

A woman with blonde hair tied back, wearing glasses and a white shirt, is smiling and looking at a laptop. She is holding a small, light-colored ceramic mug. The background shows shelves filled with various pottery items, suggesting a workshop or studio setting.

▶ **Module 7**

The General Product Safety Regulation (GPSR)

DISCLAIMER:

The information and views set out in this publication are those of the author(s) and do not necessarily reflect the official opinion of the European Commission. The European Commission does not guarantee the accuracy of the data included in this publication. Neither the European Commission nor any person acting on the European Commission's behalf may be held responsible for the use which may be made of the information contained therein.

This document is not legally binding, and it is not a formal interpretation of EU or national law, nor can it provide comprehensive or complete legal advice. It does not intend to replace professional legal advice on particular issues.

Readers should also remember that EU and national legislation is being continuously updated: any paper version of the modules should be checked against possible updates on the website www.consumerlawready.eu.

Any gender-specific terms used are intended to be inclusive of all genders.

February 2026

Table of contents

I.	Introduction to this module	6
II.	Introduction to the GPSR	9
1.	Why was the GPSR introduced?	9
2.	What is the GPSR?	9
3.	What is covered by the GPSR?	9
III.	Key principles of the GPSR	10
1.	What is the general safety requirement?	10
2.	What is the approach to risk?	10
3.	How do traceability and transparency support compliance?	10
IV.	Product safety requirements	10
1.	How should the risk assessment be conducted?	10
2.	How should vulnerable consumers be considered?	11
3.	What about emerging risks such as AI and cybersecurity?	12
4.	Can the presumption of conformity ensure compliance?	12
5.	Is it the same with harmonised legislation?	13
6.	Step-by-step risk assessment	13
V.	Obligations of economic operators	14
1.	What are the obligations of manufacturers?	14
2.	What are the obligations of authorised representatives?	15
3.	What are importers' obligations?	15
4.	What are the obligations of distributors?	16
VI.	Traceability and labelling	18
1.	What is the unique product identification?	18
2.	Contact details of economic operators	18

3.	What are the requirements for retaining documentation?	19
VII.	Market surveillance and compliance	20
1.	What is the role of national authorities?	20
2.	What is the 'Safety Gate'?	20
3.	Is there a cooperation obligation with national authorities?	21
VIII.	Corrective actions and product recalls	21
1.	When is a product recall necessary?	21
2.	What steps should be taken if a product poses a risk?	22
IX.	Provider of online market places	24
X.	Support and resources	25
XI.	Compact Overview of traceability requirements	26
XII.	Case Study: Product safety compliance in practice	27
	Annex 1 - Template for a recall notice by the European Commission	30
	Annex 2 - Checklist for a product recall	32
	Annex 3 – Label example	33

‘As a small manufacturer, we prioritised product safety and learned about legal expectations in Europe with the GPSR – trust is key.’

Business

‘When I buy products, I expect them to be safe, regardless of where they are made or purchased. It makes me feel more confident knowing that there are EU rules in place to protect us.’

Consumer

‘We sell hundreds of different products from a variety of suppliers. The GPSR provides a clear framework for checking product safety.’

Business

I. Introduction to this module

Dear Entrepreneur,

This handbook is part of the Consumer Law Ready project and is specifically aimed at micro, small and medium-sized enterprises that interact with consumers.

The Consumer Law Ready project is a Europe-wide project led by EUROCHAMBRES (the Association of European Chambers of Commerce and Industry), in partnership with BEUC (the European Consumer Organisation) and SMEUnited (the Association of Crafts & SMEs in Europe). It is funded by the European Union and supported by the European Commission. The project's objective is to help you comply with EU consumer law requirements.

EU consumer law consists of different pieces of legislation adopted by the European Union over the last 25 years and transposed by each EU Member State in their respective national law. The Consumer Law Ready project aims to improve traders' knowledge of consumer rights and their corresponding legal duties, particularly among SMEs. The consortium has developed a new module on the General Product Safety Regulation¹ to provide entrepreneurs with valuable information on their rights and obligations regarding product safety.

The Handbook consists of seven modules. Each one deals with one particular topic of EU consumer law:

- Module 1 deals with the rules on pre-contractual information requirements
- Module 2 presents the rules on the consumer's right to withdraw from distance and off-premises contracts
- Module 3 concentrates on the remedies which traders must provide when do not conform with the contract
- Module 4 focuses on unfair commercial practices and unfair contract terms
- Module 5 introduces alternative dispute resolution
- Module 6 presents the main information entrepreneurs need to know when using platforms to sell their goods and services
- Module 7 addresses questions relating to product safety requirements and obligations.

This handbook is one of the learning materials created as part of the Consumer Law Ready project. The project's [website](#) contains additional learning tools, including videos, quizzes and an 'e-test', which you can use to obtain a certificate. You can also connect with experts and other SMEs through a forum.

Module 7 focuses on one of the most significant recent developments in EU consumer law: the General Product Safety Regulation (GPSR)², which is applicable since 13 December 2024. This regulation directly affects businesses like yours. Whether you sell online or in a physical shop and whether your products are new or refurbished, the GPSR sets out rules to ensure that everything you offer is safe for your customers.

The GPSR reflects the realities of a rapidly changing marketplace. As smart technologies, digital products, and cross-border e-commerce have become more popular, the risks to product safety have become more complex, and the GPSR

¹ Regulation (EU) 2023/988 of the European Parliament and of the Council of 10 May 2023 on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council and Directive (EU) 2020/1828 of the European Parliament and the Council, and repealing Directive 2001/95/EC of the European Parliament and of the Council and Council Directive 87/357/EEC.

² For the entire text: [Regulation - 2023/988 - EN - EUR-Lex](#)

is the EU's response to this. It introduces stricter obligations for all economic operators, including online marketplaces. These include conducting internal risk assessments, maintaining up-to-date technical documentation, timely accident reporting, and improving procedures for product recalls and safety warnings. The GPSR also gives consumers stronger rights when safety issues arise.

However, the GPSR is not just a compliance requirement, it's also an opportunity. By incorporating safety into your business practices, you can minimise risks, avoid expensive setbacks and enhance customer confidence. In today's competitive market, adopting a safety-conscious approach is not only responsible, but also a smart business strategy.

To gain a deeper understanding of the legal provisions, we encourage you to consult the [European Commission's official guidance on the GPSR](#), which is available in all EU languages.

We invite you to dive into this module, familiarise yourself with the GPSR, and discover how it applies to your business. We hope that, with the help of this handbook, you will be able to navigate the evolving product safety landscape with confidence and turn legal requirements into practical advantages.

