1-9), Importer

"Unless you know [about them] when you start your business, but once you are more mature, they assume you know..." - Retail (bricks and mortar), Furniture, Micro (1-9), Importer

Other support organisations

Some businesses mentioned other support organisations that they were members of. Regularly mentioned were local chambers of commerce which many businesses had interacted with regarding commercial issues and local networking events.

"We have spoken to the Chamber of Commerce about importing materials from the EU - they were helpful but never spoken to anybody about safety apart from the manufacturers themselves." - Manufacturer, Other, Small (10-49), Importer

Additionally, some businesses were members of the Federation of Small Businesses, and there was also mention of business gateway in Scotland.

“The business gateway provides me with all of that, but that would not exclude or preclude me from looking at, or discussing, or talking to other similar agencies.”- Retailer (bricks and mortar), Toys or baby clothes, Micro (1-9), Importer

Findings from this research suggest that awareness of these support organisations is limited, or they are not interacted with or well-known enough for OPSS to use as a method for intervention on product safety support. Local chambers of commerce may be a more fruitful route to pursue.

Summary of 7.5

- There was some awareness but very limited interaction with growth hubs, accelerators and incubators among business interviewed.
- The research finds that these support organisations are not interacted with or well-known enough to be used as a method for intervention on product safety support. These findings suggest that further exploration is needed to understand how these could be leveraged for product safety engagement.
- Local chambers of commerce were mentioned and could be a more fruitful route.

7.6 Chapter 7 conclusion

Many small businesses knew where to look reactively if they wanted more information about product safety, however many also said they were unsure if they would be aware of regulatory changes. Engaging with these businesses proactively, possibly through the supply chain, to provide them with notifications on changing or updated regulations could help inform smaller businesses about these changes as they happen.

While many businesses feel adequately resourced, sole traders often struggle due to limited access and prioritisation challenges, furthermore some businesses suggested improvements that already existed. The findings highlight a potential gap in communication between businesses and regulators, particularly amongst smaller businesses within the sample.

Additionally, the chapter underscores the potential for enhanced government support, including subsidised testing facilities and clearer communication of regulatory changes, to alleviate the burden on smaller businesses. Despite some awareness of business support organisations like growth hubs, accelerators, and incubators, their limited interaction with businesses suggests these are not yet viable channels for OPSS intervention, indicating a need for increased visibility and engagement with these resources to bolster product safety practices across industries.

8. Engagement with product safety when importing products

Key Takeaways

Attitudes to product safety during importing

- A substantial number of businesses that imported products did not have specific safety protocols for the importing of their products.
- Some of the businesses that imported products did not believe that the responsibility for safety lay with them, instead believing it lay with the manufacturers or suppliers.
- On most occasions the port a product was imported through was not specified by the business. Businesses that had specified ports had done so because of location or time.

Implications of not abiding by regulations

- Most businesses agreed there would be consequences if businesses were found to be importing products that did not abide by safety regulations.

8.1 Introduction

In this chapter we cover businesses' awareness of and engagement with product safety when importing materials and products into the UK. In section 8.2 we show that while businesses said that product safety was a priority when importing products it was often not the first consideration. In section 8.3 we find, once again, that GOV.UK is the resource most commonly mentioned when looking for information on safety regulations when importing. Section 8.4 presents the finding that importers generally had some awareness of the implications of importing products that did abide by regulations but that opinions on likelihood too get caught were mixed.

8.2 Attitudes towards product safety as a factor during importing

The majority of businesses explained that product safety was a priority but was often not their first consideration when importing products into the UK. Many businesses did not have any specific safety protocols for importing products or materials.

"It's not a priority, just something we do... No systematic process."
Manufacturer, Other, Small (10-49), Importer

"It's probably on a par with the quality, so it's of high priority." - Retailer
(bricks and mortar), Other, Micro (1-9), Importer

Within the electronics sector specifically businesses were likely to report that they consistently carried out additional checks on their products to ensure they adhered to UK standards.

“Totally – everything has to meet the necessary requirements, and we have to access the certification to show to end users.”- Manufacturer, Electronics, Micro (1-9), Importer

However, many businesses said there was no need for specific safety protocols because if they were importing high quality products from reputable brands and suppliers then product safety would be ensured. A minority of businesses reported that they had stopped importing cheaper products from certain countries due to concerns around product safety. In chapter 3 we also found that manufacturers, when sourcing their materials, also said that they prioritised purchasing from reputable vendors and were wary of purchasing from certain, less regulated, countries.

