PANORAMIC

PRODUCT SAFETY & RECALL

Switzerland



LEXOLOGY

Product Safety & Recall

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PRODUCT SAFETY LAWS

Product safety legislation

What basic laws govern the safety standards that products must meet in your jurisdiction?

The Swiss safety standards that products must meet are governed by the following:

- by sector or product-specific regulations; and
- a few horizontal framing regulations that are subsidiary applicable cross-sectoral to all products.

The most common sector-specific federal regulations for specific product categories are, for instance, as follows.

- the Federal Act on Foodstuffs and Utility Articles and implementing ordinances, such as:
  - the Federal Council's Ordinance on Foodstuffs and Utility Articles;
  - the Federal Department of Home Affairs' Ordinance on the Safety of Toys; and
  - the Federal Department of Home Affairs' Ordinance on Cosmetic Products;
- the Federal Act on Medicinal Products and Medical Devices and implementing ordinances, such as the Federal Council's Ordinance on Medical Devices; and
- the Federal Act on Electrical Light and Heavy Current Installations and implementing ordinances, such as:
  - the Federal Council's Ordinance on Electrical Low Current Installations; and
  - the Federal Council's Ordinance on Electromagnetic Compatibility.

Horizontal framing regulations that are subsidiary applicable cross-sectoral to all products are the following:

- the Federal Product Safety Act and the implementing Federal Council's Ordinance on Product Safety;
- the Federal Act on Technical Barriers to Trade and the Federal Council's Ordinance on the Placing of Products on the Market according to Foreign Regulations; and
- the Federal Act on Product Liability.

Law stated - 3 July 2026

Basic pre-launch requirements

What basic steps and safety requirements must be satisfied before a product can be marketed in your jurisdiction?

Before placing a product on the Swiss market, the manufacturer (or any other responsible person under the applicable product safety legislation, such as an importer) must ensure that the product, under normal or reasonably foreseeable conditions of use, does not endanger or pose only a minor risk to, the safety and health of users and third parties (article 3, paragraph 1 of the Swiss Product Safety Act). The product must comply with the essential health and safety requirements in place under the applicable Swiss laws or regulations for such specific product. If no such regulations exist, the product must comply with the state of the art and technology (article 3, paragraph 2 of the Swiss Product Safety Act).

In several product areas, Swiss product safety law is harmonised with EU law. The harmonised regulations are mentioned in the Agreement between the Swiss Confederation and the European Community on the Mutual Recognition of Conformity Assessment (MRA). In these areas, products that comply with the relevant EU regulations are also considered marketable in Switzerland, and conformity declarations issued by European Notified Bodies are also deemed valid in Switzerland. However, it is advisable to clarify in each individual case what legal requirements apply and whether such requirements are harmonised with EU law.

Regarding medical devices under the MRA, the EU has updated its regulations on medical devices. As a consequence, Switzerland has aligned its legislation with these EU provisions. These changes would require an update of Chapter 4 of the MRA to ensure continued harmonisation between the EU and Switzerland of the technical regulations pertaining to medical devices. The European Commission, however, has so far rejected such an update due to institutional disputes between the EU and Switzerland. Since 26 May 2021 for medical devices and since 26 May 2022 for in vitro diagnostic medical devices, the EU has classified Switzerland as a third country for the purposes of the medical device sector, meaning that previously existing trade facilitations under the MRA have been suspended for medical devices and in vitro diagnostic medical devices. Following the institutional differences between the EU and Switzerland, the Swiss government (ie, the Federal Council) adopted measures to mitigate the negative effects. The mitigation measures came into force contemporaneously with the end of the harmonisation for medical devices on 26 May 2021. They include, inter alia, the unilateral recognition of medical devices certified under the EU Medical Devices Regulation for access to the Swiss market.

Law stated - 3 July 2026

Guidance

Is there any guidance on the application of the product safety legal framework, or related commentary around its effectiveness?

There is no general guidance on the application or implementation of the product safety legal framework (such as the Guide to the implementation of directives based on the New Approach and the Global Approach, the "Blue Guide"). Rather, different sources, such as case law, legislative materials or legal doctrine, or all of these, must be consulted for the specific applicable provision.

Law stated - 3 July 2026

ENFORCEMENT OF PRODUCT SAFETY LAWS

Regulators

Who enforces the product safety laws in your jurisdiction? If there are multiple regulators, how do their activities intersect and to what extent do they cooperate?

