



11 April 2022

(22-2921)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: European Commission Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission, EU-TBT Enquiry Point, Fax: +(32) 2 299 80 43, E-mail: grow-eu-tbt@ec.europa.eu Website: http://ec.europa.eu/growth/tools-databases/tbt/en/
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [X], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Consumer products (for aspects not covered by EU harmonised product legislation)
5. Title, number of pages and language(s) of the notified document: Proposal for a Regulation of the European Parliament and of the Council on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council, and repealing Council Directive 87/357/EEC and Directive 2001/95/EC of the European Parliament and of the Council (COM(2021) 346 final); ((5 page(s), in English)), ((83 page(s), in English))
6. Description of content: This proposal for a Regulation of the European Parliament and of the Council on general product safety aims at revising Directive 2001/95/EC on general product safety. The proposal confirms the key requirement that consumer products placed or made available on the EU market must be safe. According to the proposal a consumer product can benefit from the presumption of safety if it complies with the relevant European standard referenced in the <i>Official Journal of the European Union</i> or, in the absence of such European standards, it conforms to the relevant national requirements. The proposal includes a set of clear obligations for economic operators (manufacturers, importers, distributors, fulfilment service providers), including the drawing up of technical documentation by manufacturers and traceability in the supply chain. The proposal also provides for specific obligations for online marketplaces relevant for product safety (including clear deadlines for reactions to government takedown orders and third party notices and ensuring that traders provide minimum product and traceability information in their listings). Moreover, the proposal enhances market surveillance by largely aligning the market surveillance rules for non-harmonised products to the market surveillance rules set up for harmonised products in Regulation (EU) 2019/1020. The proposal also

<p>replaces and repeals the Council Directive 87/357/EEC of 25 June 1987 on food-imitating products.</p>
<p>7. Objective and rationale, including the nature of urgent problems where applicable: Prevention of deceptive practices and consumer protection; Protection of human health or safety</p>
<p>8. Relevant documents:</p> <ul style="list-style-type: none"> • Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety (OJ L 11, 15.1.2002, p. 4 - 17) EUR-Lex - 32001L0095 - EN - EUR-Lex (europa.eu) • Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJ L 169, 25.6.2019, p. 1-44) https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1020&from=EN • Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12-33) https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32012R1025&from=EN • Council Directive 87/357/EEC of 25 June 1987 on the approximation of the laws of the Member States concerning products which, appearing to be other than they are, endanger the health or safety of consumers (OJ L 192, 11.7.1987, p. 49 - 50) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31987L0357:en:HTML
<p>9. Proposed date of adoption: To be determined</p> <p>Proposed date of entry into force: 20 days from publication in the Official Journal of the EU (The provisions shall apply from 6 months after the entry into force of this Regulation)</p>
<p>10. Final date for comments: 90 days from notification</p>
<p>11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>European Commission, EU-TBT Enquiry Point, Fax: + (32) 2 299 80 43, E-mail: grow-eu-tbt@ec.europa.eu</p> <p>The text is available on the EU-TBT Website : http://ec.europa.eu/growth/tools-databases/tbt/en/</p> <p>https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021PC0346&qid=1628522210573</p> <p>https://members.wto.org/crnattachments/2022/TBT/EEC/22_2736_00_e.pdf https://members.wto.org/crnattachments/2022/TBT/EEC/22_2736_01_e.pdf</p>