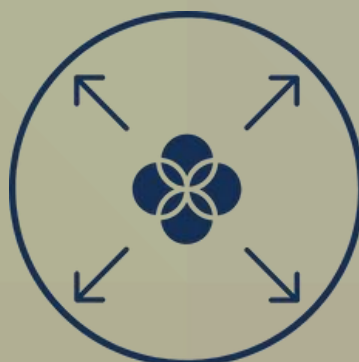


Layman's Report

JAHARP2022-04

Harmonisation of Market
Surveillance Methodologies &
Mutual Visits



"Every day across the EU, invisible guardians work behind the scenes to keep unsafe and non-compliant products off the shelves and fairness on the playing field.

Because safety is not a product, it's a process that never stops."

PROSAFE – The Product Safety Forum of Europe

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List of abbreviations

ADCO	Administrative Cooperation Group
CE	European Conformity (Conformité Européenne)
DG GROW	Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
DoC	Declaration of Conformity
ED	Ecodesign Directive 2009/125/EC
EEA	European Economic Area
EISMEA	European Innovation Council and SMEs Executive Agency
EL	Energy Labelling Regulation (EU) 2017/1369
EO	Economic Operator
EPREL	European Product Registry for Energy Labelling
EU	European Union
GA	Grant Agreement
ICSMS	Information and Communication System for Market Surveillance
LVD	Low voltage directive (LVD) (2014/35/EU)
MS	Member State
MSA	Market Surveillance Authority
OJ	Official Journal of the European Union
PROSAFE	Product Safety Forum of Europe
WP	Work Package

Executive Summary

The Joint Action on Harmonised Products 2022-04 ([JAHARP2022-04](#)) started in April 2023 and ended in March 2025.

The project aimed at facilitating the **exchange of experiences and best practices** among European Market Surveillance Authorities (MSAs) to enhance the application of the Market Surveillance Regulation (EU) 2019/1020¹, in the field of the Low Voltage Directive (LVD) 2014/35/EU² and the Ecodesign Framework Directive 2009/125/EC³.

The project group carried out seven case studies using tumble driers as an example for applying risk assessment methodologies for the two legislations in focus.

A template was developed to support MSAs in determining the risk class and taking

decisions on corrective measures, fines and follow-up actions.

The project observed several discrepancies in the way in which MSAs conduct risk assessment and enforcement actions across Europe, particularly in relation to the national authority which is responsible for the different actions.

At the same time, it was noted that the type of enforcement measures taken based on the risk assessed are mostly aligned across the continent.

In addition, **two visits were organised** by the MSAs of Italy (CAMCOM) and Latvia (CRPC). They focused respectively on two case studies on tumble driers inspections under the LVD and Ecodesign Directives and on cooperation with Customs Administrations.

Both visits included a **field visit**, respectively to a laboratory (Italy) and to a customs post (Latvia), which provided additional insight to the participating authorities on testing and inspection procedures in the field.

The Joint Action drafted several recommendations for MSAs and for the European Commission aimed at improving the harmonisation of market surveillance methodologies.

¹ [Regulation \(EU\) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations \(EC\) No 765/2008 and \(EU\) No 305/2011](#)

² [Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits](#)

³ [Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products](#)



Highlights and key results

HARMONISATION OF MARKET SURVEILLANCE METHODOLOGIES

1 product & **2**
Legislations in
scope:

Tumble driers
under the
Low Voltage
Directive &
Ecodesign
Framework
Directive

7
Case studies:

Round robin
exercise
conducted on 7
different case
studies

1
Template
developed

Template for risk
assessment and
corrective
measures -
combined for LVD
and Ecodesign

1
Open workshop

Workshop open to
all LVD & ECOD
ADCO MSAs
Over 70
participants

MUTUAL VISITS

2
Peer visits:

2 MSAs (CRPC from
Latvia and
CAMCOM from
Italy) hosted two
exchange
programmes.

2
Case studies

Cases studies on
market
surveillance
investigations
under LVD and
Ecodesign
Legislations

1
Workshop

Workshop on
technical
screening of LVD
products at the
border

2
Field visits

Visit to a test
laboratory and to a
Customs post

JAHARP2022 Omnibus

The **Joint Market Surveillance Action on HARmonised Products 2022 (JAHARP2022)** is a portfolio of projects co-funded by the European Union, comprising seven product areas and two horizontal/capacity building activities, implemented in synergy.

