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Policy Paper on the future European Product Act

Upgrading the Single Market for Products in the Digital Age

Executive Summary

The European Product Act (EPA) will reframe Single Market access, addressing e-commerce, connectivity, and the circular economy. For the home appliance industry good product regulation is the prerequisite for fair competition and the basis of the free movement of goods, one of the freedoms of the Single Market. Therefore the EPA's success is a strategic necessity.

APPLiA's recommendations aim to restore the CE mark's integrity and streamline the New Legislative Framework (NLF). Based on our ongoing engagement with DG GROW, this paper outlines the reforms needed to maintain fair competition and a functional Single Market. We welcome the opportunity to further discuss these insights with the Commission's experts.

Key Messages

- Upgrade the CE mark to a QR code-based digital identifier linked to a mandatory EU product registry.
- European legislation should require a single EU QR Code on products, covering all regulatory legal requirements, rather than a proliferation of different data carriers¹
- APPLiA supports a rigorous, product-by-product impact assessments before any mandatory DPP rollout
- Mandate digital-only user manuals and Declarations of Conformity (DoC) as the horizontal EPA baseline, paper on request only.
- Strengthen the NLF for the circular economy by mandating safety re-assessments for refurbished goods and clarifying operator liability for consumer protection.
- Online marketplaces must be recognised as economic operators and bear co-liability for non-compliant products on their platforms
- Authorised Representative must become a legally empowered 'authorised recipient' for judicial proceedings, not just a nominal contact
- Introduce the deemed importer concept to in the Market Surveillance Regulation to ensure product safety accountability for goods sold via distance channels
- Create a dedicated EU-level market surveillance authority for coordinated, cross-border enforcement
- Self-assessment must remain the default conformity route for home appliances. Third-party assessment should not become mandatory without solid justification
- Harmonised standards must remain voluntary; delays in OJEU publication must be ; Common Specifications must remain an exceptional, last-resort tool



¹Example of a EU QR code



New Legislative Framework Revision

The current New Legislative Framework (NLF) is rooted in a pre-digital era. To restore the integrity of the single market, the upcoming revision must move beyond outdated printed labels toward a robust, digital-first compliance ecosystem. Our perspective is built upon three pillars: supporting regulatory consistency, circular economy safety, and modernising the CE Marking.

Principles for the NLF Revision

To maintain a flexible and resilient market, the revised NLF must remain anchored in technology-neutrality and robust enforcement. Legislation should stay high-level and precise, delegating technical complexities to expert-led standardisation processes.

Furthermore, market access should continue to rely on risk-based conformity assessment modules. While private third-party testing can complement enforcement, it cannot replace the necessity for robust, state-led oversight to ensure a level playing field.

Refurbished and Remanufactured Products

As the surge of refurbished and remanufactured products continues, the NLF revision must provide a coherent framework for the circular economy that does not compromise consumer safety. Currently, a significant disconnect exists when third-party refurbishment leaves an original brand name on a product over which the original manufacturer no longer has quality control. To address this, we argue that:

- Refurbished goods must be re-assessed against current safety standards to protect consumers from chemical, electrical, and physical hazards.
- Strict rules on operator responsibility should be established to ensure that liability is clear and that consumer trust in the circular economy remains high.
- Mandatory, clear identification of the refurbisher/remanufacturer - the operator performing refurbishment/remanufacturing must be clearly identified on the product and documentation.

A single EU QR code with integrated CE marking

The traditional printed CE mark is no longer fit for purpose; it is easily forged by non-EU operators and offers limited transparency. We propose replacing or supplementing the physical mark with a single, mandatory EU QR code visible on both physical products and online listings.

This QR code should serve as a unified digital access point for all European legislation which creates a direct link to digital information. To ensure this system is secure and reduces the administrative burden it must be governed by these essential conditions:

- QR codes must be linked to a central EU registry, protected by a digital seal to prevent fraud.
- Only companies having a legal basis in the EU can register products in the respective data base.



Market Surveillance Regulation Revision

With over 4 billion packages entering the Union annually, many non-compliant, the EU is facing a structural enforcement failure. To restore the integrity of the Single Market, the Market Surveillance Regulation (MSR) revision must replace passive oversight with a model in which no product enters the EU without a legally reachable and financially liable entity.

Strengthening Authorised Representatives ("ARs")

To prevent non-EU manufacturers from evading enforcement, the role of the Authorised Representative (AR) must be fundamentally transformed. APPLiA recommends moving beyond the current "passive" definition to establish ARs as legally empowered "authorised recipients" for judicial proceedings (as outlined in the annexes).