The enforcement of product safety laws in Switzerland is generally sector-specific. Depending on the sector-specific law, enforcement is the responsibility of either the respective cantonal authority or a specific federal authority. The main regulators and their interactions are as follows:

- The State Secretariat for Economic Affairs coordinates the enforcement of Swiss product safety legislation in agreement with the competent sector-specific enforcement bodies (eg, in the event that there are multiple regulators) and is, additionally, the surveying regulatory enforcement authority in several product sectors.
- The Federal Inspectorate for Heavy Current Installations is responsible for the technical supervision and inspection of electrical installations and electronic devices.
- The Swiss Council for Accident Prevention is responsible for personal protective equipment, specifically with regard to traffic, sport and household needs, and for machines, though with regard to recreational use only.
- The Swiss Accident Insurance Institution is the competent enforcement body for personal protective equipment, elevators, machines and other products with regard to operational use.
- The Swiss Agency for Therapeutic Products (Swissmedic) is in charge of the market surveillance of medicinal products and medical devices.
- The respective cantonal bodies – for example, cantonal inspectorates or laboratories – are generally competent to enforce the Swiss Foodstuffs and Utility Articles legislation (including toys, cosmetic products or food contact materials).

As regards the extent of cooperation, the federal or cantonal product safety regulators are generally obliged to provide each other with information and documents to the extent necessary for the enforcement of product safety legislation (article 21 of the Federal law on Technical Barriers to Trade (THG)). Under certain circumstances, the competent enforcement authority may also request information and documents from or provide information to foreign authorities or institutions (article 22 of the THG). Accordingly, if a regulator detects or is notified about a product safety risk, for example, it is generally obliged to notify other relevant regulatory authorities in Switzerland and may also inform the respective bodies abroad.

Law stated - 3 July 2026

Enforcement actions and penalties

What enforcement actions are available to the regulatory authorities? What penalties may they impose for non-compliance with product safety laws?

The enforcement actions available to the regulatory bodies and the applicable sanctions or penalties result from the respective applicable product safety regulations. If a product does not comply with the applicable regulatory requirements, the competent enforcement authority is generally entitled to order appropriate administrative measures (article 10, paragraph 2 of the Product Safety Act). This may be the order of a sales stop, a public warning, an export stop, or even the withdrawal or recall and destruction of the product if a product poses an immediate and serious risk to the safety or health of users (article 10, paragraph 3 of the Product Safety Act). Further, the competent enforcement authority may impose criminal sanctions in the case of non-compliance. However, enforcement bodies are rather reluctant to initiate criminal proceedings and tend to do so only in cases of clear intention.

Law stated - 3 July 2026

Enforcement process and procedures

What is the typical process for enforcement actions and what procedures are involved? What rules govern enforcement actions?

The relevant procedural rules for enforcement actions in Switzerland are governed by the applicable federal or cantonal administrative procedural laws. Typically, before taking an enforcement action (eg, ordering a recall), the competent authority would formally raise a complaint towards a non-compliant manufacturer (or another responsible party), wherein the manufacturer is notified about the non-compliance and is granted the right to be heard within a specific deadline. Depending on the safety risk, the party is granted a shorter or longer deadline to exercise the right. Usually, the authority does not engage in any informal exchanges before taking action. Once the manufacturer or responsible party has exercised its right to be heard, the authority issues an order that can be challenged with an appeal to the superior administrative body or the administrative court. However, this process for enforcement action may vary depending on the applicable product regulations.

Law stated - 3 July 2026

Enforcement trends

How prevalent is enforcement action under the product safety laws? Have there been any notable recent examples of enforcement actions?

In Switzerland, enforcement actions under product safety laws are common, particularly in the foodstuffs or electronic goods industry, where manufacturers or other responsible parties are frequently controlled by the authorities. As the respective administrative procedure and the appeal procedure generally are not public, there are few public court cases. Also, many responsible parties tend to cooperate with the authorities so as not to fall in the authority's disgrace or to minimise the damage to their reputation.

Law stated - 3 July 2026

Challenging enforcement actions

What mechanisms are available to companies to challenge the imposition of enforcement actions?

Depending on the applicable administrative or criminal procedural laws, companies may challenge the imposition of enforcement actions by filing an appeal to the appeal authority (eg, a superior authority or a court).

Law stated - 3 July 2026

NOTIFICATION REQUIREMENTS

Criteria for notification

What events or conditions trigger a requirement to notify the product safety authorities of issues discovered in products, or known incidents of personal injury or property damage?

