



2024/1435

27.5.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/1435

of 24 May 2024

laying down rules for the application of Regulation (EU) 2023/988 of the European Parliament and of the Council as regards establishing the template for a recall notice

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2023/988 of the European Parliament and of the Council of 10 May 2023 on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council and Directive (EU) 2020/1828 of the European Parliament and the Council, and repealing Directive 2001/95/EC of the European Parliament and of the Council and Council Directive 87/357/EEC ⁽¹⁾, and in particular its Article 36(3),

After consulting the General Product Safety Regulation Committee,

Whereas:

- (1) Under Article 36(1) of Regulation (EU) 2023/988, if information on a product safety recall is provided to consumers in written form, it should take the form of a recall notice. Pursuant to Article 35(4) of that Regulation, when not all of the consumers affected by a recall can be directly contacted, economic operators and providers of online marketplaces, in accordance with their respective responsibilities, shall disseminate a clear and visible recall notice.
- (2) To ensure that consumers react to product safety recalls, the recall notice should be clear, transparent, and clearly describe the hazard at stake. Regulation (EU) 2023/988 sets out the mandatory information that a recall notice should contain.
- (3) To facilitate and promote a consistent approach and uniform practices across the EU in relation to recall notices, it is necessary to lay down a template for product safety recall notices. A single, standardised template for product safety recalls should facilitate consumers in identifying and understanding recall notices, and it should ensure easier and more uniform compliance with the requirements set out in Article 35 and 36 of Regulation (EU) 2023/988 for economic operators and providers of online marketplaces.
- (4) Regulation (EU) 2023/988 requires the Commission to set out the template for a recall notice taking into account scientific and market developments, and to make it available in a format that enables economic operators to easily create a recall notice. The most technically appropriate solution for making this template available would be for the Commission to publish it on its website.
- (5) Article 36 of Regulation (EU) 2023/988 requires that the recall notice should be in accessible formats for people with disabilities. This implies for instance that when a recall notice is shared online, it takes into account standards and best practices for web accessibility. In particular, if important information about the recalled product or the identification of the products concerned by the recall is contained in a picture, it is essential that such information is spelled out in order to be machine-readable.
- (6) To provide economic operators with sufficient time to adapt their internal processes in relation to a recall notice, this Regulation should enter into application on the same date as Regulation (EU) 2023/988,

⁽¹⁾ OJ L 135, 23.5.2023, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation establishes the template for a recall notice in accordance with Article 36 of Regulation (EU) 2023/988.

The template is set out in the Annex.

The Commission shall publish this template on its website.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 13 December 2024.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 May 2024.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

[COMPANY NAME] RECALLS [PRODUCT]

Insert picture(s) of product & a graphical indication of where to find identification numbers (if applicable)

For the online version of the recall notice, it is important that essential information contained in the picture, especially if it is needed to identify the recalled product, is also available in a written format that is machine-readable.

Include clear description of the recalled product, including PRODUCT IDENTIFICATION INFORMATION:

- Name and brand of the product
- Product identification numbers, such as batch and serial number and, if applicable, graphical indication of where to find them on the product
- Information on where, when and by whom the product was sold (if available)

WHY IS THIS PRODUCT DANGEROUS?

- Clearly state the hazard the product poses and why
- Don't use any terms or expressions that may decrease consumers' perception of risk, for example "voluntary"/ "precautionary"/ "discretionary", "in rare/specific situations" or by indicating that there have been no reported accidents

