

France: obligation to report product recalls, entry in database required (RappelConso)

TÜV Rheinland LGA Products

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All tradespersons, who sell food or non-food products in France that can be purchased by an end-consumer, are subject to an additional declaration obligation, if they carry out a voluntary or regulatory product recall.

Up until now, consumers have been informed about recalls through notices in shops, through the press, campaigns, particularly by consumer organisations as well as via their communication channels (website, social networks etc.). It is now possible to also provide information about recalls on the new website, RappelConso. Companies now have to publish their recalls of dangerous products on this website.

When products intended for an end-consumer are recalled, tradespersons must submit the declaration to the Professional RappelConso website, in addition to notifying administration.

It should be noted that failure to provide this declaration online will be penalized by a fine of up to € 1500 that is provided for 5th class offences (Article R452-5 of the Consumer Protection Act). Criminal penalties are provided for should the offence be repeated (Articles 132-11 and 132-15 of the Criminal Code).

In order to access the function of RappelConso, a user account is required. This can be set up under <https://pro.rappel.conso.gouv.fr/Account/Login?ReturnUrl=%2F>.

This French solution must be distinguished from the long-established RAPEX (Rapid Exchange of Information System), the rapid alert system of the European Union for dangerous consumer goods, except food, medicines and medical devices.

The RAPEX system provides information on measures taken to prevent or restrict the use of dangerous products. For example, these can be withdrawal or recall campaigns. In most cases, RAPEX records the notifications and measures taken by national market surveillance authorities, but is also available in the case of voluntary measures of manufacturers and distributors.

Further technical information can be obtained from:

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