

UNCTAD Workshop on Consumer Product Recalls:
Upcoming new rules on product safety recalls at EU level

4 May 2023

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Upcoming new rules on product safety recalls at EU level



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Revision of the General Product Safety Directive (Directive 2001/95/EC)

30 June 2021:

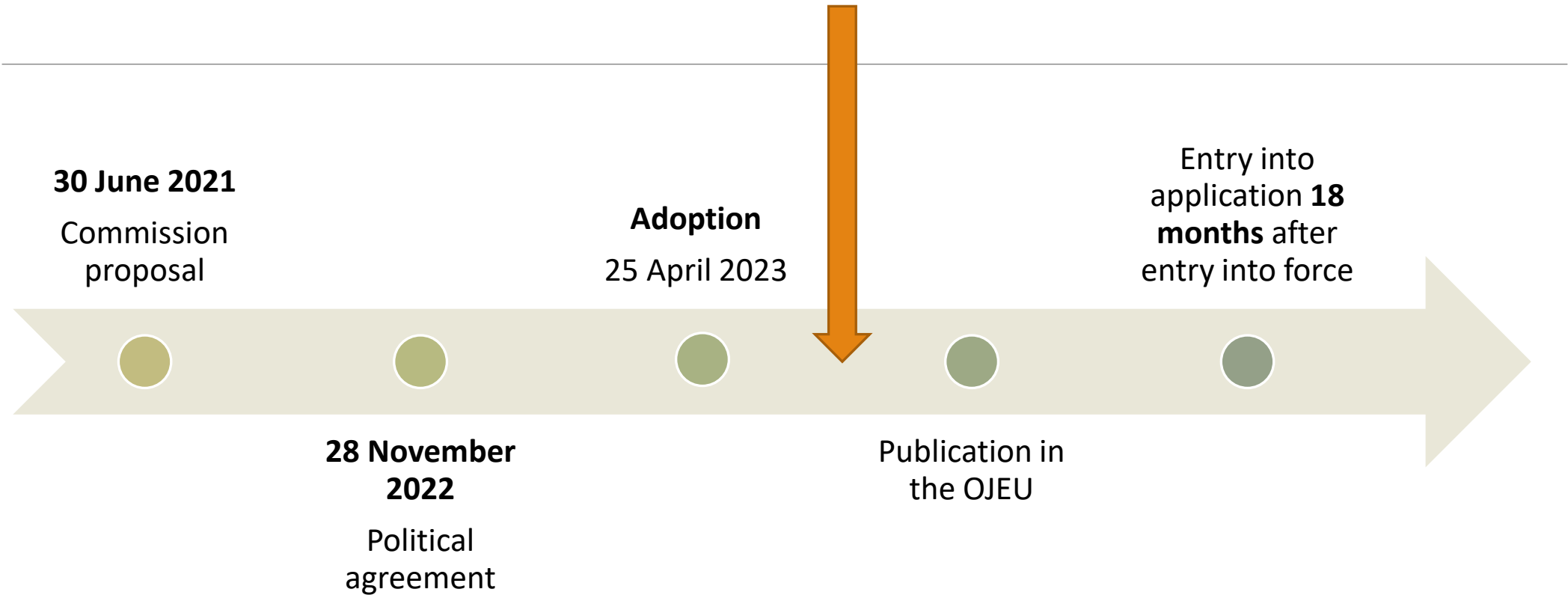
Commission's Proposal for a new Regulation of the European Parliament and of the Council on general product safety – GPSR (COM/2021/346)

Objectives :



Update and modernise the general framework for safety of non-food consumer products to preserve its role as a **safety net for consumers** and **ensure level-playing field for businesses**

