

We have identified that in December 2025 and early January 2026, there have been a number of safety reports, both in the EU and UK, related to jewellery with excess levels of heavy metals – in particular cadmium, nickel and lead.

The reports appear to relate to products originating from China. They are sold under a number of brands, through various retailers and from various suppliers, which suggests that there may be an enforcement focus and/or intelligence in the possession of authorities as to routine noncompliance with requirements for these substances in jewellery products from this country of origin, as opposed to an investigation into a particular business.

A range of reported corrective action has been taken in relation to relevant products, including imports being stopped at borders, destruction of products, removal from online marketplaces, warnings being issued to consumers and, in some cases, product recalls. It is not clear from the publicly accessible information whether this action has been voluntarily undertaken by the relevant authorised representative, importer, distributor or retailer, or whether it has been mandated by the relevant enforcement authorities.

Obligations and Sanctions for Chemical Content

The main known, presumed or suspected effects for these substances are as follows:

- **Lead** – Reproductive toxicant
- **Cadmium** – Carcinogen
- **Nickel** – May cause allergic skin reaction

Hence, they are all subject to the following limits under both EU REACH and UK REACH:

- 0.05 % by weight for Lead
- 0.01 % by weight for Cadmium
- 0.5 µg/cm²/week for the Nickel rate of release

Enforcement is the responsibility of EU Member States and the UK. Typically, violations of the above limits can be treated more severely than more “administrative” chemical law breaches: depending on the circumstances of each case, penalties can include fines from several thousand euros to several million, and also, prison terms are theoretically possible, but very rarely used.

The levels of excessive heavy metal in each reported product varies. In one case, the reported cadmium level, by weight, was 39%, which, if correct, is extremely high and would certainly have given rise to an immediate product recall and, presumably, strong penalties.

Obligations and Sanctions for the Products

Businesses in the EU and UK should be aware that, in addition to obligations under REACH, there are general obligations under EU and UK law (in particular, under the General Product Safety Regulation (EU) 2023/988 in the EU (**EU GPSR**) and under the General Product Safety Regulations 2005 (**UK GPSR**), which implemented the previous EU General Product Safety Directive 2001/95/EC, in the UK). These provisions require that economic operators based in the EU and UK must only place safe products on the relevant market. A breach of these general obligations could lead to enforcement action under local laws in the relevant market, subject to relevant evidential and public interest tests being met.

Furthermore, if an importer or a distributor (which could, in each case, include a retailer of third-party products) becomes aware that they have sold a product that is dangerous, that party will have direct obligations relating to notifying market surveillance authorities and informing others (including consumers, in certain circumstances). There are also direct obligations to ensure that necessary corrective measures are taken. Such corrective measures could include product withdrawal, or recall, as well as other measures referred to in the various product safety reports.

Under EU GPSR, there are specific provisions in relation to online marketplaces and online sellers, which might be relevant (and in the UK, similar requirements are likely to apply in practice by enforcement agencies taking action under the general provisions of UK GPSR). Again, any breach of the obligations for notification, information to consumers and corrective action could lead to enforcement action under local laws in the relevant market, subject to relevant evidential and public interest tests being met.

Supply Chain Due Diligence

Retailers of jewellery products in Europe should be aware of this trend of product safety reports, in order that they are on the front foot if excessive levels of these heavy metals (or, indeed, other relevant substances) in third-party manufactured products are detected. Checking safety reports, any declared compliance with European standards etc. and general due diligence processes to prevent noncompliance will be useful.

Even if these records and processes are ultimately considered by authorities not to be sufficient and fall short of all reasonable precautions, or due diligence (which could operate as a defence in some markets) in the event that any noncompliance is detected, either in-house, or by authorities, this may result in a favourable assessment of “public interest” and proportionality when the relevant enforcement authority assesses whether formal enforcement action should be taken in response to noncompliance. Where nonconformities are detected in-house, and prompt, appropriate action is taken accordingly, in line with obligations under EU/UK REACH and EU/UK GPSR, this is likely to be viewed favourably by authorities.

Reputational Risk

On top of the stop sales and legal risk associated with not meeting the heavy metal limits in jewellery, businesses should also be aware that safety reports and corrective action for nonfood products are routinely published in both the UK – by the Office of Product Safety and Standards – and the EU – in the Safety Gate database of the European Commission (there are separate reports for food safety issues). Therefore, there may also be a reputational risk, in addition to the legal risks above.

Contacts



Nicola Smith

Partner, Birmingham
T +44 121 222 3230
E nicola.smith@squirepb.com



Gerard McElwee

Partner, Brussels
T +32 2 627 7628
E gerard.mcelwee@squirepb.com