



Department for
Business, Energy
& Industrial Strategy

Office for Product
Safety & Standards

Supporting better product recalls

Code of practice
on consumer
product safety
related recalls
and other
corrective actions

PAS 7100:2018
Part I: Business
Part II: Regulators

bsi.

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Foreword

Development of this PAS was sponsored by the Department for Business, Energy and Industrial Strategy (BEIS) following a recommendation of the Working Group on Product Recalls and Safety (WGPRS). Its development was facilitated by BSI Standards Limited and it was published under licence from The British Standards Institution. It came into effect on 7th March 2018.

Acknowledgement is given to the following organizations that were involved in the development of this PAS as members of the WGPRS and/ or as members of the PAS steering group:

- Association of Manufacturers of Domestic Appliances (AMDEA)
- Association of Chief Trading Standards Officers (ACTSO)
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A PAS is a document that standardizes elements of a product, service or process. PASs are usually commissioned by industry leaders – be they individual companies, SMEs, trade associations or government departments. A PAS responds to emerging needs within a sector, through a collaborative and robust process of knowledge sharing and consensus building, around the correct solutions. A PAS offers a rapid route to standardization, typically taking nine to twelve months from launch to publication. This PAS is not to be regarded as a British Standard. It will be withdrawn upon publication of its content in, or as, a British Standard. A PAS can be considered for further development as a British Standard, or constitute part of the UK input into the development of a European or International Standard.

Use of this document

As a code of practice, this PAS takes the form of guidance and recommendations. It should not be quoted as if it were a specification and particular care should be taken to ensure that claims of compliance are not misleading.

Any user claiming compliance with this PAS is expected to be able to justify any course of action that deviates from its recommendations.

It has been assumed in the preparation of this PAS that the execution of its provisions will be entrusted to appropriately qualified and experienced people, for whose use it has been produced.

Presentational conventions

The provisions of this PAS are presented in roman (i.e. upright) type. Its recommendations are expressed in sentences in which the principal auxiliary verb is “should”.

Commentary, explanation and general informative material is presented in italic type, and does not constitute a normative element.

Where words have alternative spellings, the preferred spelling is of the Shorter Oxford English Dictionary is used (e.g. “organization” rather than “organisation”).

The word “should” is used to express recommendations of this PAS. The word “may” is used in the text to express permissibility, e.g. as an alternative to the primary recommendation of the clause. The word “can” is used to express possibility, e.g. a consequence of an action or an event.

Notes are provided throughout the text of this PAS. Notes give references and additional information that are important but do not form part of the recommendations.

Contractual and legal considerations

This publication does not purport to include all the necessary provisions of a contract. Users are responsible for its correct application. Compliance with a PAS cannot confer immunity from legal obligation.

Ministerial Statement



Ensuring the safety of the products that we all use every day is a high priority for this government. An important element of protecting consumers is recognising that there will be occasions when things go wrong and public confidence requires that businesses are well prepared to deal with such incidents.

In December 2016, the Product Recall and Safety Working Group recommended to my predecessor, Margot James MP, that there was a need for a national Code of Practice in the form of a Publicly Available Specification (PAS) to provide practical guidance to support businesses dealing with product recalls and other corrective actions. A steering group was commissioned to take this forward in early 2017, under the leadership of the British Standards Institution (BSI).

The Code of Practice that they have created has two key audiences – business and enforcement authorities.

For business – the Code will help manufacturers, importers and distributors prepare fully to deal with any product safety issue that might arise with their products.

For local authorities – the Code sets out the guidance and advice they should make available to enable businesses to meet their legal responsibilities and act in the public interest.

I am pleased that we have been able to produce this Code, which I am sure will be very useful, in a timely manner and I am grateful to the steering group members and other experts and members of the public who have contributed to the development of the Code through their role in drafting or by responding to the consultation on the draft in autumn 2017.

Andrew Griffiths MP

Minister for Small Business, Consumers and Corporate Responsibility

Introduction

The development of this Publicly Available Specification (PAS) has been informed by the work of the Working Group on Product Recalls and Safety (WGPRS) and associated behavioural insight research into the effectiveness of product recalls.

The general product safety regulations and product specific safety regulations require that new and used consumer products placed on the market in the United Kingdom must be safe, with the responsibility for ensuring that safety being borne by businesses across the supply chain.

The responsibilities imposed by the legislation include duties to:

- place only safe products on the market, supported by information on their correct use;
- warn consumers about potential product-related risks;
- monitor the safety of products;
- inform the relevant Market Surveillance Authority (MSA) if a safety issue is identified;
- take effective corrective action where necessary.

Although the vast majority of products are safe and do not become the subject of corrective action, the availability of a planned course of action is critical to ensuring a timely and effective response should a safety issue or potential safety issue arise.

Businesses may experience potential recall situations rarely and this PAS is intended to make it easier for them to prepare for and deal with, such situations.

Part 1 is intended for businesses offering non-food consumer products for sale and covers monitoring, assessing, notifying and correcting unsafe products, including through a recall or other corrective action if required, with emphasis on the preparation of a product safety incident plan (PSIP) by businesses, in advance of actual need. The PAS also provides guidance for businesses on activities required should a need for corrective action arise.

Part 2 is intended for Market Surveillance Authorities and covers the assistance that should be available to businesses from such regulators (MSAs) to support them in meeting their responsibilities in respect of consumer product safety issues.

The PAS provides practical guidance for businesses and does not replace or override any of the legal duties to which businesses or regulators are subject.

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Part I – Code of practice for business

1 Scope

This PAS consists of two parts, Part I sets out a code of practice for businesses, providing practical guidance to help them:

- prepare to manage a possible safety related product recall or other corrective action;
- establish mechanisms to monitor the safety of consumer products;
- investigate any potential product safety issue;
- establish mechanisms to deal with any product safety issue identified;
- review corrective action programmes to ensure that product safety responsibilities continue to be met.

The PAS is focussed on non-food consumer products and is intended for use by producers, importers and distributors irrespective of type or size. It is accepted that smaller organizations could need to adjust the scale of activity associated with any product recall or other corrective action undertaken, but the principles that underpin this code are equally applicable whatever the size of organization and are to be adhered to in all such undertakings. The content of this PAS could also be relevant for business to business supply.

The PAS assumes that businesses placing products on the market, including following repair or refurbishment, will have already addressed their responsibility to supply only safe products and guidance on this is not provided.

The PAS is not intended to conflict with existing sector specific schemes (e.g. automotive, medicines, medical devices) which are to be referred to in respect of the product categories covered.

2 Terms and definitions

For the purposes of this PAS, the following terms and definitions and abbreviations, apply:

NOTE Definitions for which a legislative source is identified are not necessarily presented in the normal accepted format for standards.

2.1 authorised representative

natural or legal person established within the Community who has received a written mandate from a manufacturer to act on its behalf in relation to specific tasks with regard to the latter's obligations under the relevant Community legislation.

(Derived from: Regulation (EC) No 765/2008)

2.2 consumer

individual member of the general public purchasing or using products, services, products or services for private purposes

(Source: ISO 2600:2010)

2.3 consumer product

means a product which is intended for consumers or is likely, under reasonably foreseeable conditions, to be used by consumers even if not intended for them and which is supplied or made available, whether for consideration or not, in the course of a commercial activity and whether it is new, used or reconditioned and includes a product that is supplied or made available to consumers for their own use in the context of providing a service

(Source: GPSR, SI 2005 No 1803)

2.4 corrective action

action undertaken with the intention of removing potential for harm and to reduce risk from a product which is not a safe product

(Derived from: ISO 10393:2013)