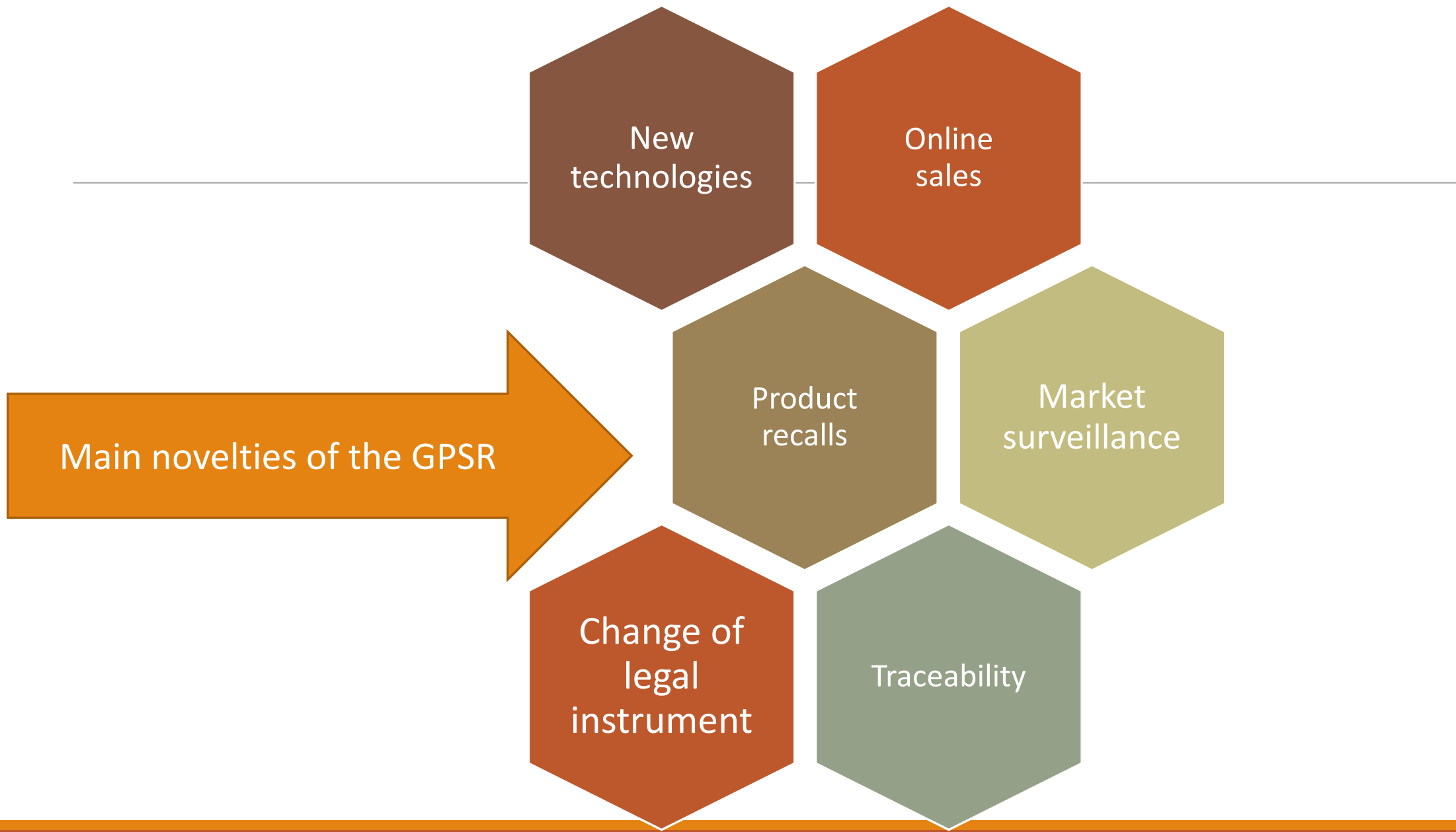
Timeline





A very broad scope of application





Work on recall effectiveness at EU level



Research

- Consumer survey (2019)
- Behavioural study (2021)



Best-practice mapping

- Expert workshop (2019)
- International Product Safety Week (2020)



Coordinated activity with Member States (2021)

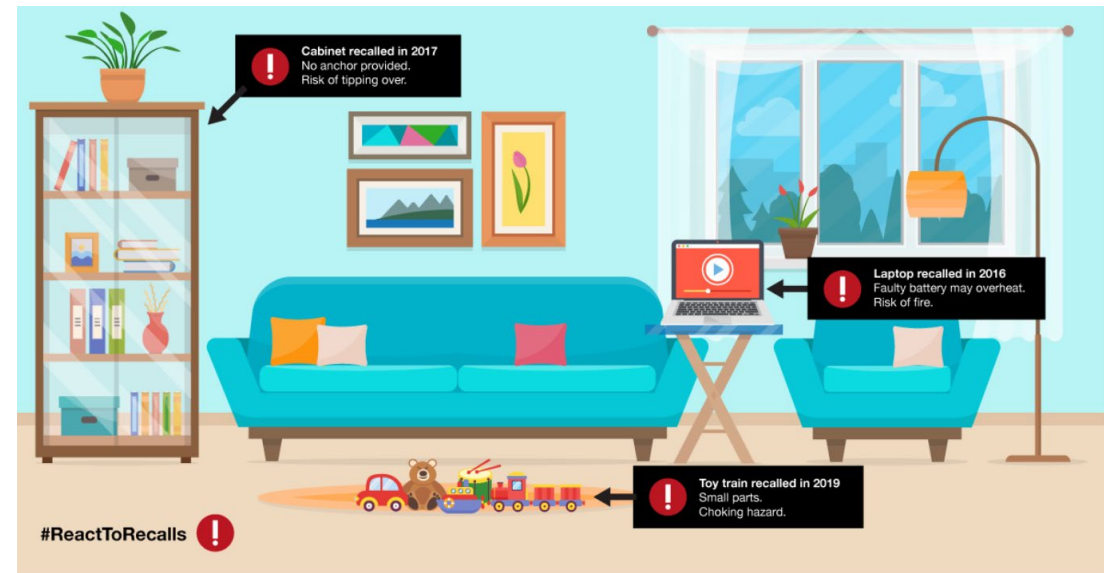
Proposal for General Product Safety Regulation