Generally, a manufacturer or any other person placing a product on the market is obliged to notify the competent product safety authorities if they discover or have reason to believe that the product is dangerous for the safety or health of the users or bystanders (article 8, paragraph 5 of the Product Safety Act).

Law stated - 3 July 2026

Notification time limits

What are the time limits for notification?

Article 8, paragraph 5 of the Product Safety Act stipulates that the notification must be made immediately after the justified suspicion of a safety defect or, at the latest, after the discovery of a safety defect. The product safety laws do not provide a specification of the term. According to an earlier administrative guideline on the notification obligation, the notification should be made within one to two days, depending on the safety risk at stake. In practice, however, this very short deadline is rarely met, and it is exceptionally rare that enforcement authorities investigate the timeliness of the notification or even punish a notifying company for a late filing.

Law stated - 3 July 2026

Competent authority for notification

To which authority should notification be sent? Does this vary according to the product in question?

The authority to which a notification should be sent varies depending on the product in question. However, in cases where the competence is unclear or where time is of the

essence, notifications may also be sent to State Secretariat for Economic Affairs (SECO), which then forwards them to the competent authority.

Law stated - 3 July 2026

Form and content of notification

What form should notification take? What product information and other data should be provided in the notification to the competent authority?

The notification should be made in writing. Generally, the authorities ask notifying companies to submit a completed notification form, which may be found on the authorities' websites. However, this is not a statutory requirement and the notification is deemed valid if it is filed without the form (eg, by simple notification letter). According to article 8, paragraph 5 of the Product Safety Act, the notification should include information that enables the precise identification of the product, a comprehensive description of the danger emanating from the product, all available information on the supply chain and a description of the measures that have been taken to avert the danger, such as warnings, sales stop, withdrawal or recall of the product.

Law stated - 3 July 2026

Obligations to provide updates after initial notification

What obligations are there to provide authorities with updated information about risks, or respond to their enquiries following an initial notification?

Article 11 of the Product Safety Act contains the obligation to cooperate in the enforcement of the Act to the extent this is necessary. This includes the duty to provide the enforcement authority with all necessary information free of charge and to hand over the required evidence and documents.

Law stated - 3 July 2026

Penalties for failure to notify

What are the penalties for failure to comply with notification obligations?

Failure to comply with the notification obligations is criminally sanctioned with a fine up to 40,000 Swiss francs in cases of intention, or a fine up to 20,000 Swiss francs in cases of negligence. Sector-specific provisions remain reserved.

Law stated - 3 July 2026

Public disclosure of notification information

Is the content of the notification publicly disclosed by the authorities? Is commercially sensitive information contained in the notification

protected from public disclosure, or are the authorities otherwise bound by confidentiality?

The content of the notification is publicly disclosed on the website of the Federal Consumer Affairs Bureau (FCAB) if this is necessary to reach customers (publication may not be necessary if all customers are known). The FCAB also sends push notifications to the media and other interested parties (consumer organisations). It is important to note that the FCAB drafts the publication in its own wording, taking only the relevant information from the notification. However, the notifying company is usually given the opportunity to review, amend and sign off on the wording in cooperation with the FCAB.

As regards sensitive information (business secrets), the authorities are bound to confidentiality unless their observations are significant for the safety of products or for the exchange of experience on safety-related measures (article 12 of the Product Safety Act). In one case (BGE 1C_299/2019), the Federal Supreme Court ruled that this duty to confidentiality is subsidiary to a person's right to access official documents and to obtain information on the content of such documents under article 6, paragraph 1 of the Federal Act on Freedom of Information in the Administration (FoIA). Thus, interested parties (eg, media) may request the disclosure of information on submitted notification information from an authority. However, the FoIA does not give an unlimited right to information. For example, more stringent statutory requirements apply if the information concerned was voluntarily disclosed to the authority on a confidential basis by third parties, or if the information concerns business secrets, or if the disclosure would impair the court's freedom of opinion (article 7 of the FoIA).

Law stated - 3 July 2026

Use of information in prosecution

May information notified to the authorities be used in a criminal prosecution?

Information notified to the authorities may be used in a criminal prosecution under Swiss law.

Law stated - 3 July 2026

Information sharing between regulators

Is notification information shared with other regulators?

