

MSR Evaluation and Impact Assessment

Fields marked with * are mandatory.

Market Surveillance Regulation 2019/1020 - Evaluation and Impact Assessment Survey

Introduction

This survey forms part of the **joint evaluation and impact assessment of Regulation (EU) 2019/1020 on market surveillance and compliance of products ("the Regulation")**, commissioned by the European Commission's Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW). The findings will inform the upcoming revision of the Regulation.

The Market Surveillance Regulation aims to ensure that products placed on the EU market comply with applicable requirements by strengthening national authorities' powers, improving cooperation between market surveillance and customs, and establishing clearer responsibilities for economic operators - ultimately protecting consumers, ensuring fair competition, and supporting the proper functioning of the internal market.

The purpose of this survey is to collect evidence that will feed into both the evaluation and the impact assessment of the Regulation. Following a few questions about your background, the questionnaire is structured in two main sections:

- First, **Section A** of the survey **looks back** to understand what has worked well and where challenges remain after the first years of implementation. The questionnaire explores the following dimensions:
 - A.1 Effectiveness and implementation
 - A.2 Efficiency and costs
 - A.3 Relevance
 - A.4 Clarity and coherence
 - A.5 EU added value
- Then, **Section B** assesses **forward-looking** options, including how the situation would develop in the absence of further action, and the potential impacts associated with different policy options. The questions are organised around the following sections:
 - B.1 Baseline
 - B.2 Objective 1: Closing regulatory loopholes,
 - B.3 Objective 2: Boosting market surveillance capacity, and

- B.4 Objective 3: Strengthening cooperation between authorities.

Please note that depending on your replies and the type of stakeholder you represent, you might not see all questions in the questionnaire.

The survey is available in **English, French, and German**. As translations are **machine-generated**, please treat these with care.

For any questions, please contact **studymr@ecorps.com**

Please provide your response to the survey by 31.03.2026.

Thank you for your valuable contribution to this study.

1 All information provided will be treated as strictly confidential and processed in line with applicable data protection regulations. Responses will be presented in an aggregated form to ensure anonymity. Please refer to the privacy statement below for details.

Download **Privacy Statement**

[H4 Privacy Statement for Consultations MSR.pdf](#)

*** 2 Do you agree with the Privacy Statement?**

Yes

Screening

*** 1 Please indicate your stakeholder category.**

- Market surveillance authority
- Customs authority
- National business association or network
- EU-level business association or network
- Individual business
- Consumer organisation
- Other authority responsible for product safety or compliance
- Other

2 Please specify which 'other' stakeholder category best fits you.

3 Please provide the name of your organisation.

4 Please specify the country or countries of operation for your organisation. If you are active at the EU level, please select the option at the end of the list.

- | | | | |
|-----------------------------------|-------------------------------------|--|--|
| <input type="checkbox"/> Austria | <input type="checkbox"/> France | <input type="checkbox"/> Malta | <input type="checkbox"/> Norway |
| <input type="checkbox"/> Belgium | <input type="checkbox"/> Germany | <input type="checkbox"/> Netherlands | <input type="checkbox"/> Iceland |
| <input type="checkbox"/> Bulgaria | <input type="checkbox"/> Greece | <input type="checkbox"/> Poland | <input type="checkbox"/> Liechtenstein |
| <input type="checkbox"/> Croatia | <input type="checkbox"/> Hungary | <input type="checkbox"/> Portugal | <input type="checkbox"/> Switzerland |
| <input type="checkbox"/> Cyprus | <input type="checkbox"/> Ireland | <input type="checkbox"/> Romania | <input type="checkbox"/> Turkey |
| <input type="checkbox"/> Czechia | <input type="checkbox"/> Italy | <input type="checkbox"/> Slovak Republic | <input type="checkbox"/> Other |
| <input type="checkbox"/> Denmark | <input type="checkbox"/> Latvia | <input type="checkbox"/> Slovenia | <input type="checkbox"/> EU level |
| <input type="checkbox"/> Estonia | <input type="checkbox"/> Lithuania | <input type="checkbox"/> Spain | |
| <input type="checkbox"/> Finland | <input type="checkbox"/> Luxembourg | <input type="checkbox"/> Sweden | |

5 Please specify which other countries you operate in.

6 Does your authority act as a Single Liaison Office (SLO)?

- Yes
- No
- I don't know

7 What is the size of your organisation?

- Micro (1–9 employees)
- Small (10–49 employees)
- Medium (50–249 employees)
- Large (250–749 employees)
- Very large (750+ employees)

8 What is the size of the companies that you represent? Please select all that apply.

- Micro (1–9 employees)
- Small (10–49 employees)
- Medium (50–249 employees)
- Large (250–749 employees)
- Very large (750+ employees)

9 Which product categories do you cover? Please select all that apply.

Specific legislation listed in Article 4(5):

Batteries and waste batteries; Construction products; Critical raw materials; PPE; Appliances burning gaseous fuels; Noise emissions; Machinery; Toys; Ecodesign; Certain hazardous substances in electrical and electronic equipment; Pyrotechnics; Recreational craft; SPVD; Electromagnetic compatibility; Non-automatic weighing instruments; Measuring instruments; Equipment and protective systems intended for use in potentially explosive atmospheres; Electrical equipment designed for use within certain voltage limits; Radio equipment; PED

- Harmonised products covered by Article 4 of the Regulation (i.e., products under Union harmonisation legislation that may only be placed on the EU market if there is an economic operator established in the EU.)
- Harmonised products other than those covered by Article 4 of the Regulation
- Non-harmonised products (products not covered by the Union product harmonisation legislation)

10 Which product sectors do you or your members primarily deal with?

Please select all that apply. Note that there is an option to select "All of the above" at the end of the list.

- | | |
|--|---|
| <input type="checkbox"/> Aerosol dispensers | <input type="checkbox"/> Motor vehicles |
| <input type="checkbox"/> Appliances burning gaseous fuels | <input type="checkbox"/> Non-road mobile machineries |
| <input type="checkbox"/> Batteries and waste batteries | <input type="checkbox"/> Outdoor equipment subject to the Outdoor Noise Directive 2000/14/EC |
| <input type="checkbox"/> Biocides | <input type="checkbox"/> Packaging and packaging waste |
| <input type="checkbox"/> Cableways | <input type="checkbox"/> Personal Protective Equipment (PPE) |
| <input type="checkbox"/> Chemical substances under REACH and Classification and Labelling Regulations | <input type="checkbox"/> Products subject to the Ecodesign Directive 2009/125/EC |
| <input type="checkbox"/> Other chemicals (detergents, paints, persistent organic pollutants, fluorinated greenhouse gases, ozone depleting substances, etc.) | <input type="checkbox"/> Products subject to the Ecolabel Regulation (EC) No 66/2010 |
| <input type="checkbox"/> Construction products | <input type="checkbox"/> Products subject to the Energy Labelling Regulation (EU) 2017/1369 |
| <input type="checkbox"/> Cosmetics | <input type="checkbox"/> Products subject to the EU Artificial Intelligence Act |
| <input type="checkbox"/> Critical raw materials | <input type="checkbox"/> Products subject to the EU Cyber Resilience Act |
| <input type="checkbox"/> Crystal glass | <input type="checkbox"/> Products subject to the Textile Labelling Regulation (EU) No 1007/2011 |
| <input type="checkbox"/> Electrical and electronic equipment under RoHS and WEEE | <input type="checkbox"/> Pyrotechnics |
| <input type="checkbox"/> Electrical appliances and equipment under LVD | <input type="checkbox"/> Radio equipment under RED |
| <input type="checkbox"/> Electrical equipment under EMC | <input type="checkbox"/> Recreational crafts |
| <input type="checkbox"/> Equipment and protective systems intended for use in potentially explosive atmospheres | <input type="checkbox"/> Simple pressure vessels and pressure equipment |
| <input type="checkbox"/> Explosive for civil uses | <input type="checkbox"/> Tobacco and related products |
| <input type="checkbox"/> Fertilising products | <input type="checkbox"/> Toys |
| <input type="checkbox"/> Lifts | <input type="checkbox"/> Transportable pressure equipment |
| <input type="checkbox"/> Machineries | <input type="checkbox"/> Tyres covered by the Tyres Labelling Regulation (EU) 2020/740 |
| <input type="checkbox"/> Marine equipment | <input type="checkbox"/> Unmanned aircraft systems |

- Materials in contact with water for human consumption Other consumer products under the General Product Safety Regulation (GPSR)
- Measuring instruments, non-automatic weighing instruments and pre-packaged products Other
- Medical devices All of the above

11 What other product sectors do you and your members primarily deal with?

12 What proportion of your sales is via online channels?

- 0–20%
- 21–40%
- 41–60%
- 61–80%
- 81–100%
- Don't know

13 Please indicate the type or types of company you represent. Please select all that apply.

- Manufacturer
- Importer
- Distributor
- Authorised representative
- (Provider of) Online marketplace
- Online seller
- Fulfilment service provider
- Responsible person under Article 16 GPSR for non-harmonised products
- Professional end-user
- Other

14 Please specify which other type of company or companies you represent.

15 Would you be interested in participating in a follow-up interview? If so, please indicate an email address under which we can reach you.

A. Evaluation Module

A.1 Effectiveness and implementation

This section explores how well the Regulation has achieved its objectives of a better functioning of the Single Market by improving compliance with EU product legislation, reinforcing market surveillance cooperation, increase enforcement capacity and resources, and to strengthen the enforcement toolbox. Please provide your answers based on your experience since the Regulation became applicable (July 2021).

A.1.1 Implementation of market surveillance

1 To what extent do you agree with the following statements on the implementation of the Regulation?

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Don't know
There are differences in the implementation of the Market Surveillance Regulation across Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There are differences in the capacities and resources for market surveillance across Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There are differences in the level of practical cross-border cooperation (e.g., information sharing, mutual assistance, joint actions) between Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2 What challenges do market surveillance authorities face in carrying out checks in your country?

Please select all that apply.

- Limited powers of market surveillance authorities or difficulties in exercising the powers as defined in the Regulation
- Limited capacity and resources for market surveillance
- Limited cooperation and coordination with other authorities
- They experience no challenges
- Other

3 Please specify what other challenges market surveillance authorities face carrying out checks.

4 What challenges do you observe in relation to the powers of market surveillance authorities as defined in the Regulation? Please select all that apply.

- Lack of proper implementation of the Regulation at national level
- Lack of or difficulties in identifying economic operators established in the EU (including authorised representatives)
- Lack of cooperation by economic operators
- Lack of effective enforcement powers vis-à-vis economic operators within the EU
- Lack of effective enforcement powers vis-à-vis economic operators from third countries
- Lack of effective enforcement powers for online trade (e.g. towards market places, linked to direct B2C imports)
- Legal obstacles to recover costs of market surveillance authorities' activities from economic operators with respect to instances of non-compliance
- Practical obstacles to recover costs of market surveillance activities from economic operators with respect to instances of non-compliance
- Difficulties in recovering costs of market surveillance authorities' activities from economic operators with respect to instances of non-compliance
- Legal constraints under national law on the application of penalties by Member States
- Difficulties of Member States in collecting penalties
- Other

5 What challenges do you observe in relation to the capacity and resources available for market surveillance? *Please specify all that apply.*

- Administrative burden related to IT tools (double encoding in different IT tools, complex Information and Communication System for Market Surveillance (ICSMS) procedures)
- Insufficient technical resources (labs, equipment)
- Unclear allocation of tasks amongst national market surveillance authorities regarding which market surveillance authority holds responsibility for ensuring compliance with specific Union harmonisation legislation
- Complexity of products to be checked
- Lack of specific digital tools (web-crawling, tracking)
- Other
- Insufficient financial resources
- Unclear guidelines
- Volume of products to be checked
- Insufficient human resources (staff shortages, retention, expertise)

6 What challenges do you observe in relation to cooperation and coordination with other authorities? *Please select all that apply.*

- Limited national coordination with market surveillance authorities
- Limited national coordination with customs authorities
- Limited cross-border cooperation with other market surveillance authorities in other Member States
- Other

7 What other challenges do you observe in relation to the powers, capacity, resources, or cooperation of market surveillance?

