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COMMISSION IMPLEMENTING REGULATION (EU) .../...

of XXX

laying down operational details for the product database established under Regulation (EU) 2017/1369 of the European Parliament and of the Council

(Text with EEA relevance)

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

laying down operational details for the product database established under Regulation (EU) 2017/1369 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU¹, and in particular Article 12(12) thereof,

Whereas:

- (1) In line with Article 12 of Regulation (EU) 2017/1369, the Commission put in place the European Product Registry for Energy Labelling (EPREL) system to establish a product database. The EPREL system consists of two parts: a public website providing free access to public information on product models placed on the Union market and a compliance website where suppliers provide both the public and the technical information on those product models, and that can be accessed by Member State market surveillance authorities.
- (2) The EPREL system provides information about energy-related products covered by delegated Regulations adopted under Regulation (EU) 2017/1369, Directive 2010/31/EU of the European Parliament and of the Council² and tyres under Regulation (EU) 2020/740 of the European Parliament and of the Council³.
- (3) To guarantee the authenticity of information and ensure it comes from *bona fide* sources, a system to verify identity and entitlement to register products models in EPREL has to be in place. Because of the thousands of suppliers, in different Member States, registering product models in EPREL, the verification of their identity in accordance with relevant EU legislation and international standards should be done electronically. As defined in Article 2 of Regulation (EU) 2017/1369, suppliers must be established in the Union. Evidence of the establishment of the supplier within the Union should be provided electronically as well. Only suppliers that have successfully completed the verification process in EPREL, proving their identity and their country of establishment, should be able to register new product models, modify existing registrations or perform any other action on models registered by them.
- (4) Practices, standards and legislation exist to electronically verify the identity of legal entities and of natural persons. Moreover, proof of the establishment of suppliers

¹ OJ L 198 28.7.2017, p. 1.

² Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153, 18.6.2010, p. 13).

³ Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters, amending Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009 (OJ L 177, 5.6.2020, p. 1).

within the Union should be provided by evidence from a Member State's public business or trade register, in accordance with Article 16 of Directive (EU) 2017/1132⁴ ("business register"). Proof of establishment should be verified by a qualified trust service provider (QTSP) via a certificate in line with Regulation (EU) 910/2014 of the European Parliament and of the Council (eIDAS)⁵.

- (5) The condition of a supplier being either a natural person or a legal entity should be understood in line with national legislation. Manufacturers established in the Union, importers established in the Union or authorised representatives, again established in the Union for products models from manufacturers not established in the Union, should carry out the electronic verification process with a view to registering the relevant models before placing any unit of those product models on the Union market.
- (6) Natural persons should be considered suppliers in EPREL only if providing evidence of the exercise of an economic activity compatible with placing products on the Union market and if proving their establishment in the Union. Qualified electronic signatures in accordance with Regulation (EU) 910/2014, for natural persons acting as suppliers, may be accepted as a way to successfully complete the electronic supplier verification process. However, as qualified electronic signatures do not provide evidence of establishment of that particular natural person in a Member State, and as no electronic seals are available for natural persons, natural persons should also provide such evidence of their establishment within the Union for their professional activity. This should be done via their registration in a Member State's business or trade register or in a professional association register that enables them to exercise a profession.
- (7) A qualified electronic signature from a natural person acting as the legal representative of a legal entity should not be acceptable for the verification of that legal entity to act as supplier, as it does not provide proof of the establishment in the Union of that legal entity. ETSI EN 319 412-1 standard includes syntax and semantics for the qualified electronic seals and qualified signatures as set out in Regulation (EU) No 910/2014.
- (8) Qualified trust service providers should have a reasonable time, from the date of application of this Regulation, to adapt, if necessary, their procedures and software to generate qualified certificates for electronic seals that include the information necessary to verify both the identity of suppliers and their establishment within the EU. After such a time period, only qualified certificates for electronic seals including proof of establishment in the Union should be accepted for the EPREL verification process. If the legal entity is in the scope of Directive (EU) 2017/1132, the registration number and the register identifier should correspond to the European unique identifier (EUID) in the context of the Business Registers Interconnection System (BRIS) referred to in that Directive.
- (9) An additional and later deadline should be set to allow legal entities that had already completed the verification, including voluntarily before the date of application of this Regulation, with a qualified electronic seal not containing the registration number in a national business register, to provide a new qualified electronic seal supported by a qualified certificate for electronic seal containing it. After the deadline has passed,

⁴ Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (codification) (OJ L 169, 30.6.2017, p. 46–127).

