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Proposed Consumer Product Safety Regulation: Safe Products and Fair Market

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Clarification of the Legal Framework

- Existing legal framework is confusing with the coexistence of the GPSD, vertical legislation, application of Decision 768 and Regulation 765
 - The adoption of a single Market Surveillance Regulation is an important step towards a clearer and simplified framework
 - The applicability of the Consumer Product Safety Regulation (CPSR) to products covered by vertical/harmonized Community legislation remains complex:
 - Article 2.4: Exemptions from Chapter II to IV
 - Continued application of Decision 768?
- Consider further clarifications/simplifications: e.g.
- Extend exemptions from scope for other regulated sectors
 - Or remove Decision 768 provisions from vertical legislation

Proportionality of the Legal Requirements

- Risk based approach:
 - Compliance and Safety are two different concepts
 - CPSR should focus on safety and risk, not on compliance
- Fair distribution of responsibilities in the supply chain:
 - EU based manufacturers/importers should have the main responsibility to ensure safety but also to decide when their products presents a risk
 - Role of distributors to be reviewed to ensure proportionality e.g. Avoid duplicate notification obligations
- Notification of products presenting a risk:
 - Consider optional centralized notification with EC Commission