A.1.2 Effectiveness of market surveillance activities

8 To what extent has the Regulation contributed to the following objectives?

	Strong improvement	Improvement	No change	Deterioration	Strong deterioration	Don't know
Strengthening the powers of market surveillance authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Creating clear obligations for economic operators in the Single market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increasing operational enforcement capacity and resources for market surveillance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strengthening the controls on products entering the Single market from third countries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

A.1.2.1. Regulatory toolkit

9 From the experience in your country, how often did you use the powers stemming from Article 14 of the Regulation and to what extent do you agree that they supported an effective performance of EU market surveillance activities?

Powers of MSAs	Use of powers	Effectiveness of the powers
The power to require economic operators to provide relevant documents and information - Art 14(4)(a-c)	<input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know	<input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
The power to carry out unannounced on-site inspections and physical checks of product, and enter premises, land, or means of transport used by the relevant economic operator to gather evidence - Art 14(4)(d-e)	<input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know	<input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
The power to initiate investigations on the market surveillance authorities' own initiative - Art 14(4)(f)	<input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know	<input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
The power to require the economic operators to bring a product into compliance – Art 14(4)(g) and Art 16(3)(a)	<input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know	<input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
The power to set prior conditions or prevent the product from being made available on the market – Art 14(4)(g) and Art 16(3)(f)	<input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know	<input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know

<p>The power to destroy the product or render it inoperable – Art 14(4)(g) and Art 16(3)(d)</p>	<ul style="list-style-type: none"> <input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know 	<ul style="list-style-type: none"> <input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
<p>The power to affix to the product suitable, clearly worded, easily comprehensible warnings of the risks – Art 14(4)(g) and Art 16(3)(e)</p>	<ul style="list-style-type: none"> <input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know 	<ul style="list-style-type: none"> <input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
<p>The power to alert the end users at risk immediately – Art 14(4)(g) and Art 16(3)(g)</p>	<ul style="list-style-type: none"> <input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know 	<ul style="list-style-type: none"> <input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
<p>The power to prohibit or restrict the sale of a product, or to order that a product is withdrawn or recalled - Art 14(4)(h)</p>	<ul style="list-style-type: none"> <input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know 	<ul style="list-style-type: none"> <input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
<p>The power to impose effective, proportionate and dissuasive penalties provided for under the Member State's regulatory framework - Art 14(4)(i)</p>	<ul style="list-style-type: none"> <input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know 	<ul style="list-style-type: none"> <input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
<p>The power to acquire and test product samples to identify non-compliance and to obtain evidence - Art 14(4)(j)</p>	<ul style="list-style-type: none"> <input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know 	<ul style="list-style-type: none"> <input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know

The power to acquire product samples under cover identity ("mystery shopping") - Art 14(4)(j)	<input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know	<input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know
The powers to take action against non-compliant products offered online, i.e. to request the removal of content from an online marketplace or to restrict access to the online interface - Art 14(4)(k)	<input type="radio"/> Always <input type="radio"/> Very often <input type="radio"/> Often <input type="radio"/> Sometimes <input type="radio"/> Rarely <input type="radio"/> Never <input type="radio"/> Don't know	<input type="radio"/> Strongly agree <input type="radio"/> Agree <input type="radio"/> Neutral <input type="radio"/> Disagree <input type="radio"/> Strongly disagree <input type="radio"/> Don't know

10 If you indicated that one or several powers do not support an effective performance of EU market surveillance activities, please explain why.

11 If you indicated that mystery shopping is not effective, please explain what prevents market surveillance authorities from carrying out mystery shopping effectively (e.g. due to constraints in national legislation, EU legislation, others).

12 To what extent do you agree with the following statements on the market surveillance measures as per Article 16?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
The application of market surveillance measures is effective in bringing the non-compliance to an end	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The legal and procedural framework allows timely implementation of corrective measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Market surveillance measures issued in one Member State have a cross-border application in other Member States as per Article 16(7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Corrective actions requested by market surveillance authorities are followed through by economic operators	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enforcing market surveillance measures is more difficult when economic operators are established outside the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

13 To what extent do you agree with the following statements on economic operators?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
The product scope of Article 4 (which requires an economic operator in the EU for certain product groups) creates enforcement gaps for products outside its scope	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enforcement is hindered because in practice often an authorised representative does not exist or cannot be reached	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enforcement is hindered because, even if an authorised representative exists and is not fictitious, it has limited responsibilities related to product compliance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The current regulatory framework allows for effective enforcement against non-compliant products sold via online/distance sales	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Economic operators consistently comply with their obligations to cooperate with market surveillance authorities as required under Art 7	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

A.1.2.2. Capacity

14 To what extent do you agree with the following statements on ICSMS?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
The use of ICSMS varies across Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The completeness and quality of data entered into ICSMS vary across Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inconsistent use of ICSMS hinders effective cross-border investigations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The use of ICSMS is appropriate to register cases of formal non-compliance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The current interface supports efficient workflows for case handling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reliance on parallel national tools creates duplication and administrative burden	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is insufficient interoperability between ICSMS and other relevant IT systems (e.g. Customs systems, National Systems)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

15 To what extent do you agree with the following statements on Union testing facilities?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
The number of Union testing facilities is adequate to support market surveillance activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The products covered by Union testing facilities meet the needs of our authority	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Current Union testing facilities have sufficient testing capacity to meet market surveillance needs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Our authority has sufficient access to Union testing facilities when necessary	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Access to Union testing facilities provides independent testing capacity avoiding potential conflicts of interest	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Using Union testing facilities allows our authority to obtain reliable results for complex cases that could not be handled through national resources alone	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

16 Does your authority use AI tools or web crawlers (i.e., automated tools that scan online platforms for specific product listings)?

	Always	Very often	Often	Sometimes	Rarely	Not at all	Don't know
Artificial intelligence (AI) to identify non-compliant products online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Web crawlers that detect online offers of products that have been listed in Safety Gate (reactive web crawler)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Web crawlers that detect non-compliant products sold online (proactive web crawler)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

17 To what extent do you agree that web crawlers are effective in supporting the EU market surveillance system activities?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
Web crawlers that detect offers of products that have been listed in Safety Gate (reactive web crawler)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Web crawlers that detect non-compliant products sold online (proactive web crawler)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

18 To what extent do you agree with the following statements on cooperation with organisations representing interests of consumers?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
Consumer organisations delivered useful inputs for market surveillance activities in our organisation (e.g. research conducted, and complaints received)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The current framework for cooperation between market surveillance authorities and consumer organisations is sufficient in my country	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The current framework for cooperation between market surveillance authorities and consumer organisations is sufficient at EU level	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

A.1.2.3. Cooperation and Coordination

19 To what extent do you agree with the following statements?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
The Regulation has enhanced cooperation between competent authorities within my Member State (incl. customs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Regulation has enhanced cooperation between competent authorities across Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

20 What hampers cooperation of authorities across Member States? Please select all that apply.

- Insufficient or unclear provisions on coordination mechanisms in the Regulation
- Procedural differences across Member States
- Fragmentation of responsibilities across Member States
- Responsiveness of authorities
- Differences in the reliance on existing cooperation mechanisms (Single Liaison Offices, EU Product Compliance Network, etc.)
- Differences in the use of ICSMS
- Language issues

Differences in capacity

Other

21 Which other factors hamper cooperation of authorities across Member States?

22 To what extent do you agree with the following statements regarding various coordination mechanisms under the Regulation?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
The European Union Product Compliance Network (EUPCN) boosted coordination and cooperation between market surveillance authorities and the Commission	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The EUPCN streamlined the practices of EU market surveillance to a satisfactory extent	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Single Liaison offices (SLOs) have appropriately represented the coordinated position of the market surveillance authorities of your Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
SLOs provided a satisfactory level of assistance in ensuring cooperation between market surveillance authorities in different Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Peer reviews have strengthened consistency in market surveillance activities in the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cross-border mutual assistance proved effective in ensuring cooperation and exchange of information between the market surveillance authorities of the Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

National market surveillance strategies effectively promoted a consistent approach to market surveillance within your Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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23 **Have you participated in the following?** *Please select all that apply.*

- Joint activities
- Peer reviews
- Didn't participate in either of the two
- Don't know

24 **Which of the following statements do you agree with?** *Please select all that apply.*

- Joint activities help promote compliance
- Joint activities help identify non-compliance
- Joint activities help raising awareness
- Joint activities help providing guidance
- Joint activities contribute to the identification and sharing of good practices among market surveillance authorities
- Peer reviews contribute to strengthening consistency in market surveillance activities across Member States
- Peer reviews help identifying areas where authorities can improve their effectiveness in market surveillance
- Don't know

25 **For which share of market surveillance cases handled by your authority is cross-border cooperation necessary to end non-compliance across the EU?**

- 0-20%
- 21-40%
- 41-60%
- 61-80%
- More than 80%
- Don't know

26 **Have you requested or received a request for mutual assistance in the past?** *Please select all that apply.*

- Yes, we received a request to access certain information that prevent a market surveillance authority to conclude its investigation (under Art. 22)
- Yes, we sent a request to access certain information that prevents a market surveillance authority from concluding its investigation (under Art. 22)
- Yes, we received a request for enforcement measures within the jurisdiction in our Member State (under Art. 23)
- Yes, we sent a request for enforcement measures within the jurisdiction in our Member State (under Art. 23)
- No
- Don't know

27 To what extent do you agree with the following statements on mutual assistance?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
Mutual assistance mechanisms enable our authority to obtain necessary information or support from other market surveillance authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Requests for assistance are handled efficiently by the requested authority and within the expected timeframe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Procedures for submitting a mutual assistance request are clear and well documented	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enforcement requests lead to timely enforcement measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Requested authorities generally provide timely and complete information about the enforcement measures taken	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Procedures for enforcement requests are clear and well documented	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cross-border requests are facilitated by the SLO	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

28 To what extent do you agree with the following statements on the Administrative Cooperation Groups (AdCos)?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
AdCo meetings provide a valuable forum for exchanging information and best practices amongst national authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Participation in AdCo initiatives has facilitated the uniform application of Union harmonisation legislation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Coordinating market surveillance across different product sectors remains challenging within the AdCo framework	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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29 How often do you rely on ICSMS findings from other Member States to presume a product is non-compliant in your jurisdiction (Art. 11(9))?

