Rīga

08.03.2024. No 8.-6/2433

**According to the attached list**

*For information*

The Consumer Rights Protection Centre (hereinafter – CRPC) is a governmental authority under supervision of the Ministry of Economics of Latvia, which enforces the protection of consumer rights and interests. The main function of CRPC is to supervise safety and compliance of non-food products, including machinery.

During the market surveillance activities (including at the border in cooperation with custom authority of Latvia) CRPC has found out that Latvian company **LLC “PROVENTO”**, Registration No. 40003185148, legal address Rīga, Biķernieku iela 58, LV-1006 (hereinafter – PROVENTO) systematically placed machinery[[1]](#footnote-2) (including partly completed machinery) with non-compliances under release for free circulation in European Union.

The main non-compliances for machinery (including partly completed machinery):

1. provided EC declaration of conformity[[2]](#footnote-3), instruction handbook[[3]](#footnote-4) and technical documentation for machinery contained information about three different manufacturers. Therefore, it’s not clearly and understandable who is products true manufacturer.
2. products marking plate did not contain necessary information about product and its manufacturer (they were missing). Therefore, PROVENTO provided documentation regarding product was not applicable.
3. marking plate on the product was not in conformity with applicable Standard to whom was reference in the EC declaration of conformity and/or in the relevant technical documentation. Additionally, marking was erasable[[4]](#footnote-5) therefore it was not in conformity with relevant Standard requirements.
4. Information provided in the technical documentation differs from information provided in the CRPC checked machinery marking plate. Therefore, provided technical documentation was not applicable to product.
5. Provided instruction handbooks did not contain all the necessary information that is stated in the applicable normative legislations and in relevant standards[[5]](#footnote-6).

Considering all above mentioned, CRPC had reasonable suspicions that conformity assessment procedures for the relevant PROVENTO imported machinery (including partly completed machinery) were not carried out in accordance with all applicable legislations and relevant PROVENTO imported machinery (including partly completed machinery) did not fulfil essential safety and health requirements.

During the market surveillance activities at the border PROVENTO received many negative costume procedure conclusions for relevant machinery (including partly completed machinery) – release for free product circulation was denied at customs.

CRPC has suspicions, that PROVENTO is trying to place machinery (including partly completed machinery) with non-compliances under release for free circulation in European Union through Baltic states region market/customs.

According to all above mentioned, CRPC kindly asks Market surveillance authorities to take necessary market surveillance activities to prevent non-compliant product release for free circulation in European Union.

If you have any further questions or if you need more information, please do not hesitate to contact Astrida Mosa, Senior Expert of Technical Products Surveillance Division at Astrida.Mosa@ptac.gov.lv.

Attachments: Mailing list on 1 page.

***This document is signed with secure electronic signature and contains time-stamp.***

Director Baiba Vītoliņa

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1. In accordance with Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (recast) (hereinafter - Directive 2006/42/EC) [↑](#footnote-ref-2)
2. In accordance with Directive 2006/42/EC Article 5 (1)(e) and Annex II, part 1, Section A [↑](#footnote-ref-3)
3. In accordance with Directive 2006/42/EC Article 5 (1)(c) [↑](#footnote-ref-4)
4. In accordance with standard EN ISO 12100:2010 *Safety of machinery - General principles for design - Risk assessment and risk reduction (ISO 12100:2010)* point 6.4.4. – [...] Information printed directly on the machine should be permanent and remain legible throughout the expected life of the machine. […] [↑](#footnote-ref-5)
5. Including in the manufacturers issued EC declaration of conformity. [↑](#footnote-ref-6)