⁵ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73–114).

suppliers not having also provided evidence of establishment within the Union should be considered 'unverified suppliers'.

- (10) For security and reliability of the information made available by EPREL, product model registered by an entity that is still unverified after the deadline foreseen in this Regulation should be considered as not legally placed on the market. When scanning a QR code on a label related to such a model, a message that the model has not been legally placed on the market should be displayed and the model information not publicly accessible by any means.
- (11) To strengthen the functioning of EPREL, national market surveillance authorities may need to have direct contact with suppliers to remedy cases of non-compliance. Suppliers should therefore provide such a contact point in the compliance part of EPREL for every product model.
- (12) In order to ensure an adequate level of protection of end users in the Union, suppliers should indicate a contact point for the public, offering customer support. A different contact point for any region, country or linguistic area may be provided.
- (13) Models registered by entities that did not pass the verification before the deadline foreseen in this Regulation should be able to transfer the registered models to a verified supplier which is to take over the responsibilities related to those models. That transfer may be also possible for any verified supplier in case of organisational changes such as merging, splitting or sale of all or parts of the supplier, cessation of activities or other circumstances.
- (14) Technical information may possibly contain confidential data and the content may be covered by intellectual property rights. National authorities should therefore limit access to this information on a need to know basis.
- (15) An individual, acting on behalf of the supplier he or she is working for should create an 'EPREL supplier' and manage the full verification process before any model can be registered. For legal entities, that same individual should also be allowed to manage the user profile creation and access rights for additional individuals for the same supplier.
- (16) The Commission should be entitled to review the situation of suppliers, in particular for modifications resulting from their registration in national public registers and should be entitled to solicit an update of any relevant change, if not spontaneously communicated by the means of a renewed certificate.
- (17) Non-responsive suppliers, possibly having closed their business or gone into bankruptcy or in analogous situations of non-operating, should be set as non-verified and their registered models should be considered as not placed on the market anymore.
- (18) It is appropriate to facilitate consumer choice by ensuring the correct assessment of the products' population per energy efficiency class, including in view of public procurement under Regulation (EU) 2020/852 of the European Parliament and of the Council⁶. This should be done by offering suppliers the possibility to enter relevant information, not included in the product information sheet, but useful to distinguish different models for different intended uses, such as the Global Trade Item Number, model type, specific intended use or smart readiness indicators. Those parameters

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⁶ Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment.

should not increase the burden on market surveillance activity and should not be part of the compliance assessment.

- (19) When placing a model on the market, the supplier does not need to already indicate an end date of placing it on the market. However, in accordance with Article 4(4) of Regulation (EU) 2017/1369, suppliers should indicate in the database when they no longer place on the market units of a model. The registration of that product model should therefore be updated with that information within a reasonable time once the supplier has taken the decision to no longer place units of that model on the market. The end date for placing them on the market is also a possible reference for the obligations set out in Regulations under Directive 2009/125/EC of the European Parliament and of the Council⁷ for that product group for availability of spare parts, software, firmware updates and any similar obligation. The dates of placement and of end of placement on the market should be publicly accessible in EPREL.
- (20) Article 12, point 7 (c) of Regulation (EU) 2017/1369 provides that redundant registrations of the same model in EPREL should be automatically avoided. EPREL should therefore alert suppliers in situations where there may be a possibility of a redundant registration. Where a model has already been registered in EPREL, a further supplier seeking to register the same model in order to place it on the market should be able to link the registrations, so that in the public part of EPREL multiple registrations correctly refer to the same model.
- (21) Dealers are required to visibly display, including for online distance selling, the label provided by the supplier and to make product information sheets available to customers. Specific requirements in relation to the information to be provided in visual advertisements, technical promotional material, in distance selling and in telemarketing, including distance selling through the internet, are also set on a product group specific basis. To facilitate compliance with these obligations, suppliers should communicate with dealers and, for tyres, to distributors, the EPREL registration number, necessary to electronically retrieve the correct label and the product information sheet which are available in all official languages in EPREL. This also helps dealers see if the product is 'registered'.
- (22) Article 5 of Regulation (EU) 2017/1369 requires dealers to visibly display, including for online distance selling, the supplier's label. When doing this, dealers should ensure that the QR code is visible and readable so that consumers can retrieve the relevant information in EPREL and perform comparisons.
- (23) Suppliers may have automated systems to upload many model registrations simultaneously, using a specific data format and semantics, called 'data exchange model', provided by the Commission. A change in the data format or semantics by the Commission may involve a software development and testing activity by the supplier or by its service provider, for which a reasonable notice should be provided.
- (24) It is appropriate to provide suppliers and market surveillance authorities with technical support to use EPREL. Therefore, in addition to guidelines and instructions to be made available via the online portal, a helpdesk service should be set up. The service should be available during Commission working days, at least between 9:00 and 17:00 Central European Time (CET) or Central European Summer Time (CEST), as

⁷ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (OJ L 285, 31.10.2009, p. 10).

relevant. Suppliers should be provided with clear and correct information on helpdesk service availability days.

