

## Relationship between European Directives and German Law

The "Produktsicherheitsgesetz" (ProdSG) and its regulations (ProdSVs) are the German regulations for Product Safety. They are the transpositions of EU Directives into German law as listed below:

EU Directives and Regulations	implemented into German Law
General Product Safety Directive 2001/95/EC	Produktsicherheitsgesetz (ProdSG)
Low Voltage Directive (LVD) 2014/35/EU	Niederspannungsverordnung (1. ProdSV)
Directive on the Safety of Toys 2009/48/EC	Spielzeugverordnung (2. ProdSV)
Directive on simple pressure vessels (SPVD) 2014/29/EU	Verordnung über einfache Druckbehälter (6. ProdSV)
Regulation on appliances burning gaseous fuels (EU) 2016/426	Gasgerätedurchführungsgesetz – GasgeräteDG
Regulation on Personal Protective Equipment (PPE) 2016/425	PSA-Durchführungsgesetz – PSA-DG
Machinery Directive 2006/42/EC	Maschinenverordnung (9. ProdSV)
Recreational Craft Directive (RCD) 2013/53/EU	Sportbooteverordnung (10. ProdSV)
Equipment and Protective systems intended for use in Potentially Explosive Atmospheres (ATEX) 2014/34/EU	Explosionsschutzverordnung (11. ProdSV)
Lifts Directive 2014/33/EU	Aufzugsverordnung (12. ProdSV)
Aerosol Dispenser Directive (ADD) 75/324/EEC	Aerosolpackungsverordnung (13. ProdSV)
Pressure Equipment Directive (PED) 2014/68/EU	Druckgeräteverordnung (14. ProdSV)

## For further information please visit:



[https://ec.europa.eu/growth/single-market/goods\\_en](https://ec.europa.eu/growth/single-market/goods_en)



<https://um.baden-wuerttemberg.de/en/topics/market-surveillance/>



[https://www.baua.de/EN/Topics/Safe-use-of-chemicals-and-products/Product-safety/Market-surveillance/Market-surveillance\\_node.html](https://www.baua.de/EN/Topics/Safe-use-of-chemicals-and-products/Product-safety/Market-surveillance/Market-surveillance_node.html)

## Responsibilities and contact

### Products for business:

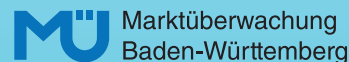
Regierungspräsidium Tübingen – Unit 112

### Products for consumers:

Regierungspräsidium Tübingen – Unit 113

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# MARKT ÜBERWACHUNG

## PRODUCT SAFETY COMPLIANCE

Information for manufacturers, importers and exhibitors brought to you by the Market Surveillance Authority of Baden-Württemberg

What you need to know about exhibiting and placing products on the European Single Market



Baden-Württemberg

REGIERUNGSPRÄSIDIUM TÜBINGEN

# Product Safety Compliance

## Who are you talking to and why are we here?

The Regierungspräsidium Tübingen is the market surveillance authority of Baden-Württemberg, Germany. We examine products to improve the safety for users and to account for a level playing field for all economic operators. Therefore we are here to inspect your offered products for compliance with European safety requirements.

## What is our authorization?

Such inspections are authorized in Germany in accordance with the European directives which are implemented in the German Product Safety Act (ProdSG) and its regulations (ProdSVs), e.g. Low Voltage Directive (1. ProdSV).

## European safety requirements

Economic operators may only place safe products on the market!

A product is deemed safe if the essential requirements – in relation to safety and other aspects of public interest – as defined in EU-Directives and Regulations are fulfilled.

Which Directives and Regulations apply to a certain product depends on the nature of the product. It is the responsibility of the economic operator to ensure that all relevant legislations will be met.

Detailed technical solutions for meeting these essential health and safety requirements are given in European harmonised standards. The application of harmonised standards remains voluntary, but confers a presumption of conformity with the essential health and safety requirements they cover. Any producer (or service provider) who chooses not to follow a harmonised standard is obliged to prove that their products (or services) conform to the essential requirements.

Most European directives and regulations for product safety also require the manufacturer to draft up a Declaration of Conformity and to place a CE marking on the product. This indicates that the product complies with all requirements of the relevant European directives.

Products, that do not (yet) fulfill all the necessary requirements for a proper placing on the European Market, or products that are not designed for the European Market, may only be exhibited if they are clearly marked/labelled as not being compliant with European regulations.

In the case of a product demonstration, all necessary health and safety precautions have to be taken!

## What will happen if we find any non-conformance ?

- You will be verbally informed of any non –conformity
- Products that do not comply with the requirements must be labelled as such or need to be removed from the booth (alternative labelling solutions can be reviewed)

## Placement on the market

Placing a product on the market is the initial action of making the product available on the European Single Market with the aim of distribution or utilisation in the European Community. Making a product available may be free of charge (e.g. giveaways) as well as in return for payment.

## Declaration of Conformity

The “Declaration of Conformity” is the document declaring that the product, which is placed on the market, complies with all mentioned European directives and regulations for product safety. This document is prepared and signed by the manufacturer or the authorized representative in the European Community.

## Harmonised Standards

A harmonised standard is a European standard developed by a recognised European Standards Organisation: CEN, CENELEC, or ETSI. It is created following a request from the European Commission to one of these organisations. Manufacturers, other economic operators, or conformity assessment bodies can use harmonised standards to demonstrate that products, services, or processes comply with relevant EU legislation.

The references of harmonised standards must be published in the Official Journal of the European Union.