



Notification Number: 1997/482/F

Decree on the marketing conditions for objects resembling firearms.

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Issue of comments by : Italy, Netherlands

Message

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DGS INTERNATIONAL BELGIUM

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ATT. MS. KERSTIN CARLSSON

MINISTRY OF TRADE AND INDUSTRY
ATT. MS. NIEMINEN

EUROPEAN FREE TRADE ASSOCIATION SURVEILLANCE AUTHORITY

EUROPEAN FREE TRADE ASSOCIATION
ATT. MS. BAKKE-D'ALOYA

TELEX 002

COMMUNICATION FROM THE COMMISSION - SG (97) D/51975/2



DIRECTIVES 83/189/EEC, 88/182/EEC AND 94/10/EC
TRANSLATION OF TELEX 001
NOTIFICATION 97/0482/F

- 3B1 : 9701975.EN

1. Structured Information Line

TLX 002 IND- 97 0482 F-- EN ----- 970805 --- ---

2. Member State

France

3. Department Responsible

Délégué Interministériel aux Normes.
32 Rue Monge, F - 75005 PARIS.

3. Originating Department

Ministère délégué aux Finances et au Commerce Extérieur.
Direction Générale de la Concurrence, de la Consommation et
de la Répression des Fraudes.
59 Bld. Vincent Auriol, F - 75703 PARIAS Cédex 13.

4. Notification Number

97/0482/F

5. Title

Decree on the marketing conditions for objects resembling
firearms.

6. Products Concerned

Objects resembling real firearms which are intended to fire
hard projectiles, with power greater than 0.08 Joules and
less than or equal to 2 Joules.

7. Notification Under Another Act

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8. Main Content

This text lays down conditions for the marketing of these
products:

- a ban on the sale, free distribution or making available
freely or at a price to minors, except in the context of
sporting or fairground shooting supervised by adults.
- the obligation to indicate the power in Joules on the
product, on the mandatory instruction leaflet and on the
packaging;
- the obligation to display two warnings on the instructions
and on the packaging - "use by minors prohibited" and "do



not fire at point blank range".

The draft text, which has already been the subject of notification no. 97/0258/F of 29 May 1997, lays down in article 5 thereof a measure for derogation from the ban on the making available of imitation arms to minors where sporting and fairground shoots are concerned. This measure, which was deemed dangerous by the Commission for Consumer Safety, in its opinion of 2 July 1997 has just been reexamined. It does, in effect appear dangerous for imitation arms to be used in shooting federations since this practice can lead users to confuse imitations with real arms. It has therefore been decided to remove article 5. This is a minor amendment which will not affect the general effect of the text.

9. Brief Statement of Grounds

During the year 1994-1995, twenty or so accidents caused by imitation arms were recorded. Most of these occurred in children aged between 10 and 14 years old, among whom enthusiasm for this type of product has grown consistently in recent years. Many parents and teachers were surprised that such products could be marketed and sold to children;

Due to the serious and immediate danger, essentially to children, it has been decided to suspend the sale of these dangerous and non-essential products for one year;

A suspension Order was adopted on 19 April 1996, targeting all objects resembling firearms which fire hard projectiles with power between 0.08 Joules (below which there is no danger) and 2 Joules (above which these products are classified as arms and are subject to regulations governing arms.

This suspension Order, effective for one year, expired on April 1997. It seemed timely to replace the latter Order with a Decree banning the sale of these products to minors, in order to avoid fresh accidents of the type recorded.

10. Reference Documents - Basic Texts

Article L.221-3 of the Consumer Code

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

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14. Fiscal measures

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