

**Kraftfahrt-
Bundesamt**



Codex for the execution of recall campaigns

Version: June 2020



Index

	Page
General Part.....	4
1 Preamble	4
2 General information.....	4
2.1 Scope of application	4
2.1.1 Differentiation from other products.....	4
2.1.2 Differentiation to product liability	5
2.2 Definition of terms.....	5
2.2.1 Responsible manufacturer	5
2.2.2 (Consumer-) product.....	5
2.2.3 Product posing a serious risk.....	5
2.2.4 Recall and other measures	6
2.2.5 Maximum performance rate	7
2.2.6 Withdrawal of vehicle registrations for vehicles subject to compulsory registration	8
2.2.7 Provision of vehicle owner addresses from ZFZR.....	8
2.2.8 Significant defect for road safety.....	8
2.2.9 Manufacturer's duty to report	9
2.2.10 KBA's duty to report.....	9
2.2.11 Publication requirements of KBA	9
2.2.12 Mailing service.....	9
3 Execution of measures by responsible manufacturers and KBA for vehicles subject to compulsory registration	10
Appendix I Guideline for the execution of recalls of vehicles subject to compulsory registration	11
1 Introduction.....	11
2 Execution of recalls.....	11
2.1 Start of recalls.....	11
2.2 Verifications by KBA	11
2.2.1 Verifications according to ProdSG	11
2.2.2 Verification according Section 35 (2) no. 1 StVG	12
2.2.3 Priority regulation.....	12
2.3 Application and records to be submitted	12
2.3.1 Application for the provision of vehicle owner addresses from ZFZR.....	12
2.3.2 Information regarding the identification of the vehicles.....	12
2.3.3 Description of defect.....	13
2.3.4 Information to application.....	13
2.3.5 Data transfer and data medium.....	13

Codex for the execution of recall campaigns

2.3.6	Costs	14
2.3.7	Suitable search features and data privacy	14
2.3.8	Chronological procedure.....	14
2.4	Notification of vehicle owners	14
2.4.1	Notification of owner by responsible manufacturers	14
2.4.2	Notification of the owners by KBA (mailing service)	14
2.5	Remedy of defect and change of risk classification.....	15
2.6	Special conditions for monitored and ordered recalls.....	15
2.6.1	Measures of KBA.....	15
2.6.2	Notification of owner by responsible manufacturer at monitored and ordered recalls..	15
2.6.3	Non-participation of vehicle owners in recall measure	16
2.6.4	Conclusion of monitored and ordered recalls	16
2.6.5	Change of recall measures by responsible manufacturer.....	17
2.6.6	Further measures by authorities	17
3	Communication regulations.....	17
3.1	Regulations for responsible manufacturers.....	17
3.2	Regulations for KBA	17
3.2.1	Address product safety/recalls	18
3.2.2	Service and contract work address (mailing service)	18
3.2.3	Address for the commencement of correction process	18
Appendix 1	Declaration to recall campaign.....	19
Appendix 2	Appointment of an authorised representative.....	20
Appendix 3	Data medium and data transfer standards.....	22
Appendix 4	Record description (valid as of 10/2009).....	23
Appendix 5	Information regarding the registration status of the vehicles in the ZFZR.....	25
Appendix 6	Samples for owner notification letter.....	26
Appendix 7	Check list of the necessary manufacturer information on recall campaigns	28
Appendix 8	Explanation to chronological procedure and confirmation of spare parts supply.....	30
Appendix 9	Notification of responsible manufacturer according to Sec. 6 (4) ProdSG	31
Appendix 10	Sample of data protection declaration.....	32

General Part

1 Preamble

The Kraftfahrt-Bundesamt (KBA - Federal Motor Transport Authority) is the responsible authority¹ for all products subject to the Straßenverkehrsgesetz (StVG - German Road Traffic Act). The objective of the Produktsicherheitsgesetz (ProdSG - German Product Safety Act) is the consumer protection and expects measures from the responsible manufacturer and authorities if a product represents a serious risk, particularly for the health and safety of persons. The respective manufacturers are responsible for the prevention of dangers caused by their products.

Purpose of the document is the transparency of KBA actions at the execution of recalls. It is designed to support the responsible manufacturer in his arrangements for a recall and/or the risk management. This document determines procedures which, in themselves, do not represent additional legally binding requirements to the ProdSG. All explanations are designed for general cases. For special cases, KBA can also rule differently at their discretion.

2 General information

2.1 Scope of application

2.1.1 Differentiation from other products

The product sector concerning the ProdSG comprises all vehicles and vehicle parts designed for the operation on public roads.

Among others, this excludes

- rail-bound vehicles²,
- vehicles which are not purpose-bound for the use on public roads and who do not have a road permit (e.g. ride-on lawnmowers),
- bicycles, also those with an auxiliary electric motor with a nominal permanent performance of maximal 0.25 kW, the support of which is progressively reduced with increasing speed and is interrupted upon reaching a speed of 25 km/h or earlier, and if a rider stops peddling³.
- Non-motorised means of transport (e.g. strollers/prams, scooters) or similar means of transport equipped with an axillary drive with a with maximum design speed of no more than 6km/h⁴.
- Objects used in vehicles, whose safety requirements are defined by other statutory provisions (e.g. fire extinguishers, first aid kits, tools, fuels, oils, antifreezes, coolants, accessories (such as tablets, external navigation systems, etc.)).

¹ Sec. 24 (1) sentence 2 ProdSG in connection with Sec. 2 (1) no. 5a Gesetz über die Errichtung eines Kraftfahrt-Bundesamtes (KBAG - Law establishing the Federal Motor Transport Authority)

² Sec. 1 (2) StVG

³ Sec. 1 (3) sentence 1 StVG

⁴ e.g. Sec. 16 (2) Straßenverkehrs-Zulassungs-Ordnung (StVZO - German Road Traffic Licensing Regulations)

2.1.2 Differentiation to product liability

In the context of product liability, the manufacturer of a product is obligated to reimburse aggrieved parties for the incurred damage if the defect of the product resulted in the death of a person or if their body or health has been injured. This pertains to civil law claims by the aggrieved/injured party against the producer, in the scope of which KBA has no competence.

On the other hand, the ProdSG determines safety requirements of products and provides numerous possible actions to KBA to react to and prevent risks caused by products.

2.2 Definition of terms

The following definitions of terms apply in the context of this document:

2.2.1 Responsible manufacturer

Responsible manufacturers⁵ are producers, authorised representatives, importers and dealers.

2.2.2 (Consumer-) product

Vehicles and vehicle parts designed for the operation on public roads are products⁶ in terms of the ProdSG.

Vehicles and automotive parts are principally considered as consumer products⁷, if they are designed for consumers and can be used by consumers, even if they are not determined for them or are provided to the consumer in the context of a service.

