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DIRECTORATE FOR SCIENCE, TECHNOLOGY AND INDUSTRY
COMMITTEE ON CONSUMER POLICY

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COMPILATION OF RESPONSES TO THE OECD 2008 QUESTIONNAIRE ON CONSUMER PRODUCT SAFETY

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COMPILATION OF RESPONSES TO THE OECD 2008 QUESTIONNAIRE ON CONSUMER PRODUCT SAFETY

This document is an addendum to the analytical report on consumer product safety [DSTI/CP(2008)18/FINAL]. It sets out a series of tables integrating responses from OECD Members and non-members to the 2008 OECD questionnaire on consumer product safety.

The tables address the following issues:

1. National consumer product safety laws, policy, enforcement and standards agencies
2. Definitions of 'safe/unsafe products
3. General product safety obligations
4. Monitoring of the production and distribution of unsafe products
5. Reporting of unsafe products
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7 A. Removing unsafe products from markets

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12. Addressing product safety questions more effectively internationally.

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Responding country	Applicable law/s	Policy agency/ies	Enforcement agency/ies	Standards development body/ies	Product monitoring and testing agency/ies
Australia	Trade Practices Act 1974 Various State and Territory laws (Australia has agreed to changes in its legislative framework to introduce a consistent domestic law for consumer product safety)	Australian Treasury State and Territory offices of fair trading	Australian Competition and Consumer Commission State and Territory offices of Fair Trading (Australia has agreed to changes in its enforcement framework to provide a greater role for the ACCC and increased domestic co-ordination)	Standards Australia	Australian Competition and Consumer Commission State and Territory Offices of Fair Trading
Belgium	La loi du 9 février 1994 relative à la sécurité des produits et des services (implements EC Directive 2001/95/EC on General Product Safety (GPSD))	Federal Public Service - Economy (Directorates-General of Quality and Safety; Control and Mediation and Energy)	Federal Public Service - Economy (Directorates-General of Quality and Safety; Control and Mediation and Energy)	Bureau de Normalisation (Standardisation Bureau)	Federal Public Service - Economy (Directorates-General of Quality and Safety; Control and Mediation and Energy)
Canada	Hazardous Products Act and its regulations (appro. 30 product-specific regulations).	Health Canada Provincial governments have jurisdiction over the adoption of the National Building Code which includes certification requirements for electrical, gas and plumbing products	Heath Canada Provincial governments for electrical, gas and plumbing products	Standards Council of Canada	Health Canada
Chile	*Ley del consumidor 1997*(Ley-19496) (Consumer Protection Act)	*Ministerio de Economia, Fomento y Reconstruccion; Servicio Nacional del Consumidor (SERNAC)*	SERNAC	Instituto Nacional de Normalización (National Standardisation Institute)	SERNAC
Denmark	(Implements EC Directive 2001/95/EC on General Product Safety (GPSD))	Danish Safety Technology Authority (part of the Danish Ministry of Economic and Business Affairs)	Danish Safety Technology Authority Danish Environment Protection Agency Danish Workers Protection Agency	*Dansk Standard* (Danish Standards Authority)	Danish Safety Technology Authority
Estonia	Product and Service Safety Act 2004	Ministry of Economic Affairs and Communications (machinery, pressure equipment, lifts, electrical equipment, construction products, recreational crafts, explosives purposed for civil use, toys, general safety issues of consumer products); Ministry of Social Affairs (chemical products, personal	Consumer Protection Board (generally); Technical Surveillance Authority (electrical, telecommunication, gas and pressure equipment, lifts, construction products, machinery); Health Protection Inspectorate (cosmetics, chemicals);	*Eesti Standardikeskus* (Estonian Centre of Standardisation)	Consumer Protection Board (generally); Technical Surveillance Authority (electrical, telecommunication, gas and pressure equipment, lifts, construction products, machinery); Health Protection Inspectorate (cosmetics, chemicals);

Responding country	Applicable law/s	Policy agency/ies	Enforcement agency/ies	Standards development body/ies	Product monitoring and testing agency/ies
		protective equipment, cosmetics and medical devices)	Labour Inspectorate (personal protective equipment) Agency of Medicines (medical devices)		Labour Inspectorate (personal protective equipment) Agency of Medicines (medical devices)
European Union	EC Directive 2001/95/EC on General Product Safety (GPSD)	European Commission Directorates-General Health and Consumers, Enterprise and Industry and Taxation and Customs Union	European Commission Directorates-General Health and Consumers, Enterprise and Industry and Taxation and Customs Union Agencies in EU Member States	European Committee for Standardisation (CEN) European Committer for Electrotechnical Standardisation (CENELEC) European Telecommunications Standards Institute (ETSI)	European Commission Directorates-General Health and Consumers, Enterprise and Industry and Taxation and Customs Union Agencies in EU Member States
Finland	Act on the Safety of Consumer Products and Services (75/2004) (implements EC Directive 2001/95/EC on General Product Safety (GPSD))	Ministry of Employment and the Economy	Finnish Consumer Agency, Provincial governments, Municipal supervising authorities (generally) Safety Technology Authority (electrical appliances, electromagnetic compliance, chemicals, pressure vessels, rescue service equipment, construction products, fireworks and explosives etc). National Product Control Agency for Welfare and Health (chemicals, tobacco, alcoholic beverages) Finnish Vehicle Administration (motor vehicles) Ministry of Social Affairs and Health (occupational safety)	Finnish Standards Association (SFS)	Finnish Consumer Agency, Provincial governments, Municipal supervising authorities (generally) Safety Technology Authority (electrical appliances, electromagnetic compliance, chemicals, pressure vessels, rescue service equipment, construction products, fireworks and explosives etc.) National Product Control Agency for Welfare and Health (chemicals, tobacco, alcoholic beverages) Finnish Vehicle Administration (motor vehicles) Ministry of Social Affairs and Health (occupational safety)
France	Loi n° 93-949 du 26 juillet 1993 relative au code de la consommation (partie Législative)	Ministère de l' Économie, de l'Industrie et de l'Emploi : - Direction Générale de la Concurrence de la Consommation et de la Répression des Fraudes En concertation avec : Direction Générale des Entreprises / SQUALPI Direction Générale des Douanes et des Droits Indirects	Direction Générale de la Concurrence, de la Consommation et de la Répression des Fraudes	Association Française de Normalisation	Commission de Sécurité des Consommateurs Administration française

Responding country	Applicable law/s	Policy agency/ies	Enforcement agency/ies	Standards development body/ies	Product monitoring and testing agency/ies
		Commission de Sécurité des Consommateurs			
Germany	German Equipment and Product Safety Act	Federal Government Federal Ministry of Labour and Social Affairs	Committee on Technical Equipment and Consumer Products	Committee on Technical Equipment and Consumer Products	Market Surveillance Authorities of the German States
Israel	Standards Law 5713 – 1953	Ministry of Industry, Trade and Labour Commissioner of Standardization	Commissioner of Standardization	Standards Institution of Israel	Commissioner of Standardization
Japan	Consumer Product Safety Law Product Liability Act Consumer Basic Act Law for the Control of Household Products Containing Harmful Substances Food Sanitation Law	Cabinet Office Ministry of Economy, Trade and Industry, Cabinet Office Ministry of Health, Labour and Welfare	Ministry of Health, Labour and Welfare Local governments with public health centres	Japanese Standards Association Japanese Industrial Standards Consumer Affairs Council	The Ministry of Economy, Trade and Industry The National Institute of Technology and Evaluation National Consumer Affairs Centre Local Governments
Korea	Consumer Act Quality Management and Safety Control of Industrial Products Act Electric Appliance Safety Control Act	Ministry of Knowledge and Economy Korean Fair Trade Agency	Korean Agency of Technology and Standards Korean Consumer Agency Korean Customs Service	Korean Agency for Technology and Standards of the Ministry of Knowledge and Economy	Korean Agency of Technology and Standards Korean Consumer Agency Korean Customs Service
Mexico	Federal Consumer Protection Law Regulation Federal Law on Metrology and Standardization	Ministry of Economy Ministry of Health Federal Consumer Protection Agency (PROFECO)	Federal Consumer Protection Agency (PROFECO)	National Commission for Standardization	Federal Consumer Protection Agency (PROFECO)
New Zealand	Consumer Guarantees Act 2003; Fair Trading Act 1986	Ministry of Consumer Affairs	Commerce Commission	Standards New Zealand	Commerce Commission
Norway	Act on Consumer Purchase 2002 (implements EC Directive 2001/95/EC on General Product Safety (GPSD))	Ministry of Children and Equality	*Forbrukerradet* (Norwegian Consumer Council)	*Standard Norge*	*Forbrukerradet* (Norwegian Consumer Council)
Poland	Act on General Product Safety of 12 December 2003 Journal of Laws No. 229 item 2275	Office of Competition and Consumer Protection	Office of Competition and Consumer Protection Trade Inspection	Polish Committee for Standardization	Office of Competition and Consumer Protection (supervising body) Trade Inspection

Responding country	Applicable law/s	Policy agency/ies	Enforcement agency/ies	Standards development body/ies	Product monitoring and testing agency/ies
Portugal	Decree-Law 69/2005, of 17 March 2005 (implements EC Directive 2001/95/EC on General Product Safety (GPSD))	Ministry of Economy and Innovation – Consumer Directorate-General	Consumer Directorate-General (consumer protection authority) Consumer Goods and Services Safety Commission (implements EU GPSD) Directorate-General for Customs and Special Consumer Taxes (customs authority) Authority for Food and Economic Safety (market surveillance authority)	Consumer Directorate-General	Consumer Directorate-General Consumer Goods and Services Safety Commission Authority for Food and Economic Safety
Slovak Republic	Act No. 250/2007 Coll. on consumer protection (implements EC Directive 2001/95/EC on General Product Safety (GPSD))	Ministry of Economy	Ministry of Economy of the SR – regulatory and coordination body Ministry of Transport, Post and Telecommunication of the SR – regulatory and enforcement body for motor vehicles and their spare parts, Slovak Trade Inspection – enforcement body for market surveillance of almost all non-food products Public Health Institute of the SR-enforcement body for cosmetics Ministry of Health of the SR – regulatory body for cosmetics, medical devices, drugs, etc.	Office of Standardisation, Measures and Testing Slovak Institute of Technical Standardization	Office of Standardisation, Measures and Testing Slovak Trade Inspection
Slovenia	General Product Safety Act (GPSA), (Official Gazette of RS No. 101/2003) (implements EC Directive 2001/95/EC on General Product Safety (GPSD)) Standardisation Act (OG of RS No. 59/1999)	Ministry of the Economy	Slovenian Market Inspectorate Slovenian Health Inspectorate	Slovenian Institute for Standardisation	Slovenian Market Inspectorate Slovenian Health Inspectorate

Responding country	Applicable law/s	Policy agency/ies	Enforcement agency/ies	Standards development body/ies	Product monitoring and testing agency/ies
Sweden	Swedish Product Safety Act (2004:451) (implements EC Directive 2001/95/EC on General Product Safety (GPSD))	Ministry of Integration and Equality	Swedish Consumer Agency *Arbetsmiljöverket* (Swedish Work Environment Authority) *Boverket* (National Board of Housing,Building and Planning) *Elsäkerhetsverket* (Swedish National Electrical Safety Board) *Energimyndigheten* (Swedish Energy Agency) *Järnvägsstyrelsen* (Swedish Rail Agency) *Kemikalieinspektionen* (Swedish Chemicals Agency) *Konsumentverket* (Swedish Consumer Agency) *Läkemedelsverket* (Medical Products Agency) *Naturvårdsverket* (Swedish Environmental Protection Agency) *Post- och telestyrelsen* (Swedish Post and Telecom Agency) *Radio- och TV-verket* (Swedish Radio and TV Authority) *Statens räddningsverk* (Swedish Rescue Services Agency) *Socialstyrelsen* (National Board of Health and Welfare) *Sjöfartsverket* (Swedish Maritime Administration) *Skatteverket* (Swedish National Tax Board) *Styrelsen för ackreditering och teknisk kontroll* (Swedish Board for Accreditation and Conformity Assessment)	SIS – Swedish Standards Institute (SIS) ITS (I*nformationstekniska Standardiseringen)* for all telecom standardisation SEK (*Svenska Elektriska Kommissionen*) for all standards concerning electrical, electronic and related technologies	Swedish Consumer Agency *Arbetsmiljöverket* (Swedish Work Environment Authority) *Boverket* (National Board of Housing,Building and Planning) *Elsäkerhetsverket* (Swedish National Electrical Safety Board) *Energimyndigheten* (Swedish Energy Agency) *Järnvägsstyrelsen* (Swedish Rail Agency) *Kemikalieinspektionen* (Swedish Chemicals Agency) *Konsumentverket* (Swedish Consumer Agency) *Läkemedelsverket* (Medical Products Agency) *Naturvårdsverket* (Swedish Environmental Protection Agency) *Post- och telestyrelsen* (Swedish Post and Telecom Agency) *Radio- och TV-verket* (Swedish Radio and TV Authority) *Statens räddningsverk* (Swedish Rescue Services Agency) *Socialstyrelsen* (National Board of Health and Welfare) *Sjöfartsverket* (Swedish Maritime Administration) *Skatteverket* (Swedish National Tax Board) *Styrelsen för ackreditering och teknisk kontroll* (Swedish Board for Accreditation and Conformity Assessment)
Switzerland	Federal Act on the Safety of Technical Equipment and Appliances and other Federal Sectoral Acts		Public and private authorities	Swiss Association for Standardization (SNV)	Public and private authorities

Responding country	Applicable law/s	Policy agency/ies	Enforcement agency/ies	Standards development body/ies	Product monitoring and testing agency/ies
	(Switzerland is in the process of developing a new law which will reflect EC Directive 2001/95/EC on General Product Safety (GPSD)	State Secretariat for Economic Affairs (SECO) and other federal authorities with sectoral competences			
Turkey	The 4703 Act on the Preparation and Implementation of Technical Legislation on Products EC Directive 2001/95/EC on General Product Safety (GPSD)	Ministry of Industry and Trade Ministry of Health Ministry of Agriculture and Rural Affairs Ministry of Labour and Social Security Ministry of Public Works and Settlement Telecommunications Authority Under the secretariat of Maritime Affairs	Ministry of Industry and Trade Ministry of Health Ministry of Agriculture and Rural Affairs Ministry of Labour and Social Security Ministry of Public Works and Settlement Telecommunications Authority Under the secretariat of Maritime Affairs	Turkish Standards Institute	Market Surveillance Coordination Board
United States	Consumer Product Safety Act (CPSA) Please note that the Consumer Product Safety Improvement Act of 2008 became law subsequent to the date of this questionnaire. Readers are urged to consult the Act and information on the CPSC's website, at :www.cpsc.gov<http://www.cpsc.gov>, to assess whether answers in the questionnaire have been affected by the Act." Federal Hazardous Substances Act (FHSA) Flammable Fabrics Act (FFA) Refrigerator Safety Act (RSA) Pool and Spa Safety Act (PSA)	Federal Executive Agencies	Consumer Product Safety Commission	National Institute for Standards and Technology American National Standards Institute	Consumer Product Safety Commission

Responding country	Is there a definition of a 'safe/ unsafe product'?	Definition of a safe/unsafe product	Relevant law
Australia	No		Trade Practices Act 1974; various State and Territory laws
Belgium	Yes	As in the European Union.	Loi du 9 février 1994 relative à la sécurité des produits et des services (implements EC Directive 2001/95/EC on General Product Safety (GPSD))
Canada	No	N/A at this time under the current Hazardous Products Act; a new Act, currently before Parliament, will include a definition of "danger to human health or safety" which will support a general prohibition.	Hazardous Products Act
Chile	Yes	Section 45 of the Consumer Protection Act defines hazardous products as those that can be dangerous to consumers' health, physical integrity or for their property.	*Ley del consumidor* 1997(Ley-19496) (Consumer Protection Act)
Denmark	Yes	As defined in the European Union.	(implements EC Directive 2001/95/EC on General Product Safety (GPSD))
Estonia	Yes	A product is considered to be safe if when normally used regarding duration, and where applicable, upon adherence to putting into service, installation and maintenance requirements, does not present any risk to the safety or health of persons. In determining whether a product is safe, the following factors shall be taken into account, in particular: 1) The characteristics of the product (composition, packaging, instructions for assembly, installation or maintenance). 2) The effect on products, where it is reasonably foreseeable that it will be used with other products. 3) The presentation of the product (labelling, warnings, instructions for use and disposal, other information regarding the product). 4) Potential risks when used by certain categories of consumers, in particular children and the elderly. The feasibility of obtaining higher levels of safety or the availability of other products presenting a lesser degree of risk shall not be considered as meaning that a product is dangerous. "Dangerous product" means any product which does not meet above mentioned requirements.	Product and Service Safety Act 2004
European Union	Yes	"'Safe Product shall mean any product which, under normal or reasonably foreseeable conditions of use including duration and, where applicable, putting into service, installation and maintenance requirements, does not present any risk or only the minimum risks compatible with the product's use, considered to be acceptable and consistent with a high level of protection for the safety and health of	EC Directive 2001/95/EC on General Product Safety (GPSD)

Responding country	Is there a definition of a 'safe/ unsafe product'?	Definition of a safe/unsafe product	Relevant law
		persons, taking into account the following points in particular: (i) The characteristics of the product, including its composition, packaging, instructions for assembly and, where applicable, for installation and maintenance; (ii) The effect on other products, where it is reasonably foreseeable that it will be used with other products; (iii) The presentation of the product, the labelling, any warnings and instructions for its use and disposal and any other indication or information regarding the product; (iv) The categories of consumers at risk when using the product, in particular children and the elderly. The feasibility of obtaining higher levels of safety or the availability of other products presenting a lesser degree of risk shall not constitute grounds for considering a product to be "dangerous"." "'Dangerous product' shall mean any product which does not meet the definition of "safe product" in (b)."	
Finland	Yes	As defined in the European Union. Please note that Finland also regulates the safety of certain consumer services.	Act on the Safety of Consumer Products and Services (75/2004) (implements EC Directive 2001/95/EC on General Product Safety (GPSD))
France	Non		Loi n° 93-949 du 26 juillet 1993 relative au code de la consommation (partie Législative)
Germany	Yes	General safety obligation in §4 of the German Equipment and Product Safety Act (*Geräte – und Produktsicherheitsgesetz* - GPSG)	German Equipment and Product Safety Act
Israel	Yes	Each product that conforms to the safety requirements of Israel's mandatory standards is considered to be safe. Israel's Minister of Industry, Trade and Labour states whether a standard shall be considered as mandatory aimed at safeguarding public safety, public health and protection of the environment.	Standards Law 5713 – 1953
Japan	Yes	All products: Article 1 of the Consumer Product Safety Law defines products as unsafe if they cause threat to consumers' life or health. In addition, Article 2, Section 2 of the Product Liability Act, provides that a defect product is to be considered as unsafe, taking into account the nature of the product, the ordinarily foreseeable use of the product, the time when the manufacturer, etc. delivered the product, and other circumstances concerning the product. Household products: Unsafe household products are defined as 1) products that do not meet standards pursuant to Article 4, paragraph 1 and 2 of the "Law for the Control of Household products Containing Harmful Substances" and 2) products that may contain potentially hazardous substances	Consumer Basic Act Consumer Product Safety Law Product Liability Act Law for the Control of Household products Containing Harmful Substances Food Sanitation Law