- (25) The information relevant for end users and dealers should be made publicly available in the public part of EPREL as open data, to facilitate comparison tools for end users. Easy direct access to the public part of EPREL should be facilitated by tools enabling software components to communicate with each other, using a set of definitions and protocols, such as Application Programming Interfaces (API).
- (26) The Commission should be able to take the necessary action if it identifies fraudulent activity in the EPREL system, which may include inappropriate downloading of information.
- (27) The European Data Protection Supervisor was consulted in accordance with Article 42(2) of Regulation (EU) 2018/1725 and delivered an opinion on [.....]
- (28) The measures provided for in this Regulation were discussed by the Consultation Forum established pursuant to Article 14(1) of Regulation (EU) 2017/1369 and with the Member States experts in accordance with Article 17 of Regulation (EU) 2017/1369,

HAS ADOPTED THIS REGULATION:

Article 1
Subject matter and scope

This Regulation sets out operational details for the functioning of the product database established in line with Article 12 of Regulation (EU) 2017/1369 (the Regulation) and detailed rules applying to suppliers placing on the Union market:

1. energy-related products covered by delegated acts supplementing Regulation (EU) 2017/1369 and Directive 2010/30/EU of the European Parliament and of the Council⁸;
2. tyres covered by Regulation (EU) 2020/740 of the European Parliament and of the Council or by delegated acts supplementing it.

Those operational details and rules relate to:

- a. the verification process that allows natural persons and legal entities to become verified suppliers and to ensure confidentiality, integrity and authenticity of the information registered by them;
- b. information required to register product models by verified suppliers;
- c. data exchange models and software release management.

Article 2

Definitions

For the purposes of this Regulation, the definition in points (5) ‘authentication’, (12) ‘qualified electronic signature’, (19) ‘trust service provider’, (20) ‘qualified trust service

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⁸ Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products (OJ L 153, 18.6.2010, p. 1).

provider’, (27) ‘qualified electronic seal’, (30) and ‘qualified certificate for electronic seal’ of article 3 of Regulation (EU) No 910/2014 shall apply.

The following definitions also apply:

- (1) ‘verification process’ means the process by which a natural person or legal entity provides evidence of identity and of establishment in the Union, entitling them to register product models or tyres in EPREL;
- (2) ‘European Product Registry for Energy Labelling’ or ‘EPREL’ means the product database established and maintained by the Commission in line with Article 12 of Regulation (EU) 2017/1369;
- (3) ‘NTR’ means the acronym for identification based on an identifier from a national trade register, as in paragraph 5.1.4 of ETSI EN 319 412-1.
- (4) ‘Register Identifier’ or ‘Register ID’ means the alphanumerical identity code assigned by a Member State’s authority, or someone acting on its behalf, to the particular section or office of the public sector register assigning the public registration number;
- (5) ‘Registration Number’ or ‘Business Registration Number’ means the alphanumerical code, attributed by a public sector register at national level to the legal entity or to the natural person performing a professional activity and providing evidence of its identity and its establishment in the Member State where the register is established. If the entity is in the scope of Directive (EU) 2017/1132, such number shall be the registration number referred to in Article 16(1) of the same Directive and in point 9 of the Annex to the Commission Implementing Regulation (EU) 2021/1042 and part of the European Unique Identifier (EUID).
- (6) ‘business register’ or ‘trade register’ means a Member State’s national public sector body attributing public registration numbers to natural persons or legal entities performing a professional activity such as business or trade.
- (7) ‘unverified supplier’ means a EPREL supplier that has not yet successfully completed the verification process in the EPREL system, including those not having renewed the qualified electronic seal within the required deadline;
- (8) ‘EPREL supplier’ means a natural person or legal entity in its capacity to act as a supplier for registering product models in the product database;
- (9) ‘Application Programming Interface’ or ‘API’ means a set of definitions and protocols for building and integrating application software to share data;
- (10) ‘verified supplier’ means an EPREL supplier that has successfully completed the supplier verification process in the EPREL compliance system;
- (11) ‘registered product’ or ‘registered product model’ means a product whose parameter values have been entered into EPREL but which may not necessarily be publicly visible;
- (12) ‘Global Trade Item Number’ or ‘GTIN’ means a unique and internationally recognised identifier, usually visible on the product box as a barcode, that is assigned by the global standards body to unambiguously refer to a product and that is generally accompanied by its barcode indication;
- (13) ‘date of placing on the market’ means the date of placing on the market of the first unit of a product model;

