



EUROPEAN COMMISSION
HEALTH & CONSUMER DIRECTORATE-GENERAL

Directorate B - Consumer Affairs
B3 - Product and service safety

Brussels,
SANCO/B3/ERW/DMO/cj/

**SUMMARY RECORD OF THE MEETING OF THE COMMITTEE OF
DIRECTIVE 2001/95/EC ON GENERAL PRODUCT SAFETY
BRUSSELS – 13 OCTOBER 2011**

Introduction

The meeting was chaired by Mr Stefano Soro, Head of Unit 'Product and Service Safety'.

1. Adoption of the agenda

The draft agenda was adopted.

2. Adoption of the minutes of the previous meeting

The draft minutes of the meeting of 26.05.11 were adopted.

Service Safety Issues

3. IMI alert system and service safety

A representative from DG MARKT presented the IMI alert system in the context of the Services Directive to the Committee. There had been a call for this matter to be discussed in the GPSD Committee to gain the Commission's view of the notification obligation pursuant to Article 32 of the Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market, and the significance of the supporting IMI alert system, and its connections to promoting the safety of services in Member States (MS).

The Committee discussed some service safety issues in their domestic markets by service providers established in another MS, the availability of the alert mechanism module in IMI for unsafe services, and how IMI had been /could be used to send warnings and contribute to improve levels of safety in services across EU.

The Chair encouraged the committee to spread the word about IMI. The Chair also informed that the Commission is starting some work in the field of service safety – there will be a green paper next year – and that information from the MS in this regard would be extremely useful.

Implementation and application of the General Product Safety Directive

4. Alignment to new standard rules of procedure of the Committee

The Committee was requested to adopt two sets of Rules of Procedure under the new comitology rules (one PRAC, one not-PRAC), in accordance with Article 15(4) of the GPSD. Both sets of rules were adopted (attached).

5. GPSD Revision

The Commission provided an update on the revision of the GPSD. An agreement has been reached between Vice-President Tajani and Commissioner Dalli to present a product safety package. This action is relevant under the Single Market Act.

The Product Safety Package comprises 3 main elements: a revised General Product Safety Directive, a separate, new single market surveillance regulation and a multi-annual market surveillance framework plan.

The revised GPSD will remain a 'harmonisation' instrument for non-harmonised consumer products. It should cover, among other things, standardisation procedures and the definition and obligations of economic operators which will be aligned as much as possible to the relevant reference provisions of Decision 768/2008 and will improve traceability requirements.

Standardisation

6. Recently adopted Commission Decisions on safety requirements

On 27th July 2011, the Commission adopted Decisions on the safety requirements for gymnastic equipment, on the safety requirements to address certain risks posed to children by internal blinds, corded window coverings and safety devices, and on the safety requirements for stationary training equipment. The draft Commission Decision on the safety requirements for bicycles, bicycles for young children, and luggage carriers for bicycles, upon which the GPSD Committee voted in favour in May, is under the scrutiny of the European Parliament and the Council until 13 October 2011. If there are no further comments, the Commission will submit the document to the College.

7. Draft safety requirements for alcohol-powered flueless fireplaces

The Committee discussed the draft safety requirements for alcohol-powered flueless fireplaces at length.

The Chair reminded MS that the deadline for comments was 7th November. It will be decided on the basis of quantity and depth of the comments whether it will be opportune to have a debate and vote in the next meeting or whether the comments can be integrated without a problem and submitted for a written procedure consultation vote. The Chair thanked everyone who participated in formulating the requirements.

8. Personal Music Players

At the last meeting, the Commission presented a draft Commission Decision to publish the references of the two new standards in the Official Journal of the European Union under the GPSD. The Commission will publish both the Decision and the references of the standards as soon as possible. The Commission representative informed the Committee that the references under the Low Voltage and R&TTE Directive had been published in September in the Official Journal. There is a transition period for the standards and the latest date for withdrawal of national standards is January 2013. The Committee was reminded that any conflicting national legislation also has to be withdrawn.

9. Laser products

The Commission has circulated the first draft of a decision on safety requirements to be met by European standards for laser products intended for consumers. The safety requirements will cover all battery-powered laser products. A joint mandate is envisaged, however, under the GPSD, the LVD and the R&TTE directive in order to ensure a comprehensive approach.

