Product liability

Research output: Chapters, Conference Papers, Creative and Literary Works › Chapter in an edited book (Author) › Not applicable › peer-review

Overview

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Detail(s)
Original language
English
Title of host publication
The Cambridge Companion to: European Union Private Law
Publisher
Cambridge University Press
Pages
257-272
ISBN (Print)
9780511777714, 9780521516174
State
Published - 1 Jan 2015
Externally published
Yes

Link(s)
DOI
https://doi.org/10.1017/CCO9780511777714.019
Final Published version
Check@CityULib
Link to Scopus
https://www.scopus.com/record/display.uri?eid=2-s2.0-84953404205&origin=recordpage
Permanent Link

Abstract
Product liability is an important field of European private law, because when the Product Liability Directive (85/374/EEC) was adopted in 1985, it was one of the first areas to be harmonised at a European level. Before considering the directive’s operation in more detail, some more general comments on the lessons for the European harmonisation process are appropriate. First, the Product Liability Directive sought to achieve full harmonisation, a fact stressed by the European Court of Justice (ECJ) on a number of occasions. However, it was a special form of ‘non-exhaustive’ full harmonisation: Article 13 expressly retains contractual and non-contractual liability, as well as special liability systems existing at the moment the directive was notified. This might become an important model given the debates about the extent of full harmonisation to be achieved under the proposed Consumer Rights Directive. While it cannot be denied that the fact that the harmonisation is non-exhaustive undermines at least part of its rationale, such a model can nonetheless be apposite in the sphere of strict product liability, where the EU can be seen to have added an extra protective layer over pre-existing liability regimes. It is harder to justify in an area like sales contracts.
Product liability is the area of law in which manufacturers, distributors, suppliers, retailers, and others who make products available to the public are held responsible for the injuries those products cause. Product liability in the United States. In the United States, the claims most commonly associated with product liability are negligence, strict liability, breach of warranty, and various consumer protection claims. The majority of product liability laws are determined at the state level and vary widely from state to state. Product Liability. From lawbrain.com. Small Business -> Small Business > Business Law -> Business Law -> Legal Term. The rule of strict liability applied in product liability suits makes a seller responsible for all defective items that unreasonably threaten the personal safety of a consumer or the consumer's property. The vendor is liable if he or she regularly engaged in the business of selling such products, which reach the consumer without any substantial changes having been made in their condition. Product liability is area of law that asserts that companies have a duty to protect consumers from potential product hazards, even if the damage is primarily caused by consumer negligence or deliberate misuse.