



## “Who-is-who” in PROSAFE and EMARS



### Germany

#### Introduction

Germany is a parliamentary federal republic of 16 “Länder” (states) with a population of 82.5 million. The territory of Germany covers an area of 357,000 km<sup>2</sup> (137,850 mi<sup>2</sup>). The capital of Germany is Berlin; the seat of government is at Berlin and (partly) at Bonn.

#### Product Safety Legislation

The General Product Safety Directive (2001/95/EC) is implemented by the “Geräte- und Produktsicherheitsgesetz” (Equipment and Product Safety Act, unofficial translation at [http://www.baua.de/nn\\_12446/de/Geraete-und-Produktsicherheit/pdf/GPSG-englisch.pdf](http://www.baua.de/nn_12446/de/Geraete-und-Produktsicherheit/pdf/GPSG-englisch.pdf)).

Most of the other European directives covering safety requirements for the placing of products on the European market are implemented by regulations based (completely or partly) upon the “Geräte- und Produktsicherheitsgesetz”.

Implementation of several European directives covering consumer product safety:

- General Product Safety Directive (2001/95/EC):  
*Geräte- und Produktsicherheitsgesetz - GPSG* (Equipment and Product Safety Act)
- Low Voltage Directive (2006/95/EC):  
*Niederspannungsverordnung - 1. GPSGV* (Low Voltage Regulation)
- Toy Directive (88/378/EEC):  
*Spielzeugverordnung - 2. GPSGV* (Toys Regulation)
- Electromagnetic Compatibility (EMC) Directive (89/336/EEC):  
*Gesetz über die elektromagnetische Kompatibilität* (Electromagnetic Compatibility Act)

- Personal Protective Equipment Directive (89/686/EEC):  
*Verordnung über persönliche Schutzausrüstungen - 8. GPSGV* (Personal Protective Equipment Regulation)
- Gas Appliances Directive (90/396/EEC):  
*Gasverbrauchseinrichtungsverordnung - 7. GPSGV* (Gas Appliances Regulation)
- Machinery Directive (98/37/EC):  
*Maschinenverordnung - 9. GPSGV* (Machinery Regulation)
- Radio Equipment and Telecommunications Terminal Equipment (R&TTE) Directive (1999/5/EC):  
*Gesetz über Funkanlagen und Telekommunikationsendeinrichtungen - FTEG* (Radio Equipment and Telecommunications Terminal Equipment Act)

Most of the German legislation can be found on the following website:

<http://www.gesetze-im-internet.de/aktuell.html> .

Legal acts not to be found there might be published on the website of the ministry responsible. These websites are listed at

<http://www.bundesregierung.de/Webs/Breg/DE/Bundesregierung/Bundesministerien/bundesministerien.html> .

### **Market surveillance Practice**

Enforcement of the implementing legislation is the responsibility of the 16 German “Länder” (states). Administrative structures vary among the “Länder”. However, in most cases the relevant local authorities are the factory inspectorates of the “Länder”.

Enforcement of the “*Gesetz über die elektromagnetische Kompatibilität*” (implementation of the Electromagnetic Compatibility Directive) and the “*Gesetz über Funkanlagen und Telekommunikationsendeinrichtungen*” (implementation of the Radio Equipment and Telecommunications Terminal Equipment Directive) is the responsibility of the Bundesnetzagentur (BNetzA - <http://www.bundesnetzagentur.de/enid/2.html> )

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