However, vehicle parts (spare parts) designed for such vehicles are only considered as a consumer product if no special knowledge or skills, which are only available to experts, are required for their installation, replacement or handling.

2.2.3 Product posing a serious risk

If the risk emanating from a product requires the quick intervention of the Market Surveillance Authority, it is considered as a serious risk in terms of the ProdSG.

The basis for the assessment as to whether quick action by the Market Surveillance Authority is required hereby represents an adequate risk evaluation. In this context, it is particularly considered whether the product complies with the health and safety requirements of applicable statutory instruments and whether the health and safety of the operators or third parties is jeopardised when used in accordance with its intended purpose or in case of predictable misapplication. It is also considered whether the defect or the risk occurs suddenly and unpredictably and thus represents an inevitable imminent danger for the user or third parties.

⁵ Sec. 2 no. 29 ProdSG

⁶ Sec. 2 no. 22 ProdSG

⁷ Sec. 2 no. 26 ProdSG

2.2.4 Recall and other measures

A recall represents one of the possible measures to remove risks for the health and safety of persons emanating from products.

The recall, as a measure of a responsible manufacturer, aims for the ultimate or temporary return of a product already in use by the consumer. This includes all actions designed for the prevention, elimination or reduction of risk emanating from such products.

Differentiation is made between three categories in the execution of recalls:

- Voluntary recall (2.2.4.1)
- Monitored recall (2.2.4.2)
- Ordered recall (2.2.4.3)

Recalls of consumer products (see [2.2.2](#)), designed for the prevention, elimination or reduction of risks have to be reported by the responsible manufacturer to KBA (see [2.2.10](#))⁸.

In addition, KBA has the options listed in Sec. 26 (2) ProdSG to eliminate risks (e.g. public warnings). The measures listed in section 26 (2) sentence 2 ProdSG represent examples of rules, but are not conclusive. As a rule, KBA is entitled according to Sec. 26 (2) sentence 1 ProdSG to take all necessary measures (e. g. orders for the usage of vehicle owner addresses of the ZFZR Zentrales Fahrzeugregister (ZFZR - Central Vehicle Register)).

In the context of the type-approval procedure, the restoration of the conformity according to Sec. 25 (2) of the Regulation on the EC approval of vehicles and its trailers as well as of systems, components and independent technical units for such vehicles (Verordnung über die EG-Genehmigung für Kraftfahrzeuge und ihre Anhänger sowie für Systeme, Bauteile und selbstständige technische Einheiten für diese Fahrzeuge (EG-FGV - Regulation for the EC-approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles)) can be ordered to the manufacturers who have a type-approval at KBA. Subsequently, the manufacturer has to suggest a measure to establish the conformity; this measure can also be a recall.

2.2.4.1 Voluntary recall

A voluntary recall can occur through the responsible manufacturer if he possesses information that a product represents a risk. This voluntary measure is always initiated autonomously by the responsible manufacturer.

If the determined risk is the result of a significant defect for the road safety or the environment (see [2.2.8](#)), KBA can provide vehicle owner data from the ZFZR (see [2.2.7](#)).

If KBA receives knowledge of a voluntary recall, it officially checks whether there is a sufficient reason to suspect a serious risk. If the official internal assessment of the facts reveals that, contrary to the determination of the manufacturer, a serious risk exists, KBA checks whether the measures suggested by the responsible manufacturer for the elimination of the risk are sufficient and monitors the recall (see [2.2.4.2](#)). As a general rule, KBA considers the measures of the responsible manufacturer as sufficient if they are in line with [Appendix I, section 2.6](#).

If the product fraught with a serious risk is a consumer product, KBA also checks whether the responsible manufacturer has violated his duty to report (see [2.2.9](#)).

⁸ Sec. 6 (4) ProdSG

2.2.4.2 Monitored recall

A recall will be monitored by KBA when the responsible manufacturer has information that a product represents a serious risk and notifies KBA in accordance with his duty to report (see [2.2.10](#)). If the official internal assessment of the facts reveals that a serious risk exists, KBA checks whether the measures suggested by the responsible manufacturer for the elimination of the risk are sufficient. As a general rule, KBA considers the measures of the responsible manufacturer as sufficient if they are in line with [Appendix I, section 2.6](#) and are suitable to effectively eliminate the defect and/or the resulting risks. As a general rule, the monitoring of the recall is subsequently ordered. The monitoring of the recall applies to the efficiency of the measures and their chronological progression. As a general rule, monitoring occurs through the transmission of performance rates at certain points in time. In individual cases, a different form of monitoring can be relative.

Note: In the event of a change in the recall measure after approval by KBA, this change has to be reported to KBA immediately. KBA subsequently checks whether the altered measure continues to be suitable to eliminate the defect.

The KBA expects a maximum performance rate, which can lead up to the withdrawal of the vehicle registrations in vehicles subject to compulsory registration if the vehicle owner does not comply with the request to remedy the defect within the specified time.

2.2.4.3 Ordered recall

A recall will be ordered by KBA if the responsible manufacturer does not suggest measures suitable to eliminate the serious risk quickly and effectively⁹. The recall order is issued by KBA.

2.2.5 Maximum performance rate

Maximum performance rate is demanded in case of a serious risk. The performance rate accepted by KBA depends on the respective product and the associated objective practical circumstances (e.g. accessibility of the products with a serious risk and/or the owners of such products).

2.2.5.1 Measures to achieve maximum performance rate for vehicles subject to compulsory registration

In order to achieve maximum performance rate, the owners of all affected vehicles which are registered in the ZFZR as licensed or in use within the Federal Republic of Germany at the time of the recall, have to be informed.¹⁰ In case of vehicles not registered at the time of the determination of vehicle owners, the last known vehicle owners up to a period of 18 months prior to deregistration are also informed. The responsible manufacturer can furthermore request that a search feature is placed in case of all affected vehicle identification numbers (VIN) showing the status "inoperative" in the ZFZR at the time of the enquiry (see [Appendix I, no. 2.6.4](#)).

⁹ Sec. 26 (4) ProdSG

¹⁰ Up to the determination of the maximum performance rate at the end of a monitored voluntary recall, the responsible manufacturer can, regardless of the achievable performance rate, generally decide on the used database (see [Appendix I, no. 2.6.2](#)).

2.2.5.2 Measure to achieve maximum performance rate for products other than vehicles subject to compulsory registration

Maximum performance rate applies if the responsible manufacturer performs a recall or other measure and if it is expected that all users are reached subject to applying all necessary and appropriate measures. If the responsible manufacturer or KBA issues a public warning, it can be assumed that all users are addressed due to the sufficient distribution in press organs. The KBA rules on the question as to whether the distribution was sufficient.