Responding country	Is there a definition of a 'safe/ unsafe product'?	Definition of a safe/unsafe product	Relevant law
		for human health that may cause human injury. (Law for the Control of Household products Containing Harmful Substances, Article 6, paragraph 1 and 2) Food utensils, containers and packaging materials, According to Article 15, 16 and 18 of Japan's Food Sanitation Law, food utensils, containers and packaging materials used by businesses shall be sanitary; food utensils, containers and packaging materials that contain toxic or deleterious substances or those that may cause human injury through contact with food shall not be manufactured, imported, sold, or used by the business. The Minister of Health, Labour and Welfare may establish standards or specifications for food utensils, containers and packaging materials or raw materials thereof intended for food utensils, containers and packaging materials. Infant toys shall not cause any harm to human health.	
Korea	Yes	Products that are dangerous to consumer lives or property due to any serious defects in the manufacture, design or labelling of the goods, etc. (Article 47 of the Consumer Act)	Consumer Act
Mexico	Yes	Article 17. "… a product or service affects or may affect life, health or safety of persons, when its consumption may interrupt or disrupt the life, or make or could jeopardize the continuity of the same, or may suspend the proper functioning of the human body, either by their characteristics corrosive, reactive, explosive, toxic, flammable, radioactive or biological-infectious, or because it involves the use of machinery, tools or appliances dangerous in themselves by the speed to develop, by leading energy or other analogous causes."	Federal Consumer Protection Law Regulation Federal Law on Metrology and Standardization
New Zealand	Yes	Under section 6, the Consumer Guarantees Act 2003 states that goods should be of acceptable quality and section 7 specifies the meaning of acceptable quality. Importantly, under section 21 (d) the non–compliance of the safety guarantee is the only defect that always entitles consumers the right to reject goods at the consumer's option. As the Consumer Guarantees Act 2003 is self enforcing, consumers are able to seek redress by pursuing a claim civilly through the Disputes Tribunal. Any breach of this legislation enables consumers to take action and pursue compensation with recourse to the Disputes Tribunal if needs be. The CGA definition also identifies factors that have a bearing on whether a product is safe which include price, the nature of the goods and how they are used. The Fair Trading Act 1986 also deals with product safety. Part 3 of this Act goes a long way in explaining the regime prescribed in New Zealand and some sections could be considered to be a definition for the purposes of this questionnaire. Sections 29 (1) and 35 (1) refer to making regulations to 'preventing or reducing the risk of injury to any person; Sections 31 (1) and 32 (1) (b) refer to goods that 'will or may cause injury to any person:	Consumer Guarantees Act 2003; Fair Trading Act 1986
Norway	Yes		Act on Consumer Purchase 2002 (implements EC Directive 2001/95/EC on General Product Safety (GPSD))

Responding country	Is there a definition of a 'safe/ unsafe product'?	Definition of a safe/unsafe product	Relevant law
Poland	Yes	It is defined in the Act on General Product Safety: A safe product is a product that in normal or other reasonably foreseeable conditions of use does not create any risk for consumers or creates an insignificant risk, compatible with its everyday use and considered to be consistent with a high level of protection of human health and life. When assessing safety of a product the following is taken into account: – The characteristics of a product, including its composition, packaging, instructions for use as well as – taking into account type of the product – instructions for installation and maintenance. – The impact on other products if it can be reasonably foreseen that it will be used along with other products. – The presentation of the product, labelling, warnings and instructions for its use and disposal once it has been used, as well as any other recommendations or information on the product made available to the consumer;. – The categories of consumers at risk when using the product, in particular children and elderly persons. A product that does not meet the above requirements is not a safe product.	Act on General Product Safety of 12th December 2003, Journal of Laws No. 229 item 2275
Portugal	Yes	Decree-Law 69/2005, of 17 March 2005, Article 3(b) provides that a safe product is "any product that does not present risks or only presents risks of its use but is considered as acceptable with a high level of consumer safety."	Decree-Law 69/2005, of 17 March 2005 (implements EC Directive 2001/95/EC on General Product Safety (GPSD))
Slovak Republic	Yes	Act No. 250/2007 Coll. on Consumer Protection: a safe product is a product that, when used, installed or maintained under normal or reasonably foreseeable conditions, does not harm the consumer during the time period indicated by the producer or during standard service life of that product unless it presents a minimal danger to the consumer. A safe product must comply with the requirements of a separate regulation.	Act No. 250/2007 Coll. on consumer protection (implements EC Directive 2001/95/EC on General Product Safety (GPSD))
Slovenia	Yes	There is a definition for "safe products" and one for "unsafe products". According to the General Product Safety Act (GPSA), (Official Gazette of RS No. 101/2003), "a safe product" is any product that, under normal or reasonably foreseeable conditions of use, including duration and, where applicable, putting into service, installation and maintenance requirements, does not present any risk or only the minimum risks, and which is - under the normal conditions of use - considered to be acceptable and consistent with a high level of protection for the safety and health of persons, taking into account in particular: - The characteristics of the product, including its composition, packaging, instructions of assembly and, where applicable, for installation and maintenance. - The impact on other products, where it is reasonably foreseeable that it will be used along with other products.	General Product Safety Act (GPSA), (Official Gazette of RS No. 101/2003) (implements EC Directive 2001/95/EC on General Product Safety (GPSD)) Standardisation Act (OG of RS No. 59/1999)

Responding country	Is there a definition of a 'safe/ unsafe product'?	Definition of a safe/unsafe product	Relevant law
		- The presentation of the product, labelling, warnings and instructions for its use and disposal and any other indication or information regarding the product. - The categories of consumers at risk when using the product, in particular children and the elderly;. The feasibility of obtaining higher levels of safety or the availability of other products presenting a lesser degree of risks shall not constitute grounds for considering a product to be "dangerous". "Dangerous product" means any product which does not meet above–mentioned requirements.	
Sweden	Yes	The Swedish Product Safety Act (2004:451), section 8, defines "safe/unsafe" as follows: "Goods […] are safe if, upon normal or reasonably foreseeable use and length of life, they do not entail any risk to personal health or safety or only a low risk. However, this risk must be acceptable considering how the goods or services are used and shall be consistent with a high level of protection for the health and safety of persons. Goods or services are dangerous if they do not meet the requirements for safe goods or services contained in the first paragraph." Section 9 contains certain guidelines for the assessment: "When assessing whether a risk entailed by goods should be deemed to be acceptable and consistent with a high level of protection, particular regard shall be taken to: 1. The characteristics of goods, such as their composition and packaging and so instructions for assembly, installation and maintenance, 2. Other information that is provided about the goods through labelling, warnings, user instructions, instructions for their disposal or in any other way, 3. The goods' effect on other goods, if it may be assumed that they will be used together with such, 4. Risks that the goods may present for certain categories of consumers, in particular children and the elderly." Section 11 contains a presumption: "Goods that satisfy a Swedish standard that transform a European standard shall be deemed safe as regards such risks as are covered by the standard, provided the Commission of the European Communities in accordance with Article 4 of Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety has published a reference to the standard in the Official Journal of the European Union. The authority appointed by the Government shall make public announcements referring to such standards." Section 12 contains other criteria for assessing the safety of goods [and services]: "When assessing whether goods or services are safe, in other cases than as referred to in Section 11,	Swedish Product Safety Act (2004:451) (implements EC Directive 2001/95/EC on General Product Safety (GPSD))

Responding country	Is there a definition of a 'safe/ unsafe product'?	Definition of a safe/unsafe product	Relevant law
		particular regard shall be taken to 1. other Swedish standards than those referred to in Section 11, 2. recommendations by the Commission of the European Communities with guidelines for assessing safety of goods or services, 3. good practice for product safety in the sector concerned, 4. the current level of scientific and technical knowledge, and 5. the level of protection that the consumer may reasonably expect."	
Switzerland			Federal Act on the Safety of Technical Equipment and Appliances (STEG) Cantonal legislation (Switzerland is in the process of developing a new law which will reflect the EC Directive 2001/95/EC on General Product Safety (GPSD))
Turkey	Yes	A "Safe product" is defined in Law No. 4703 on the Preparation and Implementation of Technical Legislation on Products (Framework Law) and it is worded as follows: "safe product shall mean any product which, under normal conditions of use, does not present any risk or presents only risks considered as acceptable and brings a high level of protection with respect to the essential requirements," (Article 3-e) "Essential requirements shall mean the minimum safety conditions which the product shall present regarding the level of protection for the health and safety of persons, and their properties, life and health of animals and plants, and the environment," (Article 3-f)	Preparation and Implementation of Technical Legislation on Products (Framework Law)
United States	Yes	The CPSC has promulgated standards and product bans from specific consumer products. The failure of a manufacturer, importer, distributor, or retailer to comply with a standard or ban for a product imported or distributed in commerce is prohibited. In addition, the CPSA at Section 15, 15 USC 2064 (a) defines a substantial product hazard as either (1) failure to comply with an applicable consumer product safety rule, which failure creates a substantial risk of injury to the public, or (2) a product defect which (because of the pattern of the defect, the number of defective products distributed in commerce, the severity of the risk, or otherwise) creates a substantial risk of injury to the public.	Consumer Product Safety Act (CPSA) Federal Hazardous Substances Act (FHSA) Flammable Fabrics Act (FFA) Refrigerator Safety Act (RSA) Pool and Spa Safety Act (PSA)

Responding country	Is there a general safety obligation?	What is the nature of that obligation?	Relevant law
Australia	No		
Belgium	Yes	Same as in the EC General Product Safety Directive 2001/95/EC.	La loi du 9 février 1994 relative à la sécurité des produits et des services (implements EC Directive 2001/95/EC on General Product Safety (GPSD))
Canada	No	N/A at this time under the current Hazardous Products Act; a new Act currently before Parliament will have a definition of "danger to human health or safety" which will support a general prohibition.	Hazardous Products Act
Chile	Yes	Section 45 of Consumer Protection Act defines hazardous products as those that can be dangerous to consumer' health, physical integrity or their property.	Ley del consumidor 1997(Ley-19496) (Consumer Protection Act)
Denmark	Yes	All products covered by the various directives have to be safe – otherwise it is not allowed to place them on the market. Same as in EC General Product Safety Directive 2001/95/EC.	(implements EC Directive 2001/95/EC on General Product Safety (GPSD))
Estonia	Yes	Pursuant to the Product and Service Safety Act producers may place on the market only products which are safe, and service providers may only offer and provide services which are safe. Producers shall adopt measures commensurate with the characteristics of the product which they supply, enabling them to be informed of risks which these products might pose and take an appropriate action to avoid these risks (for instance an indication of the identity and details of the producer and the product reference or the batch of products; carrying out sample testing of marketed products and if necessary, keeping a register of complaints and keeping distributors informed of such monitoring).	Product and Service Safety Act 2004
European Union			EC Directive 2001/95/EC on General Product Safety (GPSD)
Finland	Yes	Entrepreneurs and service producers shall be obliged to place only safe products and services on the market. Entrepreneurs and other service providers shall by monitoring of their products and services ensure that a consumer product or service does not present a risk to health or property of consumers, persons who are comparable to consumers or other people who are involved in the service. Entrepreneurs and other service providers shall have sufficient and correct information on the consumer product or service, and of their eventual risks.	Act on the Safety of Consumer Products and Services (75/2004) (implements EC Directive 2001/95/EC on General Product Safety (GPSD))
France	Oui	Article L221-1 du code de la consommation • "Article L. 221-1. - Les produits et les services doivent, dans des conditions normales d'utilisation ou dans d'autres conditions raisonnablement prévisibles par le professionnel, présenter la sécurité à laquelle on peut légitimement s'attendre et ne pas porter atteinte à la santé des personnes."	Loi n° 93-949 du 26 juillet 1993 relative au code de la consommation (partie Législative)
Israel	Yes	The Minister of Industry, Trade and Labour may proclaim a standard to be "official" (mandatory) in order to maintain public health and maintain public safety Standards Law – 5713 – 1953. Paragraph 8.	Standards Law 5713 – 1953

Responding country	Is there a general safety obligation?	What is the nature of that obligation?	Relevant law
Japan	Yes	All products: With regard to the business obligations, Article 5 of the Consumer General Act provides that "any entrepreneur shall fulfil the following obligations: (1) respect of consumers' rights and in accordance with consumers' independence set forth in Article 2: (2) ensure the safety of consumers and the fairness in transactions with consumers." In addition, Article 4 of the Consumer Product Safety Law stipulates, "In accordance with the provisions of Article 13, those who manufacture, import, or sell specific products shall not sell or display specific products unless a warning or a label is attached." In addition, Article 3 of the Product Liability Act provides that "The manufacturer, etc. shall be responsible for injuries to someone's life, body or property caused by defects of products that they manufactured, processed, imported or labelled as their product, etc. as described in sub-section 2 and 3 of section 3 of Article 2." Household products: Any manufacturer, importer or seller of household products for which standards have been established by Article 4, paragraph 1 and 2 of the "Law for the Control of Household Products containing harmful Substances", shall not produce, sell, distribute, or display household products that do not meet the above–mentioned standards. (Law for the Control of Household products Containing Harmful Substances, Article 5) Food utensils, containers and packaging materials: The above-mentioned Food Sanitation Law's Article 15 and 16 refer to product liability. Infant toys: The domestic and imported toys that contain toxic or harmful substances to human health are prohibited to be putton the market and advertised.	Consumer General Act Consumer Product Safety Law Product Liability Act Law for the Control of Household products Containing Harmful Substances Food Sanitation Law
Korea	Yes	Korean products are divided into three categories, depending on their level of hazard, and whether they are subject to Safety Certification, Self-regulated Safety Confirmation, or Safety & Quality Mark Label Obligation. (1) Industrial products subject to Safety Certification: Highly hazardous items to consumers. The factory inspection and product test shall be conducted to ensure its safety at each stage of the production. (18 items are included). (2) Industrial products subject to Self-regulated Safety Confirmation: Manufacturers or importers must submit their product testing results, issued by the approved testing agencies, to the relevant authorities. This system enables suppliers to conduct the voluntary safety management. (47 items are included). (3) Industrial products subject to Safety & Quality Mark Label: Consumers are able to conduct the safety management by confirming safety related information on the product label. (14 items included). According to this classification, the Korean Product Safety label shall be attached to industrial products that are subject to the Safety Certification, Self-regulated Safety Confirmation, and 'Children Protection Packing,' so that consumers can easily select safe goods.	General Consumer Act

Responding country	Is there a general safety obligation?	What is the nature of that obligation?	Relevant law
Mexico	Yes	In the Federal Law on Measurements and Standardization is stated that: Article 40 .- "The Mexican official standards (technical standards) aim to establish: 1) characteristics and / or specifications for products and their manufacturing processes where they may constitute danger to safety of human, animal, or plant health, and the environment. 2) Specifications and / or procedures of diverse material used in the packaging of products that are subject to the technical standards". 3) Specifications and/or procedures of products and services that may pose a risk to the safety of human, animal, or plant health, and the environment. The aim of the Federal Consumer Protection Law is "to promote and protect rights and culture of consumers, and to seek fairness, confidence, and legal certainty among suppliers and consumers". "The basic principle of consumption relationships is to protect the life, health and safety of consumers against risks caused by products, practices to products' supply, and services considered as dangerous or harmful;…"	Federal Consumer Protection Law Regulation Federal Law on Metrology and Standardization
New Zealand	Yes	Under section 6, the Consumer Guarantees Act 2003 (CGA) states that goods should be of acceptable quality and section 7 specifies the meaning of acceptable quality. Importantly, under section 21 (d) the non–compliance of the safety guarantee is the only defect that always entitles consumers the right to reject goods at the consumer's option. As the Consumer Guarantees Act 2003 is self enforcing, consumers are able to seek redress by pursuing a claim civilly through the Disputes Tribunal. Any breach of this legislation enables consumers to take action and pursue compensation with recourse to the Disputes Tribunal if needs be. The CGA definition also identifies factors that have a bearing on whether a product is safe that include price, the nature of the goods and how they are used. The Fair Trading Act 1986 also deals with product safety. Part 3 of this Act goes a long way in explaining the regime prescribed in New Zealand and some sections could be considered to be a definition for the purposes of this questionnaire. Sections 29 (1) and 35 (1) refer to making regulations for 'preventing or reducing the risk of injury to any person. Sections 31 (1) and 32 (1) (b) refer to goods that 'will or may cause injury to any person'. The CGA in creating the legal requirement for goods to be safe, creates in effect a general obligation that goods sold in retail transactions are safe.	Consumer Guarantees Act 2003; Fair Trading Act 1986
Norway	Yes	Regulations concerning products. Act on control with dangerous products, Act on fire prevention and explosives. Regulations under these Acts.	Act on Consumer Purchase 2002 (implements EC Directive 2001/95/EC on General Product Safety (GPSD))
Poland	Yes	According to the Act on General Product Safety, producers shall only put safe products on the market. If a manufacturer has any information that using his products may pose risks, he must inform the OCCP President about it. Since the amendment of the Act adopted on 30 March 2007, not meeting this obligation may result in a fee of up to PLN 100 000.	

Responding country	Is there a general safety obligation?	What is the nature of that obligation?	Relevant law
		Manufacturers should check the quality of products through: analysing the production process, and carrying out routine laboratory tests, etc. In addition, before placing products on the market, they should be labelled so that consumers can easily indicate who is responsible for their safety. Safety supervision also includes regular analyses of consumer complaints and testing samples of the products put on the market. Business obligations include modifying the production process and, eventually, withdrawing unsafe products from the market, following a special procedure. First of all, the manufacturer must notify retailers and potential users. Then, it is necessary to prepare media releases, announcements in the press and posters at the points of sale, open a hotline or post information about the product's defects on a website. Additionally, the manufacturer is obliged to reimbursement, repair or replacement of the defective product. Business must notify the OCCP about any defects they detected and corrective actions they have undertaken or intend to undertake. The information should be submitted to the Office as soon as possible. Delaying the notification until the corrective action is prepared may be considered by the President of the OCCP as a violation of the law.	
Portugal	Yes	Decree – Law 69/2005, of 17 March – legal obligation.	Decree-Law 69/2005, of 17 March 2005 (implements EC Directive 2001/95/EC on General Product Safety (GPSD))
Slovak Republic	Yes	In accordance with the Act No. 250/2007 Coll. on Consumer Protection, only safe products may be placed, offered or sold on the market. This does not apply to second-hand products supplied as antiques or products which are to be repaired or restored prior to use, provided that the supplier demonstrably communicated this fact to the consumer.	Act No. 250/2007 Coll. On consumer protection (implements EC Directive 2001/95/EC on General Product Safety (GPSD))
Slovenia	Yes	GPSA requires that only safe products are placed on the market. Manufacturing, import, export or market placing of the products appearing to be unsafe for consumers, especially children, is prohibited.	General Product Safety Act (GPSA), (Official Gazette of RS No. 101/2003) (implements EC Directive 2001/95/EC on General Product Safety (GPSD)) Standardisation Act (OG of RS No. 59/1999)
Sweden	Yes	According to section 7 of the Swedish Product Safety Act 'Goods [and services] that are provided by tradesmen shall be safe'. Cf. the definition of 'safe/unsafe' below. "Goods […] are safe if, upon normal or reasonably foreseeable use and length of life, they do not entail any risk to personal health or safety or only a low risk. However, this risk must be acceptable considering how the goods or services are used and shall be consistent with a high level of protection for the health and safety of persons. Goods or a service are dangerous if they do not meet the requirements for safe goods or services contained in the first paragraph."	Swedish Product Safety Act (2004:451) (implements EC Directive 2001/95/EC on General Product Safety (GPSD))
Switzerland			Federal Act on the Safety of Technical Equipment and Appliances (STEG) Cantonal legislation

Responding country	Is there a general safety obligation?	What is the nature of that obligation?	Relevant law
			(Switzerland is in the process of developing a new law which reflects the European Union Directive 2001/95/EC on General Product Safety (GPSD))
Turkey	Yes	This obligation is laid down in Article 5 of the Framework Law as follows: "Producers shall place only safe products on the market. Products in compliance with relevant technical regulations are assumed to be safe. In the absence of a relevant technical regulation, safety of a product shall be assessed in accordance with the national or international standards and in the absence of these, with codes of good practices in the sector concerned or with the state of science and technology or with the safety that consumers may reasonably expect."	Preparation and Implementation of Technical Legislation on Products (Framework Law)
United States	Yes	The obligation is on manufacturers, importers, distributors, and retailers to ensure products comply with federal standards and bans. Also, manufacturers, distributors, and retailers have a reporting obligation to the Commission with respect to products that could create "substantial product hazards."	Consumer Product Safety Act (CPSA) Federal Hazardous Substances Act (FHSA) Flammable Fabrics Act (FFA) Refrigerator Safety Act (RSA) Pool and Spa Safety Act (PSA)

