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

2000/0073(COD) - 14/12/2004 - Implementing legislative act

ACT : Commission Decision 2004/905/EC laying down guidelines for the notification of dangerous consumer products to the competent authorities of the Member States by producers and distributors, in accordance with Article 5(3) of Directive 2001/95/EC of the European Parliament and of the Council.

CONTENT : in order to prevent a disproportionate burden on producers, distributors and the competent authorities and to facilitate the effective application of this obligation it is appropriate to establish, in addition to a standard form, operational guidelines concerning the most relevant notification criteria as well as practical aspects of notification, which are put forward in particular in order to assist producers and distributors in the implementation of the provisions laid down in Article 5(3) of Directive 2001/95/EC.

The objectives of these guidelines are therefore to:

- clarify from the operational point of view the scope of producers' and distributors' obligations in such a way that only the information relevant for risk management is notified and that any information overload is prevented;

- make reference to relevant criteria for applying the concept of 'dangerous products';

- provide criteria for identifying the 'isolated circumstances or products' for which notification is not relevant;

- define the content of notifications, in particular the information and data required, and the form to be used;

- identify to whom and how the notification should be submitted;

- define the follow-up action to be taken by the Member States receiving a notification and the information to be provided on such follow-up.

These are operational guidelines. These guidelines have been adopted by the Commission, after consultation of the Member States within the GPSD Committee acting in accordance with the advisory procedure. They therefore represent the reference document for the application of the provisions of the GPSD concerning notification of dangerous consumer products to the competent authorities of the Member States by producers and distributors.