2.2.6 Withdrawal of vehicle registrations for vehicles subject to compulsory registration

According to Sec. 5 Fahrzeug-Zulassungsverordnung (FZV - Vehicle Licensing Regulation), the responsible registration authority can withdraw vehicle registrations at its own discretion. A withdrawal of the vehicle registrations in case of monitored recalls is initiated if the vehicle owner does not comply with the call to remedy the defect within the specified time. The KBA decides on the transfer of the procedure to the locally responsible registration authority.

2.2.7 Provision of vehicle owner addresses from ZFZR

Upon application of the vehicle manufacturers or the owners of the operating permit, the addresses of the owners of vehicles subject to compulsory registration can be provided by the ZFZR¹¹. In case of monitored and ordered recalls, the responsible manufacturer is generally obligated to use the ZFZR data.

The provision of the owners' addresses from the ZFZR can only occur in the event of a serious defect for road safety or the environment. A serious risk also includes the significant defect for road traffic.

2.2.8 Significant defect for road safety

The significant defect for road safety¹² bears no reference to regulations of the ProdSG or the EG-FGV. It only achieves significance in connection with the provision of vehicle owner addresses from ZFZR.

A significant defect for road safety exists if the defect affects the legally prescribed safety level of the road traffic regulation (among other StVZO, StVG or if the risk of deterioration exists. The matter of a significant defect for road safety is fulfilled if the defect can be associated with an indirect risk of the health and safety of persons and items.

¹¹ Sec. 35 (2) no. 1 StVG

¹² Sec. 35 (2) no. 1 StVG

2.2.9 Manufacturer's duty to report

The responsible manufacturer has to inform KBA if he is in the possession of information that a consumer product on the market poses a risk for the health and safety of persons¹³. For this purpose, he applies Decision 2010/15/EU¹⁴ of the European Commission. The responsible manufacturer can also submit his notification to the member states via the "Product Safety Business Alert Gateway" of the European Union (EU)¹⁵: <https://webgate.ec.europa.eu/gpsd/>.

If the responsible manufacturer's registered office is located in a different member state of the EU, KBA assumes that the responsible manufacturer issues such notification based on Section 5 (3) of Directive 2001/95/EC in the other member state. If it cannot be ensured within an organisation with responsible entities in several member states that a notification was issued, KBA should be informed of the dangerous consumer product.

KBA checks this notification and conducts a risk analysis based on the determination of the facts. If the measure taken by the responsible manufacturer is not sufficient with respect to the risk emanating from the consumer product, KBA rules - under consideration of the arguments of the responsible manufacturer - on a suitable measure (see [2.2.4](#)).

2.2.10 KBA's duty to report

The KBA is obliged to report all measures that prohibit or restrict the placing of a product on the market or order its withdrawal or recall (see [2.2.4.3](#)) to the authorised body for the Federal Republic of Germany the Bundesanstalt für Arbeitsschutz und Arbeitsmedizin (BAuA - Federal Institute for Occupational Safety and Health)¹⁶.

Furthermore, KBA reports all other available information on consumer products which represent a serious risk ("via RAPEX-notification") to BAuA¹⁷ without undue delay. Requirement for a RAPEX notification is the existence of a serious risk. Following a respective verification, KBA decides whether or not these requirement exist.

KBA furthermore reports facts based on Sec. 32 (2) of Directive 2007/46/EC. Sec. 47 (2) of the Regulation (EU) 167/2013 and Sec. 52 (2) of the Regulation (EU) 168/2013.

2.2.11 Publication requirements of KBA

If a consumer product poses a serious risk for the health and safety of persons, available information is published by KBA subject to maintaining business and industrial secrets¹⁸.

2.2.12 Mailing service

The mailing service is a KBA service which handles the dispatch of the registered owner letters of the responsible manufacturer based on registered owner addressed from the ZFZR.

¹³ Sec. 6 (4) ProdSG

¹⁴ Determination of guidelines for the reporting of hazardous consumer goods at the responsible authorities of the member states by the manufacturers and dealers according to Sec. 5 (3) of directive 2001/95/EC; Gazette of the EU 2004 L 381, page 63 cont.

¹⁵ In accordance with article 5 (3) directive 2001/95/EC.

¹⁶ Sec. 29 (2) in connection with Sec. 26 (2) ProdSG

¹⁷ Sec. 30 (1) in connection with Sec. 26 (4) ProdSG

¹⁸ Sec. 31 (2) ProdSG

3 Execution of measures by responsible manufacturers and KBA for vehicles subject to compulsory registration

The procedure in case of vehicles subject to compulsory registration is described in Appendix I of this document.

Appendix I Guideline for the execution of recalls of vehicles subject to compulsory registration

1 Introduction

This guideline refers to the execution of recalls. It is designed as a guidance for responsible manufacturers for the processing of recalls (see General Part no. [2.2.4](#)).

The guideline does not exclude other measures (e.g. public warnings) or rulings of KBA based on individual cases, which can be taken by the responsible authority according to the ProdSG or EG-FGV.

2 Execution of recalls

2.1 Start of recalls

The notification of a recall should occur to marktüberwachung@kba.de subject to specifying the requirements of [Appendix 7](#).

In the context of consumer products, the responsible manufacturer has to inform KBA immediately if a product poses a serious risk¹⁹. KBA has to be informed of the risk without undue delay even if the manufacturer has not yet developed measures to eliminate the risk and thus an intended recall cannot yet be reported. The notification of the matter occurs using the form in [Appendix 9](#). Here, the manufacturer explains whether he would like to execute the recall with or without the provision of the vehicle owner addresses.

As a general rule, the responsible manufacturer is obliged by KBA to conduct a monitored or ordered recall if a product poses a serious risk. In this context, he has to warn the owners of the existing defect immediately. In the context of the ordinance, he is regularly obligated to use the vehicle owner addresses from the ZFZR. The specifications of [Appendix I, paragraphs 2.3 and 2.4](#) have to be observed for the provision of vehicle owner addresses from the ZFZR. In individual cases, it may be appropriate that he uses a different database (e.g. addresses of the responsible manufacturer and/or his distribution organisation). KBA takes this decision at its own discretion.

2.2 Verifications by KBA

2.2.1 Verifications according to ProdSG

KBA checks the notification according to Sec. 6 (4) ProdSG and the applications for the provision of the vehicle owner addresses from the ZFZR, whether the measures of the responsible manufacturer for the elimination of the defect are sufficient according to the requirements of the ProdSG or whether it may be necessary to order further measures by KBA. If the available information suggests that the risk emanating from the defect cannot be sufficiently determined, KBA requests the missing information from the responsible manufacturer for the internal assessment of the matter.