Responding country	Are domestically manufactured products monitored?	Are imported products monitored?	Do these requirements extend to exported goods?	Monitoring by:	Government regulatory bodies	Enforcement bodies	Customs bodies for imported goods	Local government	Businesses	Authorised organisations	Others	Monitoring of specific categories of goods?	Methods for product safety monitoring	sampling domestic testing	Assessing design hazard	Assessing production processes	Assessing the supply chain	Specific business reporting obligations	Periodic reporting by business	Consumer complaints	Other	Product safety risk assessment system?
Australia	Some	Some	Some			✓	✓		✓		✓	✓		✓	✓		✓	✓	✓	✓		✓
Belgium	Some	Some	Some		✓	✓	✓		✓					✓				✓				✓
Canada	Some	Some			✓		✓				✓	✓		✓						✓	✓	✓
Chile	Some	Some	Some		✓	✓	✓		✓			✓		✓	✓	✓	✓	✓		✓		
Denmark	Some	Some	Some		✓	✓	✓		✓		✓	✓		✓	✓			✓		✓		✓
Estonia	Some	Some				✓	✓		✓					✓				✓		✓	✓	
European Union	Some	Some			✓	✓	✓	✓	✓			✓		✓	✓	✓	✓	✓	✓	✓		✓
Finland	All	All	All			✓	✓	✓	✓			✓		✓	✓			✓		✓		
Germany	Some	Some	None			✓	✓		✓		✓	✓		✓	✓			✓		✓		✓
France	Parfois	Parfois	Parfois		✓		✓		✓	✓		✓		✓	✓	✓	✓	✓		✓	✓	
Israel	Some	Some			✓		✓			✓				✓	✓	✓	✓			✓		
Japan (all products)	Some	Some	Some		✓	✓		✓	✓					✓	✓	✓		✓		✓		
Japan (household products)	Some	Some	Some		✓			✓	✓	✓	✓			✓				✓		✓	✓	
Japan (food utensils,	Some	Some	None		✓			✓			✓			✓						✓		✓

Responding country	Are domestically manufactured products monitored?	Are imported products monitored?	Do these requirements extend to exported goods?	Monitoring by:	Government regulatory bodies	Enforcement bodies	Customs bodies for imported goods	Local government	Businesses	Authorised organisations	Others	Monitoring of specific categories of goods?	Methods for product safety monitoring	sampling domestic testing	Assessing design hazard	Assessing production processes	Assessing the supply chain	Specific business reporting obligations	Periodic reporting by business	Consumer complaints	Other	Product safety risk assessment system?
containers and packaging materials)																						
Japan (infant toys)	Some	Some	None		✓			✓			✓			✓						✓	✓	✓
Korea	Some	Some	Some		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓		✓	✓	✓
Mexico	Some	Some	Some		✓	✓	✓		✓	✓				✓	✓			✓		✓		
New Zealand	Some	Some			✓	✓	✓			✓	✓	✓		✓			✓	✓	✓	✓	✓	✓
Norway	Some	Some				✓	✓		✓	✓		✓		✓				✓		✓	✓	✓
Poland	All	All			✓	✓	✓		✓			✓		✓				✓		✓		
Portugal	All	All	All		✓	✓	✓							✓			✓	✓		✓		
Slovak Republic	Yes	Yes				✓	✓	✓	✓		✓	✓		✓	✓			✓		✓		✓
Slovenia	Some	Some	Some		✓	✓	✓		✓		✓	✓		✓	✓		✓	✓		✓		
Sweden	All	All	All			✓		✓	✓			✓		✓	✓					✓	✓	
Switzerland																						
Turkey	Some	Some	None		✓		✓	✓		✓		✓		✓	✓	✓	✓	✓		✓	✓	
United States	All	All			✓	✓	✓	✓	✓	✓		✓		✓	✓	✓	✓	✓	✓	✓		✓

Responding country	Duty to report unsafe products on business?	Nature of obligation	Reporting required of:	Manufacturers	Distributors/ Retailers	Importers	Other	Reporting obligation	Co–ordination of reporting to multiple bodies	Steps taken to reduce the prevalence of unsafe goods by business
Australia	✓	There is no general reporting obligation under Australian law. Under section 65G of the Trade Practices Act 1974, businesses are required to report to the ACCC any actions taken to recall unsafe products.		✓	✓	✓		Under section 65R of the Trade Practices Act 1974, where a corporation voluntarily recalls a product, they must, within two days, give notice in writing to the Minister for Competition Policy and Consumer Affairs, stating that the goods are subject to recall and setting out the nature of the defect in, or dangerous characteristic of, the goods.	All relevant agencies are notified of new product recall actions and the product recall database is made available to the agencies. Australian product safety law enforcement agencies also co–ordinate their activities through the Consumer Products Advisory Committee of the Ministerial Council on Consumer Affairs.	Businesses promote product safety through industry sector associations (which often undertake self-regulatory activities such as business education, the development of industry codes of conduct and engagement with law enforcement and standards development bodies on enforcement and policy issues) and, through those associations, contribute to the development of voluntary safety standards. An example of an industry sector association which has engaged in a high level of self regulatory activity is the Infant and Nursery Products Association of Australia (INPAA, www.inpaa.asn.au). INPAA has developed a horizontal safety standards system for use in its sector, now being developed further by Standards Australia, under the title 'Product Safety Framework' (see the http://www.pc.gov.au/__data/assets/pdf_file/0016/63700/sub044.pdf).
Belgium	✓							At the central reporting point with the Directorate-General of Quality and Safety of the Federal Public Service Economy.	N/A	N/A
Canada		Currently there are no mandatory reporting provisions under the Hazardous Products Act - nationally or						Electrical Safety Authority in Ontario – provincial authority that has mandated the	N/A at this time. However Health Canada has initiated discussion with other bodies given the fact	At this time there has been no co–ordinated, proactive action

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		federally; this will change under Bill C-52. However, at this time incidents with electrical product are required to be reported in one province only (Ontario).						reporting provisions for electrical products at the provincial level.	mandatory reporting at the national / federal level is to come into effect under Bill C-52.	taken.
Chile	✓	Consumer Protection Act establishes that any producer, importer or distributor, as well as service provider, must warn without delay the competent authority about the existence of any risks.		✓	✓	✓	✓	The Consumer Protection Act assumes that any producer, importer or distributor, as well as service provider, must warn without delay the competent authority about the existence of any risks.	Chilean law does not distinguish between different bodies; so in case multiple bodies are involved, the business must inform each of them.	In order to minimise the prevalence of unsafe goods, it is necessary to educate consumers about their rights, to co-ordinate with the industry, and to strengthen enforcement activities. SERNAC is obliged by law to educate, inform and protect consumers. In that regard, the Chilean government carries out several educational campaigns about consumer's rights, which include the right to safe consumption. It also works together with the industry by, *inter alia*, providing a special webpage dedicated to them, organizing seminars, an ongoing dialog with business in the case of a product recall in order to make sure that consumer's rights are respected.
Denmark	✓			✓	✓	✓	✓	To the agency that has the surveillance authority regarding the product (approx 10 different) or to the Danish safety technology authority (co-ordinator).	To the Danish Safety Technology Authority (co-ordinator)	Better internal controls. Meetings with the government agencies.

Responding country	Duty to report unsafe products on business?	Nature of obligation	Reporting required of:	Manufacturers	Distributors/ Retailers	Importers	Other	Reporting obligation	Co–ordination of reporting to multiple bodies	Steps taken to reduce the prevalence of unsafe goods by business
Estonia	✓	According to the Product and Service Act, if producers and distributors know or ought to know, on the basis of the information in their possession and their professional knowledge, that a product they have placed on the market is unsafe, they shall immediately inform the market surveillance authority that conducts market supervision over relevant product groups or the Consumer Protection Customs.		✓	✓	✓		To the market surveillance authority that supervises the particular product group or the Consumer Protection Customs.	Businesses have to report to the market surveillance authority that supervises the particular product group and this market surveillance authority transmits the information to other relevant authorities, if necessary.	Businesses have shown more willingness to co-operate with market surveillance authorities.
European Union	✓			✓	✓	✓		Under the GPSD, producers and distributors must inform the competent authorities if they know or ought to know, on the basis of the information in their possession and as professionals, that a product they have placed on the market is dangerous. Each Member State has designated the authorities responsible for receiving such notifications. The list of authorities can be found at: http://ec.europa.eu/consumers/safety/rapex/contact_points.pdf).	In principle, producers and distributors are required to submit their notifications to the market surveillance/enforcement authorities of all the Member States where the product has been marketed or otherwise supplied to consumers. However, to reduce the administrative burden, the Commission has advised in its Business Notification Guidelines that producers and distributors have the option of submitting the required information only to the authority of the Member State in which they are established, if one of these two conditions is fulfilled:	In the field of toys, the EC Commissioner responsible for consumer protection signed a voluntary agreement with the Toy Industries of Europe on 28 May 2008 to boost product safety in the toy sector by following certain guidelines. These include: - Sharing expertise: in particular participating in the EC's evaluation of business safety measures in the toy supply chain with a view to investigating ways in which safety measures can be enhanced and continued co-operation regarding the implementation of such improvements;

Responding country	Duty to report unsafe products on business?	Nature of obligation	Reporting required of:	Manufacturers	Distributors/ Retailers	Importers	Other	Reporting obligation	Co–ordination of reporting to multiple bodies	Steps taken to reduce the prevalence of unsafe goods by business
									− The risk is notified as being "serious" or is considered "serious" by the receiving authority and this authority decides to introduce a RAPEX notification. − The risk is notified as not being "serious" or is not considered serious by the receiving authority, but this authority intends to forward the notification, through the Commission, to the authorities of the other Member States.	- Providing education and training: in particular in the context of the Roadmap for Safer Toys between the EC and the competent Chinese authorities, providing education and training on EU toy safety rules and standards so that there is a clear understanding of what is required to ensure that toys are safe and fully compliant. - Seeking global solutions: in particular working closely with its counterparts in the United States and China to look at ways in which the industry can co–operate on testing requirements. - Co-operating with national authorities: working together to ensure that dangerous goods, and in particular counterfeit goods, can be identified and intercepted in time to ensure a high level of consumer safety.
Finland	✓			✓	✓	✓	✓	Some of the enforcement authorities – the Act does not specify which authority – whether on the municipal, regional or central administration level should be contacted. The entrepreneur or service provider can decide which authority he or she will contact.	The general obligation is in the Act on the Safety of Consumer Products and Services. Some pieces of sectoral legislation may have additional requirements.	In many sectors of consumer products and services the enforcement authorities have drafted guidelines (legally non-binding instruments) together with organisations and business associations.

Responding country	Duty to report unsafe products on business?	Nature of obligation	Reporting required of:	Manufacturers	Distributors/ Retailers	Importers	Other	Reporting obligation	Co–ordination of reporting to multiple bodies	Steps taken to reduce the prevalence of unsafe goods by business
France	✓			✓	✓	✓		Les autorités auxquelles l'information est adressée sont les suivantes : a) La direction générale de la concurrence, de la consommation et de la répression des fraudes pour l'information concernant les produits non alimentaires, sous réserve des dispositions du, et les denrées alimentaires et les aliments pour animaux ne relevant pas de la compétence de la direction générale de l'alimentation ; b) La direction générale de l'alimentation pour l'information concernant les denrées alimentaires animales ou d'origine animale destinées à l'alimentation humaine, sauf lorsque le danger est lié à un additif, un arôme, un auxiliaire technologique ou un matériau destiné à entrer en contact avec ces denrées et pour l'information concernant les aliments médicamenteux destinés aux animaux lorsque le danger est lié à l'aspect médicamenteux ; c) La direction de la sécurité et de la circulation routières pour l'information émanant des constructeurs automobiles et de leur réseau de distribution concernant les véhicules et leurs équipements vendus sous marque de constructeur.	Il existe toujours une administration désignée comme « chef de file » d'un secteur économique. C'est celle qui a été désignée comme telle, à l'origine, lorsque le texte appliqué a été négocié et adopté.	
Germany	✓	German Equipment and Product Safety Act article 5 (2)		✓	✓	✓		Local market surveillance authorities		

Responding country	Duty to report unsafe products on business?	Nature of obligation	Reporting required of:	Manufacturers	Distributors/ Retailers	Importers	Other	Reporting obligation	Co–ordination of reporting to multiple bodies	Steps taken to reduce the prevalence of unsafe goods by business
Israel	✓	In accordance with Article 17 E(a) of the Standards Law, the Commissioner of Standardization can accept from the manufacturer a written statement to make public announcement on unsafe products during the period proposed by the Commissioner.		✓	✓	✓		The Commissioner of Standardization, Standardization Administration, Ministry of Industry, Trade and Labour (also known as MOITAL).		Transfer of information to the authorities of dangerous products placed on the market by competitors. This is so-called "knowledge from the field" and is of great importance for market surveillance activities.
Japan (all products)	✓	In accordance with Article 35 of the Consumer Products Safety Law, businesses must report to the competent minister accidents that happened due to the use of unsafe products.		✓		✓		According to Article 35 of the Consumer Products Safety Law, businesses must report to the competent minister accidents that happened due to the use of unsafe products.	According to Article 35, paragraph 3, of the Consumer Products Safety Law, the competent minister reports to other ministers, specified by a stipulation of the competent Cabinet order, that bears responsibility for occurrence and prevention of the outbreak.	Businesses recall their products in co-operation with the government.
Japan (household products)		There is no obligation for business operators to report unsafe products based on the "Law for the Control of household Products containing harmful Substances". The reporting of household products that do not meet standards' requirements based on the "Observation Guidelines for Household Product Regulation" is not obligatory. It is obligatory to report incidents that fulfil the requirements for serious product accidents under the revised Consumer Product Safety Law.						There is no reporting obligation for business in accordance with the "Law for the Control of Household Products containing harmful Substances". It is obligatory to report accidents that fulfil the requirements specified in the revised "Consumer Product Safety Law" to the Ministry of Economy, Trade and Industry.	With revision of the "Consumer Product Safety Law", it is obligatory to report accidents that fulfil the requirements for serious product accidents to the Ministry of Economy, Trade and Industry. The Ministry of Economy, Trade and Industry notifies the Ministry of Health, Labour and Welfare about serious product accidents according to the procedures specified in the "Law for the Control of household Products containing harmful Substances."	During the consultations between the Ministry of Health, Labour and Welfare and the business associations, voluntary safety standards are established. In addition, standards established in accordance with the "Law for Control of household Products containing harmful Substances" are based on the ongoing dialogue between the Ministry of Health, Labour and Welfare, the Japanese Poison Information Centre, the National Consumer Affairs Centre, the National Institute of Health Sciences, as well as industry and consumer associations, in order to get a good grasp of current developments. Additionally, in case of high prevalence of consumer injuries caused by household products

Responding country	Duty to report unsafe products on business?	Nature of obligation	Reporting required of:	Manufacturers	Distributors/ Retailers	Importers	Other	Reporting obligation	Co–ordination of reporting to multiple bodies	Steps taken to reduce the prevalence of unsafe goods by business
										the Ministry of Health, Labour and Welfare makes a request for reforms, and business operators are obliged to take countermeasures. The information on consumer injuries is collected in the Health Damage Reporting System covering a number of household products,
Japan (food utensils, containers and packaging materials)										We are not acquainted with the efforts of businesses.
Japan (infant toys)										We are not acquainted with the efforts of businesses.
Korea	✓			✓	✓	✓		Enforcement bodies (head of the Central Administrative Agency)	Depending on the hazard level, enforcement bodies shall inform regulatory agencies.	Recalls; Removal of defective products from the markets; Quality improvement etc.
Mexico	✓			✓	✓	✓		To PROFECO.		In some cases, suppliers carry out voluntary recalls of unsafe products. Sometimes the recall is done in co-ordination with PROFECO.
New Zealand		There is no general reporting obligation in New Zealand.								Businesses promote product safety through industry sector association initiatives such as consumer and business education, the development of industry codes of conduct and engagement with law enforcement and standards development bodies on enforcement and policy issues that contribute to the development of voluntary safety standards.

Responding country	Duty to report unsafe products on business?	Nature of obligation	Reporting required of:	Manufacturers	Distributors/ Retailers	Importers	Other	Reporting obligation	Co–ordination of reporting to multiple bodies	Steps taken to reduce the prevalence of unsafe goods by business
										The Ministry of Consumer Affairs (MCA) produces a range of informative materials and resources that are available in electronic and hardcopy forms. MCA, along with other product safety regulators issues media releases and participates in fora and events to promote awareness around product safety issues.
Norway	✓	National reporting system based on GPSD system.		✓	✓	✓	✓	Those who are responsible for the product in question.	To one central enforcement body (DSB).	None.
Poland	✓	A business which has marketed a dangerous product is obligated to inform the President of the OCCP about this fact. The notification template is attached to the Resolution of the Council of Ministers of 26 April 2005 (Journal of Laws No. 80, item 694). Not meeting the obligation may result in a fine of up to PLN 100 000.		✓	✓	✓		The Office of Competition and Consumer Protection	Producers and distributors are obliged to co-operate with the supervising body and the Trade Inspection in order to avoid or eliminate threats caused by products supplied or made available by them. A producer or distributor who has learnt that a product available on the market is unsafe must immediately notify the supervising body.	Producers must take appropriate steps, with their best diligence and depending on the unsafe product's properties: to find out the threats that a product can cause; to avoid the threats, including – if necessary – withdrawing a product from the market, warning consumers properly and effectively or recalling the products from consumers.
Portugal	✓			✓	✓	✓		Consumer Directorate-General.	According to the Decree-Law 69/2005, Article 8 obliges business to report recalls to Consumer Directorate-General and Article16- communication through RAPEX.	More co-operation on the part of economic operators who frequently communicate the voluntary recall of products.
Slovak Republic	✓	If a producer, trader, importer or supplier learns from experts that a product which he placed on the market is dangerous, he must immediately inform the Slovak Trade Inspection thereof and present		✓	✓	✓		To the relevant market surveillance authority - to the Slovak Trade Inspection for almost all non-food products, to the Ministry of Transport,	Based on the Regulation of the Government of the Slovak Republic No. 404/2007 Coll. on General Product Safety and specific vertical legislation.	Withdrawals, recall, stop distribution and selling the unsafe products, consultations with the relevant market surveillance authorities.

Responding country	Duty to report unsafe products on business?	Nature of obligation	Reporting required of:	Manufacturers	Distributors/ Retailers	Importers	Other	Reporting obligation	Co–ordination of reporting to multiple bodies	Steps taken to reduce the prevalence of unsafe goods by business
		information concerning the measures undertaken or measures that need to be undertaken to prevent consumer injury.						Post and Telecommunication of the Slovak Republic (SR) for motor vehicles and their spare parts, to the Public Health Institute of the SR for cosmetics.		
Slovenia	✓			✓	✓	✓		Under the Rules on the Form and the Content of Notice on Dangerous Products (OG of RS, No. 33/2005) businesses are obliged to report to the competent inspection authority.	According to the Rules, under Item 4.7, they have to report to the Market Inspectorate being a central contact point for receiving and disseminating information.	According to GPSA, should producers and distributors be aware that a product that they have placed on the market poses risks to consumers, they have to inform the competent inspection authority immediately. On request, producers and distributors are obliged to co-operate with the competent inspecting authority in order to avoid consumer injury by products that they supply or have supplied.
Sweden	✓	**Product Safety Act, Section 14** A manufacturer who has supplied dangerous goods or a trader who has provided a dangerous service shall without delay provide information about the risk of injury and regarding how it can be avoided, if it is necessary to pre-vent the occurrence of an accident. The information shall be provided to the persons possessing the goods or for whom the service has been performed or who possess the property to which the service refers. The information shall be provided in such a way that it may be assumed to come to the knowledge of the relevant		✓	✓	✓	✓	The information shall be provided to the persons possessing the goods or for whom the service has been performed or who possess the property to which the service refers. The information shall be provided in such a way that it may be assumed to come to the knowledge of the relevant persons, through direct notifications, advertisements or other presentations that the trader uses in his marketing.	Information is coordinated informally and – on a more structured level – via the Market Surveillance Council.	Good informal cooperation with the competent authorities.

