

FAQ

Regarding EU/2023/988 regulation on General Product Safety (EU GPSR)

General questions regarding the new EU GPSR

Q1. When will the EU GPSR come into force?

A1. The new Regulation will replace the General Product Safety Directive (GPSD) 2001/95/EC after a transitional period that will end on December 13, 2024.

Q2. What is the scope of the EU GPSR?

A2. The new regulation applies to products placed or made available on the European market, whether new, used, repaired, or reconditioned, and it covers every type of product, whether or not it is interconnected to other items, supplied, or made available, which is intended for consumers or is likely, under reasonably foreseeable conditions, to be used by consumers even if not intended for them.

Q3. Are any products specifically exempted from the requirements of the EU GPSR?

A3. Yes. The EU GPSR does not apply to:

- medicinal products for human or veterinary use
- food
- feed
- living plants and animals, genetically modified organisms, and genetically modified microorganisms in contained use, as well as products of plants and animals relating directly to their future reproduction
- animal by-products and derived products
- plant protection products
- equipment on which consumers ride or travel where that equipment is directly operated by a service provider within the context of a transport service provided to consumers and is not operated by the consumers themselves
- aircraft and their parts, including remote control, used in military, customs, police, search & rescue, firefighting, border control, coast guard and similar activities
- antiques





Questions specific to manufacturer/ importer labelling

Q4. Article 9(6) of the EU GPSR requires a manufacturer to indicate an ‘electronic address’ on the product or, where that is not possible, on its packaging or in a document accompanying the product. What does ‘electronic address’ mean?

A4. The term ‘electronic address’ means any electronic address (such as an email address) or website that provides direct communication, e.g., by contact template. A static website would not suffice.

Q5. Does the additional requirement of an ‘electronic address’ within EU GPSR apply to the manufacturer/ importer of products covered by their own product-specific safety legislation, for example, toys?

A5. The physical labelling obligations of manufacturers/ importers under section 1 of Chapter 3 of the EU GPSR would not apply for products subject to Union harmonisation legislation (Union legislation listed in Annex I to Regulation (EU) 2019/1020 and any other Union legislation harmonising the conditions for the marketing of products to which that Regulation applies) e.g., toys, aerosols, batteries, cosmetics, electrical equipment etc.

Q6. With reference to other product labelling obligations of manufacturers under Article 9(5), an exemption to having this labelling information on the product is permitted when “... the size or nature of the product does not allow it ...” What are some examples of cases where the size or nature of the product does not allow it?

A6. The physical labelling requirements of products should follow the same practice as the Blue Guide on the implementation of the product rules Publications Office (europa.eu). Thus, the information should be on the product or, if this is not feasible, on its packaging. Aesthetic reasons do not constitute a justification for not placing the information on the product.

Q7. Can labelling be provided via digital means only?

A7. The product can include a label via digital means, but this is strictly in addition to the physical labelling requirements and cannot be used as a substitute.

Questions specific to distance sales and online marketplaces

Q8. Do manufacturer/importer labelling obligations under section 1 of Chapter 3 of the EU GPSR apply when products are sold via distance sales and via online marketplaces?

A8. Where a product is offered via distance sales under Article 19 or via online marketplaces under Article 22, the labelling requirement under section 1 of Chapter 3 of EU GPSR (including electronic address) will need to be provided in the product offers, as this section applies to ALL products, including products subject to Union harmonisation legislation.

Questions regarding documentation requirements

Q9. Some manufacturers may have no knowledge of what a risk analysis/assessment is. In those circumstances, is it possible to have the manufacturer simply sign a declaration that the product complies with the EU GPSR?

A9. Article 9 of the EU GPSR requires that manufacturers conduct an internal risk analysis – effectively a risk assessment. A Declaration does not meet this requirement. The actual risk analysis will always be the responsibility of the manufacturer or their authorised representative.

Q10. Is compliance with the technical documentation requirement applicable to products already placed on the market?

A10. The EU GPSR requirement for technical documentation commences for products first made available on the Union market after the 13th of December 2024.

How UL Solutions can help

With deep expertise in the safety of consumer products, UL Solutions offers a comprehensive portfolio of services for retailers, private labels and manufacturers who need to evaluate their products for compliance with safety requirements and how the new regulation will impact their processes in evaluating compliance. We can offer:

- Seminars and specific training on all aspects of GPSR
- Product labeling reviews
- Evaluation of technical documentation
- Risk analysis
- Due diligence on products placed on the market
- Support in the identification and implementation of a testing program to maintain compliance

For more information on how UL Solutions can help you prepare for the upcoming EU GPSR please visit [UL.com/EU-GPSR-Compliance](https://www.ul.com/EU-GPSR-Compliance).



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