- (14) ‘date of end of placing on the market’ means the date of placing on the market of the last unit of a product model;
- (15) ‘EPREL compliance system’ means the database and the software for managing its content, accessible via the EPREL compliance website subject to user authentication, enabling suppliers to register both public and compliance data in the product database and also enabling Member State's authorities to perform their activities;
- (16) ‘distributor’ means a natural person or legal entity in the supply chain, other than the supplier, who makes a product available on the market;
- (17) ‘data exchange model’ means an XML model used to define the data structure and semantics of the product data, by means of the XML markup language and which permits the data import of the product model’s parameter values from a supplier’s database to the product database;
- (18) ‘EPREL compliance website’ means the website providing access to the product database for compliance control purposes, requiring user registration and authentication, where only Member State's authorities and Commission staff have access to any public and technical information of registered product models and to the EPREL supplier information;
- (19) ‘EPREL production system’ is a copy of either the compliance or of the public system, where the latest software versions are installed by the Commission only once testing is concluded and where the users shall retrieve the product models and supplier;
- (20) ‘EPREL acceptance system’ is a copy of either the compliance system or of the public system, where the latest software versions are installed by the Commission for testing by suppliers or public users and where the suppliers can register a dummy supplier and dummy product models for testing purposes;
- ~~(21)~~ ‘Online portal’ means the website giving access to the public part and to the compliance part of EPREL and containing the information set out in point 2 of Annex I to the Regulation and other information relevant on energy efficiency of products;⁹
- (22) ‘EPREL public system’ means the database and the software for accessing its content, freely accessible via the EPREL public website, enabling visitors to consult the public data of any registered product model since its placement on the market.

Article 3

Verification requirement for suppliers

Only suppliers, whether natural persons or legal entities, having successfully completed the verification process, according to Articles 4 and 5, may register product models in EPREL and perform any modification relating to existing ones.

Article 4

Verification of legal entities

- Suppliers that are legal entities shall submit evidence of their identity and of their establishment within the Union, by means of a qualified electronic seal supported by

⁹ <https://energy-efficient-products.ec.europa.eu/>

a certificate for electronic seal, issued by a qualified trust service provider pursuant to Regulation (EU) 910/2014. An electronic signature of the authorised representative of a supplier which is a legal entity shall not be accepted as providing evidence of the establishment in the Union of that legal entity.

2. The qualified certificate for electronic seal supporting the qualified electronic seal shall contain the legal entity's name precisely as registered in a Member State's business or trade register, including any space, punctuation or other special character(s). The certificate shall be compliant with ETSI EN 319 412-1 and with ETSI EN 319 412-3.
3. The 'Subject' field present in the qualified certificate for electronic seal, shall have an 'organisation identifier' attribute that shall contain information using the following structure and order, specified in clause 5.1.4 of ETSI EN 319 412-1:
 - a. three-character legal person identity type reference set to the value 'NTR';
 - b. two-character ISO 3166¹⁰ country code, indicating the country of establishment;
 - c. hyphen-minus sign '-' (U+002D);
 - d. the identifier according to the identity type reference for 'NTR' using the following structure and order, specified in Regulation (EU) 2021/1042 as the European Unique Identifier (EUID):
 - i. the Register Identifier, for the particular section or office of the national business or trade register having attributed the public registration number to the legal entity in question;
 - ii. dot-sign '.' (U+002E);
 - iii. the Registration Number, as attributed to the legal entity by the national business or trade register in point d. above.The Country code, part of the EUID and preceding the abovementioned three fields, as well a Verification digit, are optional.

4. Natural persons shall not undertake the electronic verification process in place of suppliers that are legal entities in order to register models for those legal entities.

Article 5

Verification of natural persons

1. Suppliers that are natural persons shall submit evidence of their identity by means of a qualified electronic signature.
2. The qualified certificate for electronic signature supporting the qualified electronic signature shall contain the natural person's name as registered in the Member State's business or trade register, including any space, punctuation, or other special character(s). The certificate shall be compliant with ETSI EN 319 412-1 and with ETSI EN 319 412-2.

