

# Market surveillance system

## *Energieverbrauchsrelevante-Produkte-Gesetz (EVPG – Act on products relevant in terms of energy consumption)*

Status: December 2013

### Contents

1. Preamble .....	2
2. Principles and framework conditions for market surveillance .....	2
3. Market participants .....	4
4. Market surveillance tasks/competent authorities and bodies .....	7
4.1. Federal tasks .....	7
4.2. Tasks of the <i>Länder</i> .....	8
4.2.1. Competences in the <i>Länder</i> .....	8
4.2.2. Local market surveillance authorities in the <i>Länder</i> .....	9
4.2.3. Powers of the market surveillance authorities .....	9
5. Strategic approaches to market surveillance .....	10
5.1. Surveillance .....	11
5.1.1. Reactive market surveillance .....	11
5.1.2. Proactive market surveillance .....	11
5.2. Information and advice – flanking measures .....	12
5.3. Sources of information .....	12
6. Qualification of personnel .....	13
7. Coordination of market surveillance/organisational measures .....	13
8. Cooperation with the customs .....	14
9. Exchange of information between market surveillance authorities .....	14
10. Coordination of administrative assistance in Germany and Europe .....	14
11. Cooperation and dialogue especially with EU bodies, other ADCO groups, testing bodies, environmental associations and consumer protection authorities .....	15
12. Updating .....	15

## 1. Preamble

Free movement of goods is one of the cornerstones of the European internal market. In order to ensure that the internal market is functional, the European Parliament and the Council of the European Union enact legal provisions under Article 114 of the Treaty on the Functioning of the European Union (TFEU) which are applicable throughout Europe. There are no individual Member State regulations. It is assumed that a high level of protection is achieved in the sectors of health, safety, environmental and consumer protection.

On the basis of Article 95 of the EC Treaty (current Article 114 TFEU), the European Parliament and the Council enacted European Directive 2009/125/EC (Ecodesign Directive) establishing a framework for the setting of ecodesign requirements for energy-related products. The Ecodesign Directive was transposed into national law by the *Energieverbrauchsrelevante-Produkte-Gesetz (EVPG – Act on energy-related products)* which is intended to establish minimum requirements to reduce the environmental effects of energy-related products. The aim is to reduce energy consumption, cost of materials and contamination with harmful substances.

The EU enacts specific implementing measures for the design of products in various segments. This is also intended to remove barriers to trade stemming from different regulations in individual Member States and to ensure that there is fair competition within the EU internal market.

Currently the implementing measures take, as a rule, the form of European regulations which have immediate legal effect without the provisions having to be transposed into the national law of the Member States.

This market surveillance system was developed by the *Bundesländer* together with the *Bundesministerium für Wirtschaft und Technologie* (Federal Ministry for Industry and Technology) and the *Bundesanstalt für Materialforschung und -prüfung* (Federal Institute for Material Research and Testing) and was discussed in the *Bund-Länder-Ausschuss Marktüberwachung EVPG/EnVKG* (the *Bund/Länder* Committee on Market Surveillance for the *EVPG/EnVKG*). It provides guidelines for market surveillance under the *EVPG*. It is not definitive or binding and is constantly being refined and updated.

## 2. Principles and framework conditions for market surveillance

The European internal market is one of the greatest achievements of the European unification project. Its keystone is liberal market access for bringing products into circulation. However, there must be checks and balances to ensure that products which do not comply with European regulations are not or cannot be brought into circulation and these form an effective market surveillance system. It is therefore a key element for the functioning of the internal market.

Surveillance is intended to guarantee free movement of goods, exclude non-compliant products from circulation and reduce distortions of competition. This serves the legitimate interest of manufacturers and importers in protection against unfair competition and increases the competitiveness of the industry active under the *EVPG*.

The public has an equally great interest in the enforcement of directives seeking to establish a high standard of ecodesign in the light of climate change forecasts and climate protection aims.

A third aim is protection of consumers who have an economic interest in the consumption values indicated by manufacturers actually being complied with.

Market surveillance makes a significant contribution to achieving these protective aims.

