

REGIONAL CONFERENCE ON ENERGY LABELLING

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Market surveillance of Energy labelling regulations

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- General EU regulatory framework for market surveillance – Regulation 2019/1020
- Specificities for energy labelling area - Energy Labelling Regulation 2017/1369
- Example from Latvia



General EU regulatory framework for market surveillance – Regulation 2019/1020



Regulation Overview

Regulation (EU) 2019/1020 targets market surveillance and product compliance within the European Union to improve safety and fairness

Challenges in E-commerce

The regulation addresses challenges from e-commerce and cross-border trade requiring stronger enforcement and cooperation among member states

Objectives of the Regulation

The regulation aims to enhance product safety and ensure fair competition across the EU internal market through robust enforcement

Enhancing Internal Market

The regulation improves the internal market functionality by reducing competitive distortions among economic operators

Ensuring Product Safety

It promotes product safety by establishing rules ensuring only compliant products reach consumers

Protecting Public Interests

The regulation safeguards public health, safety, and the environment through effective market surveillance

Strengthened Market Surveillance

The regulation enhances monitoring to ensure harmonized products comply with safety standards across the EU market

EU-Based Economic Operator Requirement

Certain products require an economic operator based in the EU to ensure regulatory compliance and accountability

Wide Range of Products Covered

The regulation applies to diverse goods including toys, machinery, chemicals, vehicles, electronics, and construction products

Ensuring Safety and Compliance

Products entering the EU market must meet established safety and compliance standards to protect consumers

Product Categories Defined

Over 70 directives specify product categories subject to market surveillance to ensure compliance with regulations

Market Surveillance Scope

The regulation clarifies which products must comply with EU standards and be monitored by authorities

Economic Operator

Economic Operator includes parties involved in manufacturing, importing, distributing, or representing products

Manufacturer Definition

Manufacturer produces or markets products under its own name, ensuring product responsibility

Importer Responsibilities

Importer brings products from third countries into the EU market to ensure compliance

Distributor and Fulfillment

Distributor makes products available within the supply chain; fulfillment providers handle warehousing and dispatching



Key definitions I

Information Society Service Provider

Refers to online service providers offering digital services through the internet

Placing on the market

making available of the product on the EU market first time

Making Available on the Market

Supplying a product for distribution or use within the European Union market

Market Surveillance

Authorities conduct activities ensuring product compliance and consumer safety

Online Interface

Websites and applications used to offer products and services to end users



Key definitions II



Tasks of economic operators

Responsible EU Entity

Economic operators must designate a responsible entity based within the EU for product accountability and traceability

Technical Documentation

Operators are required to maintain comprehensive technical documentation to demonstrate product conformity with regulations

Product Contact Details

Providing clear contact information on products or packaging supports traceability and communication with authorities

Cooperation with Authorities

Economic operators must collaborate with market surveillance authorities and address requests for corrective actions promptly

Distance Sales & Online Marketplaces

EU Market Availability

Products sold online to EU consumers are regarded as made available within the EU regardless of the seller's location

Seller Compliance Requirement

Online sellers must comply with EU regulations, including appointing an economic operator based in the EU

Consumer Safety Assurance

These rules ensure consumers buying online from marketplaces receive safe and compliant products within the EU

Information exchange

Operator Cooperation

Economic operators must provide required documents and promptly respond to market authorities' inquiries for compliance

Authority Collaboration

Market surveillance and customs authorities share information and coordinate to effectively monitor product compliance

Ensuring Market Compliance

Effective cooperation helps prevent non-compliant products from entering the market, ensuring safety and standards

ICSMS – information exchange system for MSAs

Powers of Market surveillance authorities

Designation of Authorities

Member States appoint Market Surveillance Authorities and a Single Liaison Office to ensure effective oversight

Independent Operation

MSAs must operate independently and have sufficient resources to carry out their duties effectively

Enforcement Powers

MSAs can request documents, inspect products, enforce corrective actions, and remove unsafe products online

Cost Recovery

MSAs have the authority to recover costs from non-compliant economic operators to support regulatory enforcement

Mutual assistance and cooperation

Cross-Border Cooperation

Market surveillance authorities collaborate across countries to investigate and enforce compliance effectively

Product Release Suspension

Procedures allow suspension or refusal of non-compliant products at customs to protect consumers

Consistent Enforcement

Mutual assistance ensures consistent enforcement across the EU to prevent unsafe products from entering the market

Union Product Compliance Network

Coordination Platform

The network connects Market Surveillance Authorities, customs, and the European Commission for better collaboration

Sharing Best Practices

It enables sharing of best practices, joint actions, and training initiatives across Member States

Enhancing Market Surveillance

The network improves market surveillance effectiveness and promotes uniform enforcement throughout the EU

Enforcement and penalties

Effective Penalties

Penalties must be effective in deterring infringements and ensuring compliance with regulations

