

Italian law “D.Lgs.17/2019”

Art. 14 (Sanctions and penal provisions).

1. The manufacturer who produces or makes available on the market PPE that does not comply with the essential safety requirements referred to in Annex II of the PPE regulation as well as the importer who places PPE on the market that does not comply with the aforementioned requirements is punished:
 - a) in the case of first class PPE, with a pecuniary administrative sanction from 8,000 € up to 48,000 €;
 - b) in the case of second category PPE, with arrest up to six months or with a fine from 10,000 € up to 16,000 €;
 - c) in the case of third-party PPE, with arrest from six months to three years.

2. Distributors who do not comply with the obligations referred to in Article 11 of the PPE regulation are punished:
 - a) in the case of first class PPE, with a pecuniary administrative sanction from 1,000 € to 6,000 €;
 - b) in the case of second-class PPE, with a pecuniary administrative sanction from 2,000 € up to 12,000 €;
 - c) in the case of third-party PPE, with a pecuniary administrative sanction from 10,000 € up to 60,000 €.

3. The PPE manufacturer who fails to carry out the procedures referred to in Article 19 of the PPE regulation shall be punished:
 - a) in the case of first class PPE, with a pecuniary administrative sanction from 5,000 € up to 30,000 €;
 - b) in the case of second category PPE, with a pecuniary administrative sanction from 10,000 € up to 60,000 €;
 - c) in the case of third-party PPE, with a pecuniary administrative sanction from 30,000 € to 150,000 €.

4. The PPE manufacturer of any category that fails to draw up the EU declaration of conformity referred to in Article 15 of the PPE regulation shall be punished with a pecuniary administrative sanction from 6,000 € up to 36,000 €.

5. Without prejudice to the provisions of paragraph 1 and paragraph 2, anyone making PPE available on the market without the CE marking referred to in Article 17 of the PPE regulation shall be punished with a pecuniary administrative sanction from 3,000 € up to 18,000 €.

6. The manufacturer or his authorized representative, the latter within the limits of article 9 of the PPE regulation, who at the request of the supervisory authority referred to in article 13, paragraph 1, fails to produce the documentation referred to in articles 8 and 9 of the PPE regulation, is punished with a pecuniary administrative sanction from 3,000 € up to 18,000 €.

7. Anyone who affixes or has affixed markings, signs and inscriptions that may mislead third parties as to the meaning or graphic symbol, or both, of the CE marking or limits their visibility and legibility, is punished with a pecuniary administrative sanction. from 1,000 € to 6,000 €.

8. Anyone who fails to comply with the provisions of paragraph 5 of article 13 is punished with a pecuniary administrative sanction from 8,000 € up to 48,000 €.

9. Anyone who promotes advertising of PPE that does not comply with the PPE regulation is punished with a pecuniary administrative sanction from 1,000 € to 6,000 €.