In cases of a monitored ([2.2.4.2](#)) or ordered recall ([2.2.4.3](#)) the special conditions in [Appendix I, paragraph 2.6](#) apply additionally.

¹⁹ Sec. 6 (4) page 1 ProdSG.

2.2.2 Verification according Section 35 (2) no. 1 StVG

Based on the provision of the vehicle owner addresses, KBA checks the completeness of the documents. It furthermore checks whether, in terms of Sec. 35 (2) no.1 StVG, a significant defect for road safety or the environment exists and whether the applicant is a vehicle manufacturer or owner of a general operating permit or owner of an EC type approval of an EU member state.

2.2.3 Priority regulation

A measure initiated by the responsible manufacturer shall not be hampered by the internal assessment of the facts by KBA.

If the provision of the vehicle owner addresses was properly requested and the examination according to [Appendix I, no. 2.2.1](#) could not yet be concluded, the application for the provision of the vehicle owner addresses is granted immediately subject to the prerequisites in the regulation.

2.3 Application and records to be submitted

2.3.1 Application for the provision of vehicle owner addresses from ZFZR

The application for the supply of vehicle owner addresses for a recall measure has to be directed to

Kraftfahrt-Bundesamt
Fachbereich Produktsicherheit/Rückrufe
24932 Flensburg
GERMANY

as well as the applications for the pre-calculation of the costs and enquiries regarding details of the order processing and execution.

A separate application for the provision of addresses has to be completed for each individual recall action, even if several recalls are to be executed simultaneously, which partially - but not entirely - concern the same extent of vehicles. In order to expedite the checking for plausibility and admissibility, the determination and sending of the addresses and the calculation of the expenses in KBA, the application has to contain the following information (see checklist [Appendix 7](#)).

2.3.2 Information regarding the identification of the vehicles

- Category of vehicle
- Number of general operating permit (ABE) and/or the EC type approval and/or vehicle with individual operating permit
- Vehicle type/model/series
- Make/trade name
- Manufacturer key number according to vehicle papers (only necessary if the 17-digit VIN is not used)
- VIN areas or indication of supplied data carrier with complete VIN (note: in case of monitored and ordered recalls, the worldwide technically affected VIN area has to be specified. In this case, it is not sufficient to only specify the VIN area of the vehicles, which were sold in Germany via the own distribution organisation)
- Affected model years
- Number of expected vehicles affected by the recall in Germany

2.3.3 Description of defect

- Detailed description and justification of the significant defect for road safety or environment which makes the inspection of the vehicles necessary, incl. the cause and consequences. In the process, also the potential risks and consequences created by the defect have to be pointed out. If the defect is caused by a supplier part, the address of the supplier has to be nominated.
- Attach technical workshop instructions (with drawing, if available)
- Respective sample of owner notification letter with the content necessary for the recall according to [Appendix 6](#)

2.3.4 Information to application

- Information as to whether a mailing service should be implemented by KBA (see [Appendix I, no. 2.4.2](#))
- The "Declaration to recall campaign" with clear identification information regarding the defect and vehicle type as well as signature (form of KBA see [Appendix 1](#))
- Authorisation in favour of the applicant (see [Appendix 2](#)), issued by the responsible person or company (vehicle manufacturer or owner of the operating permit or EC type approval) unless it performs the campaign itself
- Confirmation of cost assumption for the provision of the vehicle owner addresses from ZFZR
- Explanation on chronological process and confirmation that the spare part supply is secured at the time of the recall campaign (see [Appendix 8](#))
- Number of request data sets on the data carrier
- Type of delivery of vehicle owner addresses
- Information on possible implications of remedial action pertaining to matters subject to type approval
- Confirmation of type approval authority (only if matters subject to type approval are affected)

2.3.5 Data transfer and data medium

The data carriers and data transmission systems which can currently be processed by KBA are compiled in [Appendix 3](#).

Vehicles with different registration status are registered in ZFZR. Currently, the vehicle owner addresses, vehicle identification number (VIN) and license number of currently registered vehicles (with the description "found") and "not in operation for up to 18 months" are transmitted. The VIN and the manufacturer code are specified in case of vehicles, which have been "out of operation for more than 18 months" (see also [Appendix 5](#)). The enquiry data set is returned unaltered for "not found" vehicles - except in case of searches via the VIN area. Further details to these matters are explained in [Appendix 5](#) The information of the official registration plate in the notification to the owner is appropriate to make it easier for companies as owners of large fleets to assign vehicles to individual employees and places of work.

The vehicle owners, whose addresses are subject to a transmission blockage will be informed about the recall directly by KBA. In order to prevent that these owners are informed earlier than the workshops, the dispatch date should be determined in coordination with KBA.

2.3.6 Costs

The costs of the data transfer and delivery are borne by the responsible manufacturer. If requested, the costs can be calculated prior to placing the order.

2.3.7 Suitable search features and data privacy

For reasons of data protection, the retrieval of vehicle owner addresses through VIN, VIN areas and/or other suitable search features has to be limited to the actually affected vehicles. Special search features could be, e.g., vehicle and type of bodywork, emission class, engine type, admissible total weight, engine size, performance, date of first registration; less suitable is the type key number (TSN), while it is often not entered in the ZFZR in case of reimport vehicles and vehicles with individual operating permits.

The manner in which details, such as World Manufacturer Identifier (WMI), type and design features, manufacturing period, manufacturing plants and delivery areas can be used for the selection based on VIN components, should be determined in advance.

Delivered addresses may only be used for the notification of the owners regarding the recall and only be accessible to the authorised employees. Reference is made to Bundesdatenschutzgesetz (BDSG - Federal Data Protection Act) and the General Regulations for Data Transmission, Processing and usage of Data by the recipient in Sec. 43 (2) StVG.

2.3.8 Chronological procedure

In order for the owners' letters to be sent to the respectively current owners' address as quickly as possible, the transmission of the owners addresses to the applicant generally occurs within 14 days following the receipt of the application, providing the submitted documents are suitable to approve the application. The specified processing period commences with the submission of the complete application documents at KBA (see [Appendix I no. 2.3.1 - 2.3.5](#)).

2.4 Notification of vehicle owners

2.4.1 Notification of owner by responsible manufacturers

The respective sample letter in [Appendix 6](#) should be used to notify the vehicle owners.

If the notification occurs based on the owners addresses supplied by KBA (see [Appendix I no 2.3](#)) a copy of the KBA Data Protection Policy ([Appendix 10](#)) has to be attached to the letter.

In order to maintain utmost topicality of the owners' addresses determined in ZFZR, the letters to the owners' addresses have to be dispatched within 14 days following the submission of the data by KBA to the applicant.

In cases of a monitored or ordered recall the special conditions in [Appendix I, paragraph 2.6](#) apply additionally.