The Ecodesign Directive calls upon the Member States to take all necessary measures to ensure that products may only be brought into circulation and taken into service if they meet the requirements. In Article 4 of the EU Treaty the Member States declared that they were willing take all suitable measures to meet the obligations stemming from the EU Treaty.

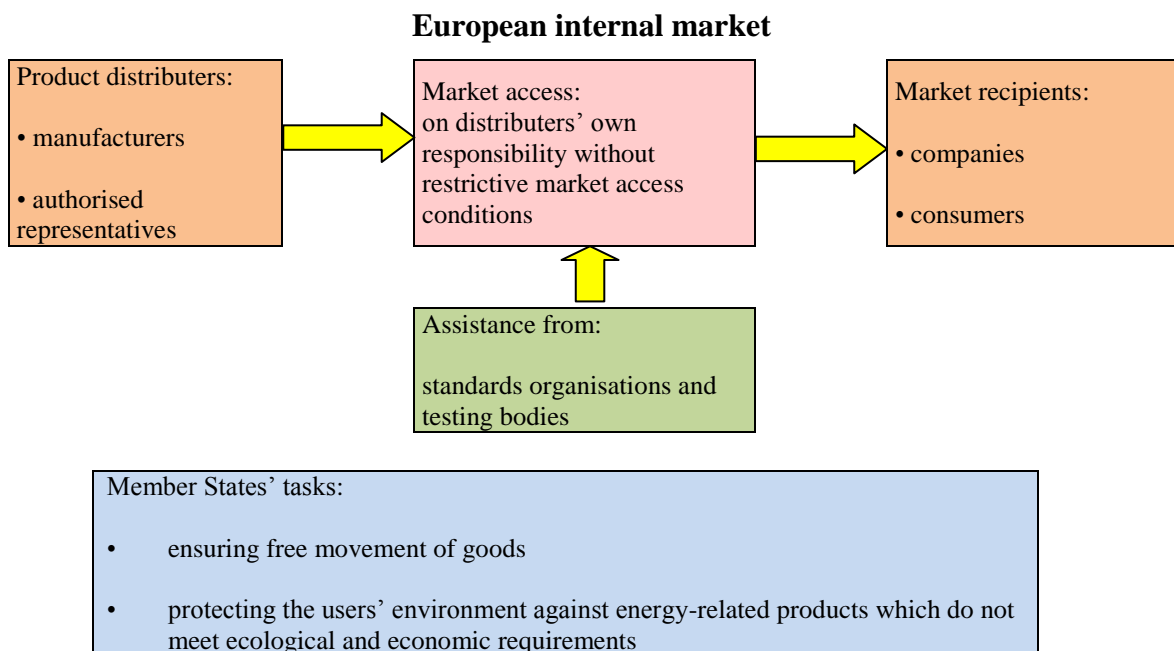
Regulation No 765/2008 of the European Parliament and the Council of 9 July 2008, which has been directly applicable since 1 January 2010 and lays down provisions for the market surveillance of products, creates a practical and binding legal framework for Community market surveillance.

§ 7(1) *et seq.* *EVPG* transposes into national law the Member States' duty to organise market surveillance efficiently and comprehensively and, to this end, to create suitable surveillance instruments. The competent authorities ensure that market surveillance is carried out effectively. The surveillance system forms the basis for market surveillance which comprises in particular:

- collection and evaluation of available information to ascertain non-compliance blackspots and on product flows and supplies, together with the relevant economic operators,
- set-up, regular adjustment and implementation of surveillance programmes under which products can be tested by random sampling and on the required scale, and documentation and evaluation of these programmes and
- regular testing and analysis of the system's effectiveness.

### 3. Market participants

The following illustration gives a summary of the participants in the market.



*Illustration 1: Summary of the market*

The Ecodesign Directive is addressed to distributors who are:

- **Manufacturers**

Manufacturers are any natural or legal persons who manufacture energy-related products and are responsible for ensuring compliance with the legal requirements for distributing them.

If there is no manufacturer as defined above or no importer, any natural or legal person who brings energy-related products into circulation or takes them into service is deemed to be the manufacturer.

- **Authorised representatives**

Manufacturers may commission natural or legal persons to act on their behalf as authorised representatives. Authorised representatives must have their registered office in the European economic area and fulfil the manufacturer's responsibilities.

