



Federal Law Gazette

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**Fifteenth Ordinance on
the Product Safety Act
(Ordinance on the Prohibition of the Import, Placing on the Market and
Making Available on the Market of Sky Lanterns – 15th ProdSV)**

From 10 January 2024

Pursuant to Section 8 Paragraph 2 of the Product Safety Act of 27 July 2021 (Federal Law Gazette I p. 3146, 3147) the Federal Government:

§ 1

scope

This regulation regulates the prohibition of import, placing on the market and making available of Sky lanterns on the German market.

§ 2

Definition

- (1) A sky lantern within the meaning of this Regulation is an unmanned balloon-like flying light,
1. in which the buoyancy is generated by an open fire source and
 2. who flies freely and without any control.

The fuel used as a fire source to heat the air can be solid, liquid or gaseous.

- (2) Other names for a sky lantern, such as wishing lantern or lucky balloon, shall not affect Section 3 of this Ordinance.

§ 3

Prohibition of import, placing on the market and making available on the market

- (1) The import, placing on the market and making available of sky lanterns on the German market is prohibited.

(2) Where a sky lantern is offered for sale online or through another form of distance selling, the sky lantern shall be deemed to be made available on the German market if the offer is addressed to end-users. An offer for sale shall be deemed to be addressed to end-users if the economic operator concerned directs its activities relating to the placing on the market or making available of sky lanterns in any way towards the Federal Republic of Germany.

§ 4

Administrative offences and criminal offences

(1) Anyone who intentionally or negligently imports, places on the market or makes available on the market a sky lantern contrary to Section 3(1) commits an administrative offence within the meaning of Section 28(1) number 7(a) of the Product Safety Act.

(2) Anyone who persistently repeats an intentional act referred to in paragraph 1 or who, through such an intentional act, endangers the life or health of another person or the property of another person of significant value, shall be liable to prosecution under Section 29 of the Product Safety Act.

§ 5

Come into effect

This Regulation shall enter into force on the day following its publication.

The Federal Council has agreed.

Berlin, 10 January 2024

The Federal Chancellor

Olaf Scholz

The Federal Minister for Labour
and Social Affairs

Hubertus Heil