The federal or cantonal product safety regulators are generally obliged to provide each other with information and documents to the extent necessary for the enforcement of the product safety legislation (article 21 of the Federal Law on Technical Barriers to Trade (THG)). Provided that the statutory circumstances are met, the competent enforcement authority may also request information and documents from foreign authorities or institutions (article 22 of the THG). Thus, if a regulator detects or is notified about a product safety risk, for instance, it is generally obliged to notify other relevant regulatory bodies in Switzerland and may also notify the respective bodies abroad.

Law stated - 3 July 2026

CORRECTIVE ACTIONS AND RECALLS

Criteria for corrective action

What criteria are applied to determine when a matter requires a product recall or other corrective action?

Whether or not a corrective action (eg, a withdrawal or recall) is required is determined based on the risk emanating from the product in question. Article 8, paragraph 5 of the Product Safety Act requires a manufacturer or any other person placing a product on the market to take adequate corrective action if it discovers or has reason to believe that its product presents a risk to the safety or health of users or third parties.

Law stated - 3 July 2026

Scope of corrective action

What criteria are applied to determine the scope of a corrective action?

Swiss product safety law does not provide for actual criteria to determine the scope of a corrective action. In practice, the enforcement authorities generally require that the measure taken is appropriate to avert the safety risk. It is noteworthy that Swiss enforcement authorities are not bound by any European guidance, regulations or orders concerning corrective actions as Switzerland is not part of the European Union.

Law stated - 3 July 2026

Traceability requirements

What requirements exist for the traceability of products to facilitate recalls?

Article 8, paragraph 2 of the Product Safety Act contains the manufacturer's or importer's duty to take adequate measures to ensure that, during the stated or reasonably foreseeable period of use of the product, the product is traceable. Sector-specific provisions generally require manufacturers to affix a serial number or a lot number on the product to facilitate the traceability of the product or specify retention periods for certain documents. In general, companies are well advised to have traceability systems and procedures in place to be prepared for requests from authorities.

Law stated - 3 July 2026

Consumer messaging

What are the legal requirements to publish consumer notices, warnings or other information to product users or to suppliers regarding product issues and associated hazards, or to notify consumers of recalls?

Article 8, paragraph 2 of the Product Safety Act contains the producer's or importer's duty to take adequate measures to avert potential dangers emanating from the product during its stated or reasonably foreseeable period of use. This includes, if appropriate, notifying consumers, publishing warnings or otherwise informing consumers of potential hazards.

Law stated - 3 July 2026

Content of recall notices

Are there any requirements or guidelines for the content of corrective action or recall notices?

There are no specific legal requirements or guidelines for the content of corrective action or recall notices. Generally, article 8, paragraph 2 of the Product Safety Act requires that the manufacturer or importer takes adequate measures to avert potential dangers emanating from the product during its stated or reasonably foreseeable period of use. A corrective action is deemed adequate if it is appropriate to avert the product hazard. However, there is no in-depth guidance. In practice, it is advisable for manufacturers or other responsible parties to adopt an approach in Switzerland similar to that in the EU, as the Swiss authorities may also take account of the interpretation under European law, or at least follow its principles.

Law stated - 3 July 2026

Mode of communication

What media must be used to publish or otherwise communicate warnings or recalls to users or suppliers?

Under Swiss law, there are no specific rules regarding which media must be used to publish or otherwise communicate warnings or recalls to users or suppliers. As manufacturers or importers must take adequate measures to avert the product danger, any media suitable to reach as many affected consumers as possible is appropriate (eg, social media, daily newspapers, trade journals, radio broadcasts). In general, a free publication may be arranged on a voluntary basis via the communication channels of the Federal Office for Consumer Affairs (FCAB); the competent authorities are also authorised to order such a publication.

Law stated - 3 July 2026

Time frame

Do any laws, regulations or guidelines specify targets or a period after which a recall is deemed to be completed?

Under Swiss product safety law, there are no regulations or guidelines specifying targets or periods after which a recall is deemed to be completed.

Law stated - 3 July 2026

Consumer remedies

What remedies must be offered to consumers affected by a product corrective action or recall? Are there any requirements for how these remedies are offered to consumers?

Generally, Swiss product safety law does not require a manufacturer or other responsible party to offer any consumer remedies on its own in case of a recall or other corrective action. However, certain sector-specific provisions provide for more far-reaching after-market obligations than those of the general Federal Product Safety Act. For example, the after-market obligations under the Construction Products Act are not limited to the immediate defence against risks (eg, withdrawals or recalls) but also require economic operators to take corrective measures if necessary.