Responding country	Duty to report unsafe products on business?	Nature of obligation	Reporting required of:	Manufacturers	Distributors/ Retailers	Importers	Other	Reporting obligation	Co–ordination of reporting to multiple bodies	Steps taken to reduce the prevalence of unsafe goods by business
		persons, through direct notifications, advertisements or other presentations that the trader uses in his marketing. The information shall be provided to the extent that is reasonable having regard to the need to prevent the occurrence of an accident. **Section 23** A trader who becomes aware that goods or a service that they provide or have provided are dangerous shall immediately notify the supervisory authority about this and about the measures that have been implemented to prevent the occurrence of an accident. However, the supervisory authority does not need to be notified if it is manifestly clear that this would be of no importance. The Government or the authority appointed by the Government may issue regulations concerning exemptions from the first paragraph, first sentence, for those cases where a notification would be of no significance for the supervisory authority's injury prevention work.						The information shall be provided to the extent that is reasonable having regard to the need to prevent the occurrence of an accident.		
Switzerland										
United States	✓			✓	✓	✓		CPSC.	Regulator-to-regulator discussions determine the procedure in such cases.	Businesses have demonstrated a growing willingness to increase end-to-end manufacturing and marketing controls to ensure conformity with safety standards. Some of these controls, such as better traceability, improved labelling, and third-party testing likely will become federal requirements.

Responding country	System for the collection of injury data?	Where is this data collected?	How is this data collected and collated?	Can government agencies directly access information on unsafe products, injuries and recalls?
Australia	✓	Relevant consumer product accident injury data is collected by state and territory hospital emergency services, consumer product regulators and (in respect of deaths) Australia's National Coroners Information System.	Consumer product accident data is collected and collated by relevant state and territory agencies. Coronial data is collated nationally.	State and territory consumer product accident injury data can be accessed through state and territory data collection agencies. Coronial data can be accessed directly by product safety regulation agencies subject to confidentiality agreements.
Belgium	✓	Hospitals and emergency services.	The system is in development and the information is not published.	Yes, there are no limitations, but there are no injury figures available yet.
Canada	✓	Emergency Rooms at hospitals, through the Public Health Agency of Canada's - Canadian Hospital Injury Reporting and Prevention Program (CHIRPP). Consumer complaints made to Health Canada.	Hospital data is collected by the Public Health Agency and is collated for public information at: http://dsol-smed.phac-aspc.gc.ca/dsol-smed/is-sb/c_chrp_e.phtml Consumer complaint data is held internally and is classified by product type. Both sets of data are used as indicators of product safety issues + in support of risk management options (e.g. regulations).	Incident and injury data is accessible to Health Canada but where issues are indicated, they result in further investigation. Findings of non-compliance from the investigation would be used for enforcement, not the incident.
Chile		SERNAC is currently working on a project to collect information about children injuries caused by consumer products. It is expected to run the system soon and to expand it to other areas onceoperational.	Chile does not have a collection system in place. However, the complaints entered by consumers in its system are a good, yet not sufficient, informationtool. When SERNAC receives a complaint, it is forced by law to start a mediation process. In case it fails, SERNAC may initiate legal actions. If many consumers are involved, SERNAC may present a class action. Moreover, complaints are used to focus SERNAC's work in the most relevant markets and problems by the use of a matrix. This applies also to product safety.	Only SERNAC may access its database. The database information may be shared with other agencies as long as it does not contain personal information.
Denmark	✓	DSTA screens 17% of accidents that require medical attention in an emergency room. A new system is under development.	It is collected by nurses – used by authorities (system is under reconstruction).	Due to the legislation the government agencies are authorized to gain any information that can provide information of an unsafe product or products that are under suspicion for being unsafe. It is limited to information that relates to the specific product or product group. The information can be used in order to warn, stop, recall or give information to consumers about unsafe products.

Responding country	System for the collection of injury data?	Where is this data collected?	How is this data collected and collated?	Can government agencies directly access information on unsafe products, injuries and recalls?
Estonia		Currently there is no data collection system related to injuries involving consumer products.A the end of 2005 the Ministry of Social Affairs in co-operation with the Tartu University Hospital started a pilot project to test the Injury Data Base (IDB) model which was developed by the European Union and based on the International Classification of External Causes of Injury (ICECI). The national injury database will be established on the basis of this pilot project (presumably in 2011).	-	-
European Union	✓	IDB (European Injury Data Base) collects accident and injury data from selected emergency departments of hospitals in 12 Member States (Austria, Denmark, France, Germany, Ireland, Italy, Latvia, Malta, The Netherlands, Portugal, Sweden, the United Kingdom).	The IDB concept is to standardise and aggregate the national injury data in a central database and make it available to all stakeholders and interested parties. IDB collects data according to the ICE-CI WHO standard (International Classification of External Causes of Injuries) that is compatible to the ICD-10 classification of injuries.	The **Public Access** application allows interested parties to query the European Injury database about the epidemiology and external causes of home and leisure accidents across Europe. The IDB Public Access is developed under the IDB Project of the Health Programme 2003-2008 and is accessible at: https://webgate.ec.europa.eu/idbpa/. The **Restricted Access** application contains anonymous personal data on accidents and injuries in Europe. This application is restricted absolutely to members of the IDB project.
Finland				
France	✓	Institut de veille sanitaire (dispositif non exhaustif de recueil de données émanant de services d'urgences de quelques hôpitaux),	Les données sont transmises par les 8 hôpitaux membres du dispositif à l'institut de veille sanitaire qui, après exploitation, en publie annuellement la synthèse dans une brochure spécifique. Les autorités de contrôle sont destinataires de ce document.	Conformément aux dispositions prévues par la DSGP (article 5) les opérateurs économiques concernés transmettent aux pouvoirs publics les informations relatives aux produits qu'ils ont mis sur le marché et qui présentent un risque anormal ainsi qu'aux mesures adoptées pour écarter le risque.
Germany	✓	Statistics of mortal injuries at work - Accidents with technical products published in daily papers	see BAuA's homepage: www.baua.de/de/Geraete-und-Produktsicherheit/Produktmaengel/Produktmaengelstatistiken/Produktmaengelstatistiken.html?__nnn=true&__nnn=true	see BAuA's homepage: www.baua.de/de/Geraete-und-Produktsicherheit/Produktmaengel/Produktmaengelstatistiken/Produktmaengelstatistiken.html?__nnn=true&__nnn=true
Israel	✓	Hospital data.	In Israel the data is only gathered on infants' and children's injuries. The data is gathered by the National Centre for Children's Health and Safety from hospital records of the surgical wards of seven hospitals, as well as from the media and public. It is delivered to the Commissioner of Standardization	No. However, the data can be requested for a fee by the interested government agency, from NGOs such as hospitals.

Responding country	System for the collection of injury data?	Where is this data collected?	How is this data collected and collated?	Can government agencies directly access information on unsafe products, injuries and recalls?
			every two months as a statistical report that includes type of injury, age of injured infant or child, product causing injury, site of accident. The government does not publish this information but uses it to help determine the frequency of sampling of products in the course of market surveillance activities.	
Japan (all products)	✓	Consumer Products Safety Law: businesses, consumers, fire station, etc. The National Consumer Affairs Centre of Japan (NCAC) governed by the Cabinet Office, gathers information related to consumer counselling and product-related injuries received by the consumer information centres run by competent local authorities across the country. This information includes information warning consumers about unsafe products.	Information on serious product accidents is released in accordance with Article 36 of the Consumer Products Safety Law. In order to provide information to consumers, the National Consumer Affairs Centre of Japan (NCAC) operates the PIO-NET (Practical Living Information Online-Network System), which information collects on consumer counselling and products-related injuries received by local consumer information centres across the country. The PIO-NET is equipped with special software that enables searching for relevant information and its analysis. The PIO-NET information is announced through media releases, websites, etc. in order to prevent further injuries.	In terms of the information on accidents, the Ministry of Economy, Trade and Industry of Japan (METI) provides information on unsafe products, injuries and recalls on its website. Consumers can directly access this information. Moreover, if METI receives information on serious product accidents and must prevent the outbreak and expansion of such accidents by other legislation, the information is reported to other competent ministries. In order to prevent reasonably expected consumer injures and prevent further consumer injuries, the National Consumer Affairs Centre of Japan (NCAC) assists competent authorities to access information related to consumer counselling and product-related injuries, helping enforce the law and promoting information sharing on product-related injuries, etc.
Japan (household products)	✓	Hospitals (dermatologic and paediatric hospitals), the Japanese Poison Information Centre (incorporated foundation) and local governments.	Information of the Health Damage Reporting System on household Products is collected from hospitals and Japanese Poison Information Centre (Inc.), then published as the "Hospital Monitoring Report on Health Damage caused by household Products". Based on the collected information, the Ministry of Health, Labour and Welfare appropriately implements the measures it deems necessary (review of standards, development of the "Manual for the Preparation of Safety Manuals for Household Products", guidance, etc.). Accordingly with the "Report on Health Damage caused by household Products", local governments prepare written reports on health damage due to household products to the Ministry of Health,	The consumer injury information collected by the National Consumer Affairs Centre can be accessed via PIO-NET (a national consumer affairs information network system). If the information is in question, the Ministry of Health, Labour and Welfare must request an agreement of the Cabinet Office. Information on consumer injury collected by the Japanese Poison Information Centre (Inc.) is supplied as necessary. If the information is in question, the Ministry of Health, Labour and Welfare must request an agreement of the Japanese Poison Information Centre. In both cases, personal data are treated confidentially.

Responding country	System for the collection of injury data?	Where is this data collected?	How is this data collected and collated?	Can government agencies directly access information on unsafe products, injuries and recalls?
			Labour and Welfare in order to take necessary measures (review of standards, development of the "Manual for the Preparation of Safety Manuals for Household Products", guidance, etc.) and eventually release to the public.	
Japan (food utensils, containers and packaging materials)				
Japan (infant toys)				
Korea	✓		Hospitals, fire stations, consumers, other safety related organisations	Government agencies can, to some extent, access statistical data but certain details are not available. According to the General Consumer Act, collecting and handling injury information shall be considered as confidential with regard to the manufacturer's name, product name, level of injury and its cause, until it is proven that a product is unsafe.
Mexico				
New Zealand	✓	Information is gathered by the Accident Compensation Corporation (ACC). The ACC is a unique New Zealand organisation which has been established to provide insurance cover for NZ residents in relation to injuries sustained in accidents. ACC collects data which relates to cause and type of accident and the Ministry of Consumer is working with ACC to develop the use of the data to inform proactive product safety enforcement activities *e.g.* sampling programmes. The data is gathered by means of analysis of ACC claim forms completed and submitted from hospitals, clinics and general practitioners' offices.		Reports on investigations into sudden deaths referred to the coroner can be accessed subject to any confidentiality restrictions that might apply. As part of the voluntary recall process recalls are reported on the Consumer NZ website: http://www.consumer.org.nz/newssummary.asp?category=Recalls
Norway				
Poland	✓	Selected health care facilities, most often hospitals.	The minister responsible for public health is in charge of a national system for monitoring consumer accidents. The system is financed from	The administrator of the consumer accidents monitoring system prepares an annual report on consumer accidents and submits it to the public health minister and the President of the Office for

Responding country	System for the collection of injury data?	Where is this data collected?	How is this data collected and collated?	Can government agencies directly access information on unsafe products, injuries and recalls?
			the domestic budget available to the minister. In the system information on consumer accidents, their circumstances and health consequences as well as product that caused the injury is gathered The information gathered in the system is passed on to the supervising body. The monitoring system is managed by an administrator, appointed and dismissed by the health minister, who supervises and co–ordinates the activity of regional divisions, processes data on consumer accidents, prepares and estimates preliminary cost, develops analyses and reports consumer accidents.	Competition and Consumer Protection by 31 March of the following year. The President of the OCCP may proclaim inspection of products that posed a threat to consumers' life or health and subsequently take proper steps.
Portugal	✓	Hospitals/ ADELIA System (domestic and leisure accidents – adequate Information) – National Institute of Health Dr. Ricardo Jorge.	The data is collected by hospitals, emergency units and health centres participating in the ADELIA System. The government publishes this information.	Government agencies do not directly access collected information but may request information on specific products or matters.
Slovak Republic	✓	ECHO system on website of the Slovak Trade Inspection for collecting injury data from consumers.	Electronically.	As far as unsafe (dangerous) products are concerned there is a website where this information can be found – www.soi.sk. According to the Act on Consumer Protection, Slovak Trade Inspection and other market surveillance authorities are obliged to publish the information on a dangerous product without delay, in the form of an announcement via public information institutions.
Slovenia	✓	Data is collected only from hospitals (in-patients).	Information is collected and collated within the European IDB framework. The national report of the Institute for Public Health on its pilot project on collecting injury data is published on the website of the Institute: www.ivz.si/javne_datoteke/datoteke/1259-IDB_priloga.pdf	Government agencies do not have direct access to IDB. They need to make a prior request to the Institute of Public Health. For recalls there is no special data base. Information on unsafe products detected in the Slovenian market can be found on the Internet. All unsafe consumer products detected on the EU market can be found on the website of the Ministry of Economy (www.mg.gov.si) and of the European Commission (http://ec.europa.eu/consumers/index_en.htm) According to the GPSA, information related to risk to consumers health and safety posed by products which is available to competent authorities should also be available to the public. The competent

Responding country	System for the collection of injury data?	Where is this data collected?	How is this data collected and collated?	Can government agencies directly access information on unsafe products, injuries and recalls?
				authorities are obliged to provide individual consumers with such information at their request.
Sweden	✓	Sweden uses the EU RAPEX and EHLASS systems and has also got a national system with info from a number – but not all – of hospitals, emergency services, authorities etc.	RAPEX and EHLASS is administrated in the normal "EU way". Information is published on the website of the Swedish Consumer Agency.	As a main rule, yes. Exceptions due to sensitivity of personal data.
Switzerland				
Turkey		Although there is no central and systematic injury database, some authorities (*e.g.* Ministry of Health) receive data concerning injuries from hospitals that is used in the risk assessment.		
United States	✓	CPSC has the 4 following databases of consumer product-related deaths and injuries: 1. The National Electronic Injury Surveillance System (NEISS). The NEISS is a statistical sample of approximately 100 hospital emergency departments that report to CPSC on a daily basis all product-related incidents treated in their emergency departments. 2. Death Certificates. CPSC purchases from all 50 states and two jurisdictions (District of Columbia and New York City) death certificates of incidents classified under select external causes of death as coded under the World Health Organization's International Classification of Disease 10th Revision. 3. Injury and Potential Injury Incidents (IPII). CPSC receives data on product-related incidents through medical examiners, an Internet consumer complaint form, a toll-free complaint line, news clips, and other various sources. These incidents are all collected in IPII. 4. In Depth Investigations (INDP). CPSC conducts follow-back investigations of some incidents identified at the surveillance level through telephone or on-site interviews with the victim, witnesses or local officials. Investigation reports provide additional details concerning the sequence	The NEISS data is collected electronically on a daily basis. Death certificates are sent to CPSC on a continuous basis. IPII reports are received electronically, through a toll free line, news clips, and/or the mail. All the data is used to identify hazardous/defective products and to identify trends in death and injury. All the data (except for certain confidential fields) is available to the public through a Freedom of Information Act request. The NEISS data can be directly downloaded from www.cpsc.gov/library/neiss.html .	Yes, the data is available to the public through a Freedom of Information Act (FOIA) request. Certain variables are withheld due to confidentiality/trade secret constraints and restrictions.

Responding country	System for the collection of injury data?	Where is this data collected?	How is this data collected and collated?	Can government agencies directly access information on unsafe products, injuries and recalls?
		of events leading to the incident; interaction among persons, products, and the environment; and product identification.		

Responding country	Business obligation to:	Stop distribution	Withdraw from distribution	Recall from consumers	Repair or replace them	Refund consumers the cost	Other	Do obligations extend to imports?	Nature of obligation in relation to imports	Who bears the financial liability for the removal of unsafe products from a market?
Australia						✓		✓	The obligations for sellers of imported goods in Australia are the same as those imposed on domestic manufacturers, distributors and retailers (as described in Part VA of the TPA).	All businesses in the supply chain are legally responsible for supplying unsafe goods in Australia, so all could be found to bear legal liability (as described in Part VA of the TPA).
Belgium		✓	✓	✓	✓	✓		✓	Obligations based on the risk level of each product and are assessed case-by-case. The same obligations apply with regard to imports.	In principle, the producer.
Canada									Provincial jurisdiction for electrical products does not include importation.	Where companies take action, they bear the cost. Heath Canada bears the financial responsibility where goods are seized (including costs associated with disposal).
Chile		✓	✓	✓	✓	✓		✓	It is extended to all imported goods.	It must not be more difficult for consumers to be reimbursed than it was for them to obtain the goods. Business must decide who bears the financial responsibility and it should not affect consumers at all.
Denmark		✓	✓	✓	✓			✓	The obligation rests with the importer.	The manufacturer or the importer.
Estonia		✓	✓	✓		✓	✓	✓	In order to satisfy the obligation businesses are advised to follow "A guide to corrective actions including recalls – helping businesses to protect consumers from unsafe products". This document was produced in collaboration with representatives of European stakeholder organisations and supported by the European Commission. The guide gives general advice about what businesses should do if they have evidence that one of their products may be unsafe.	Financial responsibility for removing goods from points of sale or recalling them from consumers must be borne by businesses themselves.
European Union		✓	✓	✓	✓	✓		✓	Importers are considered as "producers" under the GPSD and are bound by the same obligations as manufacturers.	Producers and distributors. The division of financial responsibility among economic operators concerned is a matter or civil and contract law of the Member State(s) where they are based.
Finland		✓	✓	✓	✓	✓	✓	✓	According to Section 26 of the Act on Consumer Products and Services Safety (2004), it prohibitions referred to in	The entrepreneurs and other service providers.

Responding country	Business obligation to:	Stop distribution	Withdraw from distribution	Recall from consumers	Repair or replace them	Refund consumers the cost	Other	Do obligations extend to imports?	Nature of obligation in relation to imports	Who bears the financial liability for the removal of unsafe products from a market?
									sections 22–25 cannot be considered sufficient, the National Consumer Agency, Customs or other authority referred to in section 12 may require that a product that the consumer has returned to the entrepreneur shall be destroyed in accordance with section 27 or section 28. If this is not deemed to be appropriate, the authority may decide to undertake other steps.	
France		✓	✓	✓			✓	✓	Les obligations sont identiques pour les produits importés et les produits fabriqués en France. Un assouplissement n'existe que vis-à-vis des Etats avec lesquels s'impose le principe de reconnaissance mutuelle.	Le responsable de la mise sur le marché français.
Germany		✓	✓	✓	✓		✓	✓	The same as for domestic producers.	Businesses
Israel		✓	✓	✓	✓	✓		✓	The same as for domestic producers.	The supplier.
Japan (all products)		✓	✓	✓	✓		✓	✓		Businesses.
Japan (household products)		✓	✓				✓	✓	The same as for domestic producers.	The business operators.
Japan (food utensils, containers and packaging materials)										
Japan (infant toys)										
Korea		✓	✓	✓	✓	✓	✓	✓		Distributors or Manufacturers upon lack of voluntary recalls.