A to Z recall guide for authorities & economic operators

Template for recall notices

Making product recalls more effective (1): consumer information

- Issue 1: **Consumers often not aware of recalls affecting them**
 - Legal obligation for businesses and online marketplaces to use **data** at their disposal to **contact directly consumers** affected by a recall
 - If **product registration systems / customer loyalty programs**: possibility for consumers to provide contacts details only for safety purposes
 - Obligation for businesses and online marketplaces to **disseminate** recall information / safety warning



OECD GLOBAL AWARENESS CAMPAIGN ON PRODUCT RECALLS
21-25 October 2019
www.oecd.org/sti/consumer/product-recalls



Making product recalls more effective (2): recall notice

Issue 2: Consumers not reacting to recalls affecting them


- Mandatory content of recall notices (headline, description of product, description of hazard, description of action and remedy, contact for consumers, encouragement to share the information)
- Avoid minimising the risk at stake (e.g. “voluntary”, “discretionary”)
- Adoption of template for recall notices


<https://ec.europa.eu/safety-gate/#/screen/pages/effectiveRecalls>

Are you a business? Show that you care!

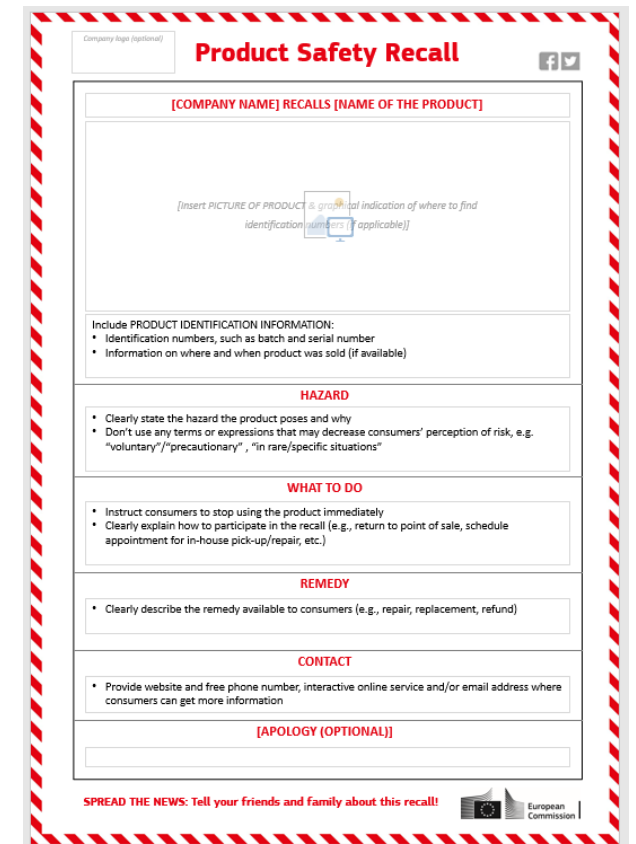
✓ If one of your products is harmful and is already in the hands of your customers, make sure to recall it immediately.

✓ When publishing a recall, clearly describe the product and the hazard. Give clear instructions on what to do. Motivate your customers to return the product by making it simple and offering speedy and attractive remedies. Here is a recommended template for a recall notice that you can easily fill in.

 recommended template for a recall notice (1.50 MB - POTX) [Download](#)

 recommended template for a recall notice (1.50 MB - DOTX) [Download](#)

✓ Encourage your customers to register the products they purchase. Explain this will allow you to contact them should a problem occur. Assure them that no other use will be made of their personal data



Product Safety Recall

[COMPANY NAME] RECALLS [NAME OF THE PRODUCT]

[Insert PICTURE OF PRODUCT & graphical indication of where to find identification numbers (if applicable)]

Include PRODUCT IDENTIFICATION INFORMATION:

- Identification numbers, such as batch and serial number
- Information on where and when product was sold (if available)

HAZARD

- Clearly state the hazard the product poses and why
- Don't use any terms or expressions that may decrease consumers' perception of risk, e.g. "voluntary"/"precautionary", "in rare/specific situations"

WHAT TO DO

- Instruct consumers to stop using the product immediately
- Clearly explain how to participate in the recall (e.g., return to point of sale, schedule appointment for in-house pick-up/repair, etc.)

REMEDY

- Clearly describe the remedy available to consumers (e.g., repair, replacement, refund)

CONTACT

- Provide website and free phone number, interactive online service and/or email address where consumers can get more information

[APOLOGY (OPTIONAL)]

SPREAD THE NEWS: Tell your friends and family about this recall!

European Commission

Making product recalls more effective (3): remedies offered to consumers

Issue 3: Remedies offered in case of recall not always satisfactory for consumers

Remedies shall be **effective, cost-free and timely**

In case of product safety recalls, consumers should
get a choice between **at least two** of the following
remedies:

- repair,
- replacement,
- refund.



Useful links

- ✓ Access to recall guide, recall template, report on behavioural study...:
<https://ec.europa.eu/safety-gate/#/screen/pages/effectiveRecalls>
- ✓ Text of General Product Safety Regulation:
<https://data.consilium.europa.eu/doc/document/PE-79-2022-INIT/en/pdf> (on recalls, see in particular Articles 35-37)