2.4.2 Notification of the owners by KBA (mailing service)

KBA offers to send the recall letters directly to the owners (mailing service). The letter (see [Appendix 6](#)) can hereby be generated on white paper - with a scanned company logo, however only in black print - or on company paper with a coloured logo. Approx. 100 pages are required in advance for a sample print. At the request of the responsible manufacturer, the sender in the address window or on the envelope contains either the KBA logo next to the text "Kraftfahrt-Bundesamt" and respective address or a neutral grey envelope with a postal address in Flensburg. Misdirected mail or feedback from the owners of sold vehicles or similar are to be directed to the responsible manufacturer.

In the latter case, the responsible manufacturer is requested to transmit the returned mail to KBA to adjust the ZFZR.

The costs associated with the dispatch are borne by the responsible manufacturer.

The data protection letter of KBA is attached to the letter of the owner also if the mailing service is utilised (see [Appendix 10](#)).

2.5 Remedy of defect and change of risk classification

The responsible manufacturer conducts the inspection or remedy of defect on the vehicles affected by the recall campaign. If he detects indications which result in a significantly greater risk than originally estimated, the responsible manufacturer reports this to KBA.

2.6 Special conditions for monitored and ordered recalls

2.6.1 Measures of KBA

The responsible manufacturer shall be informed if there is a serious risk due to a product defect and the measures envisaged by the responsible manufacturer to remedy the defect are considered to be insufficient by the KBA. By setting a deadline, the responsible manufacturer is entitled to issue a statement.

If the parties fail to agree on the measures to achieve a maximum performance rate within a reasonable period of time after the hearing, KBA - subject to compliance with administrative regulations - orders the measures necessary in its opinion (see General part no. [2.2.4.3](#)).

Based on its internal assessment of the facts, KBA issues the necessary notification regarding the defect and the resulting risk to BAuA (see General Part no. [2.2.10](#)). This report is principally coordinated with the responsible manufacturer on short notice. If a consensus is not possible or if the responsible manufacturer does not respond in the context of the available time, the information is sent without the cooperation of the responsible manufacturer.

In the event of a monitored recall, the responsible manufacturer has to transmit all worldwide affected VIN to KBA, also those that have been processed previously.

As a general rule, KBA orders that the responsible manufacturer - using the data from the ZFZR - has to inform the affected vehicle owners of the defect and the risk without undue delay. In individual cases, it could be reasonable to abstain from such immediate notification of the owners. KBA takes this decision at its own discretion.

2.6.2 Notification of owner by responsible manufacturer at monitored and ordered recalls

In the context of the notification of a monitored or ordered recall, the responsible manufacturer is generally obligated to inform the owners of the defect without undue delay. In the process, the responsible manufacturer is principally obligated in the context of the order to use the data from ZFZR. In order to maintain utmost topicality of the owners' addresses determined in ZFZR, the letters to the owners' addresses have to be dispatched within 14 days following the submission of the data by KBA to the applicant. In cases where KBA has ordered immediate information of the vehicle owners, the letters have to be sent immediately upon receipt of the data.

Note: The owners have to be informed immediately of the defect, even if a recall measure is not yet available.

In individual cases, the usage of a different database than the ZFZR can be feasible, e.g. if the vehicle manufacturer can plausibly prove that the owners addresses available to him are sufficiently current. KBA takes this decision at its own discretion and in individual cases.

The usage of the current owner data in such cases has to be requested by the responsible manufacturer immediately once he receives indications that the address material available is no longer sufficiently up to date to inform all affected vehicle owners effectively of the defect and to point out the associated risks.

Regardless, the VIN of the vehicles still affected worldwide have to be sent to KBA by the responsible manufacturer, even in cases where he has been authorised to use his own address material by KBA, at the latest by the end of the monitoring by KBA (see Appendix I, no. 2.6.4).

The respective sample letter in [Appendix 6](#) should be used to notify the vehicle owners.

The applicable conditions are available in [Appendix I, sections 2.3](#) and [2.4](#). The chronological delays of the responsible manufacturer due to the non-availability of vehicle owners have to be considered for the on-time completion of the recall.

In case of monitored and ordered recalls, whereby the registration of the vehicle is withdrawn, the respective sample letter in [Appendix 6](#) is to be used for the notification with the reference to a possible withdrawal of vehicle registration.

If KBA does not consider the withdrawal of vehicle registration, the sample letter in [Appendix 6](#) is to be used also, whereby a reference to the own responsibility of the vehicle owner for the roadworthiness of the vehicle should be incorporated instead of the reference to the possible withdrawal of vehicle registration.

The dispatch of the notification by the responsible manufacturer should be executed verifiably and thus lawful.

2.6.3 Non-participation of vehicle owners in recall measure

Possible reasons why vehicles are not presented for a participation in a recall campaign can be futile attempts to inform the owner of the vehicle on one hand, as well as the omission to participate in the recall campaign despite notification by the responsible manufacturer. For example, vehicle owners could not be reached because they have moved and the address was not corrected by the responsible licensing office or that the vehicle was only registered in their name after the determination of the owner's data in the ZFZR.

The responsible manufacturer forwards letters which could not be delivered to KBA (see [Appendix I, no. 3.2.3](#)), in order for the respective corrective procedures to be initiated.

2.6.4 Conclusion of monitored and ordered recalls

A recall and an associated monitoring by KBA should be fully completed within a period of 18 months. The case-specific maximum period is respectively determined and ordered by KBA depending on the existing risk and the number of affected vehicles. A significantly shorter processing time for the total recall is generally ordered for safety-relevant defects.

The monitoring of a recall is terminated by KBA with respect to the responsible manufacturer upon expiration of the time specified for the entire execution of the recall campaign by retrieving the VIN of all vehicles where the elimination of the defect did not take place. The locally responsible authorities are subsequently informed with respect to these vehicles in order for them to decide on a possible withdrawal of vehicle registration based on Sec. 5 FZV.

After a period of 12 months, KBA reserves the right to request a list of the still effected vehicles from the manufacturer so that vehicles, which were not registered at the time of delivery to the registration authorities, can be rectified by informing the registration authorities again.

In addition, the responsible manufacturer can also request that a search feature is placed for all remaining VIN showing the status "inoperative" in the ZFZR. This causes a notice to appear at the possible registration of a vehicle for an outstanding recall measure and the Vehicle Registration Office can then initiate the remedy of the defect. The placing of a search feature can also be ordered by KBA. The responsible manufacturer is responsible for the costs.

In the event of the termination of the monitoring, the responsible manufacturer is informed of the decision in writing.

