# Revised Product Liability Directive (Directive (EU) 2024/2853)

EU-PLD-2024 · EU · binding regulation

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## Summary

EU strict-liability regime for defective products, modernised for the digital age and explicitly extended to software and AI systems. Repeals and replaces the 1985 Product Liability Directive (85/374/EEC). Art. 4(1) redefines "product" to include "software" (and digital manufacturing files, electricity); Recital 13 confirms a "developer or producer of software, including AI system providers within the meaning of Regulation (EU) 2024/1689" is treated as a manufacturer, irrespective of delivery model (on-device, cloud, SaaS). Free and open-source software developed/supplied outside a commercial activity is excluded (Recital 14). The load-bearing topic is REDRESS: Art. 6 sets compensable damage (death/personal injury incl. medically recognised psychological harm; property; destruction/corruption of non-professional data), Art. 8 names liable economic operators (manufacturers, component makers, importers, authorised reps, fulfilment-service providers, certain distributors and online platforms), Art. 9 creates a court-ordered evidence-disclosure mechanism, and Art. 10 establishes rebuttable presumptions of defectiveness and of the causal link — including a presumption available where a claimant faces "excessive difficulties, in particular due to technical or scientific complexity" (Art. 10(4)), the provision most relevant to opaque AI systems. Art. 7(2)(c) makes the product's "ability to continue to learn or acquire new features after it is placed on the market" relevant to defectiveness; Art. 11(2) keeps manufacturers liable for defects introduced by software updates/upgrades within their control. Adopted 23 Oct 2024, published in the OJ 18 Nov 2024 and in force 8 Dec 2024 (Art. 23: the twentieth day following publication; Art. 21 is Repeal, not entry into force), but substantive liability rules apply only to products placed on the market after 8 Dec 2026 (Art. 2(1) as corrected), so status = adopted_not_in_force. The Art. 22 transposition deadline is 9 Dec 2026 and was NOT touched by the corrigendum: the corrigendum moved the Art. 2(1) trigger from "after 9 December" to "after 8 December" precisely so that the products it covers begin on 9 Dec 2026, aligning the application trigger with the transposition deadline. The two dates are distinct and both correct. Designed to interlock with the EU AI Act (Reg. (EU) 2024/1689): breach of AI Act obligations can feed the Art. 10 presumptions. (The separate proposed AI Liability Directive was withdrawn by the Commission in 2025; the PLD now carries the principal EU AI-liability load.) An ex-post liability instrument, deliberately silent on most ex-ante AI-governance topics (transparency mandates, biometrics, deepfakes, compute, sector-specific rules) — those are governed by the AI Act and sectoral law, not by this directive. DRIFT-WATCH CORRECTION (2026-07-17, /wiki/drift.json): effectiveDate was 2026-12-09 and the notes said "after 9 Dec 2026" — both WRONG. A Corrigendum to Directive (EU) 2024/2853 (OJ L, 2026/90364, published 2026-05-07; CELEX 32024L2853R(01)) amended Art. 2(1), replacing "after 9 December 2026" with "after 8 December 2026"; EUR-Lex now flags the act "Corrected by 32024L2853R(01)". The prior lastReviewedAt (2026-06-21) postdated the corrigendum by ~6 weeks. Source: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32024L2853R(01)

## At a glance

Adopted

**2024-10-23**

Effective

**2026-12-08**

Status

**adopted not in force**

Primary source

**Directive (EU) 2024/2853 of the European Parliament and of the Council of 23 October 2024**

**on liability for defective products and repealing Council Directive 85/374/EEC, OJ L, 2024/2853, 18.11.2024 (CELEX:32024L2853; ELI:http://data.europa.eu/eli/dir/2024/2853/oj). Entered into force 8 December 2024 (Art. 23: the twentieth day following OJ publication of 18 November 2024); applies to products placed on the market or put into service after 8 December 2026 (Art. 2(1) as corrected by OJ L, 2026/90364); Member States must transpose by 9 December 2026 (Art. 22).**

## How to cite this article

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CHICAGO

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HARVARD

Policy Window (2024) 'Revised Product Liability Directive (Directive (EU) 2024/2853)', Wiki article — Instrument, available at: https://policywindow.org/wiki/eu-product-liability-directive.

OSCOLA

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BIBTEX

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