



# Recommendation of the Council concerning the Safety of Consumer Products

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## Background Information

The Recommendation concerning the Safety of Consumer Products was adopted by the OECD Council on 18 December 1979 on the proposal of the Committee on Consumer Policy. The Recommendation aims to increase the protection of consumers by encouraging the adoption by Adherents of effective legislation on consumer product safety. The Recommendation also aims to avoid creating non-tariff barriers to international trade by strengthening international collaboration when establishing consumer product safety regulation and standards and promoting effective information exchanges between manufacturers.

**THE COUNCIL,**

**HAVING REGARD** to Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

**HAVING REGARD** to the Recommendation of the Council of 13 February 1978 concerning the Establishment of Data Collection Systems Related to Injuries Involving Consumer Products [C(77)139(Final)];

**HAVING REGARD** to the Report by the Committee on Consumer Policy of 18 April 1979 on safety of consumer products -- policy and legislation [CCP(79)2];

**CONSIDERING** that the adoption by Member countries of effective legislation on consumer product safety would reduce the hazards associated with the use of certain consumer products and, thereby, increase the protection of consumers;

**CONSIDERING** that better co-ordination of consumer product safety legislation between Member countries would avoid creating non-tariff barriers to international trade;

**On the proposal of the Committee on Consumer Policy;**

**RECOMMENDS** that Governments of Member countries should consider the feasibility of promoting legislation or taking action which would incorporate the following measures:

**1. Hazard Assessment by Suppliers and Government Agencies**

- a) Member countries should by all appropriate means encourage manufacturers to take into account systematically in the production of consumer goods the need to ensure that their products will be adequately safe in normal or intended use and, if they become aware of hazards subsequent to placing their products on the market, to notify the relevant authorities and, if necessary, the public.
- b) Member countries should have regard to the value, for the purpose of policy-making in the field of consumer safety, of establishing data collection systems related to injuries involving consumer products of the kind provided for in the Recommendation C(77)139(Final).

**2. Standards**

- a) When it is found necessary to establish product safety regulations, Member countries should consider the feasibility of basing them on any relevant national or international standards, where they exist and are considered adequate for their purpose, and of harmonizing them with regulations or standards in other countries. Voluntary standards and regulations should be reviewed if and when relevant international standards become available.
- b) Member countries should encourage and take a close interest in the formulation of international safety standards and should, when possible, participate through the appropriate government departments as well as through national standards organisations, in the preparation of such standards.

**3. Imported Products (Certification and Prior Approval)**

- a) If for consumer goods of any kind certification of compliance with safety standards is required, Member countries should consider acceptance of certificates issued by recognised and/or accredited public or private testing organisations in other countries, possibly by way of reciprocal agreements with the authorities in the countries concerned but without necessarily making acceptance conditional upon such an agreement.
- b) Where consumer safety legislation requires products to be approved by a specified body or authority before they may lawfully be marketed, products made within the country or imported products should be dealt with on an equal basis.

The same criteria should be applied so as to avoid any discrimination against imported products. Approval requirements should be operated fairly and expeditiously so that imported products are not placed at a disadvantage.

#### **4. Notification Procedure**

Member countries should make the necessary arrangements to ensure that new product safety regulations, product bans and the identification of hitherto unsuspected hazards of a substantial and severe nature are notified through the informal procedure operating within the Committee on Consumer Policy. In particular, early notification should be given of action decided upon to remove from national markets products which present substantial and severe hazards.

#### **5. Measures Relating to the Exportation of Dangerous Goods**

a) Governments of Member countries should strive to ensure, by means in conformity with their national procedures, that those goods that are banned or withdrawn from sale within their territories because they are inherently so hazardous that they present a severe and direct danger to life, health or safety of any consumer of those goods, are not exported to other countries.

b) If powers do not exist to prohibit the export of such dangerous goods, Governments of Member countries are urged to consider the desirability of seeking such powers.

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