2.6.5 Change of recall measures by responsible manufacturer

If the responsible manufacturer is planning changes in the recall measures presented to KBA and considered suitable by KBA, KBA has to be informed immediately. The intentional or negligible violation of this enforceable order according to Sec. 26 (2) sentence 2 no. 9 represents an offense according to Sec. 39 ProdSG and is punishable by KBA with a fine of up to € 100,000.

2.6.6 Further measures by authorities

In case of monitored and ordered recalls, the official license number is determined from the VIN transmitted in [Appendix I, no. 2.6.4](#) by the responsible manufacturer. The registration authorities are requested to initiate the withdrawal of vehicle registration autonomously according to Sec. 5 FZV.

3 Communication regulations

3.1 Regulations for responsible manufacturers

The responsible manufacturer ensures the permanent topicality of their communication address in connection with the execution of the ProdSG and inform KBA of changes. These include the postal address, represented factory brands and contact persons with telephone and email address.

3.2 Regulations for KBA

KBA ensures the permanent topicality of its communication address in connection with the execution of the ProdSG and informs the responsible manufacturers of changes.

3.2.1 Address product safety/recalls

The following contact address in KBA applies:

postal address:

Kraftfahrt-Bundesamt
Fachbereich Produktsicherheit/Rückrufe
24932 Flensburg
GERMANY

Email: marktueberwachung@kba.de

Phone: +49 461 316-0

Fax: +49 461 316-1741

If correspondence already existed to a procedure in the product safety/recall section, the phone and fax numbers / email address are to be utilised for reasons of effectivity.

3.2.2 Service and contract work address (mailing service)

In issues of context with the processing of the mailing service according to [Appendix I, no. 2.4.2](#) the following contact address in KBA applies:

Postal address:

Kraftfahrt-Bundesamt
Sachgebiet 512
24932 Flensburg

Email: 512-Rueckrufaktionen@kba.de

Phone: +49 461 316-0

Fax: +49 461 316-1741

3.2.3 Address for the commencement of correction process

In issues of context with the processing of the correction procedure according to [Appendix I, no. 2.6.3](#), the following contact address in KBA applies:

Postal address :

Kraftfahrt-Bundesamt
Sachgebiet 222
24932 Flensburg

Email: 222-Sachgebiet@kba.de

Phone: +49 461 316-0

Fax: +49 461 316-2849

Appendix 1 Declaration to recall campaign

I.

1. The transmitted data is used exclusively for the recall campaign specified below:

Type (according to type approval) _____

Reason: _____

Code of recall campaign: _____

2. We have ensured that only those employees of our company entrusted with the execution of the recall campaign and previously committed to data secrecy in accordance with Sec. 53 of the Bundesdatenschutzgesetz (BDSG - Federal Data Protection Act) have access to the data or process the data. Data processing on consignment (Sec. 62 BDSG) remains unaffected.
3. Delivered addresses are only used for the notification of the owners regarding the recall and only be accessible to the authorised employees. We are aware of the BDSG and the General Regulations for Data Transmission, Processing and usage of Data by the recipient in Sec. 43 (2) Straßenverkehrsgesetz (StVG - German Road Traffic Act).
4. The KBA is entitled to verify the pending obligations at any time and without warning.
5. In this context, KBA points out that obtaining personal data by fraud is considered an offense and is punishable by law according to BDSG.

II.

The responsible manufacturer commissions KBA with the provision of data according to Sec 35 (2) no. 1 StVG

as well as the processing of the mailing service.

The responsible manufacturer recognises that KBA

- does not assume liability for the actuality of the vehicle owner addresses,
- and excludes liability claims from the transmission of the vehicle owner addresses, particularly in terms of their possible outdatedness,
- that it can only process applications for the verification or replacement of delivery of address based on the reimbursement of costs.

(Place, Date)

(Signature(s) and company seal)

Codex for the execution of recall campaigns

Appendix 2 Appointment of an authorised representative

I.

We, the company
(Manufacturers or permit holders)

.....
(Street)

.....
(Postcode-City-Country)

hereby authorise
(Authorised representative)

.....
(Street)

.....
(Postcode-City-Country)

to conduct all measures at the KBA associated with the execution of the Produktsicherheitsrecht (ProdSG - German Product Safety Act) and/or Directive 2001/95/EC and the Regulation (EC) 765/2008,

to apply for the provision of vehicle owner addresses from the Zentrales Fahrzeugregister (ZFZR - Central Vehicle Register) according to Sec. 35 (2) no. 1 Straßenverkehrsgesetz (StVG - German Road Traffic Act) (please tick the appropriate)

The authorisation applies generally (please tic the appropriate)
with limitations

Limitations:
.....

(Place, Date)

(Signature(s) and company seal)

Codex for the execution of recall campaigns

II.

Confirmation of authorised representative

We agree to take on the tasks for the above-mentioned company as authorised representative and are obligated to fulfil all associated duties toward the KBA.

(Place, Date)

(Signature(s) and company seal)

Appendix 3 Data medium and data transfer standards

The following data carriers and remote data transfer standards can be received/sent and accepted/handed out by KBA:

Data transfer

1. **Email** with up to 20 MB transferrable data volume - In the process, the data can be compressed (=zipped), thus permitting larger volumes. Email encryption is necessary or possible following coordination in case of personal data. (The public and free-software GnuPG is encryption standard)
2. Data transfer via **ENX-Net** (in order to communicate via ENX-Net with KBA, an agreement has to be concluded with the company "SSC-Services" see <https://www.ssc-services.de/leistungen/produkte/kbadirect/>)
The encryption of the files from KBA is done by GnuPG.
3. **Data transfer via the Internet** (WebDAV + IPSec): The WebDAV procedure does not incur further costs through KBA and can be requested at the KBA user service (Tel.: +49 461 316-1717 or Anwenderbetreuung@kba.de).
The encryption of the files from KBA is done by GnuPG.

CD-ROM

Storage capacity: 650 MB

Code: ASCII (ISO 8859-1)

Encryption is necessary or possible following coordination in case of personal data. (The public and free-software GnuPG is encryption standard)

DVD

Storage capacity: 4.0 GB

Code: ASCII (ISO 8859-1)

Encryption is necessary or possible following coordination in case of personal data. (The public and free-software GnuPG is encryption standard)

Please note: send VIN only as csv-, xls or txt-file.

Arranging VIN among themselves, line ending control character (CR/LF), files separated according to length of sentence.

Hyphens, spaces and special characters are not to be used!