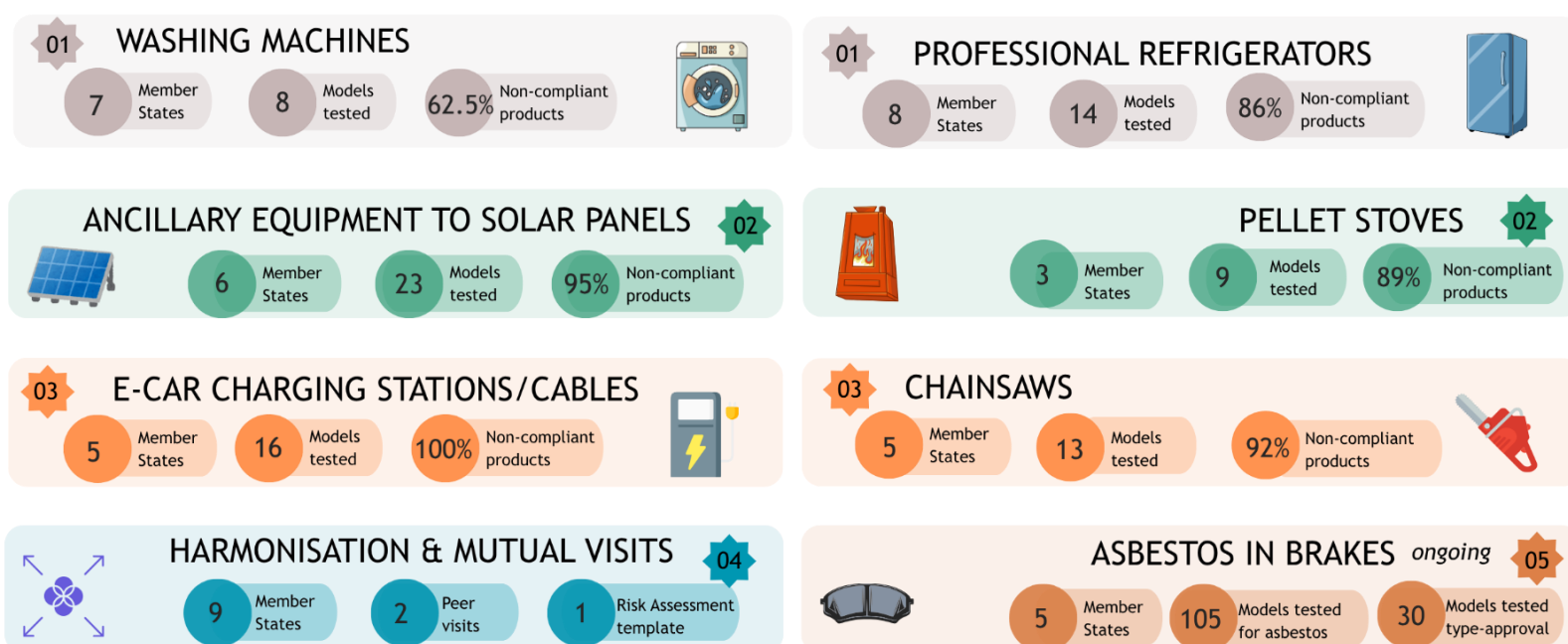
The shared strategic objective of JAHARP2022 is twofold:

- Remove non-compliant products from the Single Market
- Support the implementation of Regulation (EU) 2019/1020 on Market Surveillance

Market Surveillance on products entering the Single Market is the responsibility of national authorities, which have to adhere at the same time to European and national legislation, in some cases causing differences in the implementation.

For this reason, and because of the emerging challenges that Market Surveillance Authorities (MSAs) face in their daily work, joint actions are an essential tool to promote the coordination and harmonisation of practices and methodologies among European authorities, by conducting transnational campaigns focused on specific products and legislations and favouring the exchange of information and best practices.

An overview of the projects part of the JAHARP2022 portfolio is provided in the figure below.