The Consumer Law Ready Project Team

II. Introduction to the GPSR

1. Why was the GPSR introduced?

One of the main reasons for the introduction of the GPSR was the emergence of new technologies and the growth of online trade. The regulation responds to the increasing digitalisation of products, and the urgent need for updated related rules. The core objective of the GPSR is to ensure that only safe products are sold to consumers in the internal market, regardless of their origin or whether they are sold online or offline. The GPSR serves as a safety net for products not covered by specific EU harmonisation legislation. Furthermore, the regulation aims to maintain a high level of consumer protection and improve the functioning of the internal market.

2. What is the GPSR?

The GPSR represents a significant overhaul of EU product safety legislation after over two decades. It came into effect on 12 June 2023, and has applied to consumer products (B2C) across the EU since 13 December 2024. It repealed and replaced the previous General Product Safety Directive.



3. What is covered by the GPSR?

The GPSR broadly applies to B2C products sold in the EU, regardless of their origin or sales channel. The GPSR serves as a **'safety net for consumers'**. This means that it addresses product safety issues and risks **not covered by other specific EU legislation**. Its aim is to fill any gaps and complement existing or future sector-specific EU legislation, thereby ensuring a broad-based, horizontal legislative framework for consumer product safety. This helps to avoid overlaps while guaranteeing a clear legal framework. In essence, the GPSR addresses issues that more specific EU product safety rules might miss, thereby ensuring a high level of consumer protection.

Example: A Spanish online retailer is offering a smart aroma diffuser that was manufactured in China. The product connects to Wi-Fi and can be controlled via a mobile app. As it operates at low voltage and does not transmit data externally, it is not covered by any specific EU harmonisation legislation. However, a safety concern has arisen: a software update has caused the device to overheat in certain cases, posing a fire risk.

Although this diffuser is not fully regulated by existing EU harmonised legislation, it still poses a serious risk to consumers, a gap that the GPSR is designed to close. The regulation's broad scope, risk management approach, traceability obligations, and digital enforcement tools ensure no product is overlooked.

Specifically, the GPSR applies to consumer products. This includes any item, whether connected to other items or not, that is supplied or made available, whether they are sold, given away for free, or provided as part of a service. A product is considered as such if it is intended for consumers, or if it is reasonably foreseeable that consumers will use it, even if it was not specifically designed for them. The regulation explicitly covers new, used, repaired, or reconditioned products. There are certain exceptions for products that consumers would not reasonably expect to meet current safety standards, such as historical collector's items.

Examples of products subject to the GPSR: a new household appliance sold in a shop; a used bicycle offered online; a refurbished smartphone sold by a small retailer; or a free promotional USB stick given to customers. **The GPSR generally does not apply to:**

- Human and veterinary medicinal products
- Food and animal feed
- Live plants and animals
- Animal by-products and derived products
- Plant protection products
- Transport vehicles
- Antiques or collectors' items of historical significance where consumers cannot reasonably expect them to meet current safety standards
- Products requiring repair or reconditioning, provided they are clearly marked as such before being placed on the market

III. Key principles of the GPSR

1. What is the general safety requirement?

The general safety requirement is a fundamental principle of the GPSR. It states that economic operators may only place or make available safe products on the market. The primary objective of the GPSR, and consequently of this requirement, is to ensure the safety of all consumer products on the EU market. The general safety requirement aims to improve the functioning of the internal market while ensuring a high level of consumer protection. It is the most important requirement of the GPSR.

Under the GPSR, '**safe**' primarily means that only products presenting minimal risk that are compatible with a high level of consumer health and safety should be placed on the market.

More precisely, a '**safe product**' is defined as any product that doesn't pose risks to consumers, or only poses

minimal risks considered acceptable, under normal or reasonably foreseeable conditions of use (including the expected duration of use).

Example: A handmade candle that burns without releasing harmful fumes or tipping over easily is considered a safe product.

2. What is the approach to risk?

The GPSR introduces a **proactive approach to product safety and risk management** for consumer products on the EU market. This contrasts with a purely reactive approach, as it emphasises the importance of taking measures before harm occurs or becomes widespread.

3. How do traceability and transparency support compliance?

To ensure safety, information about the products and easy access to this information are key. Under the GPSR, **transparency** involves making essential product safety information clear, accessible, and understandable to consumers and authorities alike.

Traceability ensures that products can be tracked throughout the supply chain, facilitating the identification of dangerous goods and enabling swift corrective actions, such as recalls.

Chapter XI provides an overview what this means for SMEs.

IV. Product safety requirements

1. How should the risk assessment be conducted?

A product's risk assessment is based on several evaluation criteria that determine whether it could pose a danger:

- **Product characteristics:** This encompasses the product's composition, packaging, instructions for assembly, installation, maintenance, and its expected lifetime.
Examples: Material, size of packaging, whether it heats up, moves, or connects to the internet, etc.
- **Effect on other products:** If joint use with other products is expected, how their interaction must be considered.
- **Product presentation:** This includes labelling, warnings, instructions for use and operation, disposal information, and all other product-related data.
- **User groups:** Vulnerable user groups, such as children or the elderly, must be given special attention. Further information in section IV.2.
- **Cybersecurity features:** If the nature of the product requires it, adequate cybersecurity features must be integrated to protect it from external influences, including malicious ones, if these could affect product safety.

When it comes to digital products, you could simply ask yourself: Does my product protect itself from hacking or dangerous interference?

- **Evolving, learning, and predictive functions:** These are features where the product's behaviour changes based on how it's used, such as a smart light that adjusts automatically over time. These functions must be considered if the nature of the product's requires it.
- Products must be accompanied by clear, easy-to-understand **instructions and safety information** in the language specified by the Member State in which the product is made available.

In Malta, GPSR product instructions and safety information (including labelling) must be in either Maltese or English.

This requirement does not apply if the product can be used safely without such instructions and safety information.

Think about who will use your product, how they will use it, and whether it could cause harm during normal, foreseeable use. Keep records showing that you have considered these factors before selling.

For example, if you are selling a smartwatch that needs regular updates, consider cybersecurity. Similarly, if you are selling a candle in a breakable glass, test the heat resistance and label it properly.

2. How should vulnerable consumers be considered?

When it comes to product safety, economic operators (particularly manufacturers) must consider vulnerable groups, such as children, the elderly and people with disabilities, and take various aspects into account. Products intended for these groups must be particularly safe and therefore require special consideration.

The following is required for vulnerable consumers:

Safety assessment considerations:

- When assessing the safety of a product, economic operators must specifically consider **categories of consumers who are more at risk**, such as **children, older people, and people with disabilities**.
- The effects of gender-specific differences on health and safety when using the product must be examined.
- The safety assessment of all products should also take into account their **accessibility for persons with disabilities**.
- This includes considering the product's design, technical features, composition, packaging, instructions, and intended or reasonably foreseeable use, as well as its interaction with other products, ap-

pearance, labelling, warnings, and instructions for safe use and disposal.