The Committee discussed the draft safety requirements.

The Chair invited the Committee to send written comments by 7th November 2011, before a written procedure consultation is launched.

10. Lighters

The Commission informed that the Commission Decision regarding child-resistant lighters is prepared for being prolonged at the moment. The Commission intends to ask for the committee's opinion by written procedure.

CEN has asked the Commission to contribute to a study to identify technical parameters for testing the child-resistance of lighters worldwide. The study will start soon.

Specific Products & Risks

11. DMF ban

In June 2010 France initiated the restriction process concerning DMF, in accordance with Article 69 (4) of REACH. ECHA's Committees for Risk Assessment and Socio-Economic Analysis considered the suggested restriction as the most-appropriate Union-wide measure. In accordance with the proposal and the Committees' opinions, the Commission has prepared a draft regulation to restrict the use of DMF in articles and the placing on the market of DMF containing articles, on which a decision will be taken in accordance with the regulatory procedure with scrutiny. The REACH Committee discussion will take place in late November 2011.

Issues related to the operation of RAPEX

12. RAPEX statistics and trends

The Commission updated the Committee on the latest figures in the RAPEX system.

International issues

13. a) International activities

Bilateral activities:

US: The Commission reported on the state of play of its activities with the US.

China: The presentation by the Commission covered two main aspects: the overview of the RAPEX-China system after the 17th follow-up report and the traceability of Chinese manufacturers/exporters in RAPEX-China.

Multilateral activities:

Trilateral cooperation with US and China: The Commission reported on its trilateral cooperation with the US and China.

Pilot Alignment Initiative with US, Canada and Australia: The Commission reported on the state of play of the pilot project with the US, Canada and Australia to align safety requirements for specific products.

OECD: Work focuses on two priorities: a global recall pool and the establishment of a product safety inventory.

b) Member States invited to inform on their activities in the international field

The Chair invited MS to share any information regarding their bilateral contacts with third countries. If any agreements are to be signed, it is very useful to inform the Commission so as to combine synergies.

14. Joint Product Safety Surveillance Action with China

There was a call for proposals for co-funding to further develop and implement the concept of 'seamless market surveillance', including the possibility of defining common working methods and protocols with the Chinese authorities. Another objective is to improve the knowledge of all European authorities about Chinese manufacturing procedures, exports licensing and surveillance. Furthermore, this is an opportunity to inform Chinese authorities about European requirements and market surveillance practices. The assessment of the received proposal is underway.

Market Surveillance

15. Joint Actions

PROSAFE presented a progress report on the 2010 Joint Actions.

A Commission representative then gave an update on the Joint Actions for 2011.

16. Exchanges of Officials

A Commission representative updated the Committee on the 2011 Call for exchanges of officials. The Agency received 15 applications in total but only 13 exchanges will take place as two applications were cancelled by the participants. An overview was given of the different MS who participated and the countries which hosted the exchanges. The Committee was reminded to make use of the resources available and to participate in this action.

The Commission representative also informed the Committee that the questionnaire on enforcement indicators is still online until the end of November. This is the fourth year the exercise has taken place and the same format and questions have been used as in the past 3 years. MS are asked to participate and to provide comprehensive data.

17. Guidelines on Customs Controls

A representative from DG TAXUD informed MS about the development of Guidelines for Customs control in the area of product safety.

The main objectives of the project were to overview the situation in MS as regards the implementation of Regulation 765/2008 on accreditation and market surveillance, to highlight product safety to the customs authorities by providing Guidelines for customs controls in the area of product safety and to achieve good administrative cooperation between customs and the market surveillance authorities.

Miscellaneous Issues

18. EU expert group on product traceability

A short update was given by the Commission on the first meeting of the Informal Expert Group on Product Traceability, which took place in September.

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19. Provisional dates for meetings in 2012

The tentative date of the next CSN and GPSD meetings in 2012 are:

9-10 February, 24-25 May and 24-25 September (to be confirmed)

Annex 1: attendance list

Annex 2: Rules of procedure (PRAC)

Annex 3: Rules of procedure (not PRAC)