



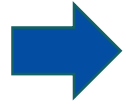
EU General Product Safety Regulation (GPSR)

What is new in the GPSR for harmonised products?

Regulation (EU) 2023/988 on general product safety

*European Commission
DG Justice and Consumers
Unit B4 "Product Safety & Rapid Alert System"*

GPSR - interaction with harmonised legislation



Specific application of the GPSR for harmonised products (listed in the Annex of Market Surveillance Regulation (EU) 2019/1020):

- Following rules are applicable to harmonised products (if there are no provisions with the same objective under the sectorial safety Union legislation):
 - ✓ Chapter I (**general provisions**),
 - ✓ Chapter III, Section 2 (**obligations of economic operators on accident reporting and distance sales**),
 - ✓ Chapter IV (**obligations of online marketplaces**),
 - ✓ Chapter VI (**Safety Gate Rapid Alert System** and **Safety Business Gateway**) and
 - ✓ Chapter VIII (**Right to information and to a remedy, product recalls, memoranda of understanding, representative actions**)
- **Chapter II** GPSR on **safety requirements** applies to harmonised products for risks not covered by EU harmonised legislation

Novelties for harmonised products

- **Chapter II GPSR on safety requirements** applies to harmonised products **for risks not covered by EU harmonised legislation**
 - New non-exhaustive **list of aspects for assessing the safety of products** (including aspects for new technology products, child-appealing, food imitating, etc)
- **Chapter III, Section 2 : obligations of economic operators**
 - **Obligations of economic operators on accident reporting (Art 20)**
 - Mandatory reporting of known accidents by economic operators
 - Manufacturer must notify MSAs via Safety Business Gateway
 - **Obligations of economic operators on distance sales (Art 19)**
 - Same product information online as it is with the product offline : useful for traceability and market surveillance

Mandatory product information



New for harmonised products

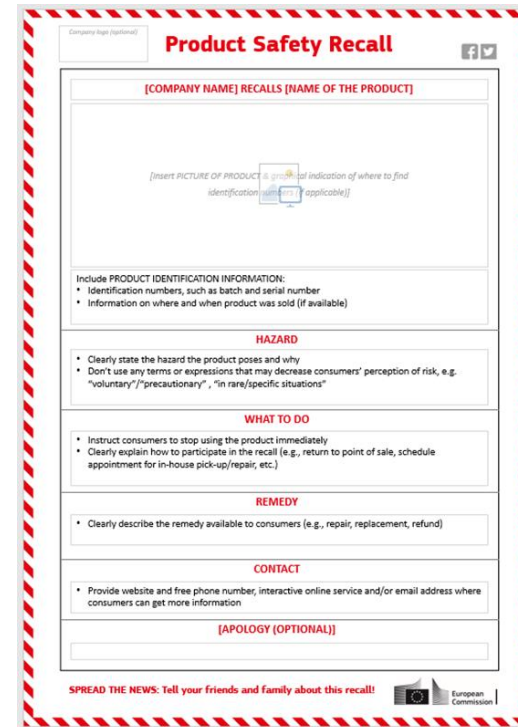
PHYSICAL PRODUCT	PRODUCT OFFER in DISTANCE SALES
Type, batch or serial number or other element enabling product identification (e.g. barcode).	Information allowing the identification of the product , including a picture of it, its type and any other product identifier
Manufacturer: <ul style="list-style-type: none">- name, registered trade name or registered trade mark- postal and electronic address and, if different, the postal address or electronic address of the contact point through which consumers can contact manufacturer	Manufacturer: <ul style="list-style-type: none">- name, registered trade name or registered trade mark- postal and electronic address at which it can be contacted
Importer: <ul style="list-style-type: none">- name, registered trade name or trade mark- postal and electronic address and, if different, the postal address or electronic address of the contact point through which consumers can contact manufacturer	
Responsible person in the EU: <ul style="list-style-type: none">- name or registered trade mark- contact details, including the postal and electronic address	where the manufacturer is not established in the Union: Responsible person in the EU within the meaning of Article 16(1) of this Regulation or Article 4(1) of Regulation (EU) 2019/1020: <ul style="list-style-type: none">- name- postal and electronic address
clear instructions and safety information in a language which can be easily understood by consumers	any warning or safety information to be affixed to the product or to the packaging or included in an accompanying document in accordance with the GPSR or the applicable Union harmonisation legislation in a language which can be easily understood by consumers

Novelties for harmonised products

- **Chapter IV on product safety obligations of providers of online marketplaces:**
 - Obligation to register in the Safety Gate and to follow up on orders and notices
 - Design of the interface to ensure display of traceability and safety information
 - Cooperation obligations
 - Ex post random checks
 - Close interlink and coherence with the Digital Services Act
- **Chapter VI on Safety Gate Rapid Alert System and Safety Business Gateway:**
 - **Safety Gate Rapid Alert System (Art 25 + 26)**
 - Notification obligations in Safety Gate for MS on serious risk cases within 4 working days after the corrective action is taken
 - 4 days working days deadline for the Commission's check
 - Obligation to inform COM about all other corrective measures as well (choice of info tool)
 - **Safety Business Gateway (Art 27)**
 - Commission's obligation to maintain a web portal enabling the businesses to provide the required information to the MSAs in an easy way

Novelties for harmonised products

- **Chapter VIII on Right to information and to a remedy**
 - **Right to information**
 - **MS:** obligation to provide consumers and interested parties the opportunity to submit complaints (Art 33)
 - **COM:** obligation to maintain Safety Gate Portal with possibility for consumers and interested parties to inform about possible dangerous products, to develop an interoperable interface for providers of online marketplaces (Art 34)
 - **Businesses:** obligation to inform consumers about product safety recalls and safety warnings (Art 35)
 - **Product recalls**
 - Mandatory elements for the recall notice
 - Template for the recall notice provided by implementing act
 - **Mandatory remedies** in case of product recall:
at least 2 between: repair, replacement or adequate refund
 - **Memoranda of understanding**
 - **Representative actions**



The image shows a template for a Product Safety Recall notice, enclosed in a red and white striped border. The template includes the following sections:

- Company logo (optional)**: A placeholder for a company logo.
- Product Safety Recall**: The main title of the notice.
- [COMPANY NAME] RECALLS [NAME OF THE PRODUCT]**: A header section for the recall.
- [Insert PICTURE OF PRODUCT]**: A placeholder for a picture of the product, with a note: "a yellow star of indication of where to find identification numbers (if applicable)".
- Include PRODUCT IDENTIFICATION INFORMATION:**
 - Identification numbers, such as batch and serial number
 - Information on where and when product was sold (if available)
- HAZARD**
 - Clearly state the hazard the product poses and why
 - Don't use any terms or expressions that may decrease consumers' perception of risk, e.g. "voluntary"/"precautionary", "in rare/specific situations"
- WHAT TO DO**
 - Instruct consumers to stop using the product immediately
 - Clearly explain how to participate in the recall (e.g., return to point of sale, schedule appointment for in-house pick-up/repair, etc.)
- REMEDY**
 - Clearly describe the remedy available to consumers (e.g., repair, replacement, refund)
- CONTACT**
 - Provide website and free phone number, interactive online service and/or email address where consumers can get more information
- [APOLOGY (OPTIONAL)]**: A placeholder for an optional apology.
- SPREAD THE NEWS: Tell your friends and family about this recall!**: A call to action at the bottom.
- European Commission**: The logo of the European Commission is in the bottom right corner.