

There are two key pieces of legislation in this area, both deriving from EU Directives: the Product Liability part of the **Consumer Protection Act (CPA)** 1987, and the General Product Safety Regulations (GPSR) 2005. In addition, however, there are dozens of specific regulations that cover some important groups of products, such as electrical appliances, toys and upholstered furniture. In principle, the legislation allows actions (civil or criminal, respectively) to be taken against the supplier of any product sold or hired to the public by a trader.

The legal responsibility for ensuring a product is safe generally rests with its European "producer" - the trader who imported it into the European market jurisdiction or the manufacturer if the product was made within Europe. However, retailers who apply a brand name or are involved in design decisions take on some producer responsibilities.

In criminal prosecutions, any supplier in the chain may be able to make a defence of "due diligence" which is particularly relevant when the issue is one of quality control rather than product design.

Civil cases concerning consumer products are more likely to be successful than some other personal injury actions, because the legislation imposes liability without fault (often referred to as 'strict liability'). The effect is that instead of a claimant needing to prove negligence on the part of the producer, it is only necessary to show that the **safety of the product is not such as persons generally are entitled to expect.**