Generally, the Swiss Commercial Code contains several material warranty claims that a buyer can assert towards the seller (eg, the manufacturer) in the case of a recall (eg, rescission of the contract, reduction of the sale price or repair).

Law stated - 3 July 2026

Returned products

Are there any requirements for proof of disposal of returned products subject to recall or corrective action? Are there any reasons why such products should be retained by the manufacturer responsible?

Under Swiss product safety law, there are no specific requirements for proof of disposal of returned products subject to recall or corrective action. However, in case of disposal, it is advisable to keep proof of disposal (eg, a printed confirmation of the disposal point) as the competent enforcement authority may require it. Generally, it is advisable to keep samples of the affected product batch (defective and non-defective products) for reasons of evidence.

Law stated - 3 July 2026

Penalties for failure to recall a product

What are the penalties for failure to undertake a recall or other corrective actions?

In the case of failure to undertake a recall or other corrective action, the enforcement authorities might regard this as a violation of article 3, paragraphs 1 and 2 of the Product Safety Act, which stipulates that only safe products may be placed on the Swiss market. If this results in a safety risk for the user, the party responsible – if they acted intentionally – is liable to a custodial sentence not exceeding one year or to a monetary penalty. If the party responsible acts commercially or with the intention of making a profit, the penalty is imprisonment for up to three years or a monetary penalty. If it acted by negligence, only a monetary penalty is possible. Further sector-specific regulations remain reserved.

Generally, criminal liability is primarily attributed to specific individuals and not to the company. Consequently, sanctions are usually imposed on specific individuals who are

responsible for breaking the law. Only if it is not possible to attribute an act to a specific individual due to the inadequate organisation of a company will the offence be attributed to the company itself.

Property benefits unlawfully obtained through criminal offences can be confiscated.

Law stated - 3 July 2026

AUTHORITIES' RECALL AND CORRECTIVE POWERS

Corrective actions

What powers do the authorities have to compel manufacturers or others in the supply chain to undertake a recall or to take other corrective actions?

Article 10, paragraph 2 of the Product Safety Act empowers the competent enforcement authority to take appropriate measures in case the inspection of a product reveals that the product does not comply with the legal requirements. The authority has broad discretion in issuing rulings on product safety (confirmed in case law, for example, by the Federal Administrative Court in its decision C-3805/2020). In principle, it may, therefore, take any measure necessary and appropriate to avert the specific product risk. This includes banning the placing on the market or export of products, issuing public warnings and the power to impose specific recall action plans. However, in practice, the authority generally leaves it to the concerned responsible party to select and take the appropriate measures. It generally takes action only if the responsible party itself does not act within the time limits set by the authority.

Law stated - 3 July 2026

Government recalls

Can the government authorities organise a mandatory product recall where a producer or other responsible party has not already done so?

The Product Safety Act lists exemplary measures that the authority may take if such measures are necessary for the protection of the safety or health of the product users or bystanders. The list specifically names the issuance of a withdrawal or recall or a warning to the public (article 10, paragraphs 3 and 4 of the Product Safety Act).

Law stated - 3 July 2026

Voluntary versus mandatory recalls

Are product recalls generally undertaken voluntarily or mandatorily in your jurisdiction?

In general, product recalls are undertaken on a voluntary basis in Switzerland. This way, the concerned responsible party gets ahead of the authorities and retains control of the recall process. In most of these cases, the authority would probably have ordered a recall itself if the concerned responsible party failed to recall the products or decided against a recall.

Law stated - 3 July 2026

Publication of warnings, corrective actions and recalls

Can the government authorities publish warnings or other information to users or suppliers?

The Swiss Product Safety Act explicitly empowers the authority to warn the public of a dangerous product and to publish information on the dangerousness of the product or the corrective actions taken in case the concerned responsible party does not (or does not promptly) take effective measures (article 10, paragraph 4 of the Product Safety Act). The concerned publications are generally made on the official public website of the Federal Consumer Affairs Bureau (FCAB). The FCAB also issues push notifications to subscribers (eg, consumers or media). The FCAB, in general, cooperates with the concerned responsible party and allows it to review and sign off on the specific wording before publishing the text on its website.

Law stated - 3 July 2026

Costs

Are any costs incurred by the government authorities in relation to product safety issues or product recalls recoverable from the producer or other responsible parties?

The authorities may recover costs for the inspection of products (only if the product does not comply with the legal requirements), for the edition of conformity declarations and technical documents and for all other decrees and measures taken to avert the product risk and that are caused by the concerned responsible party (article 27 of the Ordinance on Product Safety). The fees are calculated according to the time required (typically 200 Swiss francs per hour, by way of example) or are based on the General Fee Ordinance. Different fees may be charged in accordance with sector-specific regulations.

