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ADVISORY NOTE 1-2023
Date: 1st August 2023

ADVISORY NOTE TO ALL SUPPLIERS OF GOODS

The information contained in this Advisory Note is a summary of some of the key aspects and obligations of suppliers under the Fair Trading Act, 2022 (FTA, 2022) and is issued as a general overview thereof. Due to limitations in length of this note, many parts of the Act have not been covered. Suppliers are advised to consult the Act itself. This Advisory Note should not be treated as a substitute for legal advice.

Subject: Voluntary Recall of Goods

Voluntary recall is an action undertaken by suppliers out of their own initiative, to remove goods from the market where there is a need to protect consumers from goods that present a risk of injury.

Where a supplier voluntarily takes action to recall goods, the Fair Trading Commission (Commission) must be notified, in writing, within 2 days after taking that action. The notification must include the details of the good subject to recall and the nature of defect or dangerous characteristic of the good.

The Commission may, by notice in writing, require the supplier to disclose the information provided to its office, to the public or class of persons affected. Additionally, the Commission may also require that the supplier disclose the circumstances in which the use of the goods is dangerous. In such instances, failure to comply with the request of the Commission will result in the Commission disclosing the information to the public.

Below is an example of a Voluntary Recall Notice (The below is fictional and serves as a guide)

Company Announcement

ABC Distributors, has issued a voluntary recall of Great Value Mixed Fruit (16-ounce) products linked to pineapple provided by third-party supplier due to the potential for these products to be contaminated with *Listeria monocytogenes*.

Listeria monocytogenes is an organism which can cause serious and sometimes fatal infections in young children, frail or elderly people, and others with weakened immune systems. Although healthy individuals may suffer only short-term symptoms such as high fever, severe headache, stiffness, nausea, abdominal pain and diarrhea, listeria infection can cause miscarriages and stillbirths among pregnant women. Any consumers concerned about an illness should contact a physician.

Products were distributed via the following retailers as per below details;

FROST MART

Lot	Best By
FMX235003	12/16/2024
FMX235101	12/17/2024

FOOD MARKET

Lot	Best By
FED305351	02/22/2024
FED312587	03/01/2025

To date, there have been no illnesses associated with this voluntary recall.

This voluntary recall includes the following code dates currently in stores or consumers' freezers:

Consumers are urged to check their freezers for the recalled product, not to consume it and either discard the product or return it to the store for a full refund. All other products that have different lot codes or best by dates are not affected by this recall. The affected retail customers have been notified of this recall and instructed to remove any recalled product from retail store shelves and inventories.

Consumers seeking information may email distributors.com or call 4300000 Monday to Friday, 0800 hours to 1600 hours.

The above is merely an example of how information relating to a voluntary recall should be disclosed to the Public.

Suppliers are encouraged to carefully review activities and procedures to ensure compliance with the provisions of the FTA, 2022.

Advisory Note published in accordance to Section 6 (2) (b) of the Fair Trading Act, 2022

FAIR TRADING COMMISSION, AUGUST 2023

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