Clear and accessible information:

- Manufacturers must ensure that **clear instructions and safety information** are provided with the product in a language that is easily understandable by consumers in the Member State in which the product is placed on the market. This requirement does not apply if the product can be safely used without such instructions.
- In online offers, economic operators must provide **clear and easily visible information**, including manufacturer details, product identification, and **any warnings or safety information** that would typically accompany the product. This information must also be in a language easily understandable by consumers.
- Recall notices and safety warnings disseminated through various channels must be **accessible to persons with disabilities**.

3. What about emerging risks such as AI and cybersecurity?

Most SMEs must consider new and emerging risks, such as **cybersecurity** and **artificial intelligence (AI)**, comprehensively.

If you sell connected devices, make sure that they do not introduce risk at the point of sale nor through updates, during the whole lifetime of the product.

The following aspects are relevant:

- Internal risk analysis and technical documentation, as previously mentioned.
- **Expanded safety assessment criteria:** The GPSR broadens and tightens the criteria for assessing product safety. Specifically, the following points must be considered. **Adequate cybersecurity fea-**

tures: It must be verified that the product has the necessary cybersecurity functions to protect it from external influences, including malicious third parties, in cases where such influences could affect the product's safety.

- **Evolving, learning, and predictive functions:** If the nature of the product requires it, its evolving, learning, and predictive functions must be included in the safety assessment. This also includes interactions with other products, if their joint use is reasonably foreseeable.
- **Digital components and software updates:** The regulation addresses the increasing digitalisation of products. If a product's properties change significantly due to software updates, a new risk assessment may be necessary. National authorities can intervene if products pose new risks due to their digital components.

The GPSR thus ensures that product regulations address the challenges posed by digital products and new technologies, providing a comprehensive level of protection for all EU consumers.



4. Can the presumption of conformity ensure compliance?

The **presumption of conformity** supports the general safety requirement. A product is presumed to comply

with this requirement if it adheres to relevant European harmonised standards, where the references to them have been published in the Official Journal of the EU (OJEU).

This presumption only applies to risks covered by these standards. A full risk assessment should be conducted for any other risks that are not covered.

Existing European standards and detailed information can be found at the European committees for standardisation [CEN and CENELEC](#) or national standardisation bodies. Further, the European Commission is regularly publishing a list of references to standards which have been published in the OJEU's [website](#).

However, manufacturers still have to ensure that their products are designed and manufactured in line with the general safety requirement. This is because **the presumption of conformity only relates to the risks and aspects set out in the relevant standards**. The GPSR acts as a safety net for everything else. When preparing the technical documentation, manufacturers must include a list of all the European standards that they have used to claim the presumption of conformity. It is important to note that the presumption of conformity is not absolute; the fact that a product is presumed to comply doesn't prevent market surveillance authorities from taking appropriate measures if they have evidence that the product is dangerous. In practice, adherence to standards makes it easier to demonstrate compliance with the general safety requirement, but does not remove the responsibility to place only safe products on the market.

5. Is it the same with harmonised legislation?

'Harmonised' in this context refers to EU legislation setting out common rules for placing products on the market. These rules are listed in Annex I to [Regulation \(EU\)](#)

[2019/1020](#), as well as in other legislation covered by this regulation.

The GPSR primarily targets 'non-harmonised products' which are consumer products for which there are no specific EU harmonisation laws (e.g. machinery). However, some new provisions of the GPSR do apply to harmonised products or are applied in addition, to cover aspects and risks not already regulated by specific harmonisation directives or regulations. The general rule is that existing EU regulations for harmonised products (such as the Low Voltage Directive, the Radio Equipment Directive, or the Machinery Directive) remain in force.

In this context, the GPSR acts as a "safety net", coming into effect where specific EU harmonisation legislation does not exist, or does not cover certain risks or risk categories.

Gap-Filling Thesis: The GPSR fills gaps in harmonisation legislation where specific requirements, such as certain manufacturer, importer, or dealer obligations related to material safety, are missing. For instance, if the Machinery Directive lacks specific importer or dealer duties, the GPSR's provisions would apply to fill these gaps.

6. Step-by-step risk assessment

This risk assessment is based on the [guidelines on the GPSR](#) and is a non-exhaustive list of elements that should be considered when assessing the risk of a product:

- What are the characteristics of the product? For example design, technical features, composition, packaging and instructions.
- If the product is intended for use alongside other products, an analysis of its effects on them and vice versa must be carried out.

Example: A smart home thermostat that is controlled by a smartphone app. You have to analyse the effects of the thermostat on the app, and the effects of the app on the thermostat. Safety features of both should be taken into account.

- Consideration of the presentation of the product, and which safety information, labels, warnings and instructions for its safe use and disposal are needed to attach to the product or its packaging.

Example: Notice on the product, that says that this product is not suitable for children under 3 years old because of choking hazard.

- Consideration of the groups of consumers who might use the product and the potential risks that the product might have to different groups. Special attention must be paid to vulnerable consumers (see Section IV.2).
- Consideration of the appearance of the product, especially if it could cause confusion. Furthermore, should be considered whether the product, even if not intended for children, might attract their attention and therefore be used by them.

Example: A bar of soap shaped like a bar of chocolate that might fool a (vulnerable) consumer into thinking it is eatable and taking a bite. Furthermore, a lighted aroma diffuser is not intended for use by children, but its blinking lights and pleasant smell could attract them.

- Depending on the product, cybersecurity features may need to be considered, as explained in Section IV.3.
- Check if all risks related to the product benefit from the presumption of conformity (see Section IV.4). If not, other relevant international, European or national standards; Commission recommendations; the state of the art and technology; product safety codes of good practice; and safety requirements

adopted by the Commission should be taken into account. Also reasonable consumer expectations concerning safety should be considered.

V. Obligations of economic operators

1. What are the obligations of manufacturers?

A manufacturer is a natural or legal person who produces a product, or has it designed and manufactured, and markets it under their own name or brand.

Example: A small furniture workshop producing tables and selling them under its own brand is the manufacturer.



The key obligations for manufacturers under the GPSR are as follows:

- General safety requirement (see section III.1.).
- Risk analysis and technical documentation (see chapter IV.).
- **Internal procedures for ensuring the conformity of series products:** Manufacturers must implement appropriate internal procedures to ensure the continuous conformity of mass-produced products with the general safety requirements. The design of

these procedures depends on the individual case. It can be based on organisational procedures, guidelines, standards, or the appointment of an ad hoc administrator.

