



TÖÖINSPEKTSIOON



ASUTUSESISESEKS KASUTAMISEKS

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EU 2016/425 Article 45 „Penalties“

According to the Estonian Product Conformity Act (2010) the violation penalties have been regulated as follows. § 59 (Violation of conditions of placing products and making products available on market) the penalty for violation of the conditions of placing a product on the market or making a product available on the market is a fine of up to 300 fine units (1 fine unit – 4€). The penalty for the same act committed by a legal person is a fine of up to 3200 euros.

According to § 60 (Failure to give notice of risks arising from products) the penalty for failure to give notice of risks arising from products already placed on the market is a fine of up to 200 fine units. The penalty for the same act committed by a legal person is a fine of up to 2000 euros.

According to § 61 (Misuse of conformity markings) the penalty for the misuse of a conformity marking is a fine of up to 200 fine units. The penalty for the same act committed by a legal person is a fine of up to 3200 euros.

Before a precept is issued for the withdrawal from the market of products or recall of products from consumers, or before the performance of a corresponding act, the economic operator will be given the opportunity to submit objections. In the event of failure to comply with a precept the maximum penalty payment imposed pursuant to the procedure provided for in the Substitutive Enforcement and Coercive Payment Act is 10 000 euros.

According to the Penal Code ¹ (2001) § 409 manufacture, processing or marketing of a product which is not conformity with the requirements of a technical regulation, is a danger to human life or health or to the environment is thereby caused, is punishable by a pecuniary punishment or up to three years' imprisonment. The penalty for the same act committed by a legal person is punishable by a pecuniary punishment.

The bodies conducting extrajudicial proceedings of the misdemeanours provided herein are the Consumer Protection Board and the Labour Inspectorate.

With kind regards