Law stated - 3 July 2026

Challenging decisions

How may decisions of the authorities in respect of corrective actions or product recalls be challenged?

The decisions of the authorities may be challenged by means of an objection or an appeal before the superior administrative authority or administrative court. As the authority has considerable discretionary powers when issuing rulings on product safety, the appellate authority must also respect the authority's rooms for manoeuvre in matters of discretion; that is, the appellate authority must correct inappropriate decisions but can leave the authority the choice between several appropriate solutions. In particular, the appellate authority exercises restraint in the review of lower-instance assessments if it comes to reviewing the exercise of discretion in areas in which highly specialised technical, scientific or

economic knowledge is examined (confirmed by the Federal Supreme Court in its decisions 135 II 296, E.4.4.3 and 133 II 35, E.3 or by the Federal Administrative Court in its decision C-3805/2020, E.2.2). It should be noted that, depending on the case, the appeal does not have suspensive effect, which in practice makes it factually impossible to prevent the measure (eg, a recall or a public warning).

Law stated - 3 July 2026

IMPLICATIONS FOR PRODUCT LIABILITY CLAIMS

Repercussions for liability in court proceedings

Are the civil courts in your jurisdiction likely to view a corrective action, recall or consumer warning as an admission of liability for defective products?

Generally, yes. This makes it important for the concerned responsible party to have on record (eg, in the notification text to the authority) that the decision to take corrective action was a precautionary measure. Concerned responsible parties generally wish to make this remark also in public warnings. However, the Swiss authorities do generally not allow concerned responsible parties to make these comments as it could cause the addressees to take the recall less seriously.

Law stated - 3 July 2026

Disclosure of information

Can communications, internal reports, investigations into product issues or planned corrective actions be disclosed in product liability actions? Are there mechanisms to compel regulators to publish information regarding their handling of a corrective action, recall or notification?

Every person has the right to inspect official documents and to obtain information from the authorities on the content of official documents under article 6, paragraph 1 of the Federal Act on Freedom of Information in the Administration (FoIA). Thus, a party to a product liability proceeding may request the disclosure of communications, internal reports, investigations or information on corrective actions and may use such disclosed information for evidence purposes. However, the FoIA does not give an unlimited right to information. For example, more stringent statutory requirements apply if the information concerned was voluntarily disclosed to the authority on a confidential basis by third parties, or if the information concerns business secrets, or if the disclosure would impair the court's freedom of opinion (article 7 of the FoIA).

Law stated - 3 July 2026

UPDATES AND TRENDS

Key developments of the past year

Are there any emerging trends or hot topics in product recall and associated litigation in your jurisdiction?

On 13 December 2024, Regulation (EU) 2023/988 on general product safety, amending Regulation (EU) No 1025/2012 and Directive (EU) 2020/1828, and repealing Directive 2001/95/EC and Directive 87/357/EEC entered into force. The regulation replaces the general product safety directive from 2001 and provides for a new EU framework for general product safety in the context of digitalisation and e-commerce. In June 2026, the Swiss Federal Council launched a consultation on the partial revision of the Swiss Product Safety Act to ensure a level of product safety comparable to that in the EU and to facilitate Swiss exporters' access to the EU internal market. The aim of this revision is to strengthen product safety and introduce new rules for online trade. To this end, online economic operators are required to provide product identification details, safety warnings and instructions, designate a point of contact, and cooperate with enforcement authorities. At the same time, market surveillance is strengthened through measures such as an information and warning system, undercover test purchases, and the ability to block access to non-compliant online offers. To finance market surveillance in online trade, the Federal Council will be empowered to introduce a supervisory levy on products ordered online and delivered directly from abroad to consumers in Switzerland. In addition, administrative enforcement measures are to be introduced to ensure compliance by economic operators. The consultation period runs until 28 September 2026.

On 8 December 2024, the new Directive (EU) 2024/2853 of the European Parliament and of the Council on liability for defective products entered into force. It repealed Council Directive 85/374/EEC, with which the Swiss Product Liability Act was aligned. However, the competent Swiss authority has not yet received a mandate to revise the Swiss Liability Act to align Swiss law with these changes in the EU. It remains to be seen whether Swiss policymakers will consider a revision necessary in light of such developments in the EU.

Law stated - 3 July 2026