- **Affixing manufacturer identification information to the product.**
- **Providing clear instructions and safety information (user information).**

Complaint management: As a manufacturer, you are obliged to establish a complaints mechanism via publicly accessible communication channels (e.g. telephone, electronic address or dedicated website section). Consumers must be able to submit complaints and report information about accidents or safety issues through these channels. Manufacturer have also to investigate incoming complaints and maintain an internal record of these, as well as of product recalls and corrective actions.

- **Accident reporting obligations:** See Section VIII.1 for details.
- **Measures for dangerous products:** See Chapter VIII for detailed recall procedures.

2. What are the obligations of authorised representatives?

An authorised representative is a natural or legal person who is established within the EU who has received a written mandate from a manufacturer outside the EU to act on their behalf in relation to compliance obligations. This role is particularly important for manufacturers based outside the EU, as it ensures that a responsible entity for product safety is established within the EU.

Example: A brand from outside the EU that sells in the EU may appoint a consultancy firm in Spain as its authorised representative to handle the necessary regulatory paperwork.

The key obligations are:

Fulfilment of the manufacturer's obligations.

- **Cooperation with market surveillance authorities**
Information obligations: If an authorised representative has reason to believe that a product poses a danger, they must inform the manufacturer. They must also inform the relevant authorities about all corrective measures taken to mitigate risks, including notifications via the Safety-Business-Gateway.

3. What are importers' obligations?

An importer is defined as any natural or legal person based in the EU who brings a product from a non-EU country into the EU market.

Example: A shop in Italy that orders kitchenware directly from Vietnam and sells it locally would be considered an importer.



As an importer, you have the following obligations:

- Verification duty (before placing on the market):**
 - The importer must ensure that the product complies with the general safety requirements.
 - The importer must proactively verify that the manufacturer has fulfilled their obligations under the GPSR before placing a product on the market. This implies an active verification process to ensure that the manufacturer has conducted an internal risk analysis and prepared the necessary technical documentation.

- As an importer, you are generally not required to conduct your own risk assessments, but must check that the required information is available from the manufacturer.
- Check that the product bears a type, batch, or serial number or other identifier.
- You must also confirm that the manufacturer's name, registered trade name or trademark, postal address, and electronic address are indicated on the product, its packaging, or an accompanying document, and that this information is not obscured.

Prohibition of market placement in case of non-conformity:

- If there are reasons to believe that a product does not conform with general safety requirements or is dangerous, the product must not be placed on the market.

In such cases, the importer must inform the manufacturer and the market surveillance authorities via the [Safety-Business-Gateway](#) without undue delay.

b. Attach importer information.

c. Instructions and safety information.

d. Storage and transport conditions:

- Importers are responsible for ensuring that the storage and transport conditions do not endanger the safety of the product.

e. Technical documentation retention:

- Importers must keep a copy of the manufacturer's technical documentation for a period of ten years from the date the product was placed on the market. This documentation must be made available to market surveillance authorities upon request.

f. Cooperation and corrective measures:

- Importers must cooperate with market surveillance authorities and the manufacturer to ensure product safety.
- If an importer determines that a product is dangerous, they must inform the manufacturer and take the necessary corrective measures. Full details of these measures can be found in chapter VIII.

g. Communication channels and complaint management:

- Importers must verify that the manufacturer has established publicly accessible communication channels (e.g., telephone number, electronic address, or website section) through which consumers can submit complaints and report accidents or safety problems related to the product.
- They must also maintain an internal register of complaints, product recalls, and corrective measures, communicating the results to the manufacturer, distributors, and online marketplaces.

h. Accident reporting:

- Importer and distributors have an accident-related reporting obligation towards the manufacturer. This enables the manufacturer to fulfil their reporting duties regarding qualified accidents. Further details can be found in section VIII.1.

i. Direct consumer information recalls/ safety warnings):

- See Chapter VIII for detailed recall procedures.

4. What are the obligations of distributors?

A distributor is a natural or legal person in the supply chain, who isn't the manufacturer or importer, and who makes a product available on the market. Distributors

usually buy products from manufacturers or importers and then resell them wholesale or directly to consumers.

Example: A local retailer that buys toys from an EU-based importer and sells them in their shop is a distributor.

The key obligations of distributors are as follows:

- **Verification duty (before placing on the market):**
Before making a product available on the market, a distributor must **verify** that the manufacturer, and the importer if applicable, have fulfilled their obligations under the GPSR. This verification includes ensuring that the product bears:
 - A type, batch, or serial number, or other identifier.
 - The manufacturer's name, registered trade name or trademark, postal address, and electronic address.
 - Clear instructions and safety information in a language easily understood by consumers in the Member State where the product is made available. The requirement for instructions may be waived if the product can be safely used without them.
 - This is primarily a formal verification duty, meaning distributors check for the presence of these details, rather than their substantive accuracy.
- **Non-placement of dangerous products:** A dangerous product is any product that does not meet the safety requirements defined in section IV. Distributors must not place products on the market if they have reason to believe that a product does not comply with the general safety requirement or is dangerous. They must **inform the manufacturer or importer** as well as the relevant **market surveillance authorities** via the Safety-Business-Gateway, without undue delay.
- **Storage and transport conditions:** Distributors are responsible for ensuring that these conditions do not endanger the safety of a product.
- **Internal procedures for product safety:** Distributors must ensure that they have the appropriate internal procedures in place to maintain product safety throughout their operations.
- **Cooperation and corrective measures:** Distributors must cooperate with market surveillance authorities and the manufacturer to ensure product safety. If a distributor determines that a product is dangerous, they must inform the manufacturer or importer and ensure that the necessary corrective measures are taken. These measures can include removing the product from sale (both online and offline) and recalling it from the market. They must also report this to the Safety-Business-Gateway.
- **Communication channels and complaint management:**
 - Distributors must verify that the manufacturer has established **publicly accessible communication channels** (e.g. telephone, electronic address or website section) through which consumers can submit complaints and report accidents or safety problems related to the product.
 - If the manufacturer has not established such channels, the **distributor must establish one themselves**.
 - They must maintain an **internal register of complaints**, product recalls, and corrective measures, and communicate the results to the manufacturer, other distributors, and online marketplaces.
 - Distributors are also obligated to report **product-related accidents** to the manufacturer, enabling them to fulfil their own reporting duties regarding qualified accidents

(those leading to death or serious adverse health effects).

- **Technical documentation retention:** Although manufacturers are primarily responsible for retention, distributors must be able to provide all the necessary information and documentation to demonstrate product conformity if requested by market surveillance authorities.
- **Product recalls and safety warnings:** See Chapter VIII for detailed recall procedures.

If you fulfil multiple roles (e.g. importer and distributor), you must meet the requirements for all.