Proportionate Sanctions

Sanctions should be proportionate and fair, balancing punishment with the nature of the infringement

Consistent Enforcement Framework

A harmonized enforcement framework ensures uniform application of safety standards across member states



Specificities for energy labelling area – Energy Labelling Regulation 2017/1369





Ensure that information on the energy efficiency of goods is correctly indicated

- Energy label
- Data sheet

Ensure that the product complies with the ecodesign requirements

- Conformity assessment
- Generic and specific ecodesign requirements
- Information to consumers



Correct Energy Labelling

Suppliers must ensure energy-related products display accurate, visible, and legible energy labels for consumers

Product Registration in EPREL

Suppliers are required to register products in the EPREL database before selling within the EU to ensure transparency

Maintaining Label Integrity

Suppliers must maintain and update label information to reflect any changes in product performance or classification

Supporting Energy Efficiency Goals

Obligations uphold the credibility of energy labelling, supporting EU energy efficiency and consumer protection goals



Provision of Product Information

Suppliers must provide a detailed product information sheet with every product to assist dealers and consumers

Technical Documentation Maintenance

Suppliers are required to maintain technical documentation including test reports and performance data to support label accuracy

Transparency and Accountability

Regulations emphasize transparency and accountability by ensuring all product data is accurate and accessible to authorities

Support for Energy Labelling System

Suppliers' obligations help create a trustworthy energy labelling system benefiting consumers and environmental goals



Clear Label Display

Dealers must ensure energy labels are visible at all points of sale, both physical and online, to aid consumer choice

Provision of Product Information

Dealers are required to provide product information sheets upon request and obtain missing data from suppliers

Cooperation with Authorities

Dealers must cooperate with market surveillance authorities and avoid misleading label imitations to maintain transparency



Market Surveillance Programs

Member States must establish programs to monitor compliance with energy labelling regulations effectively

Enforcement and Penalties

Member States are responsible for enforcing penalties and corrective actions for non-compliance with labelling rules

Coordination Across EU

Coordination with other Member States and the European Commission ensures a harmonized EU-wide approach to energy labelling

Support for EPREL Database

Member States must support and contribute to the maintenance of the EPREL database to ensure reliable energy label data

EPREL

The European
Product Registry
for Energy Labelling



Central Energy Labelling Database

EPREL serves as the central platform where suppliers register all energy-labelled products before market placement

Public and Compliance Access

The database includes a public section for consumers and a compliance section for regulators to ensure transparency and oversight

Market Surveillance Support

Authorities use EPREL to verify product claims and detect non-compliance, supporting effective market surveillance

Data Accuracy and Integrity

The regulation requires accurate and complete data to maintain trust and support energy efficiency goals



Inspection and Testing

Member States conduct inspections and tests to verify energy label accuracy and product information compliance

Targeted Surveillance Using Data

Surveillance authorities use EPREL data to identify and target high-risk products and suppliers for enforcement

Penalties and Notifications

Penalties are applied for non-compliance, and unsafe products are reported via Safety Gate to EU authorities

Coordinated Enforcement

Consistent enforcement across Member States ensures consumer trust and effective energy labelling framework



Example from Latvia



Market surveillance process

Proactive market surveillance

Product screening (quality
and source; legal
requirements)

Market surveillance program

Product sampling

Inspection and testing

Visual checks

Administrative controls

Screen testing

Testing in labs

Evaluation of results

Enforcement actions

Voluntary actions

Product bans

Correction of
information

Sanctions

Report of results

Public

Stakeholders

Ministry of Economy

Reactive market surveillance

Signals from the market;
Complaints Information
from other countries
Customs

Market surveillance methods



Administrative checks

- Examination of the documents of conformity of the goods
- Declarations of conformity, technical documentation
- Checks on marking, e.g. CE marking



Screen testing

- Playground tests
- Tests of children's goods and toys
- Electrical goods tests



Product testing in laboratories

- Selection of accredited testing laboratories
- Development of testing programs
- Evaluation of test results

Where the controls are carried out?

Distributors,
importers

Manufacturers
and
construction
sites

Service
providers

On-line

At the border

Legal framework:

- Regulation 2019/1020 on market surveillance and product compliance
- Regulation on 2023/988 on general product safety
- Law on Products and Services Surveillance Law
- Law on Conformity Assessment
- Cabinet Regulations on Product Sampling

- CRPC has Quality Management System according to ISO 9001 since 2005
- Market surveillance procedures
- Internal regulations on market surveillance:
 - Planning
 - Controls
 - Case handling
 - Risk assessment
 - Sampling
 - Test purchases
 - Reporting etc.

Active cooperation with other EU countries:

- EU ADCO framework for Energy Labelling and Ecodesign
- Cooperation projects EEPLIANT3 and EEPLIANT4

