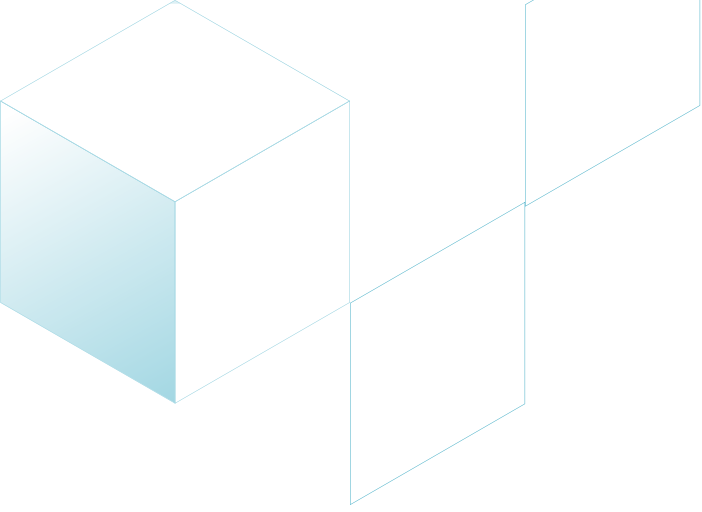


Guidance Manual for

the Product Safety Law



This guide has been developed as a reference tool to provide general guidance to economic operators, governmental bodies, and consumers regarding the fundamental basics of implementing the product safety Law.

It is not a binding document or a best practice model and dose not replace the provisions set forth in the law.

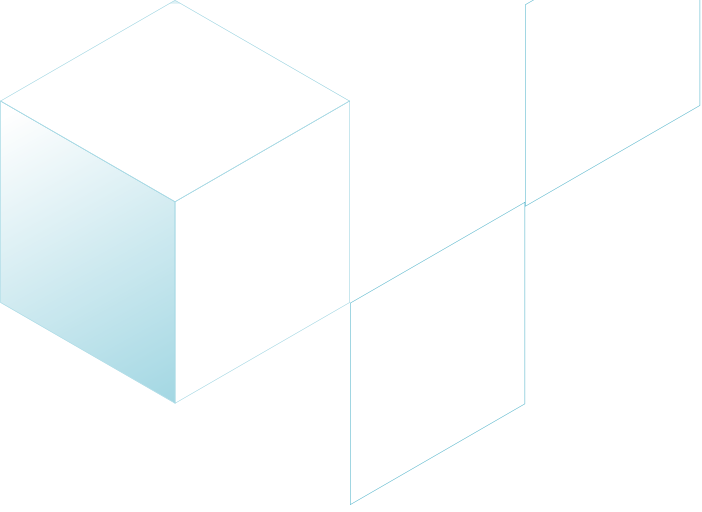


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Introduction

01

Introduction

The Product Safety Initiative and Its Role in Enhancing Safety

The Product Safety Initiative aims to ensure the safety and of products traded in the Saudi market through a comprehensive technical and regulatory framework. It is designed in an integrated way to implement the technical requirements and regulations that protect consumers from non-compliant products, which may pose risks to health and safety.

The initiative not only enhances consumer confidence in the products available in the market but also facilitates trade, enhances the efficiency of regulatory bodies, and streamlines clearance and trading procedures. Ultimately, it supports the national economy and boosts the competitiveness of Saudi products in both local and international markets.

Objectives of the Initiative

Consumer Safety



Consumer Safety
By ensuring the safety and security of the traded products.

Enhancing Trust



By ensuring the safety of products in the local market.

Enhancing Regulatory Efficiency



By providing accurate data that supports the improvement of regulatory processes.

Facilitating Trade



By streamlining procedures and improving the efficiency of clearance processes.

The initiative is fundamental to the development and improvement of the product safety Law, as it contributes to enhancing safety and standards that support the national economy and protect consumers.

Objectives of the Product Safety law

The Product Safety law aims to protect consumers by preventing risks associated with products placed or displayed in the markets of the Kingdom and by defining the methods for dealing with the hazards and risks related to those products.

Overview

Overview

The Product Safety law, issued by Royal Decree No. (M/36) dated 29/1/1446 AH (2024/08/04 AD), represents a roadmap toward a new phase of safety, reliability, and safety in the Saudi product market. SASO aims to fulfil its influential role in keeping pace with the rapid development and progress witnessed across all sectors in the Kingdom, guided by the ambitious Vision 2030.

The launch of the Product Safety law reflects the prudent leadership's —may God protect them—commitment to consumer safety and market competitiveness, which in turn will support the Saudi economy. The law serves as a reliable reference that safeguards the rights of all stakeholders and provides a conducive environment for efficient commercial trade, meeting the expectations of consumers, economic operators, and relevant entities.