VI. Traceability and labelling

1. What is the unique product identification?

Although the GPSR does not define the term 'unique product identification' explicitly, it does require specific information to be provided to enable **clear identification of a product**, particularly in the context of e-commerce and distance sales. These requirements are essential for ensuring consumer safety and traceability in the digital marketplace. For full traceability requirements, see chapter XI.

1. Product identification on physical products

A compliant GPSR label template should be clear and accessible, and contain the following:

- **Header section:**
 - Company logo
 - Product name
- **Identification section:**
 - Model/batch/serial number
 - Manufacturer information, including the EU Responsible Person if applicable
- **Safety and warning section:**

- Clear hazard warnings
- Usage instructions

- **Contact section:**

Please see the next section for more information.

2. Additional requirements for online sales

For products placed online, it is necessary to display the information for the product identification mentioned above. In addition, the following must be stated:

- A picture of the product
- All necessary warnings and safety information that are shown on the product or accompanying it.

Keep in mind: Simply showing pictures of the packaging is not sufficient to fulfil this obligation. The online information and the physical instructions accompanying the product must be consistent. Providing only a 'Quick Start Guide' online if it doesn't contain all safety relevant information constitutes a violation of the GPSR.

2. Contact details of economic operators

The GPSR establishes clear guidelines on how economic operators must provide their **contact details** to ensure **traceability, transparency, and consumer safety**.

1. For manufacturers and importers (Physical labelling)

The following must be provided on the **product itself**, or, if this is not possible, on the **packaging or accompanying documents**:

- Name or trade name/trademark
- Full **postal address** (deliverable)
- **Electronic address** (can be an email or a website contact form)
- If different, the address of a **single contact point**

- If the manufacturer is **not in the EU**, also include the contact details of the **EU responsible person**.

2. Online sales

For **all online offers** (new or used), the following must be **clearly displayed**:

- Full contact details of the manufacturer as prescribed above.
- A single point of contact where consumers can contact the provider of an online marketplace, directly regarding any product safety issues.



3. What are the requirements for retaining documentation?

The GPSR introduces specific requirements for retaining documentation to enhance product safety in the digital age. The specific requirements are as follows:

• Technical documentation

What: Manufacturers must conduct an internal risk analysis and create technical documentation before placing products on the market. This documentation includes a general description of the product and its essential characteristics relevant to safety assessment. It also encompasses an analysis of potential product risks and the solutions chosen to

eliminate or mitigate them, including the results of any tests conducted by or for the manufacturer.

Who: Manufacturers are responsible for ensuring these technical documents are up to date and for making them available to market surveillance authorities upon request. Importers are also required to keep a copy of the technical documentation prepared by the manufacturer at the disposal of market surveillance authorities.

How long: Both manufacturers and importers must retain this technical documentation for a period of ten years after placing the product on the market.

• Complaint registers and personal data

What: Manufacturers must establish publicly accessible communication channels through which consumers can submit complaints and report accidents or safety concerns. When such complaints are received, manufacturers must investigate them and maintain an internal record (register) of these complaints. This register must also document product recalls and any corrective measures taken.

Who: This obligation primarily falls on manufacturers. Importers must also establish similar channels and internal registers, and communicate the results to the manufacturer.

How long: Any personal data stored in this register must only be kept for as long as necessary for investigating the complaint about an allegedly dangerous product, and in no event longer than five years after the data has been entered.

• Traceability information (supplier and customer Data)

What: The GPSR emphasises product traceability throughout the supply chain. This involves the collection and storage of data to identify the product, its components, and the economic operators in-

volved in its supply chain. This includes supplier and customer data.

Who: All economic operators are equally responsible for maintaining this traceability data.

How long: Information for product traceability, specifically supplier and customer data, must be retained for six years.

VII. Market surveillance and compliance

1. What is the role of national authorities?

National authorities, particularly market surveillance authorities, play a crucial role in ensuring product safety under the GPSR. Their extensive responsibilities aim to enhance consumer protection in an increasingly digital and globalised market.

In Malta the market surveillance authority for GPSR is the MCCA

Here's a breakdown of their key roles:

- **Enforcement and market surveillance**

National authorities are primarily responsible for ensuring product conformity and safety within their jurisdictions. Among others, this includes gathering information and inspecting the technical documentation of products upon request.

Authorised representatives must transmit the required information and documentation regarding product safety to the Market Surveillance Authorities upon a justified request. Importers must also keep the manufacturer's technical documents for 10 years and ensure they are ready for inspection by the authorities upon request.

- **Operation of the Safety Gate system**

The national authorities exchange information regarding dangerous products through the Safety Gate system. See next section for detailed information on the Safety Gate system.

- **Receiving accident reports**

- National authorities are the **recipients of accident reports** from manufacturers.
- These reports are mandatory for accidents resulting in death or serious adverse effects on human health and safety. These reports are intended to provide valuable information for market surveillance and to help identify potentially dangerous product categories.
- They are expected to react to these reports, which could potentially lead to warnings or recall.

- **Information and Documentation Management**

- They can **request technical documentation** from manufacturers, who are required to retain this for ten years after placing a product on the market.
- Authorised representatives and importers must also provide the market surveillance authorities with the necessary information and documents to demonstrate product safety upon request.
- They also ensure that clear instructions and safety information are provided in a language easily understood by consumers in their respective Member State.

- **Sanctioning of Violations**

- Member States are **required to establish sanctions** for violations of the GPSR

In Malta, offences under the GPSR and the Implementing Regulations are dealt with under Part IV of the Product Safety Act.

2. What is the 'Safety Gate'?

The **Safety Gate**, formerly **RAPEX system**, is a modernised and expanded rapid alert system for dangerous products within the EU. It collects and disseminates vital

information, enabling authorities to react quickly to threats and helping economic operators fulfil their obligations. It also empowers consumers to make informed decisions about product safety.

The Safety Gate system comprises **three main elements**:

- **Safety Gate Rapid Alert System**: This system serves as a rapid alert mechanism for **exchanging information on dangerous products** and the corrective measures undertaken by economic operators or national authorities.
- **Safety Gate Portal**: This public-facing web portal provides citizens with **free access to selected information** from the rapid alert system. Consumers can use the **Consumer Safety Gateway** to inform the Commission about products that might pose a risk to health and safety. It helps consumers to identify any dangerous products that they may have purchased and to understand any associated recalls or safety warnings.
- **Safety Business Gateway**: This web portal is **specifically designed for economic operators** and online marketplace providers. They must use it mandatorily to report dangerous products and product-related accidents. National authorities can then use this information to create an alert in the Safety Gate Rapid Alert System to share information for other Member States and prevent further injuries caused by the product. A summary of this information will also be published on the Safety Gate Portal.

The key roles and functionalities of the Safety Gate are:

- **Information exchange**: Facilitates the exchange of information on dangerous products, corrective measures between national market surveillance authorities, the European Commission, and economic operators, in case the products are also sold in other countries.