Caution! The results are based on products that were sampled from the markets in the participating countries by experienced market surveillance inspectors. As in any routine market surveillance activity, the results represent the targeted efforts that authorities undertake to identify non-compliant products. They do not give a statistically valid picture of the market situation.

Introduction to JAHARP2022-04

Participating authorities

The Joint Action was undertaken by twelve (12) Market Surveillance Authorities from 9 EU countries:

Bulgaria, Czech Republic, Ireland, Italy, Latvia, Portugal, Romania, Spain and Sweden.

Ten (10) authorities participated in Work Package 2 on Harmonisation of Market Surveillance Methodologies and nine (9) authorities participated in Work Package 3 on Mutual Visits.

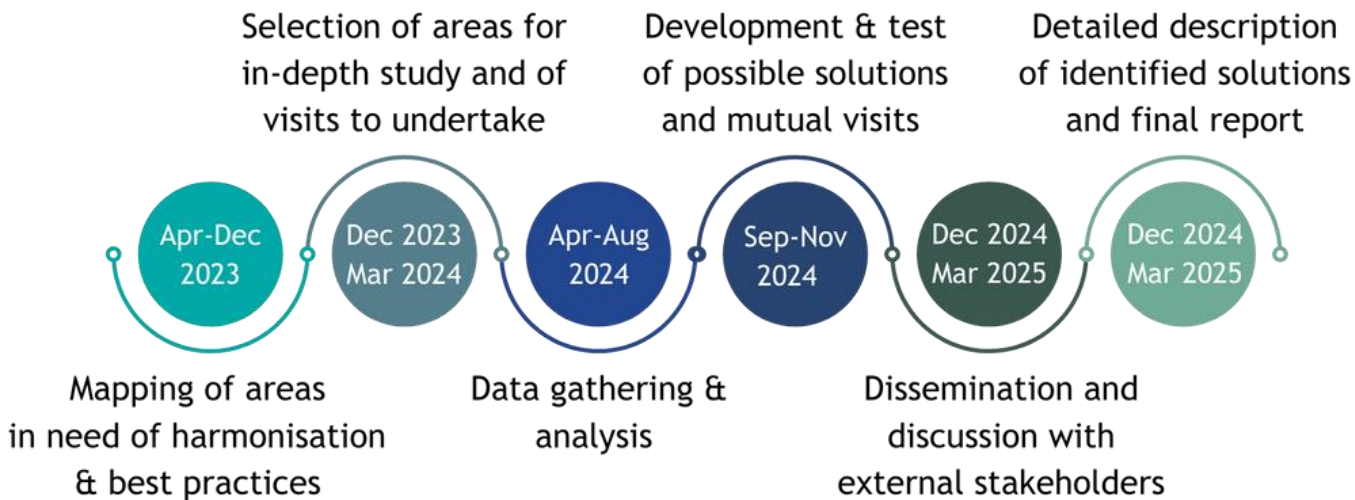
WP2 Harmonisation
WP3 Mutual visits
Both WPs



Timeline of the Joint Action

The Joint Action started with a scoping survey to identify the priority areas in need of harmonisation and collect best practices developed by the participating MSAs, together with their availability to host a visit. The group then analysed the results of the survey and selected the topics for in-depth study and the two mutual visits to undertake.

The MSAs collected data and conducted the harmonisation study, which resulted in the development of a template to support national authorities in their risk assessment and enforcement actions. The results were presented during a workshop and through presentations to the EUPCN and the relevant ADCO groups. The timeline of the project activities is shown in the graph below.



Harmonisation of Market Surveillance Methodologies

What is the status of harmonisation of market surveillance?

Market Surveillance is the responsibility of national authorities, often involving several authorities per Member State working in different product fields. This entails that the methodologies and procedures applied across Europe often differ from one another. The European Union is working to improve market surveillance harmonisation and strengthen the cooperation between national authorities through different channels:

- ✚ **Regulation 2019/1020** on market surveillance and compliance of products.
- ✚ The **EU Product Compliance Network (EUPCN)** composed of representative of all EU Countries, the chairs of the ADCO groups and the European Commission
- ✚ The **Administrative Cooperation Groups (AdCos)**, composed of representatives of EU Countries responsible for market surveillance in a specific product/legislation area
- ✚ **Common tools** such as the Information and Communication System for Market Surveillance (**ICSMS**) and the **Safety Gate** platform, meant to enhance the collaboration and exchange of information among MSAs.