To ensure this transition is effective, any operator selling in the EU should be a registered legal entity within a designated EU database (e.g. EPREL). Furthermore, ARs must demonstrate meaningful financial capacity to serve as a genuine point of accountability. Online platforms should be required to verify this relationship by obtaining written proof that an AR has formally accepted their legal responsibilities, ensuring that "public delivery" of legal notices is deemed valid under a shortened timeframe to prevent tactical delays by non-EU actors.

Marketplace Accountability and Co-Liability

Online marketplaces facilitate significant market risks yet frequently avoid "economic operator" status. While the "deemed importer" role in EU Customs Reform is a positive step, it does not go far enough. We advocate for a "fair share of responsibility" based on the principle of multiple liability, inspired by the Product Liability Directive.

Claimants and authorities should not be forced into a "cascading choice" that allows marketplaces to defer responsibility to remote, unreachable representatives. Instead, marketplaces must assume direct co-liability for the non-compliant products they host. By recognising marketplaces as economic operators, the EU can ensure that the platform facilitating the sale is held responsible for the safety of the goods it brings into European homes.

Structural Enforcement and the European Market Surveillance Agency

APPLiA fully supports the creation of a dedicated European Market Surveillance Agency empowered to act in coordination with national authorities. This agency should be equipped with AI tools and web crawlers to proactively scan for fraudulent documentation and non-compliant listings.

A critical component of this agency's mandate must be the strengthening of Article 14.k of MSR (Website Takedowns). The current threshold, which limits site blocking to products posing a "serious risk," is too restrictive. We recommend amending the MSR to allow authorities to take down websites selling products with *any* form of non-compliance. Expanding these powers ensures that administrative non-compliance is treated with the same gravity as physical danger, effectively closing the gaps that rogue operators currently exploit.



Standardisation Regulation

The European standardisation system is a foundational pillar of the Single Market, and its success depends on maintaining a market-driven process. To ensure the EU remains a global innovation leader while maintaining consumer safety, the upcoming revision must defend the "New Approach" (under which requirements are outlined in "essential requirements" and adherence in harmonised standards or technical specifications).

The Standardisation Request

Standardisation must remain voluntary to foster innovation and prevent over-regulation. APPLiA advocates for Module A (Internal Production Control) to remain the default assessment route for home appliances. To be effective, Standardisation Requests should act as high-level functional starting points that:

- The Commission should designate a single lead body for each request to ensure clarity and preserve stakeholder resources.
- Requests should define high-level safety and performance goals, leaving specific technical solutions to the experts.
- Requests must have extended validity periods to protect the long-term efforts and investments of standardisation bodies.

The Standards' Development Process

To ensure high-quality outcomes, the standards' development process must be codified based on technical merit and inclusivity:

- Standards should be developed by experts based on product risk profiles, not political negotiation.
- The process must be transparent, ensuring outcomes reflect a genuine technical consensus.
- Participation must be guaranteed for all parties, consumer organisations, manufacturers including SMEs, and recyclers, to ensure balanced and practical results.
- The EU must align EU standards with global standards by building on expertise and consensus rather than unilateral redlines. This would increase EU influence, reduce trade barriers and support industrial competitiveness.

Streamlining Publication and Managing Exceptions

The endorsement of a standard (currently via the HAS process) must become pragmatic. The EPA must make a "cited" standard a voluntary EU wide reference point without entailing full legal scrutiny at detail level. The delay in citing harmonised standards in the OJEU is a major barrier to market entry. We recommend establishing binding deadlines for citation and the Formal Objection process to reduce administrative lag. While APPLiA accepts Common Specifications, they must serve only as a "last resort." We advocate for a clear hierarchy:

- The European Standardisation process remains the primary, preferred path.
- Common Specifications are only introduced in clearly defined exceptional cases and should be revoked once a standard is cited.



Strategic Outlook for the European Product Act

In summary, the successful implementation of the European Product Act is a strategic necessity for the future of the home appliance industry. By modernising the New Legislative Framework through digital-first compliance, the EU can move toward a more secure, transparent, and efficient Single Market.

Restoring the integrity of this market requires a multifaceted approach:

- Replacing traditional printed labels with a unified EU QR code and digital-only documentation to reduce administrative burdens.
- Strengthening the role of Authorised Representatives and ensuring online marketplaces assume direct co-liability for non-compliant products.
- Establishing a dedicated European Market Surveillance Agency equipped with proactive AI tools to ensure a level playing field across all sales channels.
- Defending a market-driven, technical approach to standards that prioritises innovation and global competitiveness.

APPLiA remains committed to working alongside the Commission's experts to ensure that the European Product Act proposal is successful, enhancing the competitiveness of the industry in the Single Market.

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