- Always
- Very often
- Often
- Sometimes
- Rarely
- Never
- Don't know

30 How often do you make use of evidence from a market surveillance authority in another Member State as part of your investigation (Art. 11(6))?

- Always
- Very often
- Often
- Sometimes
- Rarely
- Never
- Don't know

A.2 Efficiency and costs

This section examines whether the benefits of the Regulation have been achieved at a reasonable cost and whether obligations are proportionate for different stakeholders.

1 How much time does it take you or your members to verify that an EU declaration of conformity or declaration of performance, as well as the technical documentation have been drawn up (Article 4 (3)(a))?

Please provide an estimate in hours.

2 Have you been subject to market surveillance checks in the past five years?

- Yes, once
- Yes, more than once
- No

I don't know

3 How long did these checks take on average? *Please specify in hours (per check).*

4 Did you incur any costs related to the checks? *Please specify the average cost per check (in EUR).*

5 Have any of the checks led to findings of non-compliance?

- Yes
- No
- Don't know

6 Do you think that the measures that the market surveillance authority required you to take were appropriate?

- They were fully appropriate
- They were partially appropriate
- Neither appropriate nor inappropriate
- They were partially not appropriate
- They were fully not appropriate
- Measures were not requested, we took them voluntarily
- Don't know

7 To what extent do you agree that the Regulation achieves the following benefits?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
The Regulation improved product compliance and safety	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Regulation ensured full respect for consumer protection	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Regulation improved environmental protection	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Regulation contributed to a level playing field in the Single Market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

8 To what extent has the Regulation delivered gains in terms of the following aspects?

	Strong improvement	Improvement	No change	Deterioration	Strong deterioration	Don't know
Efficiency gains resulting from increased powers for market surveillance authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better pooling of expertise due to enhanced cooperation of market surveillance authorities at EU level (AdCos, EUPCN)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better access to data thanks to common IT tools (ICSMS)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Faster timelines for the identification of non-compliant or dangerous products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

More effective corrective action against non-compliant or dangerous products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improved enforcement for products coming from outside the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improved market surveillance of online sales	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9 Do you see any potential to further simplify and reduce burdens linked to the implementation of the Regulation?

- Yes
- No
- Don't know

10 Where do you see potential to simplify the Regulation or reduce existing burdens?

A.3 Relevance

This section examines whether the Regulation remains relevant to current challenges and developments.

1 To what extent do the objectives of the Regulation remain relevant in light of the current and evolving needs of stakeholders and the Single Market?

	Fully	To a large extent	To some extent	Not at all	Don't know
The general objective to ensure that only products compliant with EU requirements find their way onto the Single market remains relevant	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The specific objective to strengthen the regulatory toolbox for market surveillance remains relevant	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The specific objective to strengthen cooperation among market surveillance authorities remains relevant	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The specific objective to strengthen capacity and resources for market surveillance remains relevant	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2 To what extent do the provisions of the Regulation remain relevant in light of the current and evolving needs of stakeholders and the Single Market?

	Fully	To a large extent	To some extent	Not at all	Don't know
The product scope of the Regulation remains appropriate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The categories of economic operators as defined in the Regulation (Article 3.13) remain appropriate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

The scope of Article 4 on tasks for responsible economic operators (incl. authorised representative) for products falling under certain harmonised legislation remains appropriate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The list of responsible economic operators subject to Article 4 (listed in paragraph 2) remains appropriate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The responsibilities of economic operators as defined in the Regulation remain appropriate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The powers of market surveillance authorities remain appropriate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The overall governance and coordination architecture (SLOs, EUPCN, etc) remains appropriate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The mechanisms for cooperation with customs authorities remain appropriate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The role and tasks of the Commission remain appropriate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The mechanisms to incentivise compliance (corrective measures, penalties) remain appropriate	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3 Why are certain provisions of the Regulation not relevant?

4 To what extent has the Regulation been adaptable to the following developments?

	Fully	To a large extent	To some extent	Not at all	Don't know
Increase in e-commerce	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Growing number of third-country individual sellers directly selling products to end-users in the EU (online web shops)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Novel models of selling products online (peer-to-peer marketplaces, social commerce marketplaces, livestream shops, drop shipping-enabled marketplaces)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased amounts of imported goods coming from outside the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increasingly complex products subject to multiple Union harmonisation legislations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fast development of new products, for example incorporating AI, posing new types of risks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Increasingly complex supply chain	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
New digital technologies (e.g. AI, web crawlers, data analytics) available to market surveillance authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

A.4 Clarity and coherence

This section examines whether the Regulation remains clear and coherent internally and with other EU legislation and policies.

1 To what extent is the Regulation coherent with other EU legislative acts?

	Fully	To a large extent	To some extent	Not at all	Don't know
The General Product Safety Regulation (GPSR)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The New Legislative Framework (NLF)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Digital Services Act (DSA)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Union Customs Code (UCC)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Ecodesign for Sustainable Products Regulation (ESPR)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The REACH Regulation on chemicals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The legislation on classification, labelling and packaging of substances and mixtures (CLP)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other legislation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2 Please specify which other legislation you are referring to.

3 Please specify the areas that are inconsistent, overlap or existing gaps.

A.5 EU added value

This section explores the benefits of having a common EU-level framework for market surveillance compared to national-only approaches. Please consider aspects such as cross-border cooperation, harmonisation, and resource efficiency.

1 To what extent do you agree with the following statements?

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know
The functioning of the Single Market would be negatively affected in the absence of the Regulation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
National-only approaches would be sufficient to ensure product safety and compliance, fair competition, and consumer protection in the EU	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2 To what extent do you agree or disagree that the objectives supported by the Regulation continue to require action at EU level?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree
- Don't know

B. Impact Assessment Module

The following section of the questionnaire explores the likely effects and impacts of potential policy options.

It is structured in four parts:

- B.1 Baseline explores how the situation will likely evolve in the absence of any policy action,
- B.2 explores policy options related to Objective 1 on closing regulatory loopholes,
- B.3 explores policy options related to Objective 2 on boosting market surveillance capacity, and
- B.4 explores policy options related to Objective 3 on strengthening cooperation between authorities.

B.1 Baseline

The Baseline scenario assumes that the current Regulation (EU) 2019/1020 remains in force without any new legislative changes.

Under this scenario, please assume that:

- No new EU rules are introduced regarding market surveillance powers, procedures, or cooperation mechanisms beyond what is planned already (notably the reform of the Union Customs Code).

- Market trends continue: The growth of e-commerce (doubled since 2023 and quadrupled since 2022), the volume of small consignments, and the complexity of global supply chains continue along their current trajectories.
- Existing legislation applies: The effects of other EU legislation (notably the General Product Safety Regulation (GPSR) and the Digital Services Act (DSA)) continue to materialise as currently implemented and enforced (see [here](#)).

1 How do you expect the number of non-compliant products imported (notably through e-commerce) to evolve without further policy action?

- The number of non-compliant products in the Single Market will continue growing fast
- The number of non-compliant products in the Single Market will continue growing, although at a slower pace
- The number of non-compliant products in the Single Market will stabilise
- The number of non-compliant products in the Single Market will decrease, although at a slow pace
- The number of non-compliant products in the Single Market will decrease fast
- Don't know

2 Currently, what share of products placed on the EU market inspected by your authority do you estimate to be non-compliant with the requirements set out in the applicable Union harmonisation legislation?

	0-20%	21-40%	41-60%	61-80%	More than 80%	Don't know
Offline	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3 Currently, what share of non-compliant products do you estimate to be unsafe?

	0-20%	21-40%	41-60%	61-80%	More than 80%	Don't know
Offline	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4 How do you expect the share of products inspected by your authority and found non-compliant to develop in case of no change to the Regulation in the coming 5 years?

	Strong decrease	Decrease	No material change	Increase	Strong increase	Don't know
Offline	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5 In your opinion, how large will this decrease or increase in the share of non-compliant products be? Please express in %.

	Change in share of non-compliant products (%)

Offline	
Online	

6 How do you expect the share of products inspected by your authority and found unsafe to develop in case of no change to the Regulation in the coming 5 years?

	Strong decrease	Decrease	No material change	Increase	Strong increase	Don't know
Offline	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

7 In your opinion, how large will this decrease or increase in the share of unsafe products be? Please express in %.

	Change in share of unsafe products (%)
Offline	
Online	

8 How do you expect the following aspects to develop in case of no change to the Regulation in the coming 5 years for your market surveillance authority?

	Strong decrease	Decrease	No material change	Increase	Strong increase	Don't know
Workload from investigations of products sold offline	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Workload from investigations of products sold online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Human and financial resources available	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Total volume of products requiring inspection sold online/ through distance sales	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Total volume of products requiring inspection sold 'offline'	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Testing capacity available	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Effectiveness of cross-border cooperation with other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Effectiveness of coordination with other market surveillance authorities in my country, including customs authorities



9 How do you expect that the trends you identified above will affect the enforcement capabilities?

	Strong improvement	Improvement	No material change	Deterioration	Strong deterioration	Don't know
Overall enforcement capacity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to effectively handle complex investigations with cross-border relevance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Speed of processing customs suspensions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

10 How do you expect the following aspects to develop in case of no change to the Regulation in the coming 5 years for your authority?

	Strong decrease	Decrease	No material change	Increase	Strong increase	Don't know
Volume of e-commerce/low-value parcels requiring controls /checks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Adequate identification of risky products at the border thanks to risk profiling systems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Availability of compliance info accompanying consignments	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Time between suspension by customs and market surveillance authority decision on product compliance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Effectiveness of coordination with market surveillance authorities after suspension	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consistency in compliance enforcement at the border across Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

11 How do you expect that the trends you identified above will affect the following outcomes?

	Strong improvement	Improvement	No material change	Deterioration	Strong deterioration	Don't know
Effectiveness of border controls in preventing release of non-compliant goods	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Share of suspensions for which market surveillance authorities reply within 4 days (either to request maintaining the suspension or approve release for free circulation)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Time to obtain a market surveillance authority decision after suspension (either refusal or	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

approval to
release a
product for free
circulation)

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12 How do you expect the following aspects to develop in case of no change to the Regulation in the coming 5 years?

	Strong decrease	Decrease	No material change	Increase	Strong increase	Don't know
Regulatory clarity regarding compliance obligations under the Regulation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Compliance costs linked to obligations under the Regulation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Time taken to resolve compliance cases initiated by authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Exposure to unfair competition from non-compliant products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consistency of enforcement actions across different Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

13 In your opinion, how strongly will costs decrease or increase for businesses compared to today? Please express in %.

	Change in costs (compared to today) (%)
Compliance costs	

14 How do you expect the aspects above to affect the level playing field for law-abiding companies in the Single Market?

- Strong improvement
- Improvement
- No material change
- Deterioration
- Strong deterioration
- Don't know

15 How do you expect the following aspects to develop in case of no change under the Regulation in the coming 5 years?

market surveillance authority can request the removal of serious risk products under MSR Art. 14(4)k and send notices/orders to remove products under GPSR Art. 22 and Art. 9 and 16 DSA

	Strong decrease	Decrease	No material change	Increase	Strong increase	Don't Know
Operational burden of compliance processes specifically linked to market surveillance enforcement actions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Volume of requests from authorities requiring the removal of serious risk products and notices/orders to remove products from market surveillance authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Quality of seller and product traceability information on the marketplace (as per obligations in Art. 30 DSA and Art. 22 GPSR)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Timeliness of internal follow-up on market surveillance authority's requests/notices /orders to remove products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Risk of re-listing/recurrence of the same non-compliant product after removal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consistency of enforcement practices across national authorities and Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

16 How do you expect the trends you identified above to affect the following outcomes?

	Strong improvement	Improvement	No material change	Deterioration	Strong deterioration	Don't Know
Number of non-compliant products offered online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Consumer confidence in purchasing products offered online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
User complaints linked to non-compliant products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

B.2 Objective 1: Closing regulatory loopholes

Guidelines for responding the following questions:

- For each objective, several policy options are considered to address the identified problems.
- The questions following each objective aim to assess the potential impacts that each policy option may have on different areas.
- The options are structured cumulatively: Option 2 builds on the measures included in Option 1, and Option 3 builds on both previous options. Together, they reflect a progression from moderate adjustments to the existing rules (Option 1) to more substantial or transformative changes to the Regulation (Option 3).

