

EN
E-000145/2025
Answer given by Mr McGrath
on behalf of the European Commission
(4.6.2025)

As stated in the Commission's response to written question E-001775/2024¹ on the sale of second-hand items on the internet, whether specific items, such as CDs, DVDs or video games, qualify as antiques or fall under the category of collectors' items exempted from the General Product Safety Regulation (GPSR)² must be assessed on a case-by-case basis. Recital 18 of the GPSR specifies that 'collectors' items are of a sufficient rarity and historical or scientific interest to justify their collection and preservation'³. This assessment is primarily the responsibility of the relevant economic operators involved in the placing/making available of these items on the EU single market as well as of the national market surveillance authorities.

Online platforms themselves are not tasked with determining the classification of such products. Nonetheless, they must comply with their obligations set out in the GPSR and enable economic operators to provide the necessary product information.

The Commission provides guidance to support businesses' compliance with the GPSR, taking into account the needs of smaller businesses⁴.

¹ https://www.europarl.europa.eu/doceo/document/E-10-2024-001775-ASW_EN.html.

² 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, PE/79/2022/REV/1 OJ L 135, 23.5.2023, p. 1–51.

³ These definitions stem from the Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (tax (OJ L 347, 11.12.2006, p. 1), as referred to in Recital 18 GPSR.

⁴ In accordance with Article 17 GPSR, support designed to facilitate compliance of small and medium-sized enterprises (SMEs) with the GPSR will be made available. In particular, the Commission is in the process of adopting guidelines for economic operators, focusing on the needs of SMEs, including micro-enterprises, on how to fulfil their obligations. Furthermore, in accordance with Article 47 of the GPSR, the Commission is to carry out an evaluation by the end of 2029, where it will assess if the regulation has achieved its objectives while also taking into account its impact on SMEs.