- **Enhanced enforcement**: Safety Gate provides national authorities with the necessary tools to enhance their enforcement powers, allowing them to investigate dangerous products sold online and monitor compliance.
- **Accident reporting**: economic operators must report serious accidents (those resulting in death or serious adverse health effects) via the Safety Business Gateway to national authorities. While not every accident necessitates a recall, these reports generate crucial information for market surveillance and help identify potentially dangerous product categories that may require a recall.
- **Public awareness**: Clear and visible recall notices or safety warnings are disseminated through various channels to ensure that consumers are informed and can take the necessary action.
- **Traceability and cooperation**: It enhances product traceability and fosters cooperation between economic operators, online marketplaces, and market surveillance authorities.

3. Is there a cooperation obligation with national authorities?

The GPSR requires various economic operators to provide access to compliance documentation upon request, primarily to market surveillance authorities.

The Safety Gate system facilitates this information exchange through its various components, such as the Safety Business Gateway, and ensures that the necessary documentation is available to authorities to monitor and enforce product safety across the EU market.

VIII. Corrective actions and product recalls

1. When is a product recall necessary?

A product recall is **necessary when a product poses a risk to product safety or is considered dangerous**.

If a product already on the market is **deemed dangerous**, manufacturers must immediately inform the relevant market surveillance authorities and, where appropriate, implement corrective measures.

Roles of economic operators:

Manufacturers are primarily responsible for ensuring that their products are designed and manufactured in accordance with the general safety requirement. When they become aware that their product is dangerous, they must initiate corrective measures, including recalls, and inform consumers and the relevant market surveillance authorities.

Importers must also inform authorities about dangerous products and any corrective measures taken.

Distributors must inform the manufacturer, importer and the market surveillance authorities if they have reason to believe that a product is non-compliant or dangerous. In **exceptional cases** where the manufacturer and importer fail to take necessary corrective measures, a distributor may be obliged to carry out a field action, which can include a recall or safety warning.

Consider a product recall to be like fire alarm for consumer products. Just as a fire alarm sounds when a significant hazard (fire) is detected, a product recall is triggered when a dangerous product is identified, requiring immediate and widespread action to protect the public.

2. What steps should be taken if a product poses a risk?

The GPSR requires economic operators to take a series of steps if a product poses a risk or is considered dangerous, in order to ensure consumer safety.

The key steps to take are as follows:

- **Provide immediate information to the relevant authorities and implement corrective measures:**
 - If a product already placed on the market is deemed dangerous, economic operators must immediately inform the relevant market surveillance authorities.
 - They must also inform consumers of the risk and of any corrective measures being taken.
- **Specific accident reporting (for manufacturers):** See above under section VII.2.
- **Using the Safety Business Gateway:** See above.
- **Involvement of importers and distributors:**
 - **Importers** must inform the authorities about dangerous products and the corrective measures taken. They must also inform the manufacturer.
 - **Distributors** must inform the manufacturer, importer, and market surveillance authorities if they have reason to believe a product is non-compliant or dangerous.
 - In **exceptional cases**, where the manufacturer and importer fail to take the necessary corrective measures, a distributor may be required to carry out a field action, including a product recall or safety warning.
- **Effective product recalls and safety warnings:**
 - A product recall is necessary when a product **poses a risk to product safety** or is considered **dangerous**. This only applies to **safety-relevant field actions**.
 - Economic operators and online marketplace providers must ensure **direct contact with consumers** where possible, leveraging available customer data from loyalty programmes or product registration systems. They must also offer consumers the option to provide

separate contact details exclusively for safety purposes.

- A **clear and visible recall notice or safety warning** must be disseminated through **other suitable channels** to ensure the greatest possible reach, such as company websites, social media channels, newsletters, and points of sale. Mass media announcements may also be necessary.
- **Recall notices** must be written in a language that is easily understandable to consumers in the Member State where the product is marketed. They must also avoid formulations that relativise the situation like 'voluntary', 'precautionary', or statements that no accidents have been reported.

The Commission has published a template for a recall notice in the Implementing Regulation (EU) 2024/1435. This template can be found here in Annex 1. While this is a template and not an exact mandatory document, economic operators are expected to ensure that all the information required by Article 36 (2) of the GPSR is conveyed, even if they do not use the template.

- Economic operators must offer consumers **effective, free, and timely remedies**, which may include repairing or replacing the product with a safe one of the same type, or providing an appropriate refund. Economic operators must offer consumers at least two of these options. One option is sufficient if the others are impossible, disproportionate, or ineffective.
- Recall notices should include a **free telephone number or an interactive online service** (e.g. chatbot) to allow consumers to obtain more information.
- **Documentation and record keeping:**

- Manufacturers are required to conduct an **internal risk analysis** and prepare **technical documentation** for their products. This documentation must be kept for **ten years** after the product has been placed on the market and must be made available to the relevant market surveillance authorities upon request.
- Importers must also keep a copy of the technical documentation for ten years and make it available to authorities upon request.
- Manufacturers must maintain an **internal register** of complaints, product recalls, and corrective measures.

Please refer to Annex 1 and 2 for a product recall checklist and recall notice template.

Example: Product recall scenario

Product: LED night light for children

Manufacturer: Kinderlichter GmbH, Germany

Problem identified: A batch of LED night lights overheats after four hours of continuous use, posing a burn and fire risk. Three consumer complaints and one incident involving smoke damage have been reported.

Actions taken:

Internal risk assessment: Confirms risk of fire when used overnight.

Sales stop: the manufacturer has halted all shipments and online listings.

Notification to authorities: Submitted via the Safety Business Gateway, including affected batch codes and images.

Recall notice: Posted online and in stores.

Consumer contact: All online buyers were emailed directly using the customer data stored during the sales process.

Return & Remedy: A return label is provided via the online portal, and a refund will be issued within ten working days.

Follow-up report to authorities: 82% of recalls were completed within 30 days.

IX. Provider of online market places

The GPSR introduces **specific and significant new rules for online marketplaces**. These new rules are a direct response to major societal changes, such as increasing digitalisation and the boom in online commerce. The GPSR rules on online marketplaces are in addition to the existing legislation on online and distance sales. Further information about these rules can be found in [previous modules](#), especially Module 6, which covers the rights and obligations in digital markets.

An online marketplace provider is defined as a 'provider of an intermediary service using an online interface which allows consumers to conclude distance contracts with traders for the sale of products'. An online interface refers to websites, apps or digital platforms used for selling products. Importantly, however, these providers are **explicitly not considered 'economic operators'** in the legal sense under the GPSR, despite often being mentioned alongside them. Nevertheless, they are subject to their own distinct obligations.