B.2.1 Authorised representatives

For authorised representatives, the questionnaire explores the following policy options.

Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives

- **Extends the scope of Article 4 to cover all products subject to NLF legislation**, thus requiring all NLF products to have a responsible economic operator established in the EU.
- **Sets up an automatic verification mechanism for ‘authorised representatives’** — i.e. a category of economic operators established in the EU that market surveillance authorities may hold responsible — requiring them 1) to obtain a secured electronic identification and to sign up to an EU registry (a required step for the creation of a Digital Product Passport (DPP) and 2) to consent to the mandates from the foreign manufacturers they represent.

Option 2 (Option 1 + the following): Extension of the scope of Article 4 to cover all harmonised products and strengthening the role and duties of authorised representatives for all harmonised products

- **Extends the scope of Article 4 to cover all products subject to all EU harmonisation legislation**, thus requiring all harmonised products have a responsible economic operator established in the EU.
- **Strengthens Article 4 of the Regulation by:**
 - ensuring that only the manufacturer or, if the manufacturer is not based in the EU, either the importer **OR** the authorised representatives, is responsible for compliance with EU product rules for products placed on the Single Market;
 - subjecting authorised representatives in the EU to product compliance-related obligations equivalent to those of importers under the current NLF or the GPSR;

- requiring authorised representatives to take appropriate measures to ensure financial coverage for corrective actions, including recalls and withdrawals.

1 What is the share of investigations of products sold online that were not successfully concluded because of issues linked to authorised representatives or other economic operators in the EU, in the last full year?

(This could be due to the lack of economic operator in the EU, due to the impossibility to contact them, or due to the fact that they do not have broad enough responsibilities for product compliance.)

- 0-20%
- 21-40%
- 41-60%
- 61-80%
- 81-100%
- Don't know

2 What would be the impact of each policy option on the share of investigations of products sold online that were not successfully concluded because of issues linked to authorised representatives or other economic operators in the EU, compared to the status quo?

	Decrease by 0-5%	Decrease by 6-10%	Decrease by 11-25%	Decrease by 26-50%	Decrease by more than 50%	No impact	Increase
<p>Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 2: Extension of the scope of Article 4 to cover all harmonised products and strengthening the role and duties of</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

authorised representatives for all harmonised products							
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3 How many staff hours does your authority typically need to conduct a simple formal compliance check related to product compliance?

- 1-4 hours
- >4-8 hours
- >8-12 hours
- >12-16 hours
- More than 16 hours
- Don't know

4 How many staff hours does your authority typically need to conduct an in-depth check of compliance related to product compliance?

An in-depth check of compliance goes beyond a simple formal compliance check of the declaration of conformity or labelling. It can include e.g. detailed check of test reports, visual inspection for obvious technical non-compliances.

- Less than 1 week
- >1-2 weeks
- >2-3 weeks
- >3-4 weeks
- More than a month
- Don't know

5 Problems with contacting authorised representatives and other economic operators in the EU may be an important factor making investigations last longer.

What would be the impact of each policy option on the staff hours typically needed to conduct a simple formal compliance check, compared to the status quo?

	Decrease by 0-5%	Decrease by 6-10%	Decrease by 11-25%	Decrease by 26-50%	Decrease by more than 50%	No impact	Increase	Don't know
Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Extension of the scope of Article 4 to cover all harmonised products and strengthening the role and	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

duties of
authorised
representatives
for all
harmonised
products

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6 Problems with contacting authorised representatives and other economic operators in the EU may be an important factor making investigations last longer. **What would be the impact of each policy option on the staff hours typically needed to conduct an in-depth check of compliance, compared to the status quo?**

An in-depth check of compliance goes beyond a simple formal compliance check of the declaration of conformity or labelling. It can include e.g. detailed check of test reports, visual inspection for obvious technical non-compliances.

	Decrease by 0-5%	Decrease by 6-10%	Decrease by 11-25%	Decrease by 26-50%	Decrease by more than 50%	No impact	Increase	Don't know
Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Extension of the scope of Article 4 to cover all harmonised products and								

strengthening
the role and
duties of
authorised
representatives
for all
harmonised
products



7 What is the share of investigations finding non-compliance in which you were able to successfully reclaim costs of your activity from the relevant economic operator, in the last full year?

- 0-20%
- 21-40%
- 41-60%
- 61-80%
- 81-100%
- Don't know

8 What would be the impact of each policy option on the share of investigations finding non-compliance in which you were able to successfully reclaim costs of your activity from the relevant economic operator, compared to the status quo?

	Increase by 0-5%	Increase by 6-10%	Increase by 11-25%	Increase by 26-50%	Increase by more than 50%	No impact	Decrease	Don't know
<p>Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 2: Extension of the scope of Article 4 to cover all harmonised products and strengthening the role and</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

duties of authorised representatives for all harmonised products								
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9 Which of the following options best describes the main way your organisation fulfils the requirement for an economic operator in the EU (Art. 4 of the Regulation) when applied to authorised representatives?

- Designating in-house authorised representatives (e.g. EU-based subsidiary)
- Relying on third-party representatives already established in the EU
- Mix of EU-based subsidiary and third-party representatives
- Requesting a provider of online marketplace to do so
- Relying on importers
- Other
- I do not need an authorised representative
- Don't know

10 If other, please specify.

11 Which option best describes the main way your organisation or your members would adapt to the policy option 1?

- **Extends the scope of Article 4 to cover all products subject to NLF legislation**, thus requiring all NLF products to have a responsible economic operator established in the EU.
 - **Sets up an automatic verification mechanism for 'authorised representatives'** — i.e. a category of EU established economic operators that market surveillance authorities may hold responsible for product compliance and that are established in the EU — requiring them to obtain a secured electronic identification and to sign their consent to the mandates from the foreign manufacturers they represent. The verification mechanism will be done through the DPP.
-
- No change
 - More in-house authorised representatives (e.g. EU-based subsidiary)
 - More use of third-party providers in EU
 - Requesting a provider of online marketplace to do so
 - More use of EU importers
 - Other
 - Don't know

12 If other, please specify.

13 Which option best describes the main way your organisation or your members would adapt to the policy option 2?

- **Extends the scope of Article 4 to cover all products subject to all EU harmonisation legislation**, thus requiring all harmonised products have a responsible economic operator established in the EU.

● **Strengthens Article 4 of the Regulation by:**

- ensuring that only the manufacturer or, if the manufacturer is not based in the EU, either the importer OR the authorised representatives, is responsible for compliance with EU product rules for products placed on the Single Market;
- subjecting authorised representatives in the EU to product compliance-related obligations equivalent to those of importers under the current NLF or the GPSR;
- requiring authorised representatives to take appropriate measures to ensure financial coverage for corrective actions, including recalls and withdrawals.

- No change
- More in-house authorised representatives (e.g. EU-based subsidiary)
- More use of third-party providers in EU
- Requesting a provider of online marketplace to do so
- More use of EU importers
- Other
- Don't know

14 **If other, please specify.**

15 **What were the average annual cost per product for your business to have an authorised representative in the EU (in the most recent year)?** *Please provide the estimation in EUR.*

16 How would each policy option impact average annual cost per product for your business to have an authorised representative in the EU, compared to the status quo?

	Decrease by >30%	Decrease by 21-30%	Decrease by 11-20%	Decrease by 0-10%	No change	Increase by 0-10%	Increase by 11-20%	Increase by 21-30%	Increase by >30%	Don't know
Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Extension of the scope of Article 4 to cover all harmonised products and strengthening the role and duties of authorised	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

representatives for all harmonised products										
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17 What is the average annual price per product that includes the service of acting as an authorised representative in the EU (in the most recent year)? *Please provide the estimation in EUR.*

18 How do you expect price per product offering representation as an authorised representative to evolve under each policy option, compared to the status quo?

	Decrease by >30%	Decrease by 21-30%	Decrease by 11-20%	Decrease by 0-10%	No change	Increase by 0-10%	Increase by 11-20%	Increase by 21-30%	Increase by >30%	Don't know
<p>Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 2: Extension of the scope of Article 4 to cover all harmonised products and strengthening the role and duties of authorised</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

representatives
for all
harmonised
products

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19 How do you expect costs (e.g. fees paid to the principal firm, compliance costs, insurance, operational business costs) to evolve stemming from new obligations under each policy option?

	Strongly decrease	Decrease	No material change	Increase	Strong increase	Don't know
Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Extension of the scope of Article 4 to cover all harmonised products and strengthening the role and duties of authorised representatives for all harmonised products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

20 Do you expect costs (e.g. fees paid to the principal firm, compliance costs, insurance, operational business costs) stemming from new obligations to be proportionate to the benefits for your company (e.g. larger demand for your business, level-playing field) under each policy option?

	Fully	To a large extent	To some extent	Not at all	Don't know
Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Extension of the scope of Article 4 to cover all harmonised products and strengthening the role and duties of authorised representatives for all harmonised products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

21 What is your annual turnover as authorised representative (please think of the most recent year)? Please provide the estimation in EUR.

- Under EUR 1M EUR
- 1M – EUR 10M
- EUR10M – EUR 50M
- EUR 50M – EUR 100M
- EUR 100M – EUR 500M
- EUR 500M – EUR 1B
- EUR 1B+

22 How do you expect your company's turnover to evolve under each policy option, compared to the status quo?

	Decrease by >30%	Decrease by 21-30%	Decrease by 11-20%	Decrease by 0-10%	No change	Increase by 0-10%	Increase by 11-20%	Increase by 21-30%	Increase by >30%	Don't know
<p>Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 2: Extension of the scope of Article 4 to cover all harmonised products and strengthening the role and duties of authorised</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

representatives for all harmonised products										
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23 **How do you expect your business model to evolve under each policy option?** *Please select all that apply.*

	Would specialise in certain products	Would diversify my portfolio of products	Would specialise in certain countries	Would diversify the range of countries from which products come from	No change	Other
Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Option 2: Extension of the scope of Article 4 to cover all harmonised products and strengthening the role and duties of authorised representatives for all harmonised products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

24 To verify the identity of ‘authorised representatives’ in all products covered by harmonised legislation and require them to sign their consent to the mandates from the foreign manufacturers they represent, there could be a need for an EU database of authorised representatives (possibly linked to the Digital Product Passport).

