

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

2000/0073(COD) - 17/10/2000

The committee adopted the report by Laura GONZÁLEZ ÁLVAREZ (EUL/NGL, E) amending the directive under the codecision procedure (first reading). While broadly welcoming the proposal, the committee felt that a number of its provisions needed to be reinforced or clarified. For example, it wanted to introduce a reference to the precautionary principle so that the competent authorities could take the necessary measures to prevent serious risks, even in the absence of final and complete scientific evidence. It also felt that the Member States' obligations regarding the withdrawal or recall of dangerous products and the issue of warnings to consumers should not be made contingent on measures taken by producers and distributors. The obligations of producers and distributors, on the other hand, should not be confined to information and recall; instead, they should also be responsible for compensating any damage caused. The committee also tightened up the consumer information requirements, calling for warnings affixed to products to be worded clearly, comprehensively and in the language of the country where they were placed on the market. In addition, it tightened up the obligation on the Commission and the Member States to establish the proposed European Product Safety Network, within a year of the transposition of the directive. However, the committee felt that the provisions of the directive should not apply to second-hand goods sold in street markets, car-boot sales, charity shops and other informal second-hand sales outlets. It pointed out that the latter would not always be able to provide information and documentation on product risks and product origin. If charity shops, for example, were unable to operate, this would cause great damage to charities, particularly in the UK and Ireland. However, the committee felt that the general principle of availability of information for consumers should be observed, in accordance with the principle of transparency.