Codex for the execution of recall campaigns

Appendix 4 Record description (valid as of 10/2009)

File name: Search results for recall from the database of the Central Register of Motor Vehicle

type of record/description of record: Fixed

con s. No.	Field name	Digits		Field- Len- ght	Field- Form	Form	Com- plete Charac- ter	if Emp- ty	Field content/ Comments
		from	to						
001	FIN25	0001	0025	0025	C	L	S	S	Vehicle identification number
002	HER	0026	0029	0004	C	L	S	S	Manufacturer code number (national)
003	TYP	0030	0032	0003	C	L	S	S	Type code number
004	KENNZ	0033	0041	0009	C	L	S	S	License plate number - Differentiation character (3 digits, left-justified) - ID letter (2 digits, left-justified) - ID number (4 digits, right-justified)
005	GEMWO	0042	0049	0008	C	L	S	S	Municipality key (city of residence)
006	KREN	0050	0053	0004	C	L	S	S	Code for fuel or energy source
007	HUB	0054	0058	0005	C	L	S	S	Engine size
008	D1ZUL	0059	0066	0008	C	L	S	S	Date of first registration (YYYYMMDD)
010	ANR	0067	0067	0001	C	L	S	S	Gender w = female m = male Space
011	DRGRD	0068	0092	0025	C	L	S	S	Doctoral degree
012	VNAME	0093	0152	0060	C	L	S	S	First name (owner)
013	NAMBZ	0153	0302	0150	C	L	S	S	Name owner - natural person = surname - legal entity = name of legal entity - Association = name of association
014	RESERV	0303	0347	0045	C	L	S	S	Reserve field During the year 2009 reserved with further owner information
015	PLZ08WO	0348	0355	0008	C	L	S	S	Postcode (owner)
016	NATIOWO	0356	0358	0003	C	L	S	S	Nationality (owner)
017	WOHNOWO	0359	0398	0040	C	L	S	S	City (owner)
018	STRASWO	0399	0438	0040	C	L	S	S	Street (owner)
019	HSNRWO	0439	0442	0004	C	L	S	S	House number (owner)
020	HNZ21WO	0443	0463	0021	C	L	S	S	Additional line for address (owner)

Codex for the execution of recall campaigns

con s. No.	Field name	Digits		Field- Len- ght	Field- Form	Form	Com- plete Charac- ter	if Emp- ty	Field content/ Comments
		from	to						
021	MVERB	0464	0464	0001	C	L	S	S	Feature proof of recycling 0 = proof of recycling available 1 = Vehicle was not disposed of as waste 2 = Vehicle was taken abroad for disposal
22	MKZUSRUE	0465	0465	0001	C	L	S		Feature condition in register space = vehicle is registered S or 1S = vehicle is deregistered for up to 18 months, the last known owner address is provided A = Vehicle is deregistered for more than 18 months, field 001, 002 and 021 are pro- vided, all other fields are space G = export N = vehicle was not found/no information possible, field 001 and 002 are provided, all other fields are space

Legend:

Format:

C = alphanumerical

N = numerical

P = packed

O = packed, without prefix

B = binary, several digit combinations, if required

Form:

R = right-justified

L = left-justified

V = entry value fills all stipulated places at all times

Appendix 5 Information regarding the registration status of the vehicles in the ZFZR

The vehicles are entered in ZFZR with different registration statuses. The results of the vehicle search are summarised as follows:

1. Found data sets

This data supply comprises the hits from the comparison of your data request with the data of ZFZR. Next to the address of the owner, the VIN and the license plate, it also contains technical information. The vehicle generally participates in road traffic.

2. Not found data sets

This data supply comprises the requested data sets for which no hit was achieved from the comparison of your data request with the data of ZFZR. These VIN are returned unchanged in the format of the request data set. These are vehicles without an entry in the ZFZR.

3. Data sets of unregistered vehicles

This term defines vehicles which were deregistered according to Sec. 14 FZV. The storage of these vehicles occurs for a period of 7 years. Upon expiration of the period, the data is removed from the ZFZR. Information regarding the reason for the deregistration is not available. For these vehicles, the VIN, but no owner addresses are supplied if the deregistration occurred more than 18 months ago at the time of the enquiry. The address of the last registered vehicle owner is supplied if the deregistration occurred less than 18 months ago at the time of the enquiry.

4. Data sets of vehicles with proof of recycling

The registration authority was presented with a proof of recycling according to Sec. 15 FZV for these vehicles. Vehicles with proof of recycling were disposed of and are no longer on the road. For these vehicles, the VIN, but no owner addresses are supplied.

5. Vehicles with seasonal license plates

Vehicles with seasonal license plates are deemed registered; the data set equates to the deliveries to item 1.

Appendix 6 Samples for owner notification letter

Owner notification at usage of mailing service of KBA

(Company name, registered business address)

.....
.....
.....
.....

<Type of vehicle, sales name and, if required: company name and registered address>;

- <Recall campaign > due to <short description of defect> and/or <Code >

License plate number:

Vehicle identification number:

Dear vehicle owner,

<Company name> has determined that a significant defect for road safety <environment, if applicable> could exist in your above-mentioned vehicle.

The possibility exists that <the defect *> occurs in your vehicle. This defect has to be remedied. Otherwise, there is a risk of <consequence of defect *>.

Please arrange an appointment with <the contractual workshop responsible for the elimination of the defect *>, so your vehicle can be inspected free of charge and repaired, if necessary. In case of questions, please contact our hotline <phone number *>.

We ask for your understanding for this measure, which is executed in the interest of your safety and the safety of other road users.

[As a mere precaution, we point out that you will not receive any further notifications from us. In the event that your vehicle was not presented by <appointment> <at the workshop responsible for the remedy of the defect>, the possibility exists that KBA takes measures against the further usage of the vehicle in cooperation with the responsible registration authority (e.g. withdrawal of vehicle registration) up to the implementation of the recall measure ²⁰]

With kind regards

Appendix 1²¹

Note: Owner notification is required obligatory in German language.

* Element must be indicated in the letter to the vehicle owner

²⁰ This wording applies only in case of monitored and ordered recall campaigns with withdrawal of vehicle registration. It is to be used for the letter of the last follow-up action of the manufacturer

²¹ The Data Protection Policy from Appendix 10 has to be attached.

Owner notification without the usage of the mailing service of KBA

(Company name, registered business address)

.....
.....
.....
.....

< Type of vehicle, sales name and, if required: company name and registered address>;

- <Recall campaign > due to <short description of defect> and/or <Code >

License plate number:

Vehicle identification number:

Dear vehicle owner,

<Company name> has determined that a significant defect for road safety <environment, if applicable> could exist in your above-mentioned vehicle.

The possibility exists that <the defect *> occurs in your vehicle. This defect has to be remedied. Otherwise, there is a risk of <consequence of defect *>.

Please arrange an appointment with <the contractual workshop responsible for the elimination of the defect *>, so your vehicle can be inspected free of charge and repaired, if necessary. In case of questions, please contact our hotline <phone number *>.

We ask for your understanding for this measure, which is executed in the interest of your safety and the safety of other road users.