“That’s one of the reasons I try to avoid buying [Named country] resin.”- Retailer (bricks and mortar), Other, Sole trader, Importer.

There were several businesses that did have specific protocols and checks in place to ensure products adhered to safety regulations upon arrival in the UK. These businesses reported that they provided suppliers with the necessary standards and regulations that the products must meet and insisted on compliance prior to importing the products.

“Very important, we get all of the lab tests for everything, we don’t take it unless we have that.”- Manufacturer, Sports / Leisure, Micro (1-9), Importer

A number of businesses were of the opinion that they did not have the responsibility for the safety of their imported products, instead believing that responsibility lay with the manufacturer. Many of these businesses noted that it was their suppliers that undertook the paperwork and checked the product was within regulation prior to importing. These businesses ensured the products they imported matched regulations by checking the certificates and paperwork upon the products arrival in the UK.

One business said that they did not need to consider product safety when importing because they were not aware of product safety regulations that were applicable to their product in general.

“The product itself is quite stable, sitting on the ground.”- Manufacturer, Other, Small (10-49), Importer

Use of ports when importing products into the UK

The majority of businesses reported that they did not specify or simply had no say over which ports the products they imported to the UK went through. Several noted this was due to their products being imported through third parties such as DHL, UPS or FedEx.

“It’s more in the hands of the forwarders and the shippers themselves which ports they use, so we don’t really have a say over how it comes in.”- Retailer (bricks and mortar), Other, Micro (1-9), Importer

Among the minority of businesses that did specify which ports their products were imported through; the ports were mainly chosen because they were geographically convenient to where the business required the products to be.

A minority of businesses noted that their regular port choice would vary depending on the shipping times, especially if they were faced with time pressures.

Businesses importing into the UK were asked whether they had previously had products stopped and checked by customs at ports. A small number of businesses had experienced this, and in all cases, this was because of missing paperwork or specific certifications. None of these businesses had been found to have unsafe products by customs officials. Similarly, there were no mentions of any punitive action following intervention from customs officials.

“...it’s normally to do with documentation missed on the system...it delays delivery of stock and impacts the business massively. Frequently this has been a spanner in works as the document doesn’t seem to be in the right place.”- Retailer (bricks and mortar), Clothing / Textiles, Small (10-49), Importer

Summary of 8.2

- Many businesses did not have specific safety protocols for importing their products or materials, though several conducted checks and ensured suppliers abided by necessary standards and regulations.
- Businesses within the electronics sector were likely to consistently carry out additional checks on their products to ensure they met UK standards.
- Some businesses that imported products felt that responsibility for ensuring their products met safety standards lay with the manufacturer or supplier and not them.
- The majority of businesses interviewed did not specify which port their products were imported through.
- Those that did specify ports based their decisions on location or time.

8.3 Sources of information used by businesses to understand importing regulations

In line with previous findings most businesses interviewed reported that if they needed to find out further information regarding importing regulations then their first instinct would be to check the GOV.UK website.

“We look online to GOV.UK to see the regulations... Certain things you need certificates for, and we have to find out the right information.”- Retailer (bricks and mortar), Cosmetics, Micro (1-9), Importer

Sources of information used by businesses did not vary by business size, however some mentioned that they would go to specific trade associations / standards in the first instance. For example, those in the Cosmetics sector mentioned the Cosmetic, Toiletry and Perfumery Association (CPTA).

A number of other sources of information were commonly mentioned by businesses importing into the UK including:

- Distributors/suppliers
- Health and Safety Executive
- Chamber of Commerce
- Logistics companies
- Trade associations/ standards.

Summary of 8.3

- GOV.UK was usually the first-place businesses would check for importing regulations on products.
- Various other sources were commonly mentioned by businesses that imported products as places to find information on importing regulations.

8.4 Attitudes to the implications of not abiding by regulations when importing

The majority of businesses felt that if they were found to be importing unsafe products or materials into the UK by customs then there would be a number of implications. These included:

- prosecution;
- delays in getting products onto shelves/to customers;
- fines;
- tax increase/impact;
- product recall and removal from the market;
- business closure.

“I think the implications are quite bad because customs or HMRC, or whichever relevant body is going to catch up with you very quickly.”-

Retailer (bricks and mortar), Other, Micro (1-9), Importer

Although businesses were aware there were implications of not abiding by product safety regulations, opinions on the likelihood of being caught was divided.

Some businesses presumed that any products that did not adhere to regulations would be identified at the border and flagged to both suppliers and relevant manufacturers or retailers in the UK.