The key aspects of these special rules for online marketplaces are as follows:

- **Registration with the Safety Gate Portal:** One of the primary duties of online marketplace providers is to **register with the Safety Gate-Portal**.
- **Ensuring product safety and information:** Online marketplaces play a crucial role in safeguarding consumers from dangerous products sold through their platforms. They should therefore have internal

processes in place to ensure compliance and prompt responses.

- They must ensure that products offered on their platforms **comply with safety requirements**.
- They are required to provide interfaces that enable sellers to **display clear and visible product safety information**, as stipulated by the GPSR. They must also **prohibit the listing of dangerous products** that have been subject to a Safety Gate alert.
- **Single point of contact for consumers:** This enables consumers to communicate easily and quickly about all product safety issues.
- **Direct communication with consumers during recalls:** Online marketplace providers must, where possible, **directly inform consumers who have purchased a dangerous product** through their platform during product recalls or safety warnings. This involves using available customer data, such as that from loyalty programmes or product registration systems, to make direct contact.
- **Dissemination of recall notices:** When direct contact is ineffective, online marketplace providers, along with economic operators must **disseminate a clear and visible recall notice or safety warning through other suitable channels** to ensure the widest possible reach.
- **Cooperation with market surveillance authorities:** Online marketplaces must **cooperate with market surveillance authorities** to address product safety issues and remove dangerous products from their platforms. They are also expected to provide information to help identify dangerous products. Further, a single point of contact with the authorities should be introduced for direct communication. This information should be provided on the Safety Gate Portal.

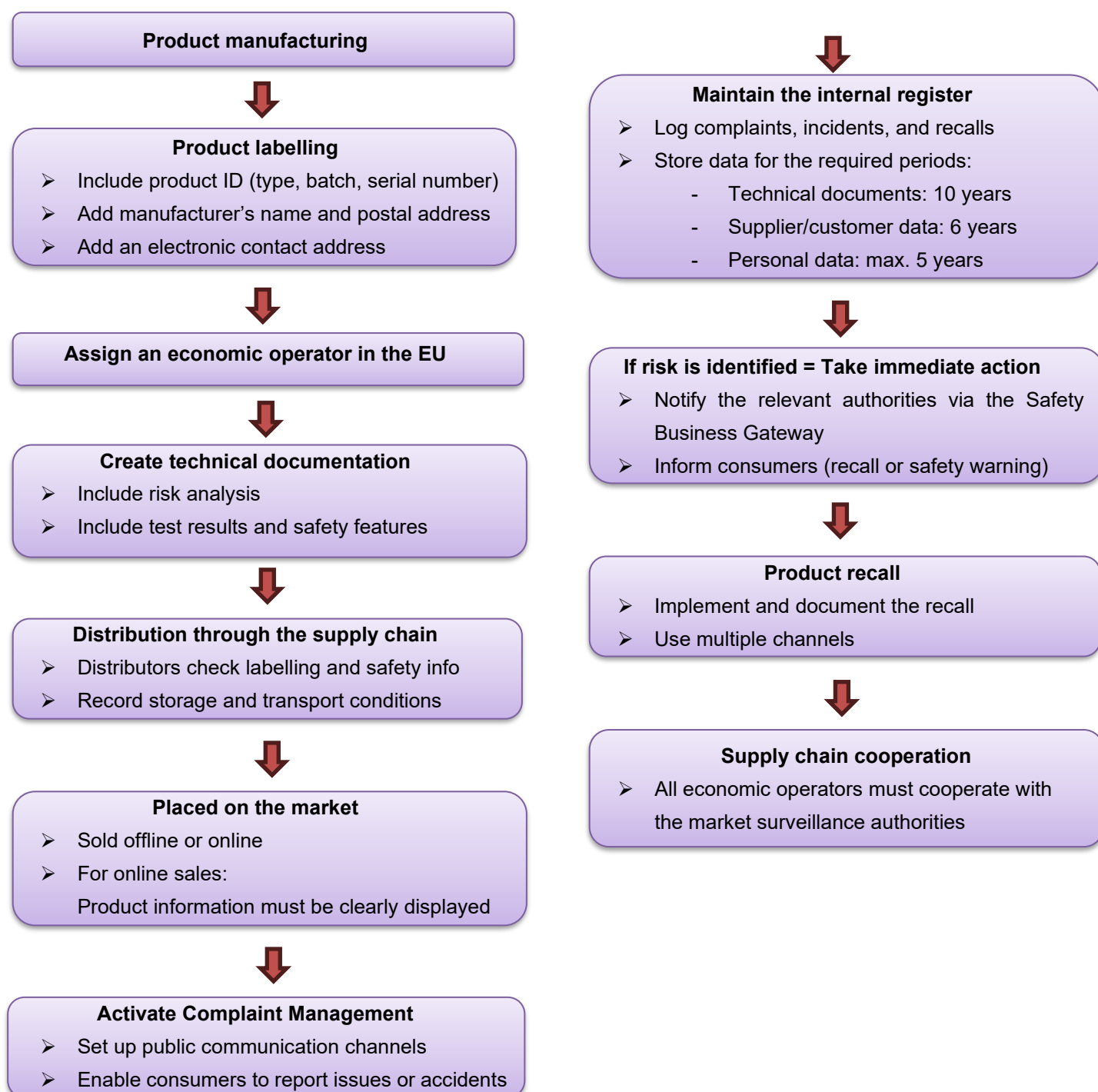
- **Hybrid business models:** Businesses that operate as both online sellers (e.g. through their own webshops) and as online marketplace providers **must comply with the rules in both capacities**. They must fulfil the obligations of an online seller for products they sell directly and simultaneously meet the obligations of an online marketplace provider for their platform activities.

X. Support and resources

Specifically, the Regulation states that micro, small, and medium-sized enterprises should be able to cope with their new obligations. To achieve this, the Commission is mandated to develop practical guidelines and tailored measures, including direct channels to connect experts to SMEs, taking into account the need to simplify and limit administrative burdens. The publication is pending, you can visit www.consumerlawready.eu for updates.

Various other resources and organisations can provide support or information, particularly for economic operators dealing with product safety and compliance in the EU.

XI. Compact Overview of traceability requirements



XII. Case Study: Product safety compliance in practice

Company profile

Company: KitchenSlice Haushaltswaren OG

Location: Vienna, Austria

Business type: SME – private label importer & distributor

Product: Mandoline vegetable slicer made of plastic and stainless steel.

Manufacturer: OEM production in Vietnam.

Sales channels: Own webshop, Amazon, and local kitchenware retailers.

