

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 837 final

Brussels, 16 December 1982

Amended Proposal

for a

COUNCIL DECISION

introducing a Community system for the rapid exchange of information
on consumer products

(presented by the Commission to the Council pursuant to the
second paragraph of Article 149 of the EEC Treaty)

COM(82) 837 final

AMENDED , THE PROPOSAL FOR A COUNCIL DECISION
INTRODUCING A COMMUNITY SYSTEM FOR THE RAPID
EXCHANGE OF INFORMATION ON CONSUMER PRODUCTS

I. EXPLANATORY MEMORANDUM

The amendments made to the text of the initial proposal¹ stem from the Opinion of the European Parliament² and have been accepted by the Commission³. The initial proposal has thus been amended as follows :

II. AMENDED PROPOSAL

ORIGINAL TEXT

AMENDED TEXT

PREAMBLE AND RECITALS REMAIN UNCHANGED

Article 1

Any Member State noting that on its territory a consumer product or a batch of this product, used in normal and foreseeable conditions, marketed in one or more Member States of the Community, presents an immediate and acute risk to the health or safety of users shall immediately inform the other Member States likely to be affected, as well as the Commission, without prejudice to Community provisions relating to specific products.

Article 1

Any Member State noting that on its territory a consumer product, or a batch of this product, marketed in a Member State of the Community, presents an immediate and acute risk to health or safety of users shall wherever possible first contact the producer, distributor or importer of the product and shall immediately inform the other Member States and the Commission, without prejudice to Community provisions relating to specific products.

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¹ OJ C 321, 22.12.1979

² OJ C 182/116, 19.7.1982

PE 76.524/fin., 28.5.1982.

To facilitate the adoption of a decision by the other Member States and, if applicable, the adoption of appropriate measures by the Commission, the information forwarded shall contain all relevant data concerning the type of product involved, its characteristics, the nature and gravity of the risks noted and details of the measures taken or to be taken by the Member State concerned.

At the request of the Member State concerned, the content of the information notified may be treated as confidential.

Article 2

For the purposes of this Decision, consumer products means all articles such as :

- Food products for human consumption;
- household appliances, including those for "do-it-yourself", gardening, games or sports;
- pharmaceutical products, cosmetics, chemicals, textiles and toys;
- motor vehicles, bicycles, motor cycles or other machines used for transport.

The information forwarded shall contain all relevant data on the product concerned, the nature and gravity of the risks noted and details of the measures taken or to be taken.

At the request of the Member State concerned, the content of the information notified may be treated as confidential.

Article 2

For the purposes of this Decision, consumer products means inter alia the following articles:

- food products for human consumption;
- products intended for household or recreational use;
- pharmaceutical products, cosmetics and chemicals;
- clothing and toys;
- motor vehicles, two-wheeled vehicles and parts thereof.

However, all products intended for professional use are excluded from the field of application of this Decision.

However, all products intended solely for professional use are excluded from the field of application of this Decision.

Article 3 unchanged

Article 4

Each Member State shall designate one or more national authorities to forward or receive the information referred to in Articles 1 and 3.

Article 4

Each Member State shall designate the service within a national authority which shall be responsible for forwarding or receiving the information referred to in Articles 1 and 3.

Articles 5 and 6 unchanged