The initiatives above are highly beneficial and are working towards uniformity in application of the Union Legislation. Nonetheless, there is still a certain degree of divergence among national legislations and common practices, which Joint Actions such as JAHARP2022-04 try to better understand and tackle.

In addition, the market evolution and the growing share of products sold via e-commerce and from third countries pose new and emerging challenges for MSAs.

Harmonisation study

The joint action prepared a scoping survey to explore MSAs harmonisation priorities. The results of the survey highlighted the strong need of MSAs for harmonisation of a variety of aspects of their work and practices.

The project group decided to select one product and to approach it from the point of view of two different Directives, focusing the study on standardising criteria for risk assessment, corrective actions and their follow-up.

The product group of **domestic tumble driers** was selected because of its market share and its relevance both from the perspective of the Low Voltage Directive and of the Ecodesign Directive. The participants could also count on previous experience of the project coordinator on actions involving this product, such as [JAHARP2020](#) and [EEPLIANT3](#).

The working group gathered and analysed data through a framework analysis and a round robin exercise.

They collected information revolving around the following areas:

- ✚ Official text/legislation vs common practice guiding MSAs procedures
- ✚ Institution/role in charge of risk assessment
- ✚ Institution/role responsible for enforcement actions
- ✚ Relation among institutions
- ✚ Institution responsible for RAPEX/Safety Gate notifications
- ✚ Timeline of follow-up actions

In addition, the group carried out a round robin exercise on 7 different case studies (3 concerning LVD non-conformities, 3 on Ecodesign non-conformities, and a combined case study with formal non-conformities applicable to both legislations).

The objective of the round robin exercise was to **evaluate and compare** results of the case studies to **identify areas where harmonisation is achieved and the ones where more harmonisation is needed**.

The template developed was organised in 4 sections:

1. **Risk assessment**, based on the Safety Gate Risk Assessment Guide (RAG) system for LVD and Ecodesign ADCO risk determination sheet
2. **Behaviour of the Economic Operator (EO)**, related to the compliance records of EOs, including the occurrence of repeated violations, as well as the economic operator's proactive or reactive approach
3. **Corrective actions and fines** (based on the options in the drop-down menus in ICSMS).
4. **Follow up** on corrective actions.

As a result of the exercise, **the template was enhanced to create one common file for LVD and Ecodesign** and to integrate reference to existing guidance materials.

Results and dissemination

Differences were recorded concerning where the responsibility falls for risk assessment, enforcement and formal notification in the EU portal. In fact, while in some MSAs the same authority is responsible for the whole process (sampling, checks, analysis of results, risk assessment, enforcement) in others the procedures following the analysis of the test/inspections results fall under a different authority.

In addition, the MSAs' evaluations **showed major differences in the determined risks** for 2 out of 3 LVD cases and 2 out of 3 ecodesign cases. All LVD authorities determined the case with formal non conformities as low risk while for Ecodesign MSAs the risks in these cases varied from low to high.

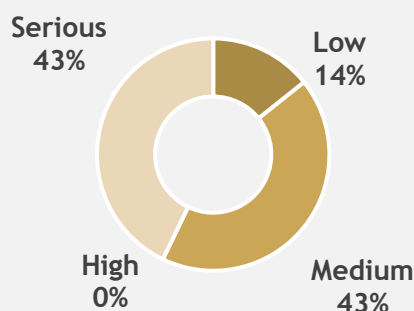
Differences are mainly attributable to the **level of experience** of the officer in previous similar cases and on the **availability of data** on the probability of the risk and its potential impacts.

On the other end, **in relation to corrective and follow-up measures, the MSAs mostly have similar approaches** for cases with the same determined risk level.