[As a mere precaution, we point out that you will not receive any further notifications from us. In the event that your vehicle was not presented by <appointment> <at the workshop responsible for the remedy of the defect>, the possibility exists that the KBA takes measures against the further usage of the vehicle in cooperation with the responsible registration authority (e.g. withdrawal of vehicle registration) up to the implementation of the recall measure²².]

With kind regards

Appendix 1 ²³

Note: Owner notification is required obligatory in German language.

* Element must be indicated in the letter to the vehicle owner

²² This wording applies only in case of monitored and ordered recall campaigns with withdrawal of vehicle registration. It is to be used for the letter of the last follow-up campaign of the manufacturer.

²³ The Data Protection Policy from Appendix 10 has to be attached.

Codex for the execution of recall campaigns

Appendix 7 Check list of the necessary manufacturer information on recall campaigns

Identification of the vehicles	Basic action	Follow-up action
category of vehicle		*
No. of operating permit or EC type approval		*
Vehicle type		*
make/trade name		*
Manufacturer code no. (obsolete with 17-digit VIN)		*
Affected model years		*
Number of presumably affected vehicles (see Appendix 8)		
Specification of worldwide technically affected VIN (if applicable, reference to attached data carriers)		
Specification of worldwide technically affected as well as previously processed VIN (if applicable, reference to attached data carriers)		

Description of defect

Justification of measure (description of defect and consequences)		*
Owner letter attached: (sample see Appendix 6)		
<ul style="list-style-type: none"> • Description of defect and consequences in detail 		
<ul style="list-style-type: none"> • Identified as recall campaign 		
<ul style="list-style-type: none"> • Phone hotline 		
<ul style="list-style-type: none"> • Data Protection Policy (see Appendix 10) 		
Workshop instructions (with drawings)		*

Codex for the execution of recall campaigns

Information and attachments to application

Dispatch of owner notification by KBA (mailing service)	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Declaration to recall campaign (Appendix 1)		*
Authorisation of manufacturer / permit holder (Appendix 2) (only necessary if applicant is not manufacturer/permit holder)		*
Confirmation of cost assumption		*
Explanation to chronological procedure of spare parts supply (Appendix 8)		*
Data carrier	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Number of data sets on the data carrier		

*) Can be omitted if no changes to the basic action occurred to this respective item.

Codex for the execution of recall campaigns

Appendix 8 Explanation to chronological procedure and confirmation of spare parts supply

The following number of vehicles is affected by the recall campaign with code

- worldwide
- in Germany

The parts supply is secured at the start of the campaign.

(Place, Date)

(Signature(s) and company seal)

Appendix 9 Notification of responsible manufacturer according to Sec. 6 (4) ProdSG

1. Name and address of the responsible manufacturer (with phone/fax)	
2. Product name (e.g. vehicle)	
3. Type/model/series	
4. No. of operating permit or EC type approval	
5. make/trade name	
6. Identification feature (e.g. vehicle identification number)	
7. Affected model years	
8. Number of affected units in Germany and worldwide	
9. Information regarding the traceability of the product*	
10. Brief description of defect	
11. Brief description of risk emanating from product	
12. Relevant test results *)	
13. Accidents*	
14. Description of measures taken to eliminate risks for consumers*	
15. Is the risk limited to the territory of the Federal Republic of Germany? (Yes/no)	
16. Information on possible implications of remedial action pertaining to matters subject to type approval	
17. Confirmation of type approval authority (only if matters subject to type approval are affected (see 16))	

*) If business and industrial secrets are involved, they have to be provided to KBA and identified as such.

Appendix 10 Sample of data protection declaration

With this letter, you receive the request to participate in a recall campaign due to a safety or environmentally relevant defect. For the purpose of executing this recall campaign, the manufacturer has received your data according to Sec. 6 (1) e and (3) b General Data Protection Regulations (GDPR) in connection with Sec. 32 (1) no. 1, 35 (2) no. 1 Straßenverkehrsgesetz (StVG - German Road Traffic Act).

The following personal data is extracted from the Zentrales Fahrzeugregister (ZFZR - Central Vehicle Register), in reference to the vehicle identification number (VIN) of vehicles affected by this recall: in case of private persons as vehicle owner, title, first name, surname as well as address and gender, and in case of company vehicles name and address of the company, if the vehicle is registered to a company. Your title, name, gender as well as your address and VIN are transmitted to the manufacturer and subsequently stored by KBA as evidence for 30 years. The manufacturer, in turn, warrants towards KBA to use the data solely for the execution of the recall campaign. If an additional serious risk is detected by KBA based on the defect according to Sec. 26 (4) Produktsicherheitsrecht (ProdSG - German Product Safety Act) and the vehicle has not participated in the recall campaign despite multiple invitations, KBA transmits the VIN of affected vehicles according to Sec. 35 (1) no. 4 StVG to the locally responsible registration authority for the fulfilment of its legally assigned tasks. These consequently take a decision based on their jurisdiction. There shall be no automated decision-making according to Sec. 22 of GDPR at the data processing by KBA.

Contact data of KBA as responsible entity:

Postal address:
Kraftfahrt-Bundesamt
Marktüberwachung
24932 FLENSBURG
GERMANY
Phone: +49 461-316-1081
Fax: +49 461-316-2308
Email: marktueberwachung@kba.de

Contact data of public Data Protection Controller:

Postal address:
Kraftfahrt-Bundesamt
Datenschutz
Dr. Friederike Vogel
24932 FLENSBURG
GERMANY
Phone: + 49 461-316-2327
Fax: + 49 461-316-1846
Email: datenschutz@kba.de

Contact data of responsible supervisory authority:

As affected person, if required, you also have the option to contact the Federal Representative for Data Protection and Freedom of Information (BfDI): Graurheindorfer Str. 153, 53117 Bonn, www.bfdi.bund.de, Email: poststelle@bfdi.bund.de.

You can furthermore assert your rights for information (Sec. 15 GDPR), rectification (Sec. 16 GDPR), erasure (Sec. 17 GDPR), restriction of processing (Sec. 18 GDPR) and data portability (Sec. 20 GDPR) towards KBA.

Further data protection information is available under: www.kba.de

Note: Data protection declaration is required obligatory in German language.

Impressum

Publisher:
Kraftfahrt-Bundesamt
24932 Flensburg
GERMANY

Internet: www.kba.de

Professional information and consultation:

Phone: +49 461 316-0
Fax: +49 461 316-1650
Email: kba@kba.de

Published in December 2011
Version: June 2020

Print: Druckzentrum KBA

All rights reserved. The duplication and distribution of this publication, also in excerpts and digital form, is only permitted with reference to the source. This also applies if contents of this publication are distributed which were only obtained indirectly.

© Kraftfahrt-Bundesamt, Flensburg

 We score with road safety!