

(English version)

**Question for written answer E-002512/24
to the Commission
Kateřina Konečná (NI)
(13 November 2024)**

Subject: Meaning of ‘nature of the product’ in the General Product Safety Regulation (GPSR)

The GPSR will enter into force on 13 December 2024. Yet in some Member States and their inspection authorities there is still some confusion regarding the meaning of some of the wording of the text. In particular in relation to Article 9(5) of Chapter III, which states that in the event that the size or nature of the product does not allow for the type, batch or serial number or other element to be provided on the product itself, this information may be provided on its packaging or in a document accompanying the product.

In view of the above:

Does ‘nature of the product’ also extend to its design, such as cases where the product also serves as a decoration?

Submitted: 13.11.2024

**Answer given by Mr McGrath on behalf of the European Commission
(17 January 2025)**

Article 9(5) of the General Product Safety Regulation (GPSR) ⁽¹⁾ indeed requires that a product in its scope must bear identification information. As a general rule, this identification must be affixed directly to the product.

However, if the size and/or nature of the product makes it illegible or technically impossible to provide this information on the product itself due to its physical characteristics or practical constraints such as its size, shape, or construction ⁽²⁾, the identification must be provided on the packaging, if available, or in the accompanying document.

The responsibility lies with the manufacturer to assess, on a case-by-case basis, whether the nature of the product allows for the information to be placed on the product itself.

Nevertheless, it is important to note that the identification cannot be omitted or moved to the packaging or accompanying documents for purely aesthetic or economic reasons.

Therefore, even in cases where a product also serves an aesthetic or decorative purpose, the traceability information must be placed directly on the product unless its physical characteristics or practical constraints prevent this.

⁽¹⁾ Regulation (EU) 2023/988 of the European Parliament and of the Council of 10 May 2023 on general product safety.

⁽²⁾ Section 4.2.2.5 of the ‘Blue Guide’ on the Implementation of EU Product Rules 2022.