Protection of consumers: general product safety (rev. Directive 92/59/EEC)

2000/0073(COD) - 03/12/2001 - Final act

PURPOSE : to establish rules on product safety. COMMUNITY MEASURE : Directive 2001/95/EC of the European Parliament and of the Council on general product safety. CONTENT: The directive aims to ensure that products placed on the market are safe, and places the obligation to place only safe products on the market on producers. The products covered are those intended for consumers or likely to be used by consumers, supplied in the course of a commercial activity or the provision of a service. The directive excludes from its scope antiques and products sold with a view to being reconditioned before use, provided that the supplier informs the consumer of this. It lays down criteria designed to ensure the general safety requirement, but this does not bar Member States from taking action to withdraw or recall the product if there is evidence that, despite conformity to the criteria, the product is dangerous. The directive lays down the procedure for drawing up European standards, reference to which forms part of the criteria for determining product safety. There are specific obligations placed on producers and distributors, including the obligation to cooperate with the competent authorities on action to avoid the risks posed by products which they supply. The procedures for such cooperation will be established by the competent authorities. Producers must warn consumers of the risks posed by those products already supplied to them, and if necessary, recall products to avoid risks. Distributors must collaborate in tracing the products they supply. There are also specific obligations and powers for Member States. These include appropriate means and procedures to ensure market surveillance. The Commission will take part in and promote a European network for product safety. There are specific provisions for exchanges of information and rapid intervention situations, in cases of serious risk. DATE FOR TRANSPOSITION : 15 January 2004. ENTRY INTO FORCE : 15 January 2002.