- **Importers**

Importers are natural or legal persons with their registered office in the European economic area who import products originating in a non-Member State into the European economic area as part of their business.

Manufacturers' authorised representatives and importers must ensure that only products are brought into circulation which meet the basic requirements of the *EVPG* and the regulations based on the Ecodesign Directive.

The *EVPG* also covers another economic operator in the supply chain:

- **Traders**

Traders are any natural or legal persons in the supply chain who place products on the market other than the manufacturers or importers.

Traders' activities must contribute to only products being made available on the market which meet the basic requirements of the *EVPG* and the regulations based on the Ecodesign Directive.

Further market participants are:

- **Authorised bodies**

Authorised bodies check the characteristics of products to establish whether they comply with the requirements of the relevant implementing regulations. Authorised bodies are approved by the competent authorities after a thorough assessment.

- ***Deutsche Akkreditierungsstelle (DAkkS – German accreditation body)***

Accreditation is the basis for approval of a body as an authorised body. The *Deutsche Akkreditierungsstelle (DAkkS)* is the central body in Germany under Regulation (EC) No 765/2008, which evaluates the competence of bodies seeking authorisation and issues accreditations if all the conditions are met. A non-accredited body may also be approved as an authorised body if a suitable assessment of its competence has been conducted by the *Länder*.

- ***BAM Bundesanstalt für Materialforschung und -prüfung (Federal Institute for Material Research and Testing)***

The Federal Institute supports the market surveillance authorities and is tasked with central coordination.

- **Market surveillance authorities**

The national market surveillance authorities monitor distributed products to ensure that they meet the requirements of the *EVPG* and the regulations based on the Ecodesign Directive. They take the necessary measures to stop non-compliant products from being distributed, exhibited or taken into service. Approval of authorised bodies is also a matter for the *Länder*, so they check that authorised bodies meet the requirements.

- **Customs**

The customs authorities are involved in inspecting products imported to the Union in accordance with Articles 27–29 of Regulation (EC) No 765/2008. The market surveillance authorities inform the customs authorities about the product categories in which there are suspected non-conformities and the characteristics which identify non-compliant products. The customs authorities forward relevant information to the market surveillance authorities.

- **Industrial associations**

The industrial associations represent the companies' interests and at the same time provide valuable input with regard to product requirements.

- **Consumer associations**

Consumer associations are the representatives of the consumers' interests and at the same time provide valuable input with regard to consumer products.

- **Environmental protection associations**

Environmental protection associations provide valuable input with regard to environmental requirements for products

- **Consumers/users**

Consumers/users influence the market by their behaviour and provide input in the form of reports on shortcomings and complaints.

The interaction between these bodies is presented in Illustration 2.

