

Resolution on the safety of products and particularly toys

2007/2624(RSP) - 26/09/2007 - Text adopted by Parliament, topical subjects

In adopting a joint resolution on the safety of products, particularly toys, MEPs called on the Commission and the Member States to take all necessary legislative and administrative action to ensure that consumer goods that are marketed within the EU not only comply fully with existing EU standards but also do not put the health and safety of consumers at risk. The resolution was adopted with 660 votes in favour, 18 against and 7 abstentions.

Revision of the Toys Directive: Parliament called on the Commission to present the planned revision of the Toys Directive by the end of 2007, making sure it included efficient and effective requirements for product safety, as public health and consumer protection considerations play an important part in the Toys Directive. Much clearer provisions were needed to ensure the safety of products and to provide consumers with confidence in their safe use. Specific implementing measures for the key requirements should be adopted in comitology by means of the regulatory procedure with scrutiny, thus allowing Parliament a certain level of control over the implementation of toy safety provisions. The revision of the Toys Directive must contain unconditional prohibitions of certain hazardous chemicals, such as all substances that are carcinogenic, mutagenic or toxic to reproduction in categories 1, 2 or 3, and of other toxic substances of similar high concern, such as endocrine disrupters, sensitisers or fragrances. The Commission must improve enforcement of the Toys Directive, including by providing effective sanctions for non-compliance.

Control of CE and other markings: MEPs called on the Commission to ensure that the CE marking is a guarantee of compliance with EU technical legislation, and stressed that the CE marking, given its self-regulatory character, was never intended to be an EU-wide safety mark. The Commission was urged to assess the added value of creating a common European Consumer Safety Label, complementary to the CE marking, to be used by all economic operators, thus helping the consumer to make an informed choice between products. This European Consumer Safety Label must be voluntary and, when adopted by a producer, should replace all national safety labels. The Commission, together with the Member States, should defend consumers' rights whenever there is evidence of deceptive behaviour and/or use of fraudulent or misleading origin markings by foreign producers and importers. Parliament called on the Commission to clarify the liability of producers and importers in the event of misuse of the CE marking. Adequate penalties for misuse should be provided for, and misuse of other voluntary markings also must be made subject to penalties.

RAPEX system: the effectiveness of the Community Rapid Information System (RAPEX system) should be increased so as to ensure that Member States could detect the maximum number of unsafe products in order to ensure their withdrawal or recall from the market. In order to make it possible to measure the effectiveness of product recalls, the Commission must include monitoring and reporting in the RAPEX system.

Product traceability and measures against counterfeiting: Parliament felt that consumers were entitled to know the origin of products imported into the EU and that surveillance authorities must have proper information with which to trace the source of products. The Council should agree to the current Commission proposal for a Council regulation on the indication of the country of origin of certain products imported from third countries.

Ban on imports of dangerous consumer goods: Parliament called on the Commission to clarify, on a case-by-case basis, the procedure to be followed as regards import bans when safety standards are regularly not met. It urged the Commission to use its powers to ban consumer goods from the market if they are found to be unsafe.

Cooperation with China and other third countries: cooperation with the relevant authorities in those third countries that are major exporters of consumer goods to the EU should be reinforced, and in particular with the Chinese General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ). The Commission must provide technical assistance to third country authorities in order to ensure the implementation of health and safety rules throughout the entire production chain. Parliament also asked the Commission to clarify its current trade policy in relation to potential dangerous products in general, and toys and textiles in particular, and to clarify how it intended to ensure consistency between the restrictive application of current rules and the compelling necessity to guarantee the right of European citizens to safe products.

Role of the Member States: Parliament called on Member States to ensure the strict enforcement of product safety laws, particularly in relation to toys, and to step up efforts to improve market surveillance and national inspections in particular. Member States must make full use, in compliance with Community law, of all possible legal means available to them of ensuring that non-compliant or unsafe toys were prevented from being placed on the market or are withdrawn or recalled from the market.