1. Before placing on the market

Product Safety Assessment

KitchenPro performs a structured risk assessment focused on:

- **Laceration hazards** when changing blades
- **Slipping risk** due to an unstable base
- Improper use by children or unsupervised users

Technical documentation includes:

- Material description and construction
- Lab test reports
- Declaration of conformity with applicable standards
- Age-grade justification and hazard labelling

2. Labelling and traceability

Product identification

- On the product and packaging:
 - Model: *Mandoline MP-Classic*

- Batch No.: 2024-VN-KP08
- Warning symbol: *'Not suitable for children – sharp blades'*
- CE marking (if applicable to packaging only)

Responsible person in the EU

KitchenSlice acts as the **responsible person** under GPSR:

- Full business name and postal address
- Electronic contact: sicherheit@kitchenslice.at

Digital labelling

- QR code on packaging links to:
 - Multilingual safety instructions
 - Blade-change video tutorial
 - Customer service and returns portal

Internal Traceability System

KitchenSlice maintains:

- Batch and product tracking
- Supplier records and contact information
- Complaint and return log
- Risk and recall documentation archive (10-year period)

3. Online sales and Article 19 compliance

Before the purchase

Product pages (webshop and Amazon listings) include:

- Product images, model, and batch ID
- Visible safety warning
- Manufacturer and EU responsible person's full contact information
- A download link for the digital manual

4. Incident and recall

Issue identified:

Several consumers reported cut injuries while changing the blades, despite the included blade guard. One case required outpatient medical care in France.

Risk assessment

The risk is classified as moderate due to the potential serious injury potential if used improperly and unclear handling instructions.

Recall actions

1. **Sales halted** on all platforms and to retailers.
2. **Notification via the Safety Business Gateway** to the relevant authorities in Germany, France, and Austria.
3. **Standardised recall notice:**

⚠ **Product recall: 'Mandoline MP-Classic'**

Batch No. 2024-VN-KP08

Risk: The blade may cause injury during replacement.

Stop using the product immediately!

Return it for a free replacement attachment or a full refund.

For details, visit www.kitchenslice.at/recall or email recall@kitchenslice.at.

4. **Communication channels used:**
 - Email to all webshop customers
 - Website and Amazon recall notice
 - Posters at physical retailers
 - Social media announcement

Remedy offered:

- Customers could choose:
 - A free improved blade guard attachment
 - A full refund
- Return data tracked by batch

5. Follow-up:

- Weekly updates are sent to the market surveillance authorities.
- Return rate reached 78% within six weeks
- Internal improvements made:
 - Better technical instructions
 - External usability testing is required before future launches.
 - Complaint management system digitised

Annex

Annex 1 - Template for a recall notice by the European Commission

Commission Implementing Regulation (EU) 2024/1435

[COMPANY NAME] RECALLS [PRODUCT]

Insert picture(s) of product & a graphical indication of where to find identification numbers (if applicable)

For the online version of the recall notice, it is important that essential information contained in the picture, especially if it is needed to identify the recalled product, is also available in a written format that is machine-readable.

Include clear description of the recalled product, including PRODUCT IDENTIFICATION INFORMATION:

- Name and brand of the product
- Product identification numbers, such as batch and serial number and, if applicable, graphical indication of where to find them on the product
- Information on where, when and by whom the product was sold (if available)

WHY IS THIS PRODUCT DANGEROUS?

- Clearly state the hazard the product poses and why
- Don't use any terms or expressions that may decrease consumers' perception of risk, for example "voluntary"/ "precautionary"/ "discretionary", "in rare/specific situations" or by indicating that there have been no reported accidents

WHAT TO DO

- Instruct consumers to stop using the recalled product immediately
- Clearly explain the action consumers should take (for example, return to point of sale, schedule appointment for in-house pick-up/repair)

REMEDIES FOR CONSUMERS

- Clearly describe the remedies available to consumers among the following: repair, replacement, or refund (in accordance with Article 37 of Regulation 2023/988)
- Indicate whether additional incentives (for example discounts or vouchers) are available

CONTACT

- Provide the address of an interactive online service (such as a website with a contact form, or an email address) and/or free phone number where consumers can get more information in relevant official language(s) of the Union.



Company logo
(optional)

Product Safety Recall

Date

[APOLOGY (OPTIONAL)]

[LINKS TO SOCIAL MEDIA / WEBSITE (OPTIONAL)]

[QR CODE or other technical solution leading to recall page / more information
(OPTIONAL)]

SPREAD THE NEWS: Tell your friends and family about this recall!

Logo of market surveillance
authority if recall follows a
compulsory measure (optional)

Annex 2 - Checklist for a product recall

A. Internal preparation

- ☐ Detect a Risk: Identify the product risk through complaints, incidents, or internal testing.
- ☐ Conduct Risk Assessment: Evaluate the nature and severity of the risk.
- ☐ Stop Distribution: Immediately halt sales and shipping of the affected product.
- ☐ Inform Internal Teams & Operators: Notify relevant departments and supply chain actors (distributors, importers, marketplaces).

B. Regulatory notification

- ☐ Notify authorities via Safety Business Gateway (EU portal for economic operators).
- ☐ Submit Required Information, including:
 - Product identification (type, batch, serial number)
 - Risk description
 - Number of affected units
 - Countries where product was sold
 - Corrective action taken
 - Traceability data

C. Consumer communication

- ☐ Draft a standardised recall notice following Annex I
- ☐ Distribute recall notice through:
 - Company website
 - Social media
 - Newsletters or email to known customers
 - Physical in-store signage (if applicable)
 - Online marketplaces (recall visibility requirement)

D. Practical measures

- ☐ Arrange product return or repair process:
 - Provide free return shipping or collection
 - Offer in-store or online return options
- ☐ Offer remedy:
 - Repair
 - Safe replacement
 - Full refund
- ☐ Track and record all returned units
- ☐ Keep complaint and recall records internally

E. Follow-up and Closure

- ☐ Report progress to authorities
 - How many products were returned or corrected
- ☐ Reassess risk controls
- ☐ Update procedures for future incidents
- ☐ Retain documentation for at least 10 years



Annex 3 – Label example

Christmas Candle

Product Identification: WH-C2412 Batch 2025-11 Lot No.: 70176



Product identification

Manufacturer

Name: Shanghai Candles Ltd.

Registered Trademark: Aromatic candles

Postal Address: 28 Aroma Street, 201300 Shanghai

Electronic Address: support@aromaticcandles.com



Manufacturer details

Importer and responsible person in the EU

Name: Christmas products SL

Postal Address: Calle de Navidad 24, 29001 Malaga

Electronic Address: imports@christmasproducts.es

Single Contact Point: productsafety@christmasproducts.es



Responsible person

! Warnings / Safety information !

- Burn candle never unattended
- Keep away from flammable materials
- Keep away from children
- Do not burn the candle for more than 4 hours at a time



Safety warnings



Consumer Law Training for European SMEs