### Participants in the market

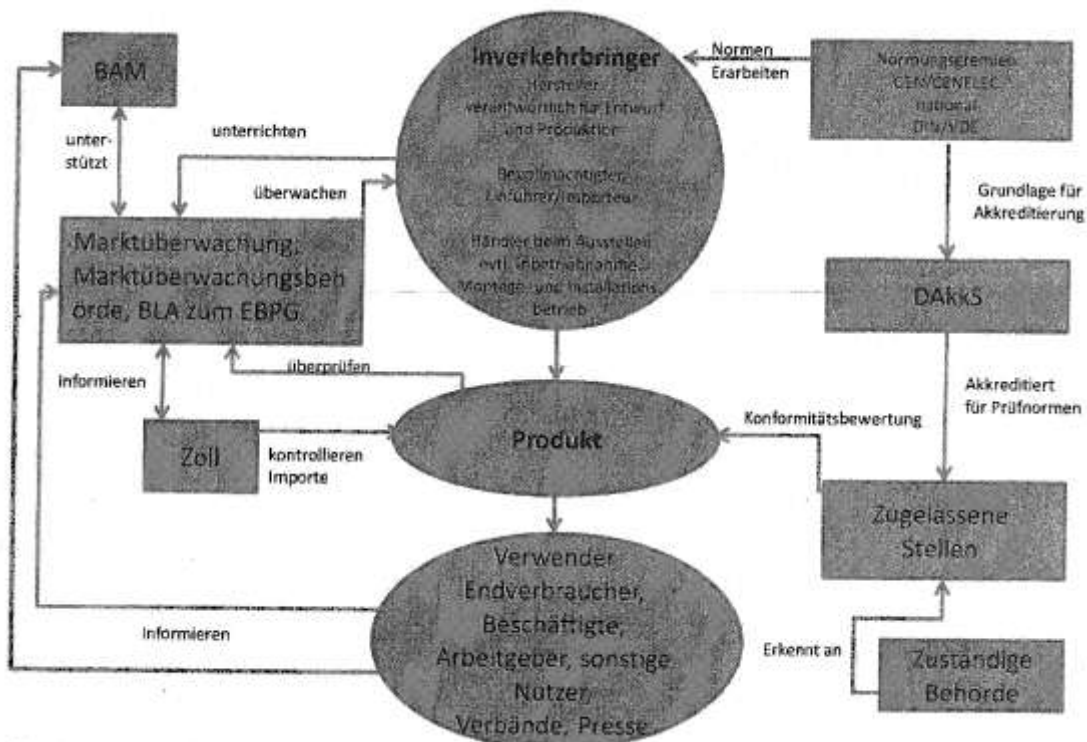


Illustration 2 Interaction between market participants

Key to graphic on page 8 of original text	
Original text	Translation
unterstützt	Support
unterrichten	Inform
überwachen	Monitor

Marketüberwachung; Marketüberwachungsbehörden, BLA zum EVPG	Market surveillance; market surveillance authorities, <i>Bund-Länder</i> Committee on the EVPG
informieren	Inform
überprüfen	Check
Zoll	Customs
kontrollieren importe	Inspect imports
informieren	Inform
Inverkehrbringer	Distributors
Hersteller verantwortlich für Entwurf und Produktion	Manufacturers responsible for design and production
Bevollmächtigter, Einführer/importeur	Authorised representatives, importers
Händler beim Ausstellen evtl. Inbetriebnahme: Montage- und installations-betrieb	Traders when exhibiting and possibly taking into service: assembly and installation operations
Produkt	Product
Verwender Endverbraucher, Beschäftigte, Arbeitgeber, sonstige, Nutzer, Verbände, Presse	Users, final consumers, employees, employers, other users, associations, press
Normen Erarbeiten	Preparing standards
Normungsgremien CEN/CENELEC national DIN/VDE	Standardisation bodies: CEN/CENELEC national DIN/VDE
Grundlage für Akkreditierung	Basis for accreditation
DAkKS	DAkKS
Akkreditiert für Prüfnormen	Accredits for testing standards
Konformitätsbewertung	Conformity assessment
Zugelassene Stellen	Authorised bodies
Erkennt an	Recognises
Zuständige Behörde	Competent authority

#### 4. Market surveillance tasks/competent authorities and bodies

##### 4.1. Federal tasks

The *Bundesministerium für Wirtschaft und Technologie* represents the Federal Government *vis-à-vis* the EU in particular with regard to:

- legislative projects
- adopting of delegated EU legal instruments for specific products
- passing on information to the EU and Member States
- supporting the *Länder*
- attending the meetings of the ADCO (Administrative cooperation) groups at EU level together with the respective representatives of the *Bundesländer* and the *BAM*.

The *Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit* (Federal Ministry for the Environment, Nature Conservation and Reactor Safety) is involved at technical level and the *Bundesministerium für Verkehr, Bau und Stadtentwicklung*

(Federal Ministry for Transport, Building and Urban Development) in respect of issues related to buildings and transport.

The *BMWi* is supported by the *BAM* which is a designated body for the purposes of § 10 *EVPG* and is therefore responsible for collecting and distributing information. The *BAM* thereby supports

- stakeholders (industry, environmental associations, etc.) in drafting regulations for specific products (by sending representatives to the consultation forum),
- industry, especially micro companies, and small and medium enterprises (SME), in complying with the law,
- the market surveillance authorities (exchange of information between the EU Member States in the ADCO, activities in the *Bund-Länder-Ausschuss* (*Bund/Länder* Committee),
- consumers and companies by informing them of infringements and the consequences thereof, recalls and bans on sales.

