

# Product regulation, safety and recall Q&A: Russian Federation

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Country Q&A | Law stated as at 31-May-2020 | Russian Federation

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Russian Federation-specific information concerning product regulation, safety and recall issues.

This Q&A provides country-specific commentary on *Product regulation, safety and recall: Cross-border overview*, and forms part of *Cross-border Commercial transactions*.

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## Industry specific regulation

1. Is there any industry specific regulation as regards product safety?

Russia has extensive legislation in respect of product safety requirements, governing a wide range of products.

## Consumer product legislation

2. How is general product safety regulated in the national jurisdiction? Does national law impose any product safety obligations over and above those contained in the 2001 General Product Safety Directive?

The general requirements relating to consumer products can be found in the Law on Consumer Rights Protection.

Several other pieces of legislation contain various requirements relating to product safety, including:

- Technical Regulations of the Eurasian Economic Union on safety of different kinds of products.

- The Law on Technical Regulation.
- The Law on Food Products.
- The Law on the Basics of Health Safety.

Russia is not a member of the EU, therefore the Directive does not apply.

3. How is product safety legislation enforced in the national jurisdiction? What powers do the enforcement authorities have?

A number of Russian state authorities supervise compliance with the product safety regime. The main supervising authority in charge of consumer rights protection is the Federal Supervising Service on Consumer Rights Protection and Welfare. Different authorities enforce particular aspects of the applicable legislation (sanitary, epidemiological, technical and so on).

Each authority has a wide range of powers. While some are only granted a supervisory capacity, others can potentially order that a breaching entity be liquidated.

4. What sanctions are imposed under national law for breach of product safety legislation?

The sanctions will depend on the type of breach, and may include administrative liability (fines, suspension of business, disqualification of management and so on), civil liability (collection of damages, product recall and so on) as well as criminal liability.

5. Does national law imply any terms into a contract in relation to product safety? Can they be excluded?

Russian contract law does not imply any terms into contracts in respect of product safety requirements, except that the product must be safe to use for its designated purpose, in other words no danger will arise if the product is being used normally.

However, manufacturers and importers of products into Russia must ensure compliance of the products with the local safety standards and regulation.

6. Do product safety regulations apply equally to imported products?

Yes, Russian product safety standards apply to all products imported into Russia.

## Packaging

7. Does national law regulate the safety of packaging?

Yes, the basic requirements in relation to packaging can be found in the Technical Regulation of the Eurasian Economic Union on Safety of Packaging and the Law on Consumer Rights Protection. Numerous other acts regulate specific product requirements.

## Product recall

8. What provision does national law make for product recall? Is it mandatory or voluntary?

The main rules on product recall are listed in the Law on Technical Regulation and the Law on Consumer Rights Protection. Product recall is mandatory if the product causes (or may cause) damage.

9. Are there any sanctions for failure to initiate a product recall exercise?

Failure to recall a product may be regarded as an administrative, civil and/or criminal offence, depending on the effects of such a failure.

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