

**Legislative Provisions of the Russian Federation  
Related to Product Recalls**

Transmitted by the Russian Federation

*Note: The present document was prepared with the purpose of exchange of opinions on product recall procedures following the decisions of 126th session of WP.29 (TRANS/WP.29/841, para. 120 (b)). The document informs on the provisions of the Russian Federation Legislation with respect to recalls of the products not assuring the consumers' rights on safe goods.*

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Article 7 of the Russian Federation Law "On Protection the Consumers' Rights" adopted in 1992 and amended in 1996 and 1999, secures the consumers' rights on safety of goods (works, services).

According to the mentioned law, the consumer has the right that the product being used, stored, or transported at regular conditions has to be safe for life and health of a consumer, safe for environment and not cause damage of the consumer's property. The requirements, set for assurance of safety are considered necessary and are established by law or as required by law.

The manufacturer shall assure safety of product within the established time of its usage. If the manufacturer did not establish such period, he must assure safety within ten years from the date of transmitting the product to the consumer. The damages being caused to life, health or property of a consumer due to not assuring the product safety have to be compensated basing on the present law.

If it is discovered that when a consumer follows the instructions on product usage, storage, or transportation, the product causes or may cause damage to life, health or property of a consumer or environment, the manufacturer (vendor) must immediately suspend its production (sales) until the causes of damages are eliminated, and, if necessary, apply measures on withdrawal the product from circulation and its recall from consumer(s).

If it is not possible to eliminate the causes of damage, the manufacturer shall discontinue the production of such product. If the manufacturer fails doing so, the production discontinuation, withdrawal the product from circulation, and its recall from consumer(s) are processed under the order of the federal government authority responsible for inspection of product quality and safety. The losses caused to a consumer due to product recall have to be compensated by the manufacturer in full amount.

If it is discovered that a vendor sells the goods not safe for life, health or property of consumers, those goods are subject to withdrawal from a vendor in accordance with the order established by the law.

In the Russian Federation there have been precedents of recalls of products by the manufacturers implementing the provisions of the mentioned law.

At the present time, with relation to the planned joining of the Russian Federation to the World Trade Organization, the legislation is being revised including the provisions of the mentioned law. It is expected that the unsafe product recall procedure will be described more detailed in regards to duties of manufacturer (vendor), power of government authorities responsible for inspection and the federal antimonopoly authority with respect to compulsory product recalls.