General Principles of the Product Safety law

1

No discrimination between local and imported products placed or displayed in the markets regarding compliance with technical regulations.

2

The requirements, corrective actions, and penalties determined according to the law is proportionate to the severity of the risk and the seriousness of the violation.

3

Effective coordination and cooperation among all relevant bodies involved in implementing the law.

4

Transparency in applying the provisions of the law and involving all stakeholders.

General and Specific Safety Obligations

No safety without accountability.

02



General and Specific Safety Obligations in the Product Safety law

The law ensures the safety of products traded in the market and clarifies the obligations of the economic operator under the law. It highlights the key aspects that must be considered to ensure the safety of the products they handle.

The obligations also include product traceability and conformity assessment to requirements, focusing on the traceability law, technical regulations, and conformity assessment procedures.



Fundamental Prohibitions in the Law

Economic operators are prohibited from manufacturing, importing, marketing, trading, or advertising unsafe products.

When Is a Product Considered Safe?

- A product is considered safe if its use under normal conditions does not pose any risk, or if any hazards arising are acceptable and comply with specified safety levels, ensuring the safety of consumers, property, and the environment.
- The product must meet all essential requirements and comply with the technical regulations.
- In the absence of essential requirements or technical regulations, the product shall conform to the relevant Saudi, regional, or international standards.

Factors for Assessing Product Safety

When assessing product safety, the following factors shall be considered:

- Product characteristics, including its composition, usage instructions, installation, and repair.
- The impact of the product on other products when used together.
- Cybersecurity features necessary to protect the product from external influences, as required and depending on the nature of the product.
- The presentation of the product including its information, usage instructions, warnings, disposal instructions, and other related indicators and information.
- The risk that the consumer may be exposed to when using the product.
- The consumer's legitimate expectations regarding safety
- Clarifying the usage method for the consumer to prevent misuse.
- The product must obtain an optional certificate of conformity according to certification programs or similar conformity assessment processes.
- Recommendations from SASO, including product safety assessments.
- Opinions from recognized scientific bodies and specialized committees.
- Codes of good practices related to product safety within the relevant sector.

NOTE

The possibility of achieving higher safety levels or the existence of a less hazardous alternative product does not mean that the current product is unsafe.

Obligations of the Manufacturer, Authorized Representative, and Importer

- Ensure that the product is safe or presumed to be safe.
- Ensure the product complies with technical regulations and essential requirements.
- Conduct a sufficient assessment of potential risks in the product to take appropriate corrective actions.
- Provide evidence that the product is safe upon request from the relevant bodies.
- Provide the consumers with all information regarding hazards associated with the product that may not be obvious to them.
- Place their name and contact details on the product.
- Stay informed about potential risks and take necessary corrective actions, including warning consumers and recalling the product.



Obligations of the Distributor

- Verify the safety of products placed in the market or on electronic platforms and ensure their compliance with the provisions of the law and regulations.
- Verify the manufacturer's or importer's compliance with the requirements stipulated in the regulations before placing the product in the market.
- Ensure that storage and transportation conditions of the product comply with safety requirements.
- Ensure that no label placed on the product obscures any information provided by the manufacturer or importer.
- Act diligently to help ensure compliance with the requirements.
- Refrain from displaying products known or presumed to be unsafe.
- Participate in the transfer of information related to product hazards, maintain and provide necessary documentation to trace the product's origin, and cooperate in implementing corrective actions

How to Report Hazards?

If the economic operator becomes aware or should reasonably be aware that a product poses a risk, he must immediately inform the relevant bodies and provide information about the corrective actions taken.

Tracking Systems in the Product Safety law

Private Tracking System

If the economic operator has a private tracking system, it shall be linked with The Saudi Standards, Metrology, and Quality Organizations (SASO).

SASO's Tracking System

SASO may require the economic operator to comply with its tracking law if the operator does not have a law, in exchange for a financial fee determined by the Board.

Technical Regulations

The technical regulations include all the necessary information and requirements to verify the safety of a product for use or consumption, including:

- The essential requirements and other applicable requirements for the product or product category.
- Reference to relevant Saudi, national, regional, or international standards.
- The risk assessment method applicable to the product or product category.
- The conformity assessment procedures for the product or product category.
- The type and nature of information to be provided to the consumer.
- The contents and format of the technical documents required to be prepared and provided.
- Requirements related to terminology and symbols used, as well as packaging and product labeling or marking.

When Placing a Product Subject to Technical Regulations on the Market.