Responding country	Business obligation to:	Stop distribution	Withdraw from distribution	Recall from consumers	Repair or replace them	Refund consumers the cost	Other	Do obligations extend to imports?	Nature of obligation in relation to imports	Who bears the financial liability for the removal of unsafe products from a market?
Mexico		✓	✓	✓	✓	✓		✓	In Mexico, the obligations extend to importer and distributor.	The supplier is responsible.
New Zealand					✓	✓		✓	The obligations for sellers of imported goods in New Zealand are the same as those imposed on domestic manufacturers, distributors and retailers.	In the case of voluntary recalls, mandatory recalls, repair, replacement and consumer refunds relating to unsafe products the business concerned bears the financial responsibility.
Norway		✓	✓	✓	✓	✓				Business
Poland		✓	✓	✓	✓		✓	✓	In the event of finding that a product is unsafe: 1) if the product has not been released on the market yet, the supervising body: a) Orders the trader to eliminate the threats posed by the product. b) Forbids the product from being introduced into the market and orders the trader to take necessary steps to ensure compliance with the order. 2) if the product has already been released on the market, the supervising body orders the trader to: a) Eliminate the threats posed by the product. b) Withdraw the product from the market immediately. c) Warn consumers, defining the date and form of such a warning, d) Recall the product from consumers and destroy it.	The Traders.

Responding country	Business obligation to:	Stop distribution	Withdraw from distribution	Recall from consumers	Repair or replace them	Refund consumers the cost	Other	Do obligations extend to imports?	Nature of obligation in relation to imports	Who bears the financial liability for the removal of unsafe products from a market?
Portugal		✓	✓	✓	✓	✓		✓	Businesses (including foreign businesses) have to warn consumers if they have found an unsafe product. Considering the level of the risk, the national authorities decide whether it will be withdrawn from the market or there is a need to recall it. There are also voluntary recalls adopted by businesses.	Businesses.
Slovak Republic		✓	✓	✓	✓	✓	✓	✓	The obligations apply to all products, whether they are imported or not.	Generally, the relevant economic operator bears the financial responsibility for withdrawal (based on mutual contracts among them).
Slovenia		✓	✓	✓	✓	✓	✓	✓	According to the GPSA, all the obligations extend also to imported products.	Taking into account the definition of the producer, the financial responsibility for removing goods from sale should be undertaken by: - The manufacturer of the product, if established in the EU. - The manufacturer's representative, when the manufacturer is not established in the European Union, or if there is no representative established in the European Union, the importer of the product. - Any other legal or natural person, professionally included in the supply chain, insofar as their activities may affect the safety properties of a product.
Sweden		✓	✓	✓	✓	✓		✓	Section 15 ff. of the Product Safety Act : "A manufacturer who has supplied dangerous goods shall without delay recall the goods from those distributors who possess them, if it is necessary to prevent the occurrence of an accident. If this measure is insufficient to prevent the occurrence of an accident, the manufacturer shall without delay recall the goods from those consumers who possess them. The recall shall take place to the extent that is reasonable having regard to the need to prevent the occurrence of an accident."	Section 17 of the Product Safety Act : "The conditions for the recall shall be determined so that the offer may be expected to be acceptable to the persons in possession. The conditions shall mean that the offer shall be performed within reasonable time and without material cost or inconvenience for the persons who utilise it. In the case of return, compensation for the goods returned shall correspond to the cost for reacquisition of new goods of the same or corresponding kind. If there are special reasons for this, a reduction may be made from the compensation for return regarding the benefit that the person possessing the

Responding country	Business obligation to:	Stop distribution	Withdraw from distribution	Recall from consumers	Repair or replace them	Refund consumers the cost	Other	Do obligations extend to imports?	Nature of obligation in relation to imports	Who bears the financial liability for the removal of unsafe products from a market?
										goods has had." Section 19 of the Product Safety Act : A trader who has performed a service that is dangerous shall without delay recall the service from those for whom the service has been performed, if other measures are not sufficient to prevent the occurrence of an accident. The same applies in regard to the persons who possess property to which the service was referable. The recall shall take place to the extent that it is reasonable having regard to the need to prevent the occurrence of an accident and shall mean that the trader offers on certain conditions to: 1. Himself rectify the fault to which the risk of injury is referable, or 2. Pay compensation so that the fault may be rectified through someone else. Compensation shall also cover the cost of reinstating the property to which the service is preferable to its original condition. In the case of recall in accordance with the first paragraph, Section 16, second paragraph and Section 17, first paragraph shall apply. Section 34 of the Product Safety Act : 'A trader is entitled to compensation from the supervisory authority for samples of goods and the like that are provided in accordance with the Act, if there are special reasons for compensation. The Government or the authority appointed by the Government may issue regulations concerning the obligation of a trader who shall provide samples of goods and the like to compensate the supervisory authority for costs of taking samples and examination of samples when the goods,

Responding country	Business obligation to:	Stop distribution	Withdraw from distribution	Recall from consumers	Repair or replace them	Refund consumers the cost	Other	Do obligations extend to imports?	Nature of obligation in relation to imports	Who bears the financial liability for the removal of unsafe products from a market?
										following such examination, transpire to be dangerous.'
Switzerland										
Turkey		✓	✓	✓	✓	✓	✓	✓	The obligations are the same as for domestic suppliers.	As a natural consequence of Article 5, paragraph 7 of the General Law, the financial responsibility is borne by the producer, authorised representative, importer, distributor or retailer, whichever is relevant.
United States		✓	✓	✓	✓	✓		✓	The obligations are generally the same as for domestic suppliers.	Responsible party --- retailers, importers, or domestic manufacturers.

Responding country	Can government order the removal of unsafe products from a market?	What are the powers that can be used to remove products from a market?	Which government bodies may be involved in the removal of unsafe products nationally?	What border measures are in place to protect consumers from imports and exports of unsafe products?	What effective methods of recalling unsafe products are employed in your country?	What are the principal enforcement challenges facing government and industry in your country?
Australia	✓	The Minister for Competition Policy and Consumer Affairs may give directions as to the manner in which the supplier is to carry out a recall (as described in Section 65 F (3) of the TPA). Through the court, the ACCC can compel the suppliers to remove the unsafe products from sale.	The ACCC is involved in the enforcement of the removal of unsafe products on a national basis. In doing this it can, and does, work with state and territory enforcement bodies both directly and through the Consumer Product Advisory Committee.	Under section 209J of the Customs Act 1901, the Australian Customs Service has the power to intercept, seize and dispose of products found to be unsafe.	Businesses that undertake a voluntary recall action are required to report their actions to the Minister for Competition Policy and Consumer Affairs, and these processes are monitored by the ACCC. Where businesses fail to take satisfactory recall action to remove unsafe products from the market, then the Minister may order a compulsory recall.	The main challenges facing Australian consumer product enforcement bodies are: - detection of unsafe products; - ensuring enforceability with unharmonised domestic and international standards; - increased market size via internet trading, leading to increased monitoring and enforcement challenges; and - cross-border enforcement in relation to globally traded goods
Belgium	✓	The Directorate General for Energy, according to the ministerial decision, may forbid unsafe products. It is mainly based on other European directives regarding electric, electronic and similar instruments. For other products, a warning is sent first. Otherwise a 'process-verbal' will be drafted and an administrative fee will be proposed. If this is not enough, arrangements are made with the public attorney for measures and criminal procedures.	-Directorate General for Quality and Safety of the Federal Public Service Economy, responsible for the co-ordination of controls and technical control of products - Directorate General for Control and Mediation of the Federal Public Service Economy, responsible for global market control - Directorate General for Energy	Customs control. RAPEX notifications are provided to customs authorities.	The most efficient method is chosen randomly. See the "product recall guide" on the website http://economie.fgov.be/protection_consumer/	To make the entire economic chain responsible.

Responding country	Can government order the removal of unsafe products from a market?	What are the powers that can be used to remove products from a market?	Which government bodies may be involved in the removal of unsafe products nationally?	What border measures are in place to protect consumers from imports and exports of unsafe products?	What effective methods of recalling unsafe products are employed in your country?	What are the principal enforcement challenges facing government and industry in your country?
Canada		Only electrical products in the province of Ontario.	No ability exists nationally. Note: Health Canada can seize products that are non-compliant with regulations.	No measures at export. Measures at import include the targeting of specific products, product categories and/or companies by Canada Border Services Agency based on information from health Canada.	Negotiated voluntary recall for unsafe or noncompliant products has been very effective.	No mandatory reporting resulting in delays in receiving information/early warning, inability to order recall or corrective action (leading to delays).
Chile	✓	Only National Consumer Service can go to Court in order to remove unsafe products from the market; however, other bodies such as the Health Authority can directly order that certain products must be removed.	National Consumer Service and the Health Authority have regional representatives in the whole country in order to face the issue on a national basis. With regards to National Consumer Service, it collects traditionally - and electronically written complaints which allows reaching almost every Chilean.	Certain goods must be certified before being exported or imported. Customs Service may also carry out a visual inspection.	The most effective method in Chile is to work together with the businesses in order to make sure that no harm is caused to consumers and that they are properly redressed.	There is no database that contains all information about injuries caused by products. The level of self-regulation existing in Chile also need to be improved.
Denmark	✓	The regulatory agency can order it.	Many. 10 different	Spot checks at the border (harbours, airports etc.)	Announcements in papers, on TV, on the internet, direct mailing, information in the shops etc.	Enough resources for the market surveillance and a new strategy for optimal utilization of these resources.
Estonia	✓	With regard to any product placed on the market, a market surveillance authority may: 1) Carry out controls without hindrance and without giving prior notice. 2) Organise appropriate controls on product safety properties .	The Consumer Protection Board and other boards and inspectorates within the limits of their competence.	Co-operation between market surveillance authorities and Tax and Customs Board is organised pursuant to the Council Regulation 339/93/EEC on checks for conformity with the rules on product safety in the case of products imported from third countries. In case of serious danger, the	Methods of recalling unsafe products are traditional: information in selling points, on sellers' and importers' websites, in case of need on websites of the market surveillance authorities or by media.	Co-operation between enforcement authorities and stakeholders, *i.e.* industry, consumers, exporters and their organisations has an essential role in market surveillance, and it supports the operational activities of authorities. This co-operation has so far been minor since these organisations are at a developing stage and still

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		3) Check the documents certifying the conformity of a product with safety requirements, make copies thereof, use technical equipment in order to record the situation, require necessary information from all persons concerned. 4) Obtain products from producer and distributor and carry out safety controls. 5) issue precepts, impose time limits for compliance therewith and monitor such compliance. With regard to any product that may pose risks, a market surveillance authority may request a temporary product withdrawal or prohibit its display for the period needed for safety evaluations and controls. In case of a dangerous product, the market surveillance authority may order or organise an immediate withdrawal and alert consumers to the risks that a product presents. At the end of each process, including withdrawal from the market, and recall from consumers, the market surveillance authority shall request that the offence be terminated and activities		Tax and Customs Board has the right, with the agreement of the relevant market surveillance authority, to prohibit the release or export of a product.		consolidate their position in the society.

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		related to the offence be suspended or that acts necessary for the lawful continuation of activities be performed. Before this request, the producer or distributor shall be given an opportunity to submit any objections. Should a producer or distributor hesitate in fulfilling its duties (placing unsafe products on the market, not withdrawing or, recalling of unsafe products), he may be charges with a fee.				
European Union	✓	Under the GPSD and applicable product-specific legislation, national authorities can ban the marketing of a dangerous product, order or organise its actual and immediate withdrawal, alert consumers to the risks it presents, order or co–ordinate its recall from consumers and order or organise its destruction in suitable conditions.	National market surveillance authorities designated by the Member States.	In accordance with the EU customs legislation and the newly adopted Regulation referred to in point 2.10, customs authorities may carry out all the controls they deem necessary to ensure that customs rules and other legislation are complied with. Customs controls for the purpose of the correct application of EU legislation may be carried out in a third country where an international agreement provides for this. When, in the context of checks, the customs authorities find products that could cause a serious and immediate risk to		

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				health or safety, they must detain the products and notify the national authority responsible for monitoring the market. These authorities will take a decision on the products. Products introduced into the customs territory of the EU that are not intended for use in the EU and are not placed on the EU market do not fall under the product safety conformity requirements.		
Finland	✓	See sections 22-32 of the Safety of Consumer Products and Services Act (2004)	Finnish Consumer Agency, provincial governments, municipal supervising authorities.	Customs are responsible for monitoring of imported and exported consumer goods. Import and export does not apply to transport within the European Union and European Economic Area but from and to the so-called third countries.	There are provisions on mandatory recall in the Act (section 27 – 29). In practice, almost all recalls are voluntary; based on an agreement between the enforcement authority and the economic operator.	To limit the number of non-complying products and services, particularly within some high risk areas – toys, electrical appliances as well as sport, leisure and tourist services.
France	✓	- Notifications par les entreprises - Notifications dans le cadre du système RAPEX	Arrêté ministériel ou préfectoral ; pouvoirs de saisie	Direction Générale de la Concurrence, de la Consommation et de la Répression des Fraudes	Contrôle des produits à l'importation et sur le marché.	
Germany	✓	They can advise business to recall or withdraw products.	Local and federal authorities	Custom authorities take samples of the good if needed.		Decreasing number of staff.
Israel	✓	According to the Standards Law, 17 C(a), if the Commissioner learns about violation of any provision of Section 9(a) or (a)1 of the Standards Law, that caused	The Commissioner of Standardisation and relevant ministries.	The Second Addendum to the Free Import Order governs entry of potentially dangerous products and requires inspections and/or certificates from the appropriate	Publication in the daily press.	Enforcement of basic laws, such as freedom of employment and human dignity as well as reducing the number of dangerous products on the

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		harm to human health or safety or to the environment's quality, he may request desisting of this violation as prescribed in the Administrative Order.		authorities.		market.
Japan (all products)	✓	In accordance with Article 32, 39 of the Consumer Products Safety Law, we can take any necessary measures from the businesses.	Government.	The recall information is shared with the US and China.	We respond with the product's characteristics.	Handling the violators.
Japan (household products)	✓	In accordance with Article 6 of the "Law for the Control of household Products Containing harmful Substances", the Minister of Health, Labour and Welfare may request manufacturers, importers or distributor of household products to recall them or to take necessary measures in order to prevent the expansion of health damages to people.	The Ministry of Health, Labour and Welfare and local governments.	There are no particular measures.	The Ministry of Health, Labour and Welfare does not employ measures to recall unsafe products. However, the consumer injury information published by the Ministry of Health, Labour and Welfare, and collected by the Ministry of Economy, Trade and Industry can be thought of as contributing to the promotion of recall of the household products in question.	
Japan (food utensils, containers and packaging materials)	✓	The recall order based on the Food Sanitation Law or other orders.	The Ministry of Health, Labour and Welfare and local governments with public health centres.	With regard to imported apparatus, containers and packaging materials, the importer must notify each importer and present inspection results concerning standards and specifications criteria as necessary. An administrative monitoring inspection is also in place.	Under the Food Sanitation Law, there is a provision making recall obligatory.	

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Japan (infant toys)	✓	The recall order based on the Food Sanitation Law or other orders.	The Ministry of Health, Labour and Welfare and local governments with public health centres.	With regard to imported apparatus, containers and packaging materials, the importer must notify each import and present inspection results concerning standards and specifications criteria as necessary. An administrative monitoring inspection is also in place.	The question is abstract and cannot be answered. (Under the Food Sanitation Law, there is a provision making recall obligatory.)	
Korea	✓	Compulsory recalls shall be carried out in case of no voluntary recalls. A fee shall be imposed when rejecting mandatory recalls.	Local government organisations where the business registration is settled.	The same domestic criteria shall be applied to imported and exported goods.	Voluntary recalls by companies, recommendations of corrective measures to business operators.	The recalls are less effective due to a lack of clear safety standards on new products and the shortage of safety regulators.
Mexico	✓	According to Article 128 of the Federal Consumer Protection Law: The government may either prohibit distribution of unsafe products or destroy them. If they cannot be repaired or replaced or their distribution cannot be made according to the provisions of this Law.	PROFECO and the Federal Commission for Protection Against Health Risks (COFEPRIS).	Customs controls.	Blocking of unsafe products.	In Mexico, the penalty system is not very rigid. There is a need to improve the legal framework and make its implementation more effective.
New Zealand	✓	The emphasis is on voluntary recall but should that not be possible then the primary mechanisms for removal of unsafe products from the marketplace in New Zealand are via a mandatory recall or	The Ministry of Consumer Affairs would work alongside other relevant agencies to secure removal of a product from the New Zealand marketplace. As to which agencies would be involved –	If the Minister for Consumer Affairs produces an unsafe goods notice, Customs are afforded powers in respect of the unsafe products in question. The New Zealand Customs Service has the	See previous response.	In common with many overseas jurisdictions, New Zealand faces a raft of challenges in the area of product safety that include: Detection of unsafe products –

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		through an unsafe goods notice (in effect a ban). Both of these are enacted by means of the Minister for Consumer Affairs invoking powers under the Fair Trading Act 1986. Enforcement powers are conferred on the New Zealand Customs and the Commerce Commission who work closely with the Ministry of Consumer Affairs.	this would be dependent on the product in question and the circumstances under which it had been supplied. The various bodies in respect of dissemination of information.	power to intercept, seize and dispose of products found to be unsafe and in breach of an unsafe goods notice or mandatory product safety standard.		the number, range and complexity of products is increasing placing greater demands on regulators. Ensuring enforceability with unharmonised domestic and international standards – balancing the needs and circumstances of the New Zealand marketplace with the desire to promote international consistency. Increased market size particularly via Internet trading requiring increased monitoring and enforcement challenges; and Cross-border enforcement in relation to globally traded goods.
Norway	✓	Regulations concerning products. Act on control with dangerous products, act on fire prevention and explosives. Regulations under these acts.	8-10 bodies. Directorate for civil protection and emergency planning, State pollution control, labour inspectorate, national radiation control.	Customs random control	Information, advertising, media	Resources.
Poland	✓	According to the provisions of the Act on General Product Safety, in the case of products already placed on the market, the market surveillance authority can request an immediate withdrawal of the product	The OCCP and the Trade Inspection.	Customs can retain products if there are circumstances justifiably indicating that they do not meet certain requirements. Within three working days from the day of retaining the products, the relevant specialised body	1) Withdrawing a product from the market, by the producer taking away all the items from distributors and banning the distributors from presenting and offering the product to consumers. 2) Withdrawing a product from consumers and	Encouraging greater use of voluntary corrective actions by producers and businesses placing products on the market.

