



# Regulatory News Alerts & Updates

## **Regulatory Alert: European Union General Product Safety Regulation (GPSR)**

December 12, 2024

### **BACKGROUND:**

Regulation (EU) 2023/988 on general product safety (GPSR) will enter into force on December 13, 2024, and will replace the current General Product Safety Directive and the Food Imitating Product Directive.

The purpose of the GPSR is to ensure the safety of all consumer products present on the EU market. The regulation establishes specific obligations for businesses to ensure it.

### **What are the in-scope products?**

The Regulation is a framework regulation, with no specific scope. The content of the regulation applies to any product made available on the EU market, regardless of whether it is new, used, repaired or refurbished, including distance selling.

In addition, where products are subject to specific safety requirements imposed by EU law, GPSR applies to aspects and risks or categories of risks not covered by these requirements.

### **What does it mean to FedEx and customers?**

GPSR imposes new obligations on manufacturers, importers, distributors and providers of online marketplaces. For each product covered by the regulation, there must be a responsible economic operator in the EU (an EU manufacturer, importer, authorised representative or a fulfilment service provider) entrusted with tasks relating to the safety of the product.

Customs authorities in the country of import may suspend the release of product into free circulation if during inspections, it is established that:

*Content Intended for FedEx customers only*

- The product is not accompanied by the documentation required by the Union law applicable to it or there is a reasonable doubt as to the authenticity, accuracy or completeness of such documentation.
- The product is not marked or labelled in accordance with the Union law applicable to it.
- The product bears a CE marking or other marking required by the Union law applicable to it which has been affixed in a false or misleading manner.
- The name, registered trade name or registered trademark and the contact details, including the postal address, of an economic operator with tasks regarding the product subject to certain Union harmonisation legislation is not indicated or identifiable in proper way.
- For any other reason, when there is cause to believe that the product does not comply with the Union law applicable to it or that it presents a serious risk to health, safety, the environment or any other public interest.

Products found by the authorities to present a serious risk may be seized to prevent them being placed on the EU market.

For placing a product on the market that does not comply with the general safety requirement, both the manufacturer and the importer may be subject to high financial penalties specified in the national law of each EU country. These entities have similar obligations and bear the greatest responsibility for the product.

**It is the responsibility of the sender/ importer to determine which specific obligations apply to them and the actions they should take to ensure readiness and compliance.**

**Timeline for Implementation:** December 13, 2024

#### **References:**

Text of Regulation (EU) 2023/988 on General Product Safety

[https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L\\_.2023.135.01.0001.01.ENG&toc=OJ%3AL%3A2023%3A135%3ATOC#tit\\_1](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2023.135.01.0001.01.ENG&toc=OJ%3AL%3A2023%3A135%3ATOC#tit_1)

EU Commission Guidance on GPSR

[https://commission.europa.eu/business-economy-euro/doing-business-eu/eu-product-safety-and-labelling/product-safety/general-product-safety-regulation\\_en](https://commission.europa.eu/business-economy-euro/doing-business-eu/eu-product-safety-and-labelling/product-safety/general-product-safety-regulation_en)

Summary of the GPSR

<https://eur-lex.europa.eu/EN/legal-content/summary/general-product-safety-regulation-2023.html#:~:text=Enforcement%20of%20EU%20product%20safety%20rules%20falls%20under,surveillance%20regulati on%29%20is%20aligned%20to%20the%20extent%20possible>