The *BAM* is, as the designated body under the *EVPG*, the national contact for official reporting procedures *vis-à-vis* the EU Commission. It makes public order issued by the competent authorities which have become final and are to be implemented immediately. The reporting channels for the German authorities are described in the guidelines (cf. Chapter 4.1.1.)

## 4.2. Tasks of the *Länder*

In Germany, the *Länder* are responsible for enforcement and interpretation of the *EVPG*. Market surveillance is one of the key tasks of the *Länder* authorities. The *Länder* appoint market surveillance authorities and provide these with sufficient resources (qualified staff and equipment).

In addition the *Bund-Länder-Committee* is an important forum for coordinating overarching market surveillance issues.

At European level one *Land* represents the others in the respective ADCO group for clarifying questions of interpretation of European legal instruments and discussing administrative cooperation issues.

### 4.2.1. Competences in the *Länder*

The highest competent authorities in the *Länder* are responsible for ensuring coordination of surveillance and development and updating of the surveillance system. Table 1 gives a summary of the competences in the *Länder*.

<i>Land</i>	Senior <i>Land</i> authority
Baden-Württemberg	Ministerium für Umwelt, Klima und Energiewirtschaft Baden-Württemberg
Bavaria	Bayerisches Staatsministerium für Arbeit und Sozialordnung, Familien und Frauen
Berlin	Senatsverwaltung für Wirtschaft, Technologie und Forschung
Brandenburg	Ministerium für Wirtschaft und Europaangelegenheiten des Landes Brandenburg



<i>Land</i>	<i>Senior Land authority</i>
Bremen	Der Senator für Umwelt, Bau, Verkehr und Europa Bremen
Hamburg	Behörde für Soziales, Familie, Gesundheit und Verbraucherschutz
Hessen	Hessisches Ministerium für Umwelt, Energie, Landwirtschaft und Verbraucherschutz
Mecklenburg-Western Pomerania	Ministerium für Energie, Infrastruktur und Landesentwicklung
Lower Saxony	Niedersächsisches Ministerium für Umwelt, Energie und Klimaschutz
North Rhine-Westphalia	Ministerium für Klimaschutz, Umwelt, Landwirtschaft, Natur- und Verbraucherschutz des Landes NRW
Rhineland-Palatinate	Ministerium für Wirtschaft, Klimaschutz, Energie und Landesplanung Rheinland-Pfalz
Saar	Ministerium für Wirtschaft, Arbeit, Energie und Verkehr
Saxony	Sächsisches Staatsministerium für Wirtschaft, Arbeit und Verkehr
Saxony-Anhalt	Ministerium für Wissenschaft und Wirtschaft des Landes Sachsen-Anhalt
Schleswig-Holstein	Ministerium für Energiewende, Landwirtschaft, Umwelt und ländliche Räume des Landes Schleswig-Holstein
Thuringia	Thüringer Ministerium für Wirtschaft, Arbeit und Technologie

Table 1: Summary of the competent senior Land authorities in the EVPG sector. Status May 2013

#### 4.2.2. Local market surveillance authorities in the *Länder*

Table 2 below gives a summary of the local market surveillance authorities in the *Länder* responsible for market surveillance in accordance with the *EVPG*.

<i>Land</i>	<i>Senior Land authority</i>
Baden-Württemberg	Government offices
Bavaria	Labour inspectorate
Berlin	<i>Landesamt für Arbeitsschutz, Gesundheitsschutz und technische Sicherheit</i> (Regional office for protection of health and safety at work and technical safety)
Brandenburg	Current senior <i>Land</i> authority
Bremen	Labour inspectorate
Hamburg	Current the senior <i>Land</i> authority
Hessen	<i>Hessische Eichdirektion</i> (Hessen Calibration Directorate)
Mecklenburg-Western Pomerania	Currently senior <i>Land</i> authority
Lower Saxony	Labour inspectorate
North Rhine-Westphalia	District governments, ref. 55
Rhineland-Palatinate	Current senior <i>Land</i> authority
Saarland	Current senior <i>Land</i> authority
Saxony	Labour inspectorate: Regional Directorate Dresden
Saxony-Anhalt	Current senior <i>Land</i> authority
Schleswig-Holstein	Senior <i>Land</i> authority
Thuringia	Senior <i>Land</i> authority

Table 2: Competent authorities in the *Länder* for market surveillance under *EVPG*. Status May 2013

#### 4.2.3. Powers of the market surveillance authorities

The market surveillance authorities' powers are laid down in the *EVPG*.