What Are the Obligations of the Manufacturer, Authorized Representative, and Importer?

- Assess the product's conformity with the applicable requirements by applying the conformity assessment procedure in accordance with the regulations or technical regulations.
- Assign an accepted body if the conformity assessment procedure requires the intervention of a conformity assessment body.
- Prepare a complete file that includes all necessary documents proving the product's compliance with the requirements stated in the technical regulations.
- Issue a Declaration of Conformity confirming that the product complies with all relevant requirements.
- Affix the national or regional conformity mark on the product.

Note

The regulations define the responsibilities and duties of the manufacturer, authorized representative, and importer in accordance with the provisions of the law.

Governance of Conformity Assessment Activities.

Partners in Ensuring and Product Safety.

03



Conformity Assessment Bodies in the Product Safety law

Conformity assessment bodies play a vital role in the product safety law by verifying that products comply with relevant technical requirements and regulations.

■ Conducting Conformity Assessment in Accordance with Regulations

If the relevant technical regulations for a product require the intervention of a conformity assessment body to carry out a specific conformity assessment procedure, the party responsible for placing the product on the market) whether the manufacturer, authorized representative, or importer) shall assign the task to one of the conformity assessment bodies accepted by SASO.



Obligations of Accepted Conformity Assessment Bodies

- Maintain professional confidentiality regarding all facts, practices, and information accessed during their assigned tasks within the framework of their acceptance.
- Refrain from imposing any conformity assessment procedures other than those specified in the relevant technical regulations.
- Comply strictly with the scope of acceptance when delivering services according to the technical regulations.
- Conformity assessment bodies are responsible for the services they provide or contract directly or indirectly to deliver.

Authorities of the Competent Bodies

- The competent bodies have the right to utilize the services of conformity assessment bodies accepted by SASO to carry out conformity assessment for a specific product in accordance with the provisions of the law and technical regulations.

Market Surveillance

to Ensure Product Safety

04



Market surveillance in the Product Safety law

Market Surveillance is a fundamental pillar in the product safety law aimed at ensuring that products traded in the market comply with the requirements and technical regulations, and protecting consumers from unsafe products.

Key Procedures Carried Out by Competent Bodies, Inspectors’ Authorities, and Economic Operators’ Obligations:

Market Surveillance

Role of Competent Bodies:

Competent bodies conduct market surveillance according to the rules, procedures, and tasks defined by the technical regulations.

Role of SASO:

Develop a national strategy for product safety and market surveillance, monitor its implementation, and update it periodically to ensure compliance with all requirements imposed on economic operators and the essential requirements applicable to products, while maintaining the minimum conformity indicator for products available in the market



Inspectors appointed by the Board, whether individually or collectively, are authorized to identify and document violations of the provisions of the law and regulations, as follows:

- Enter economic operators' facilities, including warehouses, storage areas, transportation means, or any related places, at any time and inspect them.
- Issue official violation reports to document infractions.
- Summon involved parties, record their statements, and document them in an official report.
- Close the site of the violation, when necessary. This includes the seizure of non-compliant products or those suspected of non-compliance, as well as related documents.
- Review all documents, records, files, complaints, invoices, and other documents, and obtain copies of them.
- When necessary, retain collected documents and information files to prove violations or to investigate with contributors or participants involved in the violation.
- Collect product samples for testing by a conformity assessment body

Key obligations of the economic operator:

- Not to obstruct inspectors from performing their inspection and control duties.
- Cooperate with inspectors, facilitate their tasks, and provide all requested information and documents.
- Maintain the confidentiality of information obtained by inspectors in the course of their work.

Maintaining the confidentiality of information does not prevent the competent bodies from disclosing necessary information to ensure effective market surveillance or to prevent risks that threaten consumer safety, property, or the environment

Non-compliant Products and Destruction Decision

01

In coordination with the competent bodies, SASO issues a decision to destroy the product that violates the law, following a final ruling from the competent court to confiscate the product.

02

The destruction process is carried out by one or more committees formed for this purpose, and the violator bears the costs of the destruction process

Product Defect Liability

Transparency and Trust

05



Product Defect Liability

The law ensures consumer rights and safety by defining clear responsibilities for all relevant parties in the event of a product defect. It outlines responsibilities and provides clear guidance for both economic operators and consumers.

Manufacturer's Liability

The manufacturer bears the primary responsibility for any damage resulting from a defect in the product he has placed on the market. The regulations precisely define the scope and details of this liability.