However, others believed that it would be easy to import products that did not abide by safety regulations without them being checked. Several said that it would be dependent on how heavily regulated your sector was. For example, a couple noted that businesses within the cosmetics and pharmaceutical sector would find it more difficult to import unregulated products in comparison to those in the clothing sector.

A few businesses said that, due to the substantial amounts of imports into the country, it would be difficult for every unregulated product to be stopped, so therefore some unsafe products must be made in the UK.

“There are too many things coming into this country for everything to be checked. There probably are things coming into this country that people do not know about.” - Retailer (own website), Sports / Leisure, Small (10-49), Importer

Some went further and said it would be easy to import unregulated products into the UK as they were aware of other businesses currently importing and selling unregulated products. Similarly, some businesses were sceptical that deterrents were helpful in reducing the number of unregulated products because of the volumes of unsafe products already in the UK.

“I know a few brands that import products and don’t even bother checking whether or not they’re safe or viable to use. They just import them and then they start selling them... so there is no punishment.” Retailer (3rd party), Cosmetics, Small (10-49), Importer

Summary of 8.4

- Businesses tended to say that if businesses were discovered to be importing unsafe products there would be consequences, however opinion varied on the likelihood of a business being caught.

8.5 Chapter 8 conclusion

Businesses acknowledged the importance of product safety when importing but often also suggested it takes a backseat to other considerations such as quality and cost. However, many concluded that importing from reputable suppliers meant that safety was assured. The reliance on GOV.UK as a primary resource underscores the need for accessible and comprehensive information on safety regulations, yet the mixed opinions on enforcement highlight a perceived gap in regulatory oversight. This suggests that while businesses are aware of the potential implications of importing unsafe products, the perceived likelihood of detection varies significantly, influenced by sector-specific regulations and the sheer volume of imports.

9. Conclusions

The majority of businesses we interviewed believe that they do treat product safety as a priority, although for many ensuring the safety of their products is not an involved process. Businesses that do not treat safety as a priority have usually reached their conclusion based on a perception of the risk associated with their products and had not conducted testing on the products to reach this conclusion. This highlights the need for tailored safety strategies and communications that consider the inherent risks associated with specific products or sectors rather than a one-size-fits-all approach. A possible suggestion for future research would be to explore in more detail how businesses reached their conclusion on the perceived safety of their products and the extent to which OPSS agree with their conclusions.

Many small businesses believed that responsibility for the safety of products lay with someone else in the supply chain. They often assumed that if the manufacturers or suppliers they were purchasing from had up to date safety certificates this ensured that the products they received were safe. These businesses relied on manufacturers or suppliers to stay up to date with regulations and to keep them informed of changes. In order to address this, OPSS could consider developing clear communication channels with manufacturers and suppliers to ensure timely updates on any changes in safety regulations that could be filtered down through the supply chain.

Similarly, most sole-traders and retailers interviewed would rely heavily on manufacturers or suppliers to determine what steps to take if a product was deemed unsafe. These businesses said they would remove any unsafe products from sale in the first instance and then look for information from the manufacturer or supplier. As with the point above, a blend of engaging with manufacturers to disseminate information on responsibilities of retailers, and proactive engagement from OPSS with retailers, could help those that are smaller to gain better understanding of their responsibilities beyond removing products from the shelves.

Awareness of regulations and obligations to do with product safety increased with size. A significant proportion of the smallest businesses interviewed were unaware of regulations and could not name standards that were relevant to their products. There was a lack of awareness among the majority of businesses of the requirements to notify MSAs if they were notified or identified that one of their products was unsafe.

OPSS generally left a good impression on the businesses that were interviewed from the PSD sample source. These businesses felt informed throughout the process and that OPSS had encouraged them to think more about product safety. There were some suggested areas where OPSS could improve, these were: contacting businesses earlier, before corrective action was required; more face-to-face interactions; and less technical vocabulary used in written communication.

The majority of businesses felt they had enough information available to help ensure high product safety standards, but there were some that did not feel that they would be aware of changes to product safety standards or regulations. This was especially the case among sole-traders and a sizeable minority said they did not have the resources to ensure they were meeting product safety requirements. GOV.UK was often mentioned as the first port of call and could be an area to engage with businesses about their product safety in a proactive rather than reactive way.

Some businesses suggested resources to help them maintain standards that were already available. This suggests that as well as making resources available, they also need to be well communicated.

Business support organisations are not interacted with or well-known enough for OPSS to use as a method for intervention on product safety support. Evidence suggested local chambers of commerce may be a more fruitful route to pursue.

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