§7(3) *EVPG* authorises the market surveillance authorities to:

- prohibit display of products,

- order measures to be taken to ensure that a product is distributed or taken into service only when the requirements laid down have been fulfilled,
- order that a product be checked by an authorised body or similarly suitable body,
- order that suitable information be posted,
- provisionally to ban the distribution or taking into service of a product for the period of time required for testing,
- prohibit a product being distributed or taken into service without fulfilling the requirements laid down,
- order the withdrawal or recall of a product distributed or taken into service or to seize such a product if the requirements under § 4(1) have not been met,
- require that documents which must be kept be presented within ten days of the request.

The market surveillance authorities conduct random sampling to check the characteristics of products by examining the documents or, if appropriate, by physical checks and laboratory testing. To that end they have the rights they require to enter business premises or properties in which energy-related products are manufactured, stored for placing on the market or exhibited. The fees and expenditure for testing may be charged to the manufacturers or persons who store or exhibit products for the purposes of distribution or placing on the market if the tests show that the requirements have not been met. The competent authorities and their authorised representatives may require the economic operator concerned to take samples and provide samples free of charge.

For action taken by the authorities, the principle of proportionality and the procedural regulations laid down in *EVPG*, such as hearing of the economic operators concerned in accordance with § 7(9) *EVPG*, apply. Further obligations of the authorities for administrative activities are laid down in the respective laws of the *Länder*. § 7(8) *EVPG* also stipulates that § 59 of the *Verwaltungsgerichtsordnung* (Administrative Judicial Code) applies.

## 5. Strategic approaches to market surveillance

The market surveillance authorities pursue, with differing intensities, two strategic approaches to ensuring fair competition and compliance with the requirements of the *EnVKG* and the relevant EU regulations:

- monitoring and measures under administrative law (such as ordering technical testing to be conducted on a product and, as a last resort, prohibiting its distribution)
- information and advice: offering information catering to specific target groups and situations.

## **5.1. Surveillance**

A basic distinction is made between reactive and proactive market surveillance.

### **5.1.1. Reactive market surveillance**

On receipt of complaints, notifications, information or requests for administrative assistance the market surveillance authorities investigate the circumstances and take the necessary decisions. Especially where there is a suspicion of systematic irregularities, the market surveillance authorities involve other market surveillance bodies in the course of administrative and enforcement assistance in their investigations and, if appropriate, initiate overarching targeted action as part of active market surveillance.

In order to provide a unified approach and cooperation between the market surveillance authorities, market surveillance guidelines specifically tailored to the *EVPG* sector are being prepared. Until they are completed the guidelines for market surveillance in Germany (LV 36) which have proven their worth in the *Geräte- und Produktsicherheitsgesetz* (Equipment and Product Safety Act) sector are used where applicable.

### **5.1.2. Proactive market surveillance**

The market surveillance authorities conduct their controls on the basis of market surveillance programmes which are coordinated in the *Bund-Länder* Committee. This is intended to avoid duplication of work and also enables more long-term key competences for the testing of certain product segments to be built up.

Proactive market surveillance comprises activities prepared with a certain aim in view which are assessed after completion. Market surveillance programmes are updated every year. The other Member States and the Commission are informed of the programmes by the *BAM*. The public is informed of them by electronic communication media by the *Länder* or the *BAM*.