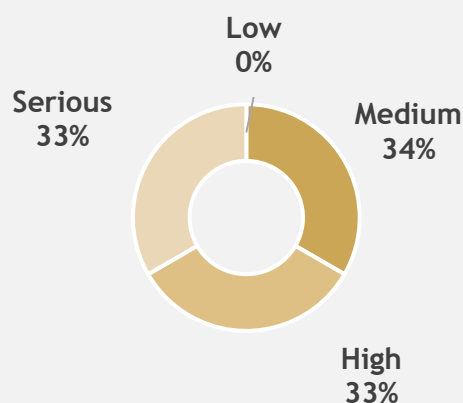
The results of the study were presented during an **interactive workshop** organised on 25 February 2025 and open to MSAs working in the fields of LVD and Ecodesign. The goal of the workshop, which was attended by **over 70 officers** from across Europe, was to introduce the developed template, train MSAs to use it, and collect additional data and feedback.

The results of the joint action were also presented during the EUPCN meeting of 13 March 2025 and the Ecodesign ADCO meeting of 20 May 2025.

Variability in risk assessment results on one LVD case



Variability in risk assessment results on one Ecodesign case



Mutual Visits

Two peer visits were organised under this project, hosted by two of the participating MSAs, in Italy and Latvia. The main goal was to facilitate the exchange of information and best practices among EU MSAs. In fact, in-person meetings and discussions are the most efficient way to steer and enhance harmonisation and cooperation. The two visits are described below.

Visit in Latvia



When: 4-5 September 2024

Main topic: Cooperation with Customs Authorities

Legislation: Low Voltage Directive

Practical Exercise: Workshop on LVD testing procedures

Field visit: Visit to a customs post in Latvia

Results: 5/5 visiting MSAs mentioned that lessons learnt will lead to changes or improvements in their methodologies

Visit in Italy



When: 24-25 September 2024

Main topic: Complete inspection of an electrical equipment

Legislation: Low Voltage Directive & Ecodesign Directive

Practical Exercise: Two case studies on full inspection procedures

Field visit: Visit to a testing laboratory

Results: 4/5 visiting MSAs mentioned that lessons learnt will lead to changes or improvements in their methodologies

Lessons learned

The mutual visits facilitated the resolution of ambiguities between the participating MSAs and **enhanced mutual understanding**. They also provided MSAs with further insight on the differences in methodologies and procedures in the EU.

The competences differ per MSA, as some authorities are responsible for all aspects of a market surveillance inspection and corrective actions while other MSAs share part of the responsibilities with other national authorities.

From a broader standpoint, this diversity in approach underscored the **necessity for standardizing processes among MSAs**. However, the national structures depend on national legislation and cannot be easily modified in a short timeframe.

The visit hosted by the Latvian MSA demonstrated that it **is essential to establish a strong and productive collaboration between the relevant MSAs and customs administrations**.

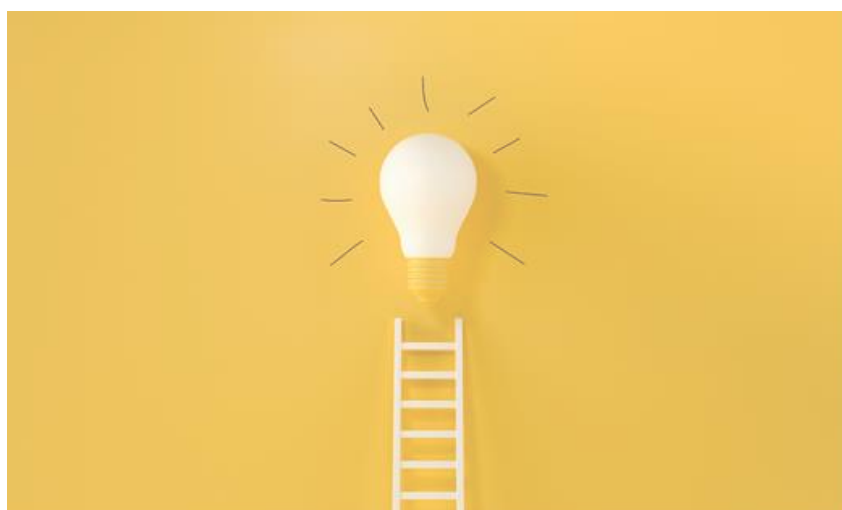
It is particularly highly beneficial if product safety controls are conducted jointly and in parallel. Several MSAs that are currently conducting controls at the point of entry to the EU are engaging in similar activities, influenced by national regulations and practices.