To what extent do you agree that the registration should be subject to a fee on authorised representatives for management and maintenance of the database?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree
- Don't know

25 To what extent do the proposed policy options impact coherence with trade legislation?

	Large improvement	Improvement	No change	Deterioration	Large deterioration	I don't know
<p>Option 1: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 2: Extension of the scope of Article 4 to cover all harmonised products and strengthening the role and duties of authorised representatives for all harmonised products</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

26 Currently the requirement for an economic operator based in the EU (Art. 4 of the Regulation) is limited to: i) 20 over a total of 70 harmonised legislation covered by Annex I, ii) non-harmonised products under GPSR and iii) additional sectoral legislation referring to the Regulation.

To what extent would extending the requirement for an authorised representative to products covered by the New Legislative Framework (NLF) simplify EU legislation?

- Fully
- To a large extent
- To some extent
- Not at all
- Don't know

27 Currently the requirement for an economic operator based in the EU (Art. 4 of the Regulation) is limited to: i) 20 over a total of 70 harmonised legislation covered by Annex I, ii) non-harmonised products under GPSR and iii) additional sectoral legislation referring to the Regulation. **To what extent would extending the requirement for an authorised representative to all harmonised products simplify EU legislation?**

To what extent would extending the requirement for an authorised representative to all harmonised products simplify EU legislation?

- Fully
- To a large extent
- To some extent
- Not at all
- Don't know

B.2.2 Obligations for online marketplaces

For online marketplaces, the questionnaire explores the following options.

Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex ante verification

Sets the following requirements:

- **Requires providers of online marketplaces to fulfil certain obligations related to non-compliant products** that are not dangerous (i.e. products that do not comply with the requirements under Union law applicable to them, other than product safety) mirroring Article 22 of the GPSR in its entirety. Such obligations include designating single point of contact in ICSMS, taking into account regular information on non-compliant products notified by the market surveillance authorities through ICSMS, cooperating with the authorities, with traders and with relevant economic operators, sending notifications to customers and publishing information on product non-compliance recalls.
- **Requires online marketplaces (OMs) to ensure that economic operators**, upon making a product available to EU-based customers in distance sales, **display a DPP**, where DPP is required under EU law.

Option 2 (Option 1 + the following): Mandatory verification of authorised representatives

Sets the following requirements:

- **Mandatory verification of authorised representatives:** Requires online marketplaces to ensure that, for products not yet subject to DPP requirement, the authorised representative is listed in the EU registry.

Option 3a (Option 2 + the following): Verification that a DPP corresponds to the offer product and removal of products with no DPP/authorised representatives

Enhances the role and responsibilities of online marketplaces in relation to product compliance by requiring online marketplaces:

- to verify that the DPP corresponds to the product on sale (i.e. name, picture, manufacturer match to product offer);
- to remove products listed from offers after receiving automatic notifications that the DPP is no longer valid or that an authorised representative is no longer listed in the EU registry;
- to prevent reappearance of products from same production series to the one found to be dangerous or non-compliant.

Option 3b (Option 3a + the following): Online marketplaces (OMs) as authorised representatives in case of products offered with no DPP/authorised representative

Deems online marketplaces to be authorised representatives — with compliance-related responsibilities comparable to those of importers — **if two conditions are fulfilled:**

- the online marketplaces have breached the requirements listed under option 3a; and
- the verified authorised representative ultimately turns out not to exist.

28 To what extent do you think that the presence of non-compliant products sold online would be affected if online marketplaces were to take on new responsibilities under each policy option, compared to the status quo?

	Strong decrease	Decrease	No material change	Increase	Strong increase	Don't know
Option 1: GPSR Art. 22 obligations extended to non-compliant products and mandatory DPP display on the online marketplace interface and ex-ante verification	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Online marketplaces to ensure that there is an	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>authorised representatives for products not yet subject to DPP requirement</p>						
<p>Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products</p>	●	●	●	●	●	●
<p>Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative</p>	●	●	●	●	●	●

29 To what extent do you think that access of consumers to product information in online sales would be affected if online marketplaces were to take on new responsibilities under each policy option, compared to the status quo?

	Strong improvement	Improvement	No material change	Deterioration	Strong deterioration	Don't know
<p>Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex-ante verification</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

30 **What is the share of investigations of products sold online that result in finding non-compliance?**

- 0-20%
- 21-40%
- 41-60%
- 61-80%
- 81-100%
- Don't know

31 How would you expect the share of investigations of products sold online that result in finding non-compliance to change under each policy option, compared to the status quo?

	Decrease by 0-5%	Decrease by 6-10%	Decrease by 11-25%	Decrease by 26-50%	Decrease by more than 50%	No impact	Increase	Don't know
<p>Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex-ante verification</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

32 For online product investigations, in what share of cases does non-compliance persist for products even after the case is closed?

- 0-20%
- 21-40%
- 41-60%
- 61-80%
- 81-100%
- Don't know

33 How would you expect the share of cases where non-compliance persists for products even after the case is closed, under each policy option, compared to the status quo?

	Decrease by 0-5%	Decrease by 6-10%	Decrease by 11-25%	Decrease by 26-50%	Decrease by more than 50%	No impact	Increase	Don't know
<p>Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex-ante verification</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

34 Problems with enforcing the Regulation with respect to online products may make investigations last longer. **What would be the impact of each policy option on the staff hours typically needed to conduct a simple formal compliance check, compared to the status quo?**

	Decrease by 0-5%	Decrease by 6-10%	Decrease by 11-25%	Decrease by 26-50%	Decrease by more than 50%	No impact	Increase	Don't know
Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex-ante verification	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Online marketplaces to ensure that there is an authorised representatives for products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

not yet subject to DPP requirement								
Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products	○	○	○	○	○	○	○	○
Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no	○	○	○	○	○	○	○	○

DPP/ authorised representative								
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35 Problems with enforcing the Regulation with respect to online products may make investigations last longer.

What would be the impact of each policy option on the staff hours required to conduct an in-depth check of compliance compared to the status quo?

An in-depth check of compliance goes beyond a simple formal compliance check of the declaration of conformity or labelling. It can include e.g. detailed check of test reports, visual inspection for obvious technical non-compliances.

	Decrease by 0-5%	Decrease by 6-10%	Decrease by 11-25%	Decrease by 26-50%	Decrease by more than 50%	No impact	Increase	Don't know
Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex-ante verification	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Online marketplaces to ensure that there is an authorised representatives for products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

not yet subject to DPP requirement								
Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products	●	●	●	●	●	●	●	●
Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no	●	●	●	●	●	●	●	●

DPP/ authorised representative								
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36 What would be the one-off cost for your business to adopt each of the policy options? *Please provide an estimate or range, in EUR.*

One-off costs are single, non-recurring cost that a business incurs only once, usually at the moment of setting up a new requirement, process, or system.

	IT developments	Cost of updating your internal policies, procedures, staff guidance, and tooling to comply (for example workflow design, internal controls, escalation and cooperation processes)	Legal and compliance costs (for example to assess articulation with existing rules)
Option 1: GPSR Art. 22 obligations extended to non-compliant products and mandatory DPP display on the online marketplace interface and ex-ante verification			
Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement			
Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products			
Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative			

37 How many full-time equivalent staff (FTEs) does your platform currently employ due to requirements stemming from the Regulation?

38 How many additional FTEs would your platform require on an ongoing basis to implement and operate the defined responsibilities under each policy options, compared to the status quo?

	No additional FTE	<1 additional FTE	1 – 5 additional FTE	5 – 20 additional FTE	> 20 additional FTE	Don't know
Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex-ante verification	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative



39 What is the current annual cost of compliance with the obligations under the Regulation?

Art. 4(3): keep documentation, provide information requested by market surveillance authorities, inform market surveillance authorities in case of reasons to believe there is a risk, take corrective action if requested by market surveillance authorities to mitigate risks.

- No cost
- Less than EUR 5000 per year
- EUR 5,001 – 20,000 per year
- EUR 20,001 – 100,000 per year
- EUR 100,001 – 250,000 per year
- > EUR 250,001

40 What would be the impact of each policy option on the annual cost of compliance with obligations under the Regulation, compared to the status quo?

Article 4(3): keep documentation, provide information requested by market surveillance authorities, inform market surveillance authorities in case of reasons to believe there is a risk, take corrective action if requested by market surveillance authorities to mitigate risks.

	Increase by 0- 5%	Increase by 6- 10%	Increase by 11- 25%	Increase by 26- 50%	Increase by more than 50%	No impact	Decrease	Don' t know
Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex-ante verification	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Online marketplaces to ensure that there is an authorised representatives	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

for products not yet subject to DPP requirement								
Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

offered with no DPP/ authorised representative								
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41 **Do you expect annual cost of compliance with obligations under the Regulation under each policy option to be proportionate to the benefits for your company** (e.g. higher demand for products from compliant marketplaces, level-playing field)?

Article 4(3): keep documentation, provide information requested by market surveillance authorities, inform market surveillance authorities in case of reasons to believe there is a risk, take corrective action if requested by market surveillance authorities to mitigate risks.

	Fully	To a large extent	To some extent	Not at all	Don't know
Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex-ante verification	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

42 **How many FTEs does your organisation currently allocate to manual checks of product compliance information for listings (for example checking the presence or validity of compliance documentation), excluding general content moderation?**

- 0 FTE
- Less than 1 FTE
- 1 - 5 FTEs
- 5 - 20 FTEs
- More than 20 FTEs
- Don't know

43 What reduction in FTEs that your organisation allocate to manual checks of product compliance information for listings would you expect, compared to the status quo?

Article 4(3): keep documentation, provide information requested by market surveillance authorities, inform market surveillance authorities in case of reasons to believe there is a risk, take corrective action if requested by market surveillance authorities to mitigate risks.

	Decrease by 0-5%	Decrease by 6-10%	Decrease by 11-25%	Decrease by more than 50%	No impact	Increase	Don't know
<p>Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex-ante verification</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

DPP requirement							
Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

44 How do you expect the measures under each policy option to affect the turnover of your company? *Please select all that are relevant.*

Article 4(3): keep documentation, provide information requested by market surveillance authorities, inform market surveillance authorities in case of reasons to believe there is a risk, take corrective action if requested by market surveillance authorities to mitigate risks.

	Strong decrease	Decrease	No material change	Increase	Strong increase	Don't know
Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex-ante verification	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

45 How do you expect your business model to evolve under each policy option? *Please select all that are relevant.*

	Would specialise in certain products	Would diversify my	Would specialise in certain countries	Would diversify the range of countries from which	No change	Other
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		portfolio of products		products come from		
Option 1: GPSR Art. 22 obligations extended to non-compliant products and Mandatory DPP display on the online marketplace interface and ex-ante verification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

46 **What would be the main benefits of each policy option?** *Select the 3 top benefits per option.*

	Reduced availability of non-compliant products on the market	Fairer competition and ensuring level-playing field	Increased awareness and confidence of users /consumers regarding compliance and safety of products	Easier /Better compliance checks	Increased traceability of products	Presence of more sustainable products on the market	No benefits	Don't know	Other benefit
Option 1: GPSR Art. 22 obligations extended to non-compliant products and mandatory DPP display on the online marketplace interface and ex ante verification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Option 2: Online marketplaces to ensure that there is an									

<p>authorised representatives for products not yet subject to DPP requirement</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Option 3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

duties and if
products
offered with no
DPP/
authorised
representative

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47 **Please explain what other benefits you would expect for the policy options.**

Rules applicable to online marketplaces

Note that the Digital Services Act (DSA) and the General Product Safety Regulation (GPSR) include rules and obligations for online marketplaces already. Together, they aim to enhancing consumer protection and ensuring a high level of product safety online. Among other aspects, the DSA includes due diligence obligations and requires marketplaces e.g. to identify and verify sellers, make reasonable efforts to perform checks on the products sold via their marketplace, and act swiftly against illegal or unsafe products listings. The GPSR (and especially Art 22) obliges online marketplaces, among other things, to ensure cooperation with market surveillance authorities and to remove non-compliant and unsafe products if required. They are further asked to establish internal processes for product safety and to clearly establish a single contact point for communication with market surveillance authorities and consumers.