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		from the market. Withdrawing a product from the market means taking away all the items from distributors by the producer and banning the distributors from presenting and offering the product to consumers.		issues an opinion on whether these products meet the requirements or requests from the customs body with an application to collect samples of products, specifying the amount and method of collecting them.	destroying it. This can be requested exclusively in the case when other measures are insufficient to prevent serious danger caused by the product. If the market surveillance authority requests withdrawal of a product from consumers, the producer is obliged to do s, reimbursing the consumers.	
Portugal	✓	Decree-Law 69/2005 – Articles 13 and 28.	Consumer Goods and Services Safety Commission, Authority for Food and Economic Safety.	Customs controls.	Legal obligation to report to the Directorate-General for Consumers.	
Slovak Republic	✓	The enforcement authority (market surveillance authority) is obliged to conduct inspection of product or service safety, and for this purpose it is authorised: 1) to request the necessary information from the producer, trader, importer or supplier;: 2) To take a product sample and examine the safety thereof. 3) To assess whether a product or service placed on the market has been accordingly labelled regarding potential risks that it may cause. 4) To provide timely and appropriate notification to the	Slovak Trade Inspection, the Ministry of Transport, Post and Telecommunications of the SR and the Public Health of the SR.	All measures based on the Council Regulation (EEC) No. 339/93 of 8 February 1993 on checks for conformity with the rules on product safety in the case of products imported from third countries.	voluntary measures taken by the economic operators after consultation and co-operation with a relevant market surveillance authority obligatory measures imposed by the market surveillance authorities publishing of the information on unsafe products in the media and on the internet	efficient penalties and sanctions uncontrolled distribution of products (mainly from China) – mostly toys through importers in other EU Member States

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		persons who may be exposed to the risk induced by a product or by a provided service. 5) To temporarily ban the introduction of a product, a series of products or a service to the market, their presentation, offer or sale, if it is reasonable to suspect that the product or service is not safe, for a time period necessary to perform tests or to examine the suspicion. 6) To ban the introduction of a product, a series of products or a service to the market, their presentation, offer or sale, if it has been proven that they are not safe, and to put in place accompanying measures ensuring that the ban is complied with. 7) To order or organise immediate withdrawal or liquidation of unsafe product, a series of unsafe products or an unsafe service from the market or recall them from consumers, 8) To issue binding instructions aimed at removing of unsafe products. 9) To adopt the necessary measures and determine the				

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		time period for the submission of a report on their completion.				
Slovenia	✓	Under the GPSA, competent inspection authorities have the following powers: - To ban temporarily sales and marketing of any product that might be dangerous. - To introduce any measures required to ensure the ban is complied with. - For any dangerous product already on the market. a) To order or organize its immediate withdrawal and alert consumers about the risks it presents. b) To order or co-ordinate and, if appropriate, organize with producers and distributors its recall from consumers and its destruction in suitable conditions. c) To order a sample of product that caused damage; the sample must be delivered in unchanged condition.	The competent inspection authority may be involved in the enforcement of the removal of unsafe products from the market.	The GPSA requires Customs to suspend the release of products on the market for three working days and immediately inform the competent inspection authority, if they find: - That individual products or batches of products show certain characteristics causing reasonable doubt that they may pose serious risk to consumer health and safety when placed on the market and used under stipulated or reasonably foreseeable conditions. - That individual products or batches/series of products are not accompanied with the required documents or are not adequately marked or that the stipulated mark is affixed unjustifiably. There is no general prohibition for export of unsafe products in the Slovenian law. However, the GPSA prohibits export of products that appear to present danger to consumers, especially children.	Instructions for recalls are part of the Guide to Corrective Action which provides general advice about steps to be taken if a producer or a distributor became aware that their product which has been put on the market might be unsafe. The Guide is a tool to help companies better organise recalls. It is published on the website of the Ministry of the Economy and the European Commission's website. According to the GPSA a recall should be undertaken voluntarily or at the request of the competent inspecting authority. A recall should take place only if producers or a competent inspecting authority find other measures insufficient to prevent the risk.	The following issues should be addressed more effectively: product labelling, co-operation with industry, integration of product safety in the supply chain by industry and follow-up to consumer complaints and accident reports.

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Sweden	✓	Section 15 ff. of the Product Safety Act : "A manufacturer who has supplied dangerous goods shall without delay recall the goods from those distributors who possess them, if it is necessary to prevent the occurrence of an accident. If this measure is insufficient to prevent the occurrence of an accident, the manufacturer shall without delay recall the goods from those consumers who possess them. The recall shall take place to the extent that is reasonable having regard to the need to prevent the occurrence of an accident.'	*Konsumentverket* (The Swedish Consumer Agency) is the most frequent, but other organisations include: • *Arbetsmiljöverket* (the Swedish Work Environment Authority) • *Boverket* (The National Board of Housing,Building and Planning) • *Elsäkerhetsverket* (The Swedish National Electrical Safety Board) • *Energimyndigheten* (The Swedish Energy Agency) • *Järnvägsstyrelsen* (The Swedish Rail Agency) • *Kemikalieinspektionen* (The Swedish Chemicals Agency) • *Läkemedelsverket* (the Medical Products Agency) • *Naturvårdsverket* (The Swedish Environmental Protection Agency) • *Post- och telestyrelsen* (The Swedish Post and Telecom Agency) • *Radio- och* TV-verket (The Swedish Radio and TV Authority)	As an EU Member State, Sweden implements EU legislation concerning the Internal market.	Section 15 ff. of the Product Safety Act : "A manufacturer who has supplied dangerous goods shall without delay recall the goods from those distributors who possess them, if it is necessary to prevent the occurrence of an accident. If this measure is insufficient to prevent the occurrence of an accident, the manufacturer shall without delay recall the goods from those consumers who possess them. The recall shall take place to the extent that is reasonable, having regard to the need to prevent the occurrence of an accident."	Lack of knowledge of chemical safety features immanent from the early stages of the supply chain.

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			• *Statens räddningsverk* (The Swedish Rescue Services Agency) • *Socialstyrelsen* (The National Board of Health and Welfare) • *Sjöfartsverket* (The Swedish Maritime Administration) • *Skatteverket* (Swedish National Tax Board) • *Styrelsen för ackreditering och teknisk kontroll* (the Swedish Board for Accreditation and Conformity Assessment)			
Switzerland						
Turkey	✓	According to Article 11 of 4703 Act on the Preparation and Implementation of Technical Legislation on Products, market surveillance authorities may temporally prohibit sale of unsafe products even if they conform to relevant technical standards. During the prohibition period, the authority or the producer (bearing the costs) shall undertake the following steps:	Ministry of Industry and Trade: products regulated under Low Voltage Directive and Electromagnetic Compatibility Directive; machines; gas appliances; explosives for civil use; motor vehicles; lifts; household appliances; pressure equipment; measuring instruments; electrical materials; textiles; footwear; and all consumer products falling under non-harmonised areas that don't belong to the competence area	The control of non-food consumer products at the border is carried out by the following public authorities: 1. A group of products ranging from lighters to baby articles (Turkish Standards Institute (TSE) on behalf of Under-secretariat of Foreign Trade (UFT)); machinery, products falling under the scope of Electromagnetic Compatibility Directive and Low Voltage Directive and medical devices etc. (TSE on behalf of Ministry	Public authorities co-operate with the business in order to monitor whether the product safety obligations are fulfilled properly.	1. Legal disputes about administrative fees and test costs between the business and public authorities 2. Insufficient resources for market surveillance activities 3. Indifference of high level officials to market surveillance issues 4. Insufficient number of inspectors

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		a) Prohibit placing of unsafe products on the market, b) Withdraw unsafe products. c) Entirely or partially dispose unsafe products. d) Inform the public on steps laid down in the paragraphs (a), (b) and (c) by publishing this information in two daily newspapers and releasing it on two television channels having nationwide distribution and reach. If possible, the information shall also be published in local newspapers and realised on local TV channels. If possible, the persons at risk shall be identified and informed directly.	of specific public authorities Ministry of Health: cosmetics; toys; detergents; medical devices; medicinal products; and baby and mother care articles, personal hygiene articles, candles, air fresheners etc. Ministry of Agriculture and Rural Affairs: kitchenware Ministry of Labour and Social Security: personal protective equipment Ministry of Public Works and Settlement: construction products Telecommunications Authority: radio and telecommunication terminal equipment Under-secretariat of Maritime Affairs: recreational crafts	of Industry and Trade and Ministry of Health). For the above-mentioned product groups, physical checks and laboratory analysis are carried out. For other products, controls are limited to document control, to be submitted by the importer. 2. The following product groups are checked by the UFT at the border: toys, personal protective equipment, batteries and accumulators, telecommunication terminal equipment and construction products. The UFT usually checks only documents but may also request from the importer (a, laboratory analysis). No control is carried out when non-food consumer products are exported from Turkey.		5. Deficiency of the laboratory infrastructure. 6. High bureaucracy level in using the budget.
United States	✓	CPSC has the statutory authority to order a recall, refuse admission in certain circumstances, or seek seizure of products in certain circumstances.	For products discussed in this document, CPSC and US Customs.	Interdiction is based on actionable intelligence and random inspection. CPSC does not have an export interdiction programme.	Voluntary recalls have proven to be very effective when employing a mix of direct notice to purchasers, media publicity, advertising, in-store notices, and web-based information campaigns.	Ensuring conformity of imported products.

Responding country	International co-operation?	The nature of these international co–operation arrangements.	Duty on importers to inform authorities of unsafe products?	What information must be exchanged? What time limits apply?	Do authorities inform international counterparts of unsafe products?	What information is exchanged? What time limits apply?	Suggested ways of strengthening cross-border co–operation.	What kind of information would national authorities like to receive on product safety?
Australia	✓	Australia shares information with New Zealand on product safety issues through participation in the Ministerial Council on Consumer Affairs (MCCA) and its supporting committees. New Zealand is a full member of MCCA, recognising the common market that exists for many consumer products and services between the two countries, and the close economic relations that the two countries have, both generally and through the Closer Economic Relations Treaty.		Bilateral and multilateral free trade agreements have strengthened Australia's engagement with the rest of the world in relation to consumer policy and product safety arrangements. Australia has free trade agreements with a range of key trading partners, including the United States, Singapore, Thailand and Chile. It is negotiating free trade agreements with others, including China, Japan, ASEAN, Malaysia and the Gulf Cooperation Council. Australia (through the Treasury and the Australian Competition and Consumer Commission) is a key and active participant in international policy and enforcement forums including: OECD, APEC, ICPSC, ICPHSO, ISO (COPOLCO), and ICPEN.	✓	Australian enforcement bodies, most notably the Australian Competition and Consumer Commission, engage in some inter-country correspondence with enforcement bodies in the source nations of non-compliant goods. The Australian Customs Service engages in inter-country co-operation with overseas customs agencies on product safety issues.	Bilateral and multilateral free trade agreements have strengthened Australia's engagement with the rest of the world in relation to consumer policy and product safety arrangements. Australia is a key and active participant in international forums including: OECD, APEC, ICPSC, ICPHSO, ISO (COPOLCO), and ICPEN.	The Australian Competition and Consumer Commission would like to receive timely information on any regulatory action taken internationally that may be relevant to Australia or actions that are being considered. This could usefully include the reasons underlying such decisions by overseas enforcement bodies.
Belgium								
Canada	✓	Formal agreement with the US CPSC (no measures for confidentiality due to current US legislation). Formal agreement with China AQSIQ (implementation still in progress). Informal arrangements with members of the ICPSC (International Consumer			✓	Health Canada informs the US-CPSC of unsafe products where they are known to be sourced from there or sold there. This is a voluntary activity done once the Canadian investigation is complete and uses the US's section 15 reporting provision. In addition, Health Canada is working on an	Sharing of incident data/mandatory reports and North America-wide recalls. (Dependent on changes to legislation with both the US and Canada).	Incident data, data on non-compliance, information on regulatory systems.

Responding country	International co-operation?	The nature of these international co–operation arrangements.	Duty on importers to inform authorities of unsafe products?	What information must be exchanged? What time limits apply?	Do authorities inform international counterparts of unsafe products?	What information is exchanged? What time limits apply?	Suggested ways of strengthening cross-border co–operation.	What kind of information would national authorities like to receive on product safety?
		Product Safety Caucus). Informal arrangements between US-Mexico-Canada under a partnership agreement.				information sharing mechanism under our MOU with the AQSIQ in China.		
Chile	✓	Chile is a member of the Iberoamerican Forum that has as one of its main objectives the exchange of information and best practices on consumer protection issues. Chile also has an MOU with the US Consumer Product Safety Commission that allows receiving of information about recalls happening in the US and in special cases, to receive technical assistance.		Should a problem arise, SERNAC may share information with regard to the product and business involved.	✓	SERNAC cannot share personal information unless the owner of the information agrees on that. It can share statistics and cases. There is no time limit, but the nature of the problem makes it necessary to be rapid.	SERNAC has good relationships with its counterparts from other countries. It is a member of the Iberoamerican Forum, ICPEN (even though it doesn't deal with consumer safety issues) and has several MOU's with national agencies such as the CPSC. However, SERNAC is trying to increase its visibility within these networks.	Mostly information about recalls, studies involving product safety and safety alerts.
Denmark	✓	RAPEX, and CIRCA (Article 9 safeguard clauses)			✓	Limit to specific relevant information.	Exchange of officers.	Pictures, description of the non-compliance in English, a risk assessment.
Estonia	✓	As Member State of EU we are engaged in RAPEX (Rapid Alert System for non-food consumer products). The Consumer Protection Board has been nominated as the national contact point for RAPEX. The Consumer Protection Board participates also in the PROSAFE (the Product Safety Enforcement Forum of Europe).			✓	Exchange of information through RAPEX system takes place according to operational guidelines prepared by the European Commission.	Cross-border activities are carried out in the European Union context, leading by the European Commission. Estonia has participated in several joint actions in the area of non-food consumer product safety (in 2007 lighters and playground equipment).	Information on injuries involving consumer products.

Responding country	International co-operation?	The nature of these international co–operation arrangements.	Duty on importers to inform authorities of unsafe products?	What information must be exchanged? What time limits apply?	Do authorities inform international counterparts of unsafe products?	What information is exchanged? What time limits apply?	Suggested ways of strengthening cross-border co–operation.	What kind of information would national authorities like to receive on product safety?
European Union	✓	EU – China 1) The EC's DG Health and Consumers and AQSIQ (the Administration for Quality Supervision, Inspection and Quarantine) from China signed in January 2006 a Memorandum of Understanding (MoU), establishing a framework for better communication and collaboration between EU and Chinese authorities on general product safety. The MoU specifically seeks to support Chinese authorities in their efforts to ensure product safety. The MoU puts in place a number of practical measures, including joint meetings, exchanges of information and follow-up to identified safety problems. This includes exchanges of information on scientific, technical and regulatory matters and on emerging issues. One tangible measure under the MoU is the RAPEX-China application. RAPEX-China ensures that RAPEX information concerning dangerous products of Chinese origin is made available to AQSIQ for the necessary follow-up. AQSIQ investigates all the notifications it receives and, when necessary, adopts measures which prevent or		There is no obligation to exchange information.	✓	In principal, only publicly available information on product safety issues is exchanged. However, RAPEX-China co–operation includes also confidential product-specific information (unless the EU Member State where the notification originates has refused such information disclosure). There are no time limits for the exchange of information.	The EC has intensified its co–operation efforts in the area of product safety. Apart from bilateral reciprocal information exchange where account must be taken of the relationship between the countries in question and issues of mutual concern, the EC considers that best use should be made of multilateral frameworks and organisations.	Information on dangerous products sold in the EU/EEA, explanation on the health and safety risks they pose and, to the extent available, information on the EU/EEA distribution channels of these products.

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		restrict further export of the specific hazardous products to the EU. This information exchange is covered by confidentiality. 2) Since 2002, co–operation on product safety matters has also taken place under the Consultation Mechanism on Industrial Products and WTO/TBT between the EC's DG Enterprise and Industry and AQSIQ. Efforts have focussed on electrical equipment and toys as a matter of priority. Other product sectors covered include textiles, cosmetics, medical devices, chemicals and machinery. Under this mechanism, information on applicable product-specific safety requirements and standards in the EU and China is regularly exchanged with a view to promoting awareness among economic operators. Information derived from safeguard measures taken by EU Member States against non-compliant unsafe products in accordance with relevant product-specific legislation is also made available to the Chinese authorities for the necessary follow-up (*i.e.* trace product back to the Chinese						

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		manufacturer and take appropriate measures to prevent or restrict the export of the product concerned to the EU). 3) In October 2007, the EC's DG Enterprise and Industry entered into a Consultation and Cooperation Mechanism with China's State and Drug Administration. This new Dialogue aims, *inter alia*, at strengthening bilateral cooperation on regulatory and product safety issues in the areas of pharmaceuticals, cosmetics and medical devices. EU – US 1) DG Health and Consumers and the US CPSC agreed in February 2005 on "Guidelines for Information Exchange and on Administrative Cooperation" to strengthen transatlantic co–operation in the field of consumer product safety. The EC and the CPSC have regular and frequent contacts to discuss mutual product safety issues. They encompass regular exchanges of: *i*) scientific, technical, and regulatory information; *ii*) information on emerging issues of significant health and safety relevance; *iii*) information on standardization						

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		activities and cooperation in comparatively assessing specific product safety standards and in initiating standardization activities; *iv*) general information on market surveillance and enforcement activities; *v*) information on risks identified and measures taken with respect to products originating from each of their respective territories; *vi*) information in case of major withdrawal/recall operations of mutual interest; and *vii*) information on risk assessment and product testing. Today, only publicly available information on product safety issues is exchanged. Exchange of confidential information between the Commission and the CPSC would require a new agreement, determining precise rules and procedures and specifying all the necessary guarantees for confidentiality. 2) Specific sectoral initiatives addressing, *inter alia*, product safety matters exist between the EC's DG Enterprise and Industry and the competent US regulatory agencies in the following areas: motor vehicles, pharmaceuticals, cosmetics, medical devices and toys (jointly with DG Health and						

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		Consumers).						
Finland	✓	The co-operation within the European Union is very intensive in terms of consumer safety issues. Finland also takes part in the work of PROSAFE (European Organisation) and ICPHSO (International Consumer Product Health and Safety organisation). Finland has close contacts with other Nordic Countries regarding the product safety work.					RAPEX-notifications are a very important source of information. Finland will be contributing to further develop this system. It is the task of the European Commission to co-operate with national bodies of other parts of the world – Far-East, North America, Australia, New Zealand and Latin America.	
France	✓	Participation au système RAPEX mis en place par la directive 2001/95/CE			✓	Les renseignements sont échangés avec les autres États Membres de l'Union européenne	- Participation au projet Emars (projet mis en œuvre dans le cadre de la directive 2001/95/CE) - Désignation de point de contact pour une coopération transfrontalière	- Description des produits dangereux permettant l'identification du produit et du risque ; - Dossier technique, éléments sur le suivi de fabrication des produits, informations sur les fournisseurs, informations sur les clients.
Germany	✓	Administrative co–operation within the European Union	✓	The fact that a product is unsafe and the measures were taken.	✓	Data of product, risk and if possible supply chain-manufacturer		The fact that a product is unsafe and the undertaken measures.
Israel	✓	Israel's Standardization Administration has signed a Memorandum of Agreement with the U.S. CPSC that					Establishing Contact Points at the level of senior officials that would be based on	Information on product recalls and on products that

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		provides a framework for sharing expertise and information on dangerous products and offer mutual support to improve consumer product safety.					bilateral agreements.	caused consumer mortality.
Japan (all products)	✓	Japan intends to exchange information that is officially published with other countries.			✓	With regard to imported apparatus, containers, and packaging, Japan immediately sends information on the violation and on consignment to the country of manufacturing through the relevant embassy.		Information regarding paints and chemicals in the products on the manufacturing process as well as on the overseas regulations and how well those regulations are monitored.
Japan (household products)				Accurate information should be provided promptly. As to information content: the type of household products, the amount manufactured, shares, export destinations, detailed causes, the conditions under which damage to health occurred, medical diagnoses (symptoms), the reasons why a household product caused injury and undertaken steps to prevent future accidents.	✓	Japan exchanges information on distribution channels of unsafe household products. Accurate information should be supplied as soon as possible.		Information regarding the paints and chemicals in the products on the manufacturing process.
Japan (food utensils, containers and packaging					✓	With regard to imported apparatus, containers, and packaging, Japan immediately sends information on the violation		Japan would like to regularly receive information regarding overseas regulations and how well those regulations are

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materials)						and on consignment to the country of manufacturing through the relevant embassy.		monitored.
Japan (infant toys)					✓	With regard to imported toys, Japan immediately sends information on the violation and on consignment to the manufacturing country through the relevant embassy.		Information regarding the paints and chemicals in the products on the manufacturing process.
Korea	✓	The Korean Consumer Agency and the U.S. CPSC share information on recalls and injuries in accordance with a bilateral agreement.			✓		Reinforcement of networks with safety related organisations through participation in international conferences and website visits.	Information on recall of unsafe products and consumer injury.
Mexico	✓	PROFECO participates in monthly conference calls with relevant authorities, mainly from North America to exchange information on consumer protection policy, including product safety.			✓		It would beuseful to create an alert system, with access for all countries, in order to exchange information in a very practical manner.	Alerts, a list of unsafe products, and the names of products that are deemed to be exported to Mexico. Likewise, a list of possible producers and importers/exporters with a history of unfair practices.
New Zealand	✓	New Zealand cooperates most closely and shares information with Australia on product safety issues through participation in the Ministerial Council on Consumer Affairs (MCCA) and its supporting committees. New Zealand is a full member of			✓	No time limits exist as such but product safety issues are regarded as being high priority, as a consequence of the risks that could arise from an unsafe product being out in the	New Zealand considers the best means of developing cross border co–operation is by means of being active participants in the various forums that have been established which address product safety. As has been	The Ministry of Consumer Affairs would like to receive timely information on any regulatory action taken internationally that may be relevant to New Zealand or actions that are being considered. This could

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		MCCA, recognising the common market that exists for many consumer products and services between the two countries and the close economic relations that the two countries have, both generally and through the Closer Economic Relations Treaty. The development of bilateral and multilateral free trade agreements has increased New Zealand's engagement with the rest of the world in relation to consumer policy and product safety arrangements. Opportunities for dialogue are being developed with individual states as well as with fora such as ASEAN. New Zealand (through the Ministry of Economic Development / Ministry of Consumer Affairs) an active participant in international policy and enforcement fora including: Organisation for Economic Cooperation and Development (OECD), Asia – Pacific Economic Cooperation (APEC), Asia – Pacific Legal Metrology Forum (APLMF), International Consumer Product Safety Caucus (ICPSC), International Consumer Product Health & Safety Organisation (ICPHSO), and International Consumer				marketplace. The Ministry of Consumer Affairs along with other agencies engage in inter-country correspondence with enforcement bodies in the source nations of non-compliant goods. The Customs Service engages in inter-country co-operation with overseas customs agencies on product safety issues.	described early, this affords access to information of specific products, identification of best practice and a means of sharing experiences and marketplace intelligence.	usefully include the reasons underlying such decision by overseas enforcement bodies.