■ **Manufacturer Covered by the law:**

- The original manufacturer of the final product.
 - The manufacturer of the raw material used in producing the final product.
 - The manufacturer of intermediate products who has produced parts or component of the final product.
 - Any person who places their name or trademark on the product, even if they are not the actual manufacturer, as doing so renders them legally liable
-

If the Manufacturer or Importer Cannot Be Determined:

- If the responsible manufacturer or importer cannot be identified, all economic operators who contributed to the product reaching the consumer shall be jointly liable for any damages resulting from the defect.
- Any economic operator who pays compensation for the damage has the right to claim reimbursement from the economic operator who caused the defect.
- If the importer of the imported product cannot be determined, all economic operators shall be held jointly liable, even if the manufacturer is known.

Violations and Penalties

Safety for All

06



Penalties under the Product Safety law

The Product Safety law defines penalties that ensure the rights and safety of consumers. It also establishes a specialized committee composed of five members, at least three of whom are legal advisors. This committee is responsible for imposing corrective actions on violators and enforcing the penalties specified in the law. It may also request the confiscation of the non-compliant product from the competent court and issue decisions in accordance with the regulations. Decisions may be appealed before the Administrative Court within 60 days.

Authorities of the Governor or His Delegate

- Imposing warnings penalties and fines not exceeding 10,000 based on the inspector's recommendation.
- Granting a corrective grace period for non-severe violations before imposing harsher penalties

Types of Penalties Specified in the Executive Regulations of the Product Safety law According to the Decision of the Competent Committee

Warning

- Applied to non-severe violations.
- The violator is granted a grace period to correct the violation before other penalties are imposed.

Fine

- Not exceeding 10 million
- The Governor may impose fines not exceeding 10,000
- The regulations provide a classification table for violations and the corresponding fines.

Closure of the Establishment

- For a Period not exceeding one year.
- The committee may decide to publish a summary of the penalty decision at the violator’s expense in a newspaper or other appropriate medium.

Imprisonment

- The penalty may reach imprisonment for a period not exceeding 10 years in cases where an unsafe product is deliberately placed or offered on the market in a manner that harms the consumer. The Public Prosecution is responsible for investigation and prosecution in such cases.

The diagram below illustrates the penalties stipulated by the law.

Warning

- Fine
- Closure of the establishment
- Imprisonment

Important Notes

- The mentioned penalties do not prejudice any harsher penalties stipulated by other laws.
- The committee may impose more than one penalty on the violator simultaneously.
- Violators shall comply with the committee’s decisions and have the right to appeal them before the Courts of the Board of Grievances

Corrective Actions

07



Corrective Actions for Competent Bodies



Corrective Actions for Competent Bodies

- Leverage digital technology, particularly software used for generating 3D images of websites, data indexing tools, and related data.
- Require the economic operator to provide compliance documents and technical aspects of the product, including access to software to assess the product's compliance with applicable regulations.
- Data, information, or documents may be used and accepted as evidence in investigations regardless of their format.
- Evidence provided by competent bodies in another country may be used to verify the product's conformity in the Kingdom.

Market Surveillance Inspection Procedures Begin in Case Of:

- Issuance of a justified order by the competent bodies.
- Complaints submitted by consumers.
- Reports received from competent or governmental bodies containing descriptions of facts that may constitute a violation of the law.
- Scheduled surveillance in sectors designated by the competent bodies.

If the competent bodies have reason to believe the product is unsafe based on the inspection report:

The economic operator shall be notified within five (5) days from the date the inspection report is issued and given the opportunity to submit his objection within ten (10) days from the date of notification. If no objection is received or after the expiration of this period, the following actions will be taken:

- Issuing a violation notice containing the necessary information according to the specified form and sending it to the economic operator.
- Requiring the economic operator to take the necessary actions to rectify the violation within ten (10) days.
- Informing the economic operator that a financial penalty will be automatically imposed if the violation is not resolved.

Note

The inspector has the right to close the site of the violation—after a decision is issued by the committee—if the economic operator fails to implement the corrective actions imposed by SASO.

Conclusion

08





Saudi Standards, through this guide, provides a comprehensive explanation of the Product Safety law, serving as a fundamental reference that clarifies the mechanisms to achieve quality and safety in traded products and services. The guide also aims to simplify procedures, conditions, and requirements, thereby contributing to the establishment of a safe and efficient consumer environment.

The commitment of all relevant parties—whether manufacturers, suppliers, distributors, consumers, or governmental bodies—to apply the provisions of the law is a key factor in strengthening trust in the Saudi market, supporting sustainable development, and protecting the health and safety of the community. We aspire to a safe and thriving Saudi market where consumer safety is given the utmost priority.

We aspire to a safe and prosperous Saudi market where consumer safety is the top priority.

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