To prepare market surveillance measures the following steps are conducted:

- **Planning**

Planning involves basic investigations (such as flows of goods), definition of the aims, planning of sampling (number, location, extent), involving project partners and determining to what level of detail inspection is required;

- **Sampling**

Sampling involves sampling of products in accordance with the statutory powers in order to procure the information required (marketing chain, manufacturer, importer, documents, etc.);

- **Product testing**

Products are tested by sight, more detailed examination or laboratory testing. The level at which testing is carried out and the scale and location are laid down during planning in keeping with the aims which have been defined;

- **Evaluation of the test results**

Evaluation of the test results comprises summarising the results, analysing them with regard to cross-sector shortcomings or systemic deficiencies (quality of the bodies named, information shortfalls, import/export problems, etc.);

- **Specific measures for individual cases.**

## **5.2. Information and advice – flanking measures**

The strategic aim “Information and advice: offering information to cater for specific target groups and situations” is a non-binding complement to the activities pursued by the *Länder* (with the exception of the tasks of the *BAM* under "Transparency") specified under 4.1 and may include the following measures:

- **Raising awareness by persuasion**

Professional knowledge management and press and publicity work are to be used to provide information on principles, findings, measures and aims of the *EVPG* and the European regulations. This makes a major contribution to raising the awareness of participants in the European internal market of market access conditions and enables the knowledge which has been acquired to be passed on.

- **Transparency**

The *BAM* announces publicly on the website orders under § 7(3) Nos 6 and 7 *EVPG* which have become final or must be implemented immediately. Personal data may only be published if it is necessary to identify the energy-related product. If there are solid grounds for market surveillance authorities to suspect that a product does not meet the requirements, the public is informed via ICSMS (cf. Chapter 8). § 9(3) *EVPG* contains rules on this.

- **Cooperation with participants in the market**

Where this is possible and useful, efficiency is ensured by cooperating with other participants in the market.

## **5.3. Sources of information**

The following sources of information are used in market surveillance:

- reports/notifications from safeguard clause and RAPEX procedures
- reports on shortcomings/notifications from market surveillance authorities and other authorities
- information from authorised bodies
- market controls at fairs and exhibitions
- information from citizens and competitors

- information from industrial, consumer protection and environmental protection associations
- tests such as those carried out by *Stiftung Warentest* and *Öko-Test*
- information from the media
- reports from the customs authorities
- Internet research
- relevant databases on product manufacturers
- results of market surveillance in the *EnVKG* sector.

## 6. Qualification of personnel

Technically qualified staff (such as engineers) are required to conduct market surveillance in the *EVPG* sector. They are given training courses dealing with new implementation measures and practical issues. Current issues are also discussed at regular service meetings. Further continuing training for staff, also with external partners, may be offered at the initiative of the *Bund-Länder* Committee.

## 7. Coordination of market surveillance/organisational measures

The highest market surveillance authorities of the *Länder* coordinate surveillance and ensure that the surveillance system is developed and updated with the support of the *BAM* and assess the function of surveillance activity regularly. The results are made available to the other Member States, the EU Commission and the public. In order to coordinate enforcement in the field of the *EVPG*, a cross-*Länder* working party was set up similarly to those in other legal sectors. Its key tasks include the following:

- coordination of cooperation between the market surveillance authorities of the *Länder*,
- cross-*Länder* coordinated planning of market surveillance activities within Germany,
- promotion of exchanges of experience between *Länder*,
- cooperation with industry, distributors and associations,
- setting up and support of suitable information and communication structures between the *Länder* and the *Bund*,
- drawing up standardised procedures for market surveillance (guidelines, checklists),
- updating the plan for coordinating market surveillance in Germany.

Cross-*Länder* cooperation makes a crucial contribution to using resources to best effect and avoiding duplication of effort.

## **8. Cooperation with the customs**

Market surveillance is at its most efficient when it stops non-compliant products from being distributed at source, i.e. at the manufacturers. However, with increasing globalisation the number of imported products whose manufacturers have their registered offices outside the EU is on the rise too. In many sectors these products now have a much larger market share than the products manufactured in the EU. Cooperation between the market surveillance authorities and the customs authorities is therefore particularly important and a key aspect of it is the information passed on to the market surveillance authorities by the customs if the characteristics of an imported product suggest that it does not comply with Community provisions (Article 27(3) Regulation (EC) No 765/2008). To this end the market surveillance authorities give the customs the information needed to identify potentially non-compliant products with the greatest possible accuracy. Amongst other things, risk profiles are drafted with the help of which the customs authorities can stop energy-related products from third countries when they suspect that they do not comply with Community provisions and can have them tested by the market surveillance authorities.