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		Product Enforcement Network (ICPEN).						
Norway	✓	Agreements under GPSD (RAPEX and market surveillance) and DG-enterprise on safeguard clause.	✓	All information needed to define a product: Brand, name, producer, picture etc. Ref –RAPEX.		Ref. to RAPEX and safeguard clause.	No.	Ref RAPEX.
Poland	✓	Poland participates in the RAPEX system (European rapid alert system for non-food consumer products). Its aim is to ensure fast exchange of information between the EU Member States and the European Commission about products posing risks to consumers and steps undertaken in the country of products' origin in order to exclude or limit their prevalence on the European market. RAPEX covers all non-food consumer products, except pharmaceuticals. Within the RAPEX system, the Polish OCCP informs the European Commission about: – Steps undertaken to limit the number of unsafe products on the market, such astheir withdrawal or recall, together with a justification of that decision. – Serious risk requiring immediate actions,			✓	Information is exchanged immediately. The most important pieces of information are usually name and address of the producer, name and type of the product, kind of risk or incompliance and, possibly, name of the distributor.		Information on unsafe products is exchanged via the RAPEX system.

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		especially when a product may be sold in the other European Union Member States. – Voluntary actions undertaken by producers or distributors in order to prevent or eliminate risks posed by their products; etc.						
Portugal	✓	RAPEX system,	✓	Product details concerning traceability and permitting authorities to find the products in question.	✓	All details about the product involved.	Through community programmes.	
Slovak Republic	✓	- Co-operation within the EU RAPEX system. - Joint market surveillance project on children's playgrounds co-financed by the European Commission. - Joint market surveillance project on lighters co-financed by the European Commission. - Joint market surveillance project on toys co-financed by the European Commission . - Administrative co-operation among market surveillance authorities from different EU Member States.		Importers are obliged to inform national authorities and they inform through the RAPEX system authorities within EU. Content, time limits and form of exchanged information are laid down in the Regulation of the Government of the Slovak Republic No. 404/2007 Coll. on General Product Safety and the Act No. 250/2007 Coll. on Consumer Protection		Shared information, among market surveillance authorities, includes basic data on the product and its risks, as well as information on economic operator. No time limits are agreed yet.	To strengthen cross-border co-operation, the Slovak Republic follows provisions of EC Regulation No. 2006/2004 on consumer protection co-operation.	Health and safety risks of the product, information on supply chain, origin and producer of the product, measures undertaken, system of penalties.
Slovenia	✓	As a member of the EU, Slovenia is obliged to meet the requirements concerning			✓	Under the provisions of the GPSA, the competent inspecting authority should	So far mechanisms to strengthen cross-border co-operation were focused in	The following information would be helpful:1) expertise and experience on product

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		exchange of information among EU Member States (RAPEX). So far, there are no bilateral agreements between Slovenia and third countries.				immediately inform the Slovenian Ministry of Economy and the European Commission, through the RAPEX system, on preventive measures and their reasons within 45 days after detecting an unsafe product. The European Commission after receiving notification in the shortest time possible, verifies the notification and forward s information to other Member States. The Regulation concerning international information exchange on measures and actions restricting trade in products, published in the Official Gazette, no. 119/2003 defines work flow and co-operation	the area of EU Member States and EEA countries. 1. Joint surveillance and enforcement actions. Actions include exchange of information, development of common methods, protocols, check-lists, and a database. 2. RAPEX system aimed at a rapid exchange of information of serious risk between all Member States in the EU and EEA countries: Iceland, Liechtenstein and Norway. 3. ICSMS system which creates the basis for an effective and efficient co-operation between market surveillance bodies in Europe. Supported by Internet, it enables a comprehensive exchange of information between all market surveillance bodies included in the system. Mechanisms to strengthen cross-border co-operation with third countries are still one of the challenges.	safety issue; 2) information on measures taken about unsafe products; 3) information on campaigns on product safety issues; and 4) cases of good practice on preventive and corrective actions regarding unsafe products.

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						arrangements of competent national authorities along with enforcement activities of the competent inspection bodies and voluntary activities of manufacturers and distributors. This Regulation shall only apply if the intended trading restrictions refer to a whole batch of products and not to individual products and if the risk does not or cannot go beyond the territory of Slovenia. The contact point for receiving and disseminating is also determined by the Regulation, as well as the content of notification and deadlines with regard to the information on dangerous product exchanged. The following deadlines are determined by the Regulation: - If the competent inspection body identifies that when a product, normally used, could cause		

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						health and safety injuries, the body must immediately notify a contact point of its findings and any enforcement activities undertaken. - After receiving the notification, the contact point must verify whether the notification contains all data listed in the Regulation and, if necessary, request it be supplemented within eight working days. - Afterwards, the contact point shall send a notification to the Ministry of Economy that has three working days to react. - If the competent inspection body identifies all requirements settled for rapid information exchange, it must immediately inform the contact point of its findings as well as any enforcement or voluntary measures undertaken. - After receiving such notification, the contact point must verify whether the notification contains all		

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						data listed in the Regulation and, if necessary, request additional information within three working days. - Afterwards, the contact point shall send a notification to the Ministry of Economy that has one working day to react.		
Sweden	✓	Sweden uses the EU RAPEX and EHLASS systems and has got a formal and informal co-operation within the EU Commission's expert group for the General Product safety Directive.			✓	There are no mandatory rules and the authorities co-operate on an informal basis.	Sweden is engaged in the EU co-operation and welcomes the OECD-initiative. The formal work within these two organisations also leads to informal initiative on a daily basis between authorities and at a personal level.	Best practice as regards market surveillance etc.
Switzerland								
Turkey	✓	Turkey exchanges information on unsafe consumer products within the EU RAPEX System.					Although it does not participate in any joint programme, Turkey follows the important cross-border co-operation schemes such as ICPHSO, ICPSC, PROSAFE, and EMARS.	Turkey would like to receive information regarding product's traceability so that unsafe products and/or producers can be found and necessary corrective measures can be adopted.
United States	✓	The information exchanges occur with countries having signed Memoranda of Understanding with CPSC. CPSC staff exchanges, in accordance with US law,			✓	Depending on circumstances, CPSC may provide manufacturer information and hazard analysis.	CPSC has active international training and information sharing programmes with key countries.	Notices of manufactured goods that violate the safety requirements of other countries.

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		general information on recalled products. This information is contained in press releases and other notification materials available on its website. Pending legislation may permit sharing of confidential information with foreign regulators. CPSC also actively encourages and facilitates international participation in regulatory and standards-related policy development.						

Responding country	Business obligation to inform public about unsafe products	Legal requirements for businesses to inform consumers of unsafe products	Consumers to be informed by: websites	Electronic media advertisements	Print media advertisements	Point of sale	Other (please describe below)	Product recall website	How are notifications made?
Australia	✓	Where a business voluntarily takes action to recall unsafe or hazardous goods, under section 65R of the Trade Practices Act 1974 (TPA) it is required to inform the Minister for Competition Policy and Consumer Affairs of the recall within two days of taking the action. The business is required to inform the Minister about the goods that are subject to recall and set out the nature of the defect or dangerous characteristic. For mandatory recalls, under section 65F of the TPA, the Minister can require the supplier to disclose to the public or the affected class of persons: - The product and the nature of the defect, or dangerous characteristic. - The circumstances in which the product is dangerous; or - Procedures for disposing of the goods specified in the notice. Businesses should also notify state and territory fair trading agencies. Section 65F(7) of the TPA requires that the corporation also notify overseas purchasers of the recall, the nature of the defect, or dangerous chracteristic and if the product did not comply with a prescribed consumer product safety standard then to set out the nature of the non-compliance	✓	✓	✓	✓		www.recalls.gov.au	Businesses are subject to mandatory reporting requirements to the Minister for Competition Policy and Consumer Affairs and/or the responsible State or Territory minister (or ministers).
Belgium	✓	This depends on the risk involved	✓	✓	✓	✓	Free choice of measures depending on the risk and the most efficient way to reach consumers.	http://economie.fgov.be/protection_consumer/ Only general information is available, with a link to icsms	

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Canada	✓	Only for electrical products in the province of Ontario.						www.healthcanada.gc.ca/cps www.santecanada.gc.ca/spc	Health Canada staff monitor company and other government website. Voluntary reporting by companies.
Chile		Business must clearly identify producer's name, the product involved, possible risks, and preventive measures and inform consumers about ways they are to be redressed.	✓	✓	✓	✓	Chilean law does not distinguish ways to inform consumers. However business must use all measures needed to inform consumers. National Consumer Service also informs on unsafe products via its web site, press, etc.	www.sernac.cl	
Denmark		In Denmark, consumers are sometimes informed of unsafe products only sometimes when unsafe products are recalled. Then, enough information should be provided to identify the product.	✓	✓	✓	✓	One or more of the mentioned approaches.	http://www.sik.dk/Forbrugere/Produkter/Farlige_produkter.html	Only those that have been required to be withdrawn. They inform of ordered bans and voluntary measures (recalls).
Estonia	✓	Producers and distributors shall adopt appropriate measures to avoid risks which their products might pose, including information otothe public. Where producers or distributors know or ought to know that a product that they have placed on the market may be unsafe, they shall immediately inform the market supervisory authority. Should a product may cause serious risks, they are required to forward the product for identification, describing nature of the risk, persons who may have the product, measures taken to prevent the risks, and any other information that is required by the market surveillance authority. Market surveillance authorities are required to	✓	✓	✓	✓	Market surveillance authority may request that producer or distributor inform the public using all the above-mentioned measures or some of them.	There is no special website dealing with product safety issues. General information on product safety issues can be found on the website of the Consumer Protection Board. http://www.tka.riik.ee/index.php?lang=ee There is also link to RAPEX notifications. All market surveillance authorities are obliged to publish precepts issued to the producers or distributors on their websites.	Information on voluntary product recalls and voluntary bans can be provided through newspapers or company websites. Market surveillance authorities are informed of voluntary recalls and voluntary bans through mandatory reports. In case of serious risk, the producer or distributor is required to inform the market surveillance authority of the preventive measures.

Responding country	Business obligation to inform public about unsafe products	Legal requirements for businesses to inform consumers of unsafe products	Consumers to be informed by: websites	Electronic media advertisements	Print media advertisements	Point of sale	Other (please describe below)	Product recall website	How are notifications made?
		inform the public of unsafe products in a daily national newspaper and on TV. Market surveillance authority may also request that producer or distributor informs the public.							
European Union	✓	The legal requirements of businesses are limited to adequately and effectively warning consumers whoave purchased or are using the dangerous product. Depending on circumstances, often the warning must be issued to the general public *e.g.*, via media, when it is not possible to identify the individual customers.					According to the GPSD, the means must be "adequate and effective" but there are no specific requirements.	The Commission publishes weekly overviews of RAPEX notifications on products posing serious risks to consumers on the RAPEX website: http://ec.europa.eu/rapex. These overviews provide information on the product, the nature of the risk posed and the measures taken to prevent these risks. This information enables consumers to check whether the products they use or plan to purchase have been subject to RAPEX notifications.	Weekly overviews of RAPEX notifications also include information on voluntary corrective action. In 2007, 50% of the RAPEX notifications concerned measures initiated by businesses.
Finland	✓	See Section 5 of the Act.					It is not defined in the Act by what means this information should be distributed.	www.kuluttajavirasto.fi	Voluntary actions may be notified because voluntary measures are the normal way.
France	✓	Article L. 221-1-3 du code de la consommation. - Lorsqu'un professionnel sait que des produits destinés aux consommateurs qu'il a mis sur le marché ne répondent pas à l'obligation générale de sécurité, il en informe immédiatement les autorités administratives compétentes, en indiquant les actions qu'il engage afin de prévenir les risques pour les consommateurs.	✓	✓	✓	✓	Tous moyens appropriés	www.minefi.gouv.fr/DGCCRF/ www.securiteconso.org	- Notifications par les entreprises - Notifications dans le cadre du système RAPEX
Germany	✓	German Equipment and Product Safety Act Article 5 (1) No.1c					No regulation- by appropriate means	http://www.baua.de/de/Geraete-und-Produktsicherheit/Produktmae	No specific rules, but rules will be created next year

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								ngel/ Produktrueckrufe/Produktrueckrufe.html?__nnn=true&__nnn=true	
Israel	✓				✓			http://www.moital.gov.il under Commissioner of Standardization section. The information is translated into Hebrew from product recall press releases issued mainly by the U.S., CPSC but also by Health Canada, Australia, New Zealand and RAPEX.	Newspapers.
Japan (all products)	✓	In accordance with Article 34, businesses that produce, import, or retail consumer products must collect and share the accident information related to their products.					This is implemented by decision of the business.	http://www.meti.go.jp/product_safety/index.html (Ministry of Economy, Trade and Industry) http://www.consumer.go.jp/recall/index.html (Cabinet Office) http://www.kokusen.go.jp/recall/recall.html (National Consumer Affairs Centre of Japan)	The Ministry of Economy, Trade and Industry releases recall information reported by businesses. Furthermore, the National Institute of Technology and Evaluation collects and publishes not only reports from businesses, etc, but also recall information from newspaper advertisements. Thanks to co-operation with related administrations listed below, the Cabinet Office's website contains information on unsafe products, etc. since 30 March 2007 (the Ministry of Land, Infrastructure, Transport and Tourism, the Ministry of Health, Labour and Welfare, the Ministry of Economy, Trade and Industry, the National Consumer Affairs Centre of Japan, the National

Responding country	Business obligation to inform public about unsafe products	Legal requirements for businesses to inform consumers of unsafe products	Consumers to be informed by: websites	Electronic media advertisements	Print media advertisements	Point of sale	Other (please describe below)	Product recall website	How are notifications made?
									Institute of Technology and Evaluation and the Consumer Product Safety Association).The information regarding product recalls/and free repairs of consumer products defined by the Consumer Safety Law are published in national newspapers. The website managed by the National Consumer Affairs Centre of Japan (NCAC) includes the "Notice of recall and free repairs" which contains business information.
Japan (household products)							This is implemented by decision of the business.		The website of the independent administrative agency the National Consumer Affairs Centre of Japan and the web site of local authorities.
Japan (food utensils, containers and packaging materials)							This is implemented by decision of the business.		
Japan (infant toys)							This is implemented by decision of the business.	http://www.mhlw.go.jp/topics/yunyu/tp0130-1.html	The website of the National Consumer Affairs Centre of Japan and the website of local authorities.
Korea	✓	For voluntary corrective measures, the business may notify the public voluntarily. The enterprise shall submit the corrective measure plan on	✓	✓	✓	✓		www.ciss.or.kr www.safetykorea.kr	According to the Consumer Act, the voluntary corrective measure plan shall be

Responding country	Business obligation to inform public about unsafe products	Legal requirements for businesses to inform consumers of unsafe products	Consumers to be informed by: websites	Electronic media advertisements	Print media advertisements	Point of sale	Other (please describe below)	Product recall website	How are notifications made?
		defected goods. This plan includes the following details: product name, production date, supply date, defects, potential risks, injury details and precautionary measures, implementation plan of voluntary corrective measures and its duration and the notification method on corrective measures for the public. The notification procedure on the mandatory corrective measures is specified in the General Consumer Act and requires contacting consumers via mail. If consumer addresses are not available, information should be made available in the press, media or at the points of sale. The results of the corrective measures should be reported to the head of the central administrative agency.						www.kats.go.kr	submitted to the head of the central administrative agency. The corrective measure plan shall include the following details: unsafe product name, production date, supply date, defects, injury details, potential identified risks, precautionary measures, duration of the corrective measures, and notification method for the public, consumers and sellers.
Mexico								http://www.profeco.gob.mx/alertas/alertas.asp http://www.cofepris.gob.mx/quees/cofepris.htm	Voluntary reporting requirements, company websites, etc.
New Zealand	✓	For mandatory product recalls the Minister for Consumer Affairs can require the supplier to disclose to the public or the affected class or persons: The product and the nature of the defect, or dangerous characteristic. The circumstances in which the product is dangerous; or Procedures for disposing of the goods specified in the notice. The Ministry of Consumer Affairs advocates that	✓	✓	✓	✓	Information targeted at special interest groups and organisations.	http://www.consumeraffairs.govt.nz/productsafety/recallsites.html	The Ministry of Consumer Affairs is frequently advised directly by companies that they have invoked a voluntary recall on a product. The Ministry also monitors the media and other sources for notification of such recalls.