48 To what extent do the proposed policy options impact coherence with the General Product Safety Regulation (GPSR)?

	Strong improvement	Improvement	No material change	Deterioration	Strong deterioration	Don't know
Option 1: GPSR Art. 22 obligations extended to non-compliant products and mandatory DPP display on the online marketplace interface and ex ante verification	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3a: Verification that						

<p>a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

49 To what extent do the proposed policy options impact coherence with the Digital Services Act?

	Strong improvement	Improvement	No material change	Deterioration	Strong deterioration	Don't know
<p>Option 1: GPSR Art. 22 obligations extended to non-compliant products and mandatory DPP display on the online marketplace interface and ex ante verification</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 3a: Verification that a DPP corresponds to</p>						

<p>the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

50 To what extent do the proposed policy options impact coherence with the customs legislation in the EU?

	Strong improvement	Improvement	No material change	Deterioration	Strong deterioration	Don't know
<p>Option 1: GPSR Art. 22 obligations extended to non-compliant products and mandatory DPP display on the online marketplace interface and ex ante verification</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 2: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 3a: Verification that</p>						

<p>a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>Option 3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

51 As a stand-alone option alternative to the policy options spelled out above, online marketplaces could be made responsible economic operators, and by default made liable for product compliance of products offered on their platforms.

To what extent could this alone solve the issue of non-compliance of products in e-commerce?

- Fully
- To a large extent
- To some extent
- Not at all
- Don't know

52 As a stand-alone option alternative to the policy options spelled out above, online marketplaces could be made responsible economic operators, by default made liable for product compliance of products offered on their platforms.

To what extent would you consider this option proportionate?

- Fully
- To a large extent
- To some extent
- Not at all
- Don't know

B.2.3 Enforcement powers

53 What is currently the share of investigations that cannot ensure compliance because of insufficient powers of market surveillance authorities?

- 0-20%
- 21-40%
- 41-60%
- 61-80%
- More than 80%
- Don't know

54 What would be the impact of each of the measures below on the share of investigations that cannot ensure compliance because of insufficient powers of market surveillance authorities, compared to the status quo?

	Decrease by 0-5%	Decrease by 6-10%	Decrease by 11-25%	Decrease by 26-50%	Decrease by more than 50%	No impact	Increase	Don't know
Market surveillance authorities and customs authorities to send orders to online marketplaces to remove non-compliant products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Market surveillance authorities to restrict access to the online interface not only for products presenting a serious risk	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

but for all
non-
compliant
ones, in
cases where
the request
to remove
content
online is not
complied with

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55 The European Commission could be empowered to send alerts regarding non-compliant products to online marketplaces - which would thereby obtain 'actual knowledge or awareness' of illegal content, and therefore no longer benefit from a liability exemption under Article 6 DSA. This could be automatically based on the WebCrawlers.

To what extent do you think that the presence of non-compliance products sold online would increase or decrease by this measure, compared to the status quo?

- Strong decrease
- Decrease
- No material impact
- Increase
- Strong increase

B.2.4 Penalties

56 Amongst investigations in which penalties are imposed, what is the share of penalties that are successfully collected?

- 0-20%
- 21-40%
- 41-60%
- 61-80%
- More than 80%
- Don't know

57 If market surveillance authorities were required to impose penalties not lower than a minimum level, what would be the impact on the share of investigations in which penalties are imposed and successfully collected, compared to the status quo?

- Decrease by >30%
- Decrease by 21-30%
- Decrease by 11-20%
- Decrease by 0-10%
- No change
- Increase by 0-10%
- increase by 11-20%
- Increase by 21-30%
- Increase by >30%
- Don't know

58 If market surveillance authorities were required to impose penalties not lower than a minimum level, would this requirement have a dissuasive effect on companies that do not comply with EU legislation?

- Fully
- To a large extent

- To some extent
- Not at all
- Don't know

B.2.5 Effects of the policy options for Objective 1 overall

The following questions explore the likely impacts of the different options explored above jointly. The help messages in the questions summarise the different measures that are foreseen under the respective options.

59 What would be the expected decrease in non-compliant products sold online due to the suggested policy options, compared to the status quo? *Please refer to the help message if you do not remember what the different options entail.*

The following aspects are captured by each of the options.

Option 1

- Extension of the scope of Article 4 to cover all products subject to NLF legislation
- Automatic identity verification of authorised representatives
- GPSR Art. 22 obligations for online marketplaces extended to non-compliant products
- Mandatory DPP display on the online marketplace's interface and ex ante verification
- Strengthened powers of market surveillance authorities to remove products
- Powers to the European Commission to send alerts to platform
- Expanded powers for market surveillance authorities to restrict access to website
- Requirement for market surveillance authorities to impose penalties not lower than a minimum level

Option 2

- Extension of the scope of Article 4 to cover all harmonised products
- Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement
- Strengthening the role of authorised representatives for all harmonised products

Option 3a

- Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products

Option 3b:

- Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative

	Decrease by 0-5%	Decrease by 5-10%	Decrease by 11-25%	Decrease by 26-50%	Decrease by more than 50%	No impact	Increase	Don't know
Option 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3a	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3b	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

60 What would be the expected decrease in unsafe products sold online due to the suggested policy options, compared to the status quo? *Please refer to the help message if you do not remember what the different options entail.*

The following aspects are captured by each of the options.

Option 1

- Extension of the scope of Article 4 to cover all products subject to NLF legislation
- Automatic identity verification of authorised representatives
- GPSR Art. 22 obligations for online marketplaces extended to non-compliant products
- Mandatory DPP display on the online marketplace's interface and ex ante verification
- Strengthened powers of market surveillance authorities to remove products
- Powers to the European Commission to send alerts to platform
- Expanded powers for market surveillance authorities to restrict access to website
- Requirement for market surveillance authorities to impose penalties not lower than a minimum level

Option 2

- Extension of the scope of Article 4 to cover all harmonised products
- Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement
- Strengthening the role of authorised representatives for all harmonised products

Option 3a

- Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products

Option 3b

- Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative

	Decrease by 0-5%	Decrease by 5-10%	Decrease by 11-25%	Decrease by 26-50%	Decrease by more than 50%	No impact	Increase	Don't know
Option 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3a	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3b	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

B.3 Objective 2: Boosting market surveillance capacity

In this section, the questionnaire explores how the market surveillance capacity could be further boosted.

B.3.1 Testing capacity

1 The testing capacity at EU level could be increased by accelerating the setting up of EU Testing Facilities (e.g. by opening the tests for use by businesses, not only by market surveillance authorities) and by encouraging market surveillance authorities to take into account on tests results from consumer organisations. **Would these measures improve the testing capacity for your organisation?**

- Strong improvement
- Improvement
- No material change
- Deterioration
- Strong deterioration
- Don't know

B.3.2 IT tools

2 **What is the average time to encode one investigation across all relevant databases used by your authority?** *Please specify the time in hours (e.g. 0.5 hours for 30 minutes).*

3 **To what extent would using only one database decrease the time spent on recording an investigation?**

- Decrease by 0-5 %
- Decrease by 6-10 %
- Decrease by 11-25%
- Decrease by 26-50%
- Decrease by more than 50%
- No change
- Don't know

4 **What is the average share of inspections carried out by your authority that are recorded in ICSMS?**

- 0-20 %
- 21-40 %
- 41-60 %
- 61-80 %
- More than 80 %
-

All

Don't know

5 Would turning ICSMS into an integrated and interoperable IT platform for market surveillance, upgraded and linked with other relevant systems (e.g. DPP, NANDO, the EU Customs Data Hub) increase the share of inspections recorded in ICSMS, compared to the status quo?

- Increases by 0-5 %
- Increases by 6-10 %
- Increases by 11-25%
- Increases by 26-50%
- Increases by more than 50%
- No impact
- Decrease
- Don't know

6 What is the share of inspections handled through ICSMS (i.e. using ICSMS to search for existing documentation from other market surveillance authorities, to trigger baton passing, and to request mutual assistance/enforcement measures)?

- 0-20 %
- 21-40 %
- 41-60 %
- 61-80 %
- More than 80 %
- All
- Don't know

7 Would turning ICSMS into an integrated and interoperable IT platform for market surveillance, upgraded and linked with other relevant systems (e.g. DPP, NANDO, the EU Customs Data Hub) increase the share of inspections handled through ICSMS, (i.e. using ICSMS to search for existing documentation from other market surveillance authorities, to trigger baton passing, and to request mutual assistance/enforcement measures) compared to the status quo?

- Increases by 0-5 %
- Increases by 6-10 %
- Increases by 11-25%
- Increases by 26-50%
- Increases by more than 50%
- No impact
- Decrease
- Don't know

8 If using ICSMS becomes mandatory for all investigations, what would be the one-off cost to adjust to this change for your organisation (e.g. on adjusting/setting up the IT system, trainings,

getting the data in the right format), compared to the status quo? *If ICSMS is already mandatory, please insert 0 (i.e. zero costs).*

9 On average, to what degree does the use of web crawlers that identify products with the same characteristics and information sold online reduce the time needed to conduct a simple formal compliance check?

- No change
- Decrease by 0-5 %
- Decrease by 6-10 %
- Decrease by 11-25%
- Decrease by 26-50%
- Decrease by more than 50%
- No impact
- Don't know

B.3.3 Resource scaling and pooling

For resource scaling and pooling, the questionnaire explores the following options.

Option 1: Scaling up existing tools

- Empowers **customs authorities to conclude on the product's formal and obvious technical non-compliance** at the border ('opt-out' instead of the current 'opt-in').
- **Increases testing capacity in the EU** by:
 - accelerating the setting up of EU Testing Facilities, by opening the tests for use by businesses, not only by market surveillance authorities;
 - encouraging market surveillance authorities to take into account tests results from consumer organisations.
- Establishes **ICSMS** as an integrated and interoperable EU digital platform providing EU-level market surveillance data and supporting the enforcement of EU law, including by:
 - linking it with other systems (e.g. DPP, NANDO, the EU Customs Data Hub, incl. Customs Risk Management System (CRMS)) and making the use of the electronic interface between ICSMS and customs systems mandatory; and
 - empowering the Commission to make use, with appropriate safeguards on confidentiality, of ICSMS data for EU enforcement actions.
- Setting deadlines for Member States to react to alerts from **web crawlers**.