## **9. Exchange of information between market surveillance authorities**

Efficient market surveillance requires information to be exchanged about ongoing investigations, the results of product testing and measures initiated and completed. The *EVPG* stipulates that ICSMS is to be used for this.

ICSMS (Information and Communication System for Market Surveillance) is an Internet-supported information and communications system for market surveillance authorities. It is the system to be made available by the Commission under Article 23 of Regulation (EC) No 765/2008 and is to be used by all the Member States. The database contains a part which is not accessible to the public with information on products tested by the market surveillance authorities. The system offers the possibility of forwarding information selectively to competent authorities and to transfer case handling. There is a steering module for handling safeguard clause notifications.

To inform consumers and other interested parties, there is a public sector in which product information can be posted by suppliers and the market surveillance authorities and where the market surveillance authorities may also be contacted electronically.

## **10. Coordination of administrative assistance in Germany and Europe**

Although technical harmonisation has brought about an internal market with free movement of goods across national borders, market surveillance takes place at individual State level. Suitable arrangements for administrative cooperation between the national authorities therefore need to be made in order to enhance the efficiency of market surveillance and to reduce the effect of differences in supervisory practice. This is done partly in the ADCO group on Directive 2009/125/EU. This body meets twice a year, with the chair rotating between the Member States. Germany is represented by the *BMW*, the *BAM* and a delegate from the *Länder* who is appointed by the *Bund-Länder-Committee*.

A duty of cross-border cooperation has been enshrined in European law since 2008. Under Article 24(2) of Regulation (EC) No 765/2008 market surveillance authorities

must support and provide administrative assistance to each other by making available information on documents, conducting suitable investigations or taking other suitable measures and taking part in investigations initiated in other Member States. The flow of information between competent authorities and the EU Commission and the authorities of other Member States is coordinated by the *BAM* for both notification procedures (safeguard clause and RAPEX) and informal exchanges of information and European market surveillance projects.

## 11. Cooperation and dialogue especially with EU bodies, other ADCO groups, testing bodies, environmental associations and consumer protection authorities

Exchange of information and dialogue between the working party of the *Länder* in the *EVPG* sector with bodies in other sectors (*ProdSG*, chemicals law, building product law, motor vehicle law, *EMVG* (Act on Electromagnetic Compatibility), etc.) must be ensured permanently, if only in order to make use of the synergies. The *Bund-Länder-Committee* has consistently urged that corresponding arrangements be created to this end.

## 12. Updating

Market surveillance plans are updated after a suitable period of time in which further practical experience and findings can be collected at the market surveillance authorities and discussed in the *Bund-Länder-Ausschuss Marktüberwachung EVPG/EnVKG*

<b>Ecodesign</b>	<b>Number of product tests under the 2014 market surveillance programmes 2014</b>
Regulation 1275/2008 Standby and off-mode electric power consumption of electrical and electronic household and office equipment	at least 270
Regulation 107/2009 Simple set-top boxes	at least 30
Regulation 278/2009 No load condition electric power consumption and average active efficiency of external power supplies	at least 220
Regulation 244/2009 Non-directional household lamps	at least 195
Regulation 245/2009 Fluorescent lamps without integrated ballast, high intensity discharge lamps and ballasts and luminaires able to operate such lamps	at least 10
Regulation 640/2009 Electric motors	yes
Regulation 641/2009 (Glandless) circulators	yes
Regulation 642/2009 Televisions	at least 10
Regulation 643/2009 Household refrigerating appliances	at least 65

Regulation 1015/2010 Household washing machines	at least 65
Regulation 1016/2010 Household dishwashers	at least 50
Regulation 327/2011 Fans	
Regulation 206/2012 Air conditioners and comfort fans	at least 10
Regulation 547/2012 Water pumps	
Regulation 932/2012 Household tumble driers	at least 50
Regulation 1194/2012 Directional lamps	at least 150
Regulation 617/2013 Computers	at least 10
Regulation 666/2013 Vacuum cleaners	yes