

10 things businesses can do now to prepare for compliance with the GPSR



1 Review products and supply chains to fully understand responsibilities

Review the products that your business is involved in manufacturing, distributing or selling to understand responsibilities under the General Product Safety Regulation (GPSR). Businesses will need to build an understanding of the entities responsible at each stage of a product supply chain and map product ranges to identify those that are in scope of the new legislation.

2 Embed internal risk analysis into product development

The GPSR requires manufacturers to conduct a thorough internal risk analysis and prepare comprehensive technical documentation before products are placed on the market. This documentation should be retained for a minimum of 10 years. To ensure compliance, educate your business about this requirement, record the obligation in internal policies and processes, and consider designating responsibility for ensuring that risk analyses are carried out and documentation is prepared.

3 Ensure products have the correct markings

Products placed on the market in the EU must display a type, batch, or serial number, along with other mandatory traceability and contact information. To understand your responsibilities, ensure you have identified your role in the product supply chain correctly, along with the roles of other entities.



4 Provide communication channels

To enable consumers to submit complaints and report safety issues, certain members of a product supply chain are required to provide public communication channels, such as a telephone number, electronic address or a dedicated section of a website. Liaise with the appropriate parts of the business to ensure that these channels have been made available and the necessary functionality has been established.

5 Review and consider amends to contractual terms

Purchasing agreements typically include a general clause covering compliance with applicable laws. For greater clarity and designation of responsibility, it may be beneficial to outline explicitly the various parties' obligations under the GPSR and designate responsibility for meeting regulatory requirements.

6 Ensure there is a 'responsible person' in the EU

Products cannot be placed on the market unless there is an economic operator established within the EU. Manufacturers based outside the EU selling directly to end-users inside the EU may need to appoint an authorised representative to fulfil this role.

7 Update webpages for distance sales

For products sold online or through other distance sales channels, the product display page and listing must clearly show manufacturer details, product identification details and any warnings or safety information. Review product pages to ensure that they are set up to facilitate displaying this information and ensure that product listings are updated to provide this as new products are placed on the EU market.



8 Establish processes for notifications and record keeping

If a product causes death or serious adverse effects on an individual's health and safety, there may be an obligation to notify without undue delay the competent authorities of the relevant Member State via the European Commission's Safety Business Gateway system. When complaints or information about accidents are received, these must be investigated and an internal register of these complaints must be recorded.

Ensure the relevant parts of your business are aware of these requirements and that processes are in place to rapidly gather information required to make notifications of accidents.

9 Designate a single point of contact for online marketplaces

Online marketplaces must register on the EU Safety Gate portal and designate a single point of contact for direct communications with authorities. Processes should also be established to enable the business to respond to regulator requests within the strict time limits imposed by the GPSR.



10 Prepare for a wider range of remedies

In the event of a product recall, businesses must offer consumers at least two of the following remedies: repair, replacement or an adequate refund. The practicalities of these options should be discussed internally to identify which remedies can feasibly be offered in the event of a recall.

Get in touch

To discuss these recommendations, and the regulatory obligations associated with them, contact one of our GPSR experts below.



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