The Latvian IT information exchange system evidenced **the value of a unified IT system**. In particular, the immediate exchange of notifications, information, emails, communications, as well as data collection and the creation of easily accessible common files, is very important to ensure a fruitful collaboration.

Furthermore, the laboratory visit in Italy was considered as very instructive, as it broadened the officers understanding of different testing methodologies. The participants gained knowledge on several **practical aspects** to be taken into account when reviewing test reports provided by economic operators or sampling products to be tested. Observing the testing procedures highlighted the similarities in approach of LVD and eco-design testing.

Face-to-face interactions facilitated deeper discussions and a more comprehensive exchange of knowledge and experience. It also allowed the participants to learn significantly more than they would have through remote communication. These connections will be very valuable for future contacts, such as mutual assistance requests.

The results of the impact assessment conducted four months after the visits clearly shows that the MSAs have gained **significant knowledge and expertise**, and they are committed to implementing the lessons learned.



Recommendations

Based on the work conducted under this joint action, the market surveillance authorities drafted some recommendations for other MSAs, together with some policy recommendations for the European legislative bodies. These are presented below:

Risk Assessment: it is important to involve multiple experts in determining risks and in the decision making of corrective actions to apply.

The risk assessment tool developed by the Ecodesign ADCO group should be updated to reflect the current understanding of risks posed by formal and technical non-conformities.

Guidance: MSAs can use the template developed by JAHARP2022-04 to guide their decisions on risk assessment and enforcement actions. This can also support the exchange of considerations with other internal and external MSAs.

Recommendations for Market Surveillance Authorities

Policy recommendations:

Guidance: MSAs require additional guidance on risk assessment in relation to several product legislation/standards. It would be useful to have an accessible storage of existing training material.

Harmonisation of sectoral legislations: The group recommends that follow-up and enforcement measures are harmonised across different legislations.

ICSMS: The drop-down menu options in ICSMS could be improved to include additional corrective measures to match Article 16 of the Market Surveillance Regulation (EU) 2019/1020.

Database: It would be highly valuable for MSAs to have access to a database on incidents incurred in order to better evaluate the probability of the risks.

Conclusions and the way forward

The main goals of JAHARP2022-04 were to facilitate the **exchange of best practices** among MSAs and **improve the harmonisation** of their methodologies in particular in relation to risk assessment and corrective measures in the fields of the Low Voltage Directive and the Ecodesign Framework Directive.

These were achieved through several meetings and discussions, the organisation of two visits and the development of a template to support the work of market surveillance authorities in their risk assessment exercises and in their decision-making process concerning follow-up or enforcement actions to engage in based on the non-conformities observed and the calculated risk.

An evaluation survey showed that **all authorities would make further use of the template**, with 5 MSAs mentioning that they would be using it unchanged, 5 MSAs answering that they would use it with adaptations to their own national language, and 1 MSA indicating that they would use parts of it.

The participating MSAs found the mutual visit to be extremely useful. They acquired insight into the strategic and operational aspects of collaboration with customs and market surveillance of the Low Voltage Directive and Ecodesign. One of the significant advantages was the opportunity to meet and interact with other European Market Surveillance colleagues. Engaging with colleagues who also liaise with Economic Operators (EOs) and review technical documentation provided valuable insights and fostered a sense of community and shared purpose.

It was noted that **MSAs share similar challenges in dealing with economic operators outside the EU**, which emphasises the need for strengthened cooperation with Customs Administrations.

In the field of safety directives, **the MSAs need clearer guidelines** from the European Commission regarding the risk assessment and the determination of appropriate and proportionate corrective actions. Current guidelines should be updated, expanded and completed.

In the field of Ecodesign and Energy Labelling, specific and differentiated guidelines are necessary for the determination of appropriate and proportionate corrective actions.

The work conducted under this joint action is highly valuable and provided MSAs with useful instruments and tools for their daily work. Nonetheless, **harmonisation still needs to be improved in other product areas**, and other similar actions in the future would be vital to achieve greater consistency and a safer and fairer single market.

JAHARP2022-04 was part of the **JAHARP2022** portfolio of joint actions, involving 25 MSAs from 16 Countries and coordinated by **PROSAFE**. It focused on seven product categories falling under different Safety and Energy Efficiency legislations and on the harmonisation of market surveillance methodologies across member States.



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