
STATUTORY INSTRUMENTS

2005 No. 1803

The General Product Safety Regulations 2005

PART 3

ENFORCEMENT

Withdrawal notices

14.—(1) Where an enforcement authority has reasonable grounds for believing that a product is a dangerous product, the authority may serve a notice (“a withdrawal notice”) prohibiting the person on whom it is served from doing any of the following things without the consent of the authority, that is to say—

- (a) placing the product on the market, offering to place it on the market, agreeing to place it on the market or exposing it for placing on the market, or
- (b) supplying the product, offering to supply it, agreeing to supply it or exposing it for supply.

(2) A withdrawal notice may require the person on whom it is served to take action to alert consumers to the risks that the product presents.

(3) In relation to a product that is already on the market, a withdrawal notice may only be served by an enforcement authority where the action being undertaken by the producer or the distributor concerned in fulfilment of his obligations under these Regulations is unsatisfactory or insufficient to prevent the risks concerned to the health and safety of persons.

(4) Paragraph (3) shall not apply in the case of a product posing a serious risk requiring, in the view of the enforcement authority, urgent action.

(5) A withdrawal notice served by an enforcement authority in relation to a product may require the person on whom it is served to keep the authority informed of the whereabouts of any such product in which he has an interest.

(6) A consent given by the enforcement authority for the purposes of paragraph (1) may impose such conditions on the doing of anything for which the consent is required as the authority considers appropriate.