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3 November 2014 [shall come into force from 6 November 2014].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 916

Adopted 6 December 2005

**Regulations Regarding Procedures by which Market Surveillance Institutions Inform the Consumer Rights Protection Centre Regarding the Measures Taken, which Restrict or Prohibit the Placing of Products on the Market, and the Procedures by which the Consumer Rights Protection Centre Sends the Received Information to the European Commission and Handles the Information Received from the European Commission**

*Issued pursuant to  
Section 16, Paragraph two of  
the Law On the Safety of Goods and Services*

**I. General Provisions**

1. This Regulation prescribes the procedures by which market surveillance institutions, as well as customs authorities and the Food and Veterinary Service (hereinafter — the market supervision and control institutions) shall inform the Consumer Rights Protection Centre (hereinafter — the Centre) regarding the measures taken, which restrict or prohibit the placing of products on the market, and the procedures by which the Centre shall send the received information to the European Commission and handle the information received from the European Commission.

2. This Regulation shall not be applicable to exchange of information regarding medicinal products, veterinary pharmaceutical products, medical devices, medical supply, medical in vitro devices, and food.

3. The exchange of information between the Centre and the market surveillance and control institutions regarding products and services shall take place if a market surveillance and control institution takes measures in accordance with the requirements laid down in Section 13 of the Law On the Safety of Goods and Services or acts in accordance with the requirements laid down in Article 27, Paragraph three of the Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93.  
[3 November 2014]

4. A market surveillance and control institution shall also inform the Centre if it has received information from a producer, distributor or provider of services regarding products which create a risk that is not compatible with the general safety requirements and that the relevant products or articles are also distributed in other European Union Member States. The relevant market surveillance institution shall inform the provider of information — producer, distributor or provider of services — that it has sent the relevant information to the Centre.

## **II. Exchange of Information between Market Surveillance and Control Institutions and Centre**

*[3 November 2014]*

5. The Centre shall ensure exchange of information between the market surveillance and control institutions, performing functions of the national contact point of the Community Rapid Information Exchange System RAPEX (hereinafter — the RAPEX system).

*[3 November 2014]*

6. *[3 November 2014]*

7. *[3 November 2014]*

8. In providing information to the Centre, the market surveillance and control institutions shall assess the risk of goods and services in conformity with the requirements laid down in the laws and regulations regarding safety of goods and services and requirements laid down in the guidelines determining the management of the Community Rapid Information System “RAPEX” established under Article 12 of Directive 2001/95/EC (the General Product Safety Directive) and the notification procedure established under Article 11 of the abovementioned Directive (hereinafter — the RAPEX guidelines).

*[3 November 2014]*

8.<sup>1</sup> The RAPEX guidelines are available in the official language on the website of the Ministry of Economics ([www.em.gov.lv](http://www.em.gov.lv)).

*[3 November 2014]*

9. The market surveillance and control institutions, in informing the Centre regarding measures taken in order to restrict or prohibit placing of goods on the market, shall provide the information provided for in the RAPEX guidelines.

*[3 November 2014]*

10. The market surveillance and control institutions shall be responsible for the validity and accuracy of the information included in a notification.

## **III. Exchange of Information Between the Centre and the European Commission within the Framework of the Community Rapid Information Exchange System RAPEX**

11. After receipt of the information from the market surveillance and control institution regarding measures taken in order to restrict or prohibit placing of goods on the market, the Centre shall inform the European Commission, using the RAPEX system.

*[3 November 2014]*

12. The Centre and the market surveillance and control institutions shall, by preparing a notification or providing a reply to the notification of the RAPEX system, comply with the time

periods for provision of a reply laid down in the RAPEX guidelines and provide the indicated information.

*[3 November 2014]*

13. After receipt of the notification from the European Commission the Centre or the market surveillance and control institution responsible for the relevant field shall examine the received information and, if necessary, carry out actions in accordance with the requirements laid down in the laws and regulations regarding the safety of goods and services.

*[3 November 2014]*

14. If the notification of the European Commission requests emergency action and identifies serious risk to health and safety of consumers, the market surveillance and control institution shall send a reply through the RAPEX system regarding the results of the market surveillance measures taken. The Centre shall send this information to the European Commission.

*[3 November 2014]*

15. The Centre and market surveillance and control institutions shall ensure that the Commission is able to communicate with them immediately if an emergency action is required.

16. The market surveillance and control institutions shall prepare a notification or provide a reply to the notification of the RAPEX system regardless of whether a producer, distributor or provider of services has initiated the procedures of appeal.

#### **Informative Reference to European Union Directive**

This Regulation contains legal norms arising from the Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety.

Prime Minister

A. Kalvītis

Minister for Economics

A. K. Kariņš