Option 2 (Option 1 + the following): Oversight of the market surveillance authorities

- **EU powers to verify the enforcement performance of Member States through an audit system**, assessing whether Member States effectively apply the market surveillance provisions of a European Product Act (EPA).
 - The audit system shall cover the effectiveness of market surveillance authorities' enforcement activities, including whether they conduct appropriate checks on products at adequate scale in general or in specific cases, as well as their allocation of resources including staffing.
 - Where the audit identifies systemic and persistent failures with significant implications for the functioning of the Single Market, the Commission may conduct on-site inspections in cooperation with the competent authority of the Member State concerned. Following an inspection, the Commission shall publish a report setting out its findings and recommended corrective actions.
 - Where deficiencies are identified, the Member State shall agree on an action plan with the Commission and implement the necessary corrective measures within a set timeframe. Failure to do so may trigger a follow-up inspection or, where the failure is sufficiently serious, an infringement procedure under Article 258 TFEU.
- Mandates Member States to **report to the Commission about national attribution of responsibilities to market surveillance authorities** per Union product harmonisation legislation.

Option 3 (Option 1 + the following): EU level enforcement

EU powers of market surveillance necessary for the application of the MSR and of Union product harmonisation legislation **in cooperation with**, and with the assistance of, **national market surveillance authorities and relevant EU and national bodies**. Such powers:

- may be exercised **only in major cases of under-enforcement** that are economically and systemically important, **if all of the following conditions are met**:
 - (1) risk of non-compliant products being marketed in at least 2/3 of EU Member States;
 - (2) "large volume" of products on the EU market (sector-specific assessment);
 - (3) products presenting high-risks for consumers and users or the environment;
 - (4) existence of designated EU Testing Facilities, and also in investigations post emergency mode under IMERA, for products placed on the market during the emergency mode without the appropriate conformity assessment completed;
- consists of:
 - 1) carrying out **inspections and physical checks** of products,
 - 2) requiring economic operators to take **EU-wide corrective actions**, including the **removal of content online** or offline, and
 - 3) imposing **penalties**.

10 **What types of activities should be carried out at EU level?** *Please select all relevant.*

- Assessing whether Member States effectively apply the market surveillance provisions of EPA
- EU-level enforcement, in cooperation with national market surveillance authorities, in a limited number of major cases of systemic relevance
-

Strengthening cooperation between national market surveillance authorities to improve cross-border enforcement

- Strategic management of EU IT tools
- None of the above
- Don't know

11 What would be the main advantages of granting powers to carry out the above activities at EU level? *Please select all relevant.*

- Consistent enforcement of the Regulation at EU level
- Sufficient human and financial resources for market surveillance
- Direct cross-border application of market surveillance decisions
- Expertise pooling across the EU
- Other

12 Policy option 3 examines the possibility of granting the European Union specific enforcement powers in the field of market surveillance, to reinforce and complement the enforcement activities carried out by the Member States.

What should be the competences at EU level? *Please select all relevant.*

- Carrying out inspections and physical checks of products
- Full powers to require economic operators to take action
- Imposing penalties
- None of the above
- Other

13 The EU enforcement powers referred to in option 3 should be limited to a well-defined set of cases of product non-compliance. What should be the conditions for an investigation to be taken up at EU-level? *Please select all relevant.*

- Geographical coverage (e.g. the product is offered in a given number of Member States)
- Economic weight of the product (e.g. significant volume or value of products offered in the EU)
- Products sold through e-commerce Products sold through Very Large Online Platforms (digital services that reach more than 45 million average monthly active users in the European Union as defined under the DSA)
- Products from sectors where designated EU Testing Facilities exist
- Products placed on the market under the Internal Market Emergency and Resilience Act (IMERA) crisis exemptions, to be investigated once the crisis period under IMERA has passed
- None of the above
- Other

14 What should be the type of product checks to be carried out at EU level? *Please select all relevant.*

An in-depth check of compliance goes beyond a simple check of formal compliance of the declaration of conformity or labelling. It can include e.g. detailed check of test reports, visual inspection for obvious technical non-compliances.

- Simple formal compliance checks
- In-depth check of compliance
- Testing of products

- None of the above
- Other

15 If powers to verify the enforcement performance of Member States through an audit system were granted at EU level under option 2, what should be the type of the EU audits? *Please select all relevant.*

- Unannounced inspections, when there are grounds to consider that a Member State is seriously neglecting its obligations
- Thematic inspections, to assess the implementation of significant legislative changes as they start to apply and of new initiatives
- Periodic inspections
- Other

16 Please share any further comments that you have on the potential activities and scope of the EU enforcement powers.

17 What would be the impact of the three policy options on the annual number of inspections carried out in your authority compared to the status quo?

	Strong decrease	Decrease	No material impact	Increase	Strong increase	Don't know
Option 1: Broader customs' powers, scaled testing capacity, upgraded ICSMS	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Oversight over national systems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3: EU-level enforcement in major economically and systemically important cases	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

18 Is the current enforcement capacity (incl. financial and human resources, expertise) of your authority sufficient to address product non-compliance effectively?

- Fully
- To a large extent
- To some extent
- Not at all
- Don't know

19 What would be the impact of each of the policy options on the overall enforcement capacity in the EU (incl. financial and human resources, expertise)?

	Strong improvement	Improvement	No material change	Deterioration	Strong deterioration	Don't know
Option 1: Broader customs' powers, scaled testing capacity, upgraded ICSMS	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Oversight over national systems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3: EU-level enforcement in major economically and systemically important cases	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

20 **How many cases cannot be pursued by your authority per year because they exceed its enforcement capacity?** *If you do not have an exact number, please provide an estimate.*

21 **What would be the impact of each policy option on the number of cases that cannot be pursued by your authority per year because they exceed its enforcement capacity?**

	Strong decrease	Decrease	No material change	Increase	Strong Increase	Don't know
Option 1: Broader customs' powers, scaled testing capacity, upgraded ICSMS	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Oversight over national systems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3: EU-level enforcement in major economically and systemically important cases	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

22 **Currently a decision of one market surveillance authority is not directly applicable in other Member States. In practice decisions rarely have a direct cross-border effect. To what extent could EU-level enforcement foster cross-border enforcement?**

- Strong improvement
- Improvement
- No change
- Deterioration
- Strong deterioration
- Don't know

23 Currently it takes at least 3 months before decisions of market surveillance authorities apply directly in other Member States (for products presenting risk or for public interest), according to the safeguard procedures under the NLF.

To what extent could this time be shortened through EU-level enforcement?

- Strong improvement
- Improvement
- No change
- Deterioration
- Strong deterioration
- Don't know

24 To what extent are enforcement outcomes across Member States in comparable cross-border cases consistent?

- Fully
- To a large extent
- To some extent
- Not at all
- Don't know

25 What would be the impact of each policy option on the consistency of enforcement outcomes across Member States?

	Strong improvement	Improvement	No material change	Deterioration	Strong deterioration	Don't know
Option 1: Broader customs' powers, scaled testing capacity, upgraded ICSMS	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Oversight over national systems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3: EU-level enforcement in major economically and systemically important cases	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

B.3.4 Governance

26 If powers to verify the enforcement performance of Member States through an audit system were granted at EU level, who should in your view implement these powers?

For the office, assume that it would dispose of adequate funding and resources.

Decentralised agencies are governed by a board composed of EU Member States and the Commission.

- The Commission, supported by an EU Office for Market Surveillance
- The Commission, supported by a newly established decentralised agency
- The Commission, supported by an existing decentralised agency
- Other
- Don't know

27 In case market surveillance powers of enforcement at EU level in major economically and systemically important cases are warranted, who should in your view implement these powers?

For the office, assume that it would dispose of adequate funding and resources, similarly to an AI Office.

Decentralised agencies are governed by a board composed of EU Member States and the Commission.

- The Commission, supported by an EU Office for Market Surveillance
- The Commission, supported by a newly established decentralised agency
- The Commission, supported by an existing decentralised agency
- Other
- Don't know

28 In case a market surveillance agency/authority is warranted, how in your view should the new market surveillance authority coordinate with the customs authority to increase interception of non-compliant products before they enter the market? Please select all that apply.

- Oversight over market surveillance at the border
- Strategic IT tools development (linking ICSMS with Customs Data Hub)
- Coordination of Priority Control Areas
- Development of EU risk profiles
- It should not cooperate
- Other
- Don't know

29 In your view, would the benefits of improved compliance and reduced number of unsafe products on the market outweigh the estimated cost for establishing and operating a new authority for market surveillance?

- Fully
- To a large extent
- To some extent
- Not at all

- Don't know

30 In case a market surveillance agency or authority is warranted, how many staff would be required to meaningfully exercise its powers?

- Below 10 FTE
- Between 10 – 50 FTE
- Between 50 – 100 FTE
- Between 100 – 200 FTE
- More than 200 FTE
- Don't know

B.3.5 Empowering custom authorities for formal compliance

31 What would be the impact of granting powers to customs authorities to conclude on the product's formal and obvious technical non-compliance on the number of non-compliant products stopped at the border compared to the status quo?

- Strong decrease
- Decrease
- No material change
- Increase
- Strong increase
- Don't know

32 What is the average number of days between a suspension of a product to be imported by customs and a decision by market surveillance authorities on whether the product is compliant or not (and subsequent measures)? *Please provide an estimate of the average duration in days.*

33 What would be the impact of customs performing formal compliance controls at the border on the average number of days between a suspension of a product to be imported and a decision on whether the product is compliant or not which would be made by customs or, if needed, market surveillance authorities, compared to the status quo?

- 0-5% increase
- 6-10% increase
- 11-25% increase
- 26-50% increase
- More than 50% increase
- No impact
- Decrease
- Don't know

34 What is the average share of suspensions for which market surveillance authorities reply to customs within 4 working days to customs's suspension (either to request maintaining the suspension or approve release for free circulation)?

- 0-20%
- 21-40%
- 41-60%
- 61-80%
- More than 80%
- Don't know

35 If customs were to perform formal compliance controls and take decisions in cases of obvious non-compliance, what would be the impact on the share of suspensions for which market surveillance authorities reply to customs within 4 working days, compared to the status quo?

- Decrease by 0-5%
- Decrease by 6-10%
- Decrease by 11-25%
- Decrease by 26-50%
- Decrease by >50%
- No impact
- Increase
- Don't know

36 On average, how many full-time equivalents work in your authority on cooperation with customs per year? Please specify in FTEs. If you do not have an exact number, please provide an estimate.

37 On average, how many full-time equivalents work in your authority on cooperation with market surveillance authorities per year? Please specify in FTEs. If you do not have an exact number, please provide an estimate.

38 What would be the impact of customs performing formal compliance controls at the border on full-time equivalents (FTEs) working on cooperation, compared to the status quo?

- Decrease by >30%
- Decrease by 21-30%
- Decrease by 11-20%
- Decrease by 0-10%
- No impact
- Increase by 0-10%
- Increase by 11-20%
- Increase by 21-30%

- Increase by >30%
- Don't know

39 What is the average number of cases notified by customs to which market surveillance authorities do not provide a conclusion on the compliance but request to maintain the suspension beyond the 4 working days?

- 0-20%
- 21-40%
- 41-60%
- 61-80%
- More than 80%
- Don't know

40 What would be the impact of customs performing formal compliance controls at the border on the number of cases where market surveillance authority request to maintain the suspension beyond the 4 working days?

