

EU Product Safety Regulation (EU) 2023/988

Ladies and Gentlemen,

Thank you for your message regarding the new EU Product Safety Regulation (GPSR).

As a manufacturer of sanitary products in particular, we closely monitor legal developments in our sales regions. Naturally, the European Union (EU) with its 27 member states is particularly important to us. We began adapting our internal processes to the requirements of the EU Product Safety Regulation some time ago. This is to ensure that GPSR-compliant consumer products are placed on the market throughout the EU from 13.12.2024 without exception.

You can therefore rest assured that we not only know our manufacturer obligations under Art. 9 GPSR and the other relevant obligations under Art. 14-16, 19 et seq. GPSR, but that we have also implemented the necessary steps to ensure full compliance with these obligations. product compliance is ensured.

This applies in particular to the following aspects:

- Without exception, our labels will show an electronic address on the products or - in exceptional cases - on the packaging, which is in accordance with Art. 9 Para. 6, 11 GPSR. In doing so, we have taken into account that the European Commission has a comparatively narrow understanding of the term electronic address in terms of an Internet address.
- There is (still) no need to specify an additional EU economic operator, even if the Geberit Group's headquarters are located in Switzerland. This long-established practice has remained in place even after the entry into force of the EU Market Surveillance Ordinance (EU) 2019/1020 on 16.07.2021, when the marketability of numerous CE products (including construction products!) was linked to the existence of an EU economic operator. This will therefore rightly not change after 13.12.2024 if the existence of the EU economic operator is also made mandatory for non-harmonized consumer products.
- For this reason, there is rightly no need to specify an EU economic operator or a responsible person in online commerce in accordance with Art. 19 lit. b) GPSR. This is because the new information obligations in online trade can of course be no different from those for the labeling of the products themselves, even if the information obligations in distance selling have not (yet) been expressly included in the bilateral agreements between the EU and Switzerland on the mutual recognition of conformity assessments. Therefore, there is no room for the indication of a responsible person in addition to Geberit International AG, if and insofar as the latter acts as manufacturer in the legal sense.

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- In addition, we would like to point out that we will of course also fulfill the new obligations under Art. 9 para. 2 GPSR from 13.12.2024, if and insofar as these apply in addition to the existing CE law. Please note in this context, however, that according to the provisions of the GPSR, neither technical documentation nor the risk analysis must be published or submitted. We therefore ask for your understanding that we see no reason to release such confidential documents into the supply chain for no reason until further notice.
- Finally, we would like to point out that we have examined the consequences of the new EU Product Safety Regulation for each of our products and how any new obligations will have to be fulfilled in the future.

If you have any questions, please do not hesitate to contact us.

With kind regards



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