WHAT TO DO

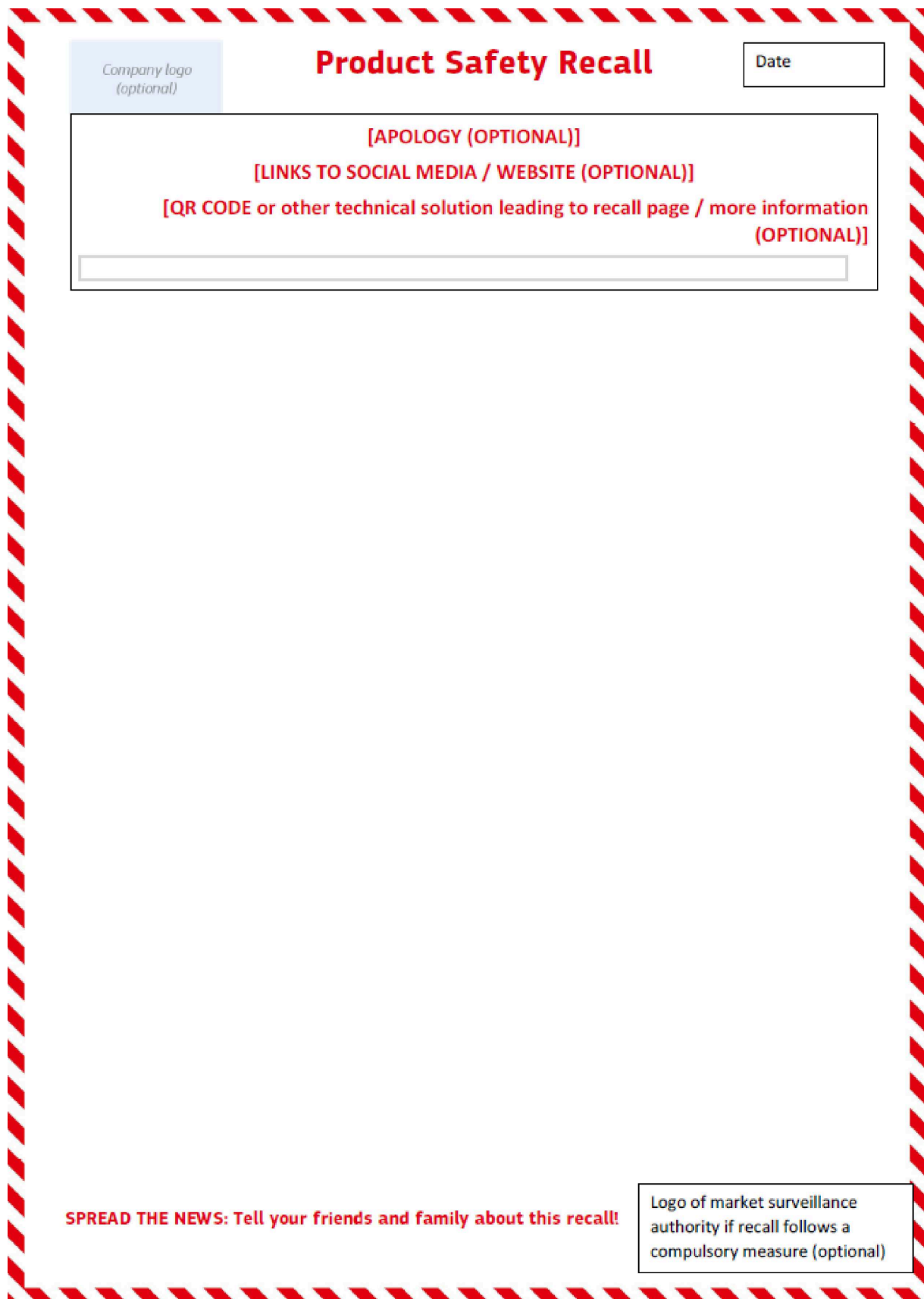
- Instruct consumers to stop using the recalled product immediately
- Clearly explain the action consumers should take (for example, return to point of sale, schedule appointment for in-house pick-up/repair)

REMEDIES FOR CONSUMERS

- Clearly describe the remedies available to consumers among the following: repair, replacement, or refund (in accordance with Article 37 of Regulation 2023/988)
- Indicate whether additional incentives (for example discounts or vouchers) are available

CONTACT

- Provide the address of an interactive online service (such as a website with a contact form, or an email address) and/or free phone number where consumers can get more information in relevant official language(s) of the Union.



Company logo (optional)

Product Safety Recall

Date

[APOLOGY (OPTIONAL)]
[LINKS TO SOCIAL MEDIA / WEBSITE (OPTIONAL)]
[QR CODE or other technical solution leading to recall page / more information (OPTIONAL)]

SPREAD THE NEWS: Tell your friends and family about this recall!

Logo of market surveillance authority if recall follows a compulsory measure (optional)