Responding country	Business obligation to inform public about unsafe products	Legal requirements for businesses to inform consumers of unsafe products	Consumers to be informed by: websites	Electronic media advertisements	Print media advertisements	Point of sale	Other (please describe below)	Product recall website	How are notifications made?
		companies adopt a similar process for voluntary recalls on a 'best practice' basis							
Norway	✓	National reporting system based on GPSD system.	✓	✓	✓	✓		www.dsb.no	Business notification system, GPSD. Norwegian system for notification to the authorities.
Poland	✓	A producer or distributor who has learnt that a product put on the market is unsafe shall notify the market surveillance authority about this fact immediately. In case that an unsafe product can pose a risk to specific categories of consumers, the market surveillance authority can request warning of these consumers or the public about the risk, defining the date and form of risk.	✓	✓	✓	✓		The OCCP's website contains information on product safety issues and the Register of Dangerous Products: http://www.uokik.gov.pl/en/general_product_safety/occps_competence_in_the_field_o/ http://publikacje.uokik.gov.pl/hermes_pub/	Voluntary reporting requirements.
Portugal	✓	Decree-Law 69/2005 – Article 6 (a) (b) Businesses have to warn consumers if they have found an unsafe product or if there is any kind of danger or special care in using the product. Depending on the level of danger, they have to withdraw products from the market and recall them from the consumers. There are also voluntary recalls adopted by businesses.					The means are not specified in the law.	Product safety Database - http://www.consumidor.pt	It is informed by Directorate-General for Consumers and by Consumer Goods and Services Safety Commission
Slovak Republic	✓	Act No. 250/2007 Coll. on Consumer Protection Regulation of the Government of the Slovak Republic No. 404/2007 Coll. on General Product Safety and specific vertical legislation Administrative Orders of the Slovak Trade Inspection and other relevant market surveillance authorities	✓	✓	✓	✓		www.soi.sk www.uvzsr.sk	Voluntary or mandatory reporting requirements

Responding country	Business obligation to inform public about unsafe products	Legal requirements for businesses to inform consumers of unsafe products	Consumers to be informed by: websites	Electronic media advertisements	Print media advertisements	Point of sale	Other (please describe below)	Product recall website	How are notifications made?
Slovenia	✓	According to the GPSA, the producer should take appropriate measures, including adequate and effective warning of consumers, withdrawal of the product from the market or recall from consumers.	✓	✓	✓	✓	Each of these is an option.	http://www.uk.gov.si http://www.zi.gov.si http://www.ti.gov.si/fileadmin/ti.gov.si/pageuploads/nevarni_proizvodi/index.html	Information is received in the framework of mandatory reporting of the manufacturers.
Sweden	✓	Cf. Articles 13 and 14 of the Product safety Act.					The Swedish law does not indicate any specific means; the important thing is efficiency; cf. Articles 13 and 14 of the Product Safety Act.	There is no detailed page, but the Swedish Consumer Board provides both general and specific information – and with relevant links, e.g. to RAPEX,: http://www.konsumentverket.se/mallar/sv/forstasida_lista2.asp?lngCategoryId=566 (in English) http://www.konsumentverket.se/mallar/en/lista_artiklar.asp?lngCategoryId=1312	Product Safety Act, Section 23 A trader who becomes aware that goods or services that they provide or have provided are dangerous shall immediately notify the supervisory authority about this and about the measures that have been implemented to prevent the occurrence of an accident. However, the supervisory authority does not need to be notified if it is manifestly clear that this would be of no importance.
Switzerland									
Turkey	✓	According to Article 11 of the 4703 Act on the Preparation and Implementation of Technical Legislation on Products, market surveillance authorities may temporally prohibit sale of unsafe products even if they conform to relevant technical standards. During the period, the authority or the producer (at their cost) shall undertake the following steps: a) Prohibit placing on the market of unsafe		✓	✓	✓		Some of the market surveillance authorities announce product safety related issues on their web sites. Some examples could be found at: http://www.sanayi.gov.tr http://www.saglik.gov.tr	

Responding country	Business obligation to inform public about unsafe products	Legal requirements for businesses to inform consumers of unsafe products	Consumers to be informed by: websites	Electronic media advertisements	Print media advertisements	Point of sale	Other (please describe below)	Product recall website	How are notifications made?
		products, b) Withdraw unsafe products, c) Entirely or partially dispose unsafe products, d) Inform the public on steps taken in the paragraphs (a), (b) and (c) by publishing this information in two daily newspapers and releasing it on two television channels having nationwide reach. If possible, the information shall also be published in local newspapers and realised on local TV channels. If possible, the persons at risk shall be identified and informed directly.							
United States	✓	Following the mandatory notification to CPSC regarding a hazardous product, CPSC will require a public notice of the danger and the remedial action.	✓	✓	✓	✓	Print media advertisements normally are required for major household appliances and sprinkler recalls. If manufacturers maintain a database of customers, notification via email, mail, or phone is encouraged.	www.cpsc.gov www.recalls.gov	This is done internally by CPSC staff after negotiations with the company.

Responding country	"stop now" order	order to recall products	order to repair products	order to replace products	order to reimburse consumers	adverse publicity ('naming and shaming')	civil law sanctions (injunctions, declarations, damages)	administrative penalties	banning orders in respect of relevant company officers	criminal fines	imprisonment for relevant company officers	other (please describe below)	Consumer and/or consumer organizations taking Civil actions
Australia		✓	✓	✓	✓		✓			✓		Court-enforceable undertakings are a key outcome in many product safety enforcement actions brought by the ACCC. A breach of such an undertaking is a 'contempt of court' and can result in sanctions including financial penalties and imprisonment. These undertakings usually include remedial actions to address the hazards and implementation of compliance programmes to promote future compliance. These have proven effective and have a cumulative effect across industry sectors. Undertakings are listed publicly: http://intranet.accc.gov.au/content/index.phtml/itemId/6029. The ACCC also often requires, as a term of such undertakings, that it may publicise the relevant conduct.	✓
Belgium	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓		✓
Canada										✓	✓		✓
Chile	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓		✓
Denmark	✓	✓	✓	✓		✓			✓	✓		Government agency can reimburse for toys.	✓
Estonia	✓	✓	✓		✓		✓	✓					✓
European Union												According to the GPSD and applicable product-specific legislation, Member States must establish rules on penalties applicable to product safety infringements. The penalties must be effective, proportionate and dissuasive. See Member State responses for details on national penalty systems.	✓
Finland	✓	✓	✓	✓	✓		✓	✓		✓			✓

Responding country	"stop now" order	order to recall products	order to repair products	order to replace products	order to reimburse consumers	adverse publicity ('naming and shaming')	civil law sanctions (injunctions, declarations, damages)	administrative penalties	banning orders in respect of relevant company officers	criminal fines	imprisonment for relevant company officers	other (please describe below)	Consumer and/or consumer organizations taking Civil actions
France		✓		✓	✓		✓			✓	✓	Ordre de retirer les produits du marché. Ordre de destruction des produits	
Germany	✓	✓				✓	✓	✓		✓			
Israel	✓	✓			✓	✓	✓	✓		✓			✓
Japan (all products)	✓	✓	✓	✓				✓		✓	✓		✓
Japan (household products)	✓	✓	✓	✓		✓	✓	✓					
Japan (food utensils, containers and packaging materials)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	In addition, the Ministry of Health, Labour and Welfare or prefectural governments may request businesses to take additional measures in order to prevent expansion of the health damage to people. (Act on the Control of Household products Containing Harmful Substances, Article 6)	✓
Japan (infant toys)	✓	✓	✓	✓		✓	✓	✓					
Korea	✓	✓	✓	✓	✓			✓	✓	✓	✓		
Mexico	✓	✓	✓	✓	✓		✓	✓		✓	✓		✓
New Zealand		✓	✓	✓	✓		✓	✓		✓			✓
Norway	✓	✓	✓	✓		✓		✓	✓				✓

Responding country	"stop now" order	order to recall products	order to repair products	order to replace products	order to reimburse consumers	adverse publicity ('naming and shaming')	civil law sanctions (injunctions, declarations, damages)	administrative penalties	banning orders in respect of relevant company officers	criminal fines	imprisonment for relevant company officers	other (please describe below)	Consumer and/or consumer organizations taking Civil actions
Poland	✓	✓	✓		✓	✓	✓	✓					✓
Portugal	✓	✓				✓		✓					✓
Slovak Republic	✓	✓			✓		✓	✓		✓			✓
Slovenia	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓
Sweden	✓	✓	✓	✓	✓		✓	✓			✓	There are rules on civil fines in the Act on Product Safety Responsibility from 1992 (SFS 1992:18), Fines can be paid for damages to both goods and persons.	✓
Switzerland													
Turkey	✓	✓	✓	✓	✓	✓		✓	✓	✓			✓
United States	✓	✓	✓	✓	✓	✓*	✓**	✓		✓	✓	*There may be publicity on an action, but it is not "name and shame" publicity. Civil penalties must be sought in judicial court, not administratively. Agreed settlement amounts are what the CPSC can approve.	✓

Responding country	Consumer and/or consumer organizations taking Civil actions	Consumers and consumer bodies inform authorities of breaches	Nature of the rights that consumers have to take legal action	Representative actions for consumers?	Nature of representative actions	Do specific rules apply in relation to liability for imported goods?	Nature of liability for imported goods
Australia	✓		Under section 65C(8) of the Trade Practices Act 1974, consumers that suffer detriment from a product that does not comply with a prescribed consumer product safety standard and would otherwise not have suffered the detriment had the product complied with that standard, have suffered loss or damage by the supplying of the good. They can therefore take legal action against the offending business(es) in order to obtain injunctive relief (to prevent the business engaging in further harmful conduct) and/or damages (to compensate them for their loss)	✓	Australian consumers can seek redress in courts and tribunals at both the national and state and territory levels. A number of states and territories have tribunals that are designed to allow consumers to access a low-cost avenue to seek redress, which is not as formal as normal court processes (for example, they may have substantially lower filing fees and the laws of evidence do not necessarily apply).	✓	Regardless of whether a product was domestically produced or imported, under Part V A of the Trade Practices Act 1974, consumers that suffer detriment from an unsafe / hazardous product are afforded the same protections in Australian courts. Therefore, importers are liable for supplying goods that do not meet an applicable national mandatory product standard. Although Australian courts can make orders against businesses that are based overseas, any obligation to pay compensation or fines can only apply to businesses domiciled in Australia. Domestic importers and retailers may be held liable for supplying the unsafe goods in place of foreign manufacturers that are not represented in Australia.
Belgium	✓						
Canada	✓		Tort law under Canadian common law.				
Chile	✓		Consumers may go to Court in order to be redressed of all damages, including moral damages.	✓			Only the National Consumer Service can present consumers, as collective action, at the Court to seek consumers redress. However, the body informs and leads consumers so that they can be properly redressed. The main advantage is that the redress requested by the consumers is seen in one legal process and by the same judge.
Denmark							
Estonia	✓		According to the civil law, consumers may claim and seek for compensation for damage at the				Liability for defective product is regulated by the Obligations Act (civil law). According to this Act, the producer/importer shall bear responsibility for

Responding country	Consumer and/or consumer organizations taking Civil actions	Consumers and consumer bodies inform authorities of breaches	Nature of the rights that consumers have to take legal action	Representative actions for consumers?	Nature of representative actions	Do specific rules apply in relation to liability for imported goods?	Nature of liability for imported goods
			court.				causing damage to the health or property of a person if this is caused by a defective product.
European Union							
Finland	✓	✓					
France		✓					
Israel	✓		Consumers can file a complaint against suppliers of faulty or dangerous products to the court.				
Japan (all products)	✓		According to the Product Liability Act, in case of injury on life, human body or property, injured persons may request compensation for any damages by the manufacturer.				
Japan (household products)							
Japan (food utensils, containers and packaging materials)	✓						
Japan (infant toys)							

Responding country	Consumer and/or consumer organizations taking Civil actions	Consumers and consumer bodies inform authorities of breaches	Nature of the rights that consumers have to take legal action	Representative actions for consumers?	Nature of representative actions	Do specific rules apply in relation to liability for imported goods?	Nature of liability for imported goods
Korea		✓	Consumers can take legal action individually or collectively by being represented by a lawyer or according to the Collective Alternative Dispute Resolution.				
Mexico	✓		According to Article 92 of the Federal Consumer Protection Law, consumers have right to substitution of the defective product or reimbursement against delivery of the defective product in the following cases: I. When the net content of a product or the amount delivered is less than the amount indicated by the producer or when measuring instruments do not comply with the applicable provisions are used, taking into consideration the tolerance limits allowed by the set of internal rules and regulations. II. If the good does not correspond to the quality, trademark or specifications and other essential elements under which it has been offered, or does not comply with the Mexican Official Standards. III. If the repaired good does not refer to the conditions of use specified in the warranty, and IV. Other cases set forth in this Law. In the case of apparatus, devices and goods that, due to their characteristics require technical knowledge, opinion of experts or a laboratory analysis shall be sought. If the Agency detects that any provisions of this law have been breached, it shall inform consumers, so that they can demand from the	✓			

Responding country	Consumer and/or consumer organizations taking Civil actions	Consumers and consumer bodies inform authorities of breaches	Nature of the rights that consumers have to take legal action	Representative actions for consumers?	Nature of representative actions	Do specific rules apply in relation to liability for imported goods?	Nature of liability for imported goods
			supplier the relevant refund or compensation, under the terms of Article 98 BIS".				
New Zealand	✓		Consumers have right of redress for unsafe products under the Consumer Guarantees Act 2003. As the Consumer Guarantees Act 2003 is self enforcing, consumers are able to seek redress by pursuing a claim civilly through the Disputes Tribunal. Any breach of this legislation enables consumers to take action and pursue compensation with recourse to the Disputes Tribunal if needs be. The CGA definition also identifies factors that have a bearing on whether a product is safe that include price, the nature of the goods and how they are used. The Fair Trading Act 1986 also deals with product safety. Part 3 of this Act goes a long way in explaining the regime prescribed in New Zealand and some sections could be considered to be a definition for the purposes of this questionnaire. Sections 29 (1) and 35 (1) refer to making regulations to 'preventing or reducing the risk of injury to any person. Sections 31 (1) and 32 (1) (b) refer to goods that 'will or may cause injury to any person.			✓	The legislation covering imported goods is to all intents and purposes the same for goods produced in New Zealand with regard to any party having liability. The main operational difference that arises is in the case of an unsafe goods notice when Customs can stop goods at the point of importation which in effect prevents unsafe products reaching the New Zealand market.
Norway	✓	✓	Regulation on consumer protection.				
Poland	✓		Consumers can contact the consumer ombudsman, consumer organisations and Arbitration Consumer Courts being part of the Trade Inspection. They can also seek compensation in civil courts.	✓			

Responding country	Consumer and/or consumer organizations taking Civil actions	Consumers and consumer bodies inform authorities of breaches	Nature of the rights that consumers have to take legal action	Representative actions for consumers?	Nature of representative actions	Do specific rules apply in relation to liability for imported goods?	Nature of liability for imported goods
Portugal	✓		Should a product cause damages or injuries, consumers have the right to claim against the producer who bears responsibility for defective products.	✓		✓	A foreign] producer bears responsibility for defective products to the same extend as a domestic one.
Slovak Republic	✓		Claim in court.		Consumers can be represented by mediators that are usually members of non-governmental organisations.		
Slovenia	✓		Consumers can bring a civil action before the court.				
Sweden	✓		There are rules in the Act on Product Safety Responsibility from 1992. According to the Act, a consumer can – generally speaking – demand (civil) fines from the manufacturer, the importer or the one who is marketing the product.		No, with some case exceptions.	✓	There are rules on who shall be considered responsible among the manufacturer, the importer, distributor or the entity marketing the product, when in doubt.
Switzerland							
Turkey	✓		According to Article 6 of the "Regulation on the Liability of the Damages Caused by Defective Products", consumers can take legal action if a defective product caused death, injury or damage to property of a person. The manufacturer bears responsibility to compensate this damage. The injured person shall be required to prove the damage, the defect and the causal relationship between the defect and damage. If more than one person is responsible for the damage caused by the defective product, they all shall bear the responsibility. The responsibility of producer may be reduced or				

Responding country	Consumer and/or consumer organizations taking Civil actions	Consumers and consumer bodies inform authorities of breaches	Nature of the rights that consumers have to take legal action	Representative actions for consumers?	Nature of representative actions	Do specific rules apply in relation to liability for imported goods?	Nature of liability for imported goods
			disallowed, having regard to the injury circumstances such as defect in the product and its use or misuse by the consumer. Where the state of scientific and technical knowledge enables detecting a defect in the product within 10 years from its first circulation on the market, the manufacturer is not responsible according toArticle 7, paragraph 1(e) and paragraph 2 in case that he does not do his utmost to remove the probable damages which the defect may have caused."				
United States	✓		Product liability is administered under state laws in the US. Consumers generally have the right to bring civil suit against companies for injury or wrongful death and to collect damages for injury and distress, including emotional distress and financial loss.				

Responding country	Improved border control measures	Improved international standards	Improved information exchange with foreign governments	Improved domestic enforcement	Improved foreign enforcement	Better domestic safety testing by Government	Better domestic safety testing by industry	Better foreign safety testing	Higher fines or penalties for producing unsafe products	Better labelling	Improved co-operation with industry	Improved integration of product safety in the supply chain by industry	Improved follow- up to consumer complaints and accident reports	Other
Australia														Harmonisation of laws across all Australian jurisdictions.
Belgium	3	3	2	3	2				4	*	3	2	4	*Legislation is fine, but better implementation is necessary.
Canada	2	3	2	1	3	1	1	2	1	3	1	1	1	
Chile	3	2	2	1	2	3	3	2	4	3	1	4	1	
Denmark	1	3	1	2	3	3	3	3	2	2	2	2	2	
Estonia	3	3	4			3			2	3	3		2	
European Union														
Finland	3	2	3	2	3	2	2		4	2	2	2	3	
France	2	2	2	4	2	3	2	2	4	4	3	2	4	
Germany	2	3	3	2	2	3	2	2	2	2	3	2		
Israel	4	4	2	3	2	3	2	3	4	3	3	3	3	
Japan (food utensils, containers and packaging materials)	3	3	3	3	3	3	3	3	3	3	3	3	3	
Korea	2	2	2	1	2	1	3	3	2	3	1	1	2	
Mexico	2	2	2	2		2	2	2	2	2	2		2	
New Zealand														Harmonisation of laws across Australasian jurisdictions.

Responding country	Improved border control measures	Improved international standards	Improved information exchange with foreign governments	Improved domestic enforcement	Improved foreign enforcement	Better domestic safety testing by Government	Better domestic safety testing by industry	Better foreign safety testing	Higher fines or penalties for producing unsafe products	Better labelling	Improved co-operation with industry	Improved integration of product safety in the supply chain by industry	Improved follow- up to consumer complaints and accident reports	Other
Norway	3	3	3	2	3	4	3	3	4	3	3	2	2	
Poland														
Portugal														
Slovak Republic	2	2	3	3	2	4	4	2	2	2	3	2	3	
Slovenia										1	2	2	1	
Sweden	3	3	3	2	2	3	3	3	3	3	2	2	2	
Switzerland														
Turkey	3	3	2	1	2	2	2	3	3	2	2	1	1	
United States														

Addressing product safety issues more effectively domestically on the following scale: 1- Urgently needed; 2- High priority; 3- Not urgent; 4- Not needed

Responding country	Improved border control measures	Improved international standards	Improved information exchanges among foreign governments.	Improved enforcement	Better safety testing	Higher fines or penalties for producing unsafe products	Better labelling	Improved cooperation with industry	Improved integration of product safety in the supply chain by industry	Improved follow up to consumer complaints and accident reports	Other
Australia											
Belgium	3	3	2	2		4	*	3	2	4	Legislation is fine, but better implementation is necessary.
Canada	1	2	1	2	2	3	3	2	2	3	
Chile	3	2	2	2	4	4	4	2	4	2	
Denmark	1	3	2	2	3	2	2	2	2	2	
Estonia				3				3	3	2	
European Union											
Finland	2.5	3	2	2	2	4	2	2	2	3	
France	2	2	2	2	2	4	4	2	2	3	
Germany	2	3	3	2	2	2	2	3	2		
Israel	2	4	2	2	2	3	3	2	2	3	
Japan (food utensils, containers and packaging materials)	3	3	3	3	3	3	3	3	3	3	
Korea	2	3	1	2	3	2	2	2	2	1	
Mexico	1	1	1	1	1	1	1	1	1	1	
New Zealand											
Norway	2	3	3	2	4	4	3	3	2	2	
Poland											
Portugal											
Slovak Republic	2	2	2	2	3	2	1	2	2	3	
Slovenia											

Responding country	Improved border control measures	Improved international standards	Improved information exchanges among foreign governments.	Improved enforcement	Better safety testing	Higher fines or penalties for producing unsafe products	Better labelling	Improved cooperation with industry	Improved integration of product safety in the supply chain by industry	Improved follow up to consumer complaints and accident reports	Other
Sweden	2	2	2	2	2	3	2	2	2	2	
Switzerland											
Turkey		2	1	2			2	2	2	2	
United States											
Addressing product safety issues more effectively internationally on the following scale: 1- Urgently needed; 2- High priority; 3- Not urgent; 4- Not needed											