- Decrease by 0-5%
- Decrease by 6-10%
- Decrease by 11-25%
- Decrease by 26-50%
- Decrease by more than 50%
- No impact
- Increase
- Don't know

41 If market surveillance authorities do not provide customs with a conclusion on the compliance or request customs within four working days to maintain the suspension, the product is released. Should this deadline be changed?

- The deadline should be shortened
- The deadline should remain unchanged
- The deadline should be extended
- Don't know

B.4 Objective 3: Strengthening cooperation between authorities

To strengthen cooperation between authorities, the questionnaire explores the following options.

Option 1: Strengthened cooperation within the current framework

- Requires the organisation of a minimum number of **sweeps** (Article 32 GPSR), **joint actions** (Article 9 MSR), and customs cooperation actions (Chapter VI MSR) to be carried out annually, coordinated by the Commission

- Enables EU market surveillance authorities to ask via ICSMS for **support and expertise** on cases requiring expert knowledge, **compelling other EU market surveillance authorities to do their utmost to provide such support and expertise.**

Option 2 (Option 1+ the following): Consumer Protection Coordination-style mechanism for cooperation on widespread infringements

Establishes a **Consumer Protection Coordination-like mechanism, entrusting the European Commission, when it has evidence of a risks of widespread infringements of EU product rules with a Union dimension** (in at least 2/3 of MS), **to compel market surveillance authorities to conduct appropriate investigations and to coordinate market surveillance actions with participation of the market surveillance authorities concerned.** Market surveillance authorities decide on corrective measures or fines by consensus. Coordinating authorities will act in close cooperation with the other authorities and the economic operators responsible for the infringement and may negotiate commitments (acceptable if they fully resolve the infringement and their negative effects).

Option 3 (Option 2 + the following): Permanent clusters of market surveillance authorities taking EU-wide corrective measures

Establish **permanent clusters of market surveillance authorities:**

- established **per EU harmonisation legislation** (e.g. for electronic products, toys or construction machinery);
- composed of **experts seconded by each Member State** and chaired by one of them based on equal rotation between the EU Member States;
- that **collectively carry out market surveillance** on the conformity of products with its EU harmonisation legislation, with the possibility for the cluster members to delegate to one market surveillance authority the power to carry out investigations “on their behalf”; and
- that require the cluster member of each Member State to request economic operators to take corrective measures or fines — thus ensuring **EU-wide corrective measures or fines.**

B.4.1 Interactions among authorities

1 To what extent do you consider the current number of interactions between your authority and others across EU Member States sufficient?

- Fully
- To a large extent
- To some extent
- Not at all
- Don't know

2 To what extent could the three policy options impact the number of interactions between your authority and others across EU Member States?

	Strong improvement	Improvement	No change	Deterioration	Strong deterioration	Don't know
Option 1: Strengthened cooperation within the current framework	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Consumer Protection Coordination-style mechanism for cooperation on widespread infringements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3: Permanent clusters of market surveillance authorities taking EU-wide corrective measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3 What is the share of your investigations that is conducted together with market surveillance authorities in other EU countries?

- 0-20%
- 21-40%
- 41-60%
- 61-80%
- More than 80%
- Don't know

4 To what extent could the three policy options impact this share?

	Increase by 0-5%	Increase by 6-10%	Increase by 11-25%	Increase by 26-50%	Increase by more than 50%	No impact	Decrease	Don't know
Option 1: Strengthened cooperation within the current framework	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Consumer Protection Coordination-style mechanism for cooperation on widespread infringements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3: Permanent clusters of market surveillance authorities taking EU-	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

wide
corrective
measures

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5 Currently a decision of one market surveillance authority is not directly applicable in other Member States. To what extent could stronger cooperation between Member States' market surveillance authorities under the three policy options help improving the application of decisions across borders?

	Strong improvement	Improvement	No change	Deterioration	Strong deterioration	Don't know
Option 1: Strengthened cooperation within the current framework	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Consumer Protection Coordination-style mechanism for cooperation on widespread infringements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3: Permanent clusters of market surveillance authorities taking EU-wide corrective measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

6 What would be the impact of each policy option on the consistency of enforcement outcomes across Member States?

	Strong improvement	Improvement	No change	Deterioration	Strong deterioration	Don't know
Option 1: Strengthened cooperation within the current framework	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Consumer Protection Coordination-style mechanism for cooperation on widespread infringements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3: Permanent clusters of market surveillance authorities taking EU-wide corrective measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

7 Currently the removal of a non-compliant product from the EU market requires individual decisions in all concerned Member States separately. How would the cost-effectiveness be affected if it was possible for one market surveillance authority to act on behalf of others in specific cases?

- Strong improvement
- Improvement
- No material change
- Deterioration
- Strong deterioration
- Don't know

8 Currently it takes at least 3 months before decisions of market surveillance authorities apply directly in other Member States (for products presenting risk or for public interest), according to the safeguard procedures under the NLF.

To what extent could this timespan be decreased or increased under the three policy options, allowing to a different degree for common investigations and decisions?

	Strong decrease	Decrease	no material change	Increase	Strong increase	Don't know
Option 1: Strengthened cooperation within the current framework	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 2: Consumer Protection Coordination-style mechanism for cooperation on widespread infringements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Option 3: Permanent clusters of market surveillance authorities taking EU-wide corrective measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9 Option 3 explores the creation of permanent clusters of market surveillance authorities per EU harmonisation legislation and composed of market surveillance experts seconded by each Member State.

What should be the tasks of such a structure? *Please select all that are relevant.*

- Carrying out market surveillance, either collectively by the members or by designating one member to act on the behalf of others.
- Ensuring EU-wide corrective measures or fines
- Providing expertise and support to market surveillance authorities of the cluster
- Other

10 Option 3 explores the creation of permanent clusters of market surveillance authorities per EU harmonisation legislation and composed by market surveillance experts seconded by each Member State.

What should be the scope of the legislations covered by the clusters? *Please select all that are relevant.*

- All harmonised legislation
- Limited to legislations on high-risk-products
- Limited to legislation in which expertise across the EU is not sufficient
- Other

11 **If you selected other, please specify.**

B.4.2 Joint actions, sweeps, and customs actions

12 **How many collaborative actions with other Member States did your authority participate in 2025?** *If you do not have an exact number, please provide an estimate. If you do not have information for 2025, please provide the data for the most recent year for which they are available.*

13 **On average, how many staff hours do you spend on one such action?** *Please indicate in hours.*

14 **What would be the impact of policy option 1 to introduce a mandatory number of sweeps, joint actions and customs actions on the number of collaborative actions your authority participates compared to the status quo?**

- Increase by 0-5%
- Increase by 6-10%
- Increase by 11-25%
- Increase by 26-50%
- Increase by >50%
- No impact
- Decrease
- Don't know

15 **Should an EU office or an EU authority be tasked with performance audits or enforcement, do you believe such a body should also perform more cooperation actions at EU level?**

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree	Don't know

Joint actions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sweeps	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Priority Control Areas (with customs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Setting up new EUTFs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Extension of EUPCN tasks to coordination and cooperation also between standardisers, notified bodies and market surveillance authorities, on specific topics	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

B.4.3 Collaboration on cases in ICSMS

16 How many cases requiring cooperation between Member States (either sending or receiving information requests or enforcement requests as part of mutual assistance) was your authority involved in 2025? *If you do not have an exact number, please provide an estimate. If you do not have information for 2025, please provide the data for the most recent year for which they are available.*

17 If market surveillance authorities were enabled to ask via ICSMS for support and expertise of other authorities on cases requiring expert knowledge, what would be the impact of the policy option on the number of cases you are asking support from Member States for compared to the status quo?

- Increase by 0-5%
- Increase by 6-10%
- Increase by 11-25%
- Increase by 26-50%
- Increase by >50%
- No impact
- Decrease
- Don't know

18 If the ICSMS functionality, whereby a market surveillance authority in one country finding that a non-compliant product tags authorities in other Member States where such product is also on offer, was improved by a better product identification through the DPP, and allowing more interactions and follow up, would you use evidence from market surveillance authorities in other Member States more often?

- Yes, significantly more often
- Yes, slightly more often
- No change
- Don't know

C. Final questions

1 Based on your assessment above, what would be your preferred options to strengthen the Regulation in relation to the three objectives explored above?

Objective	Options	Preferred option
Objective 1: Closing regulatory loopholes	<p>Option 1.1:</p> <ul style="list-style-type: none"> ● Authorised representatives: Extension of the scope of Article 4 to cover all products subject to NLF legislation and automatic identity verification of authorised representatives ● Online marketplaces: GPSR Art. 22 obligations extended to non-compliant products and mandatory DPP display on the online marketplace interface and ex ante verification ● Enforcement: Strengthened Removal and Access-Restriction Powers for market surveillance authorities on Non-Compliant Listings, and EC Alert Powers for non-compliant products online 	<input type="radio"/>
	<p>Option 1.2:</p> <ul style="list-style-type: none"> ● Authorised representatives: Extension of the scope of Article 4 to cover all harmonised products and strengthening the role of authorised representatives for all harmonised products ● Obligations of online marketplaces: Online marketplaces to ensure that there is an authorised representatives for products not yet subject to DPP requirement 	<input type="radio"/>
	<p>Option 1.3a: Verification that a DPP corresponds to the offer product, removal of products with no DPP/ authorised representatives and prevention of reappearance of non-compliant products</p>	<input type="radio"/>
	<p>Option 1.3b: Online marketplaces as authorised representatives in case they do not fulfil their duties and if products offered with no DPP/ authorised representative</p>	<input type="radio"/>
	<p>Option 2.1: Broader customs' powers, scaled testing capacity, upgraded ICSMS</p>	<input type="radio"/>
Objective 2: Boosting market surveillance capacity		

	Option 2.2: Oversight over national systems	<input type="radio"/>
	Option 2.3: EU-level enforcement	<input type="radio"/>
Objective 3: Strengthening cooperation between authorities	Option 3.1: Strengthened cooperation within the current framework	<input type="radio"/>
	Option 3.2: Consumer Protection Coordination-style mechanism for cooperation on widespread infringements	<input type="radio"/>
	Option 3.3: Permanent clusters of market surveillance authorities taking EU-wide corrective measures	<input type="radio"/>

2 What do you expect would be the decrease in non-compliant products circulating on the Single Market due to your preferred policy options taken together?

Channel	0-5%	6-10%	11-25%	26-50%	More than 50%	No impact	Don't know
Online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Offline	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3 What would be the expected decrease in unsafe products circulating on the Single Market due to your preferred policy options taken together?

Channel	0-5%	6-10%	11-25%	26-50%	More than 50%	No impact	Don't know
Online	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Offline	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4 Would the incorporation of the New Legislative Framework into the same legal act with the Market Surveillance Regulation simplify EU product compliance framework?

- Yes, it would simplify the framework
- No change
- No, it would make the framework more complex
- Don't know

5 Would the incorporation of standardisation into the same legal act with the New Legislative Framework and Market Surveillance Regulation simplify the EU product compliance framework?

- Yes, it would simplify the framework
- No change
- No, it would make the framework more complex
- Don't know

6 Please indicate any key assumptions or risks that should be considered when interpreting your responses.