¹⁰ ISO 3166-1: "Codes for the representation of names of countries and their subdivisions--Part 1: Country code".

3. Suppliers that are natural persons shall also submit evidence of their establishment within the Union and of having received a written mandate as authorised representative of a manufacturer not established in the Union, to act on its/their behalf registering in EPREL product models of that/those manufacturer, by means of the following additional information:
- Register Identifier, for the particular section or office of the public register which assigned the business or trade register number to the natural person in question at national level;
 - Registration Number, as attributed to the natural person at national level;
 - Written mandate from the manufacturer listing all brand/trademarks to which the mandate applies.

The abovementioned information in points a. and b. shall be communicated in a document:

- digitally signed by the natural person and
- digitally sealed or digitally signed by the competent authority responsible at national level for the business or trade register or, in the impossibility of this, digitally sealed with confirmation of the truthfulness by a QSTP.

The abovementioned information in point c. shall be communicated in a document:

- digitally sealed by each of the non-EU manufacturer(s) or digitally signed by the legal representative(s) of such non-EU manufacturer(s).

Article 6

Transitional measures to complete electronic verification by legal entities

1. In derogation to point 3.a. and point 3.d. of Article 4 and until one year from the date of start of application of this Regulation, suppliers that are legal entities may submit a qualified electronic seal where the three-character legal person identity type reference may be set to one of the following values:
- "VAT" for identification based on a national value added tax identification number
 - "PSD" for identification based on national authorization number of a payment service provider under Payments Services Directive (EU) 2015/2366¹¹;
 - "LEI" for a global Legal Entity Identifier as specified in ISO 17442¹². The 2 character ISO 3166-1¹³ country code shall be set to 'XG',
 - Two characters according to local definition within the specified country and name registration authority, identifying a national scheme that is considered appropriate for national and European level, followed by the character ":" (colon).

¹¹ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC.

¹² ISO 17442: "Financial services - Legal Entity Identifier (LEI)".

¹³ ISO 3166-1: "Codes for the representation of names of countries and their subdivisions--Part 1: Country code".

- (a) The identifier (according to country and identity type reference) has to be in coherence to the three-character legal person identity type reference used.
2. Within 3 years from the date of start of application of this Regulation, suppliers that have been verified with an electronic seal according to the format set under point 1 , shall renew their verification by providing a qualified electronic seal as set out in Article 4.

Article 7

Product models registered by unverified suppliers

Models registered in EPREL by entities still not verified at the the date of application of Article 3. shall be considered as not legally placed on the Union market and shall not be listed in the public EPREL system. When a model is retrieved from EPREL by scanning a QR code or by any other means, no label or parameters from the product information sheet shall be visible and a text shall indicate that the model was registered by an unverified supplier.

No Application Programming Interface shall return the EPREL information on models registered by unverified suppliers.

Article 8

Contact points of suppliers

In accordance with Annex I to the Regulation (EU) 2017/1369, suppliers shall clearly indicate their contact details by registering:

- (1) in the public part of EPREL a contact point for aspects generally related to product use and support;
- (2) in the compliance part of EPREL a contact point for aspects related to product compliance.

Different contact points may be provided for each product model. Additional contact points may be made available from the supplier website, for different geographical or linguistic area or country.

Article 9

Transfer of registered models between suppliers

Registered product models may be transferred to a verified supplier that takes over the obligations from the previous supplier in relation to those product models from the date indicated for the transfer.

Article 10

Access to EPREL by market surveillance authorities

National market surveillance authorities shall have access to the compliance part of EPREL, via a single national administrator who shall be the only official contact point for the Commission. National market surveillance authorities shall communicate to the Commission the name and contact details of the single national administrator and any change of it. They may further delegate access rights under their own full responsibility.

Article 11

Management of supplier user profiles and verification

1. Each supplier shall be responsible for the management of the access rights to their own data by members of its own EPREL supplier, whether related to the supplier's, or to any registered product model. At least one user shall be appointed as being responsible for the supplier and manage creation of other users profile and their access rights.
2. An EPREL supplier user profile that is inactive for over one year, after a double alert, shall be blocked, unless the user profile is the only responsible for the supplier.
3. The supplier shall be responsible for managing the electronic verification process.
4. The supplier shall be responsible for ensuring that the EPREL supplier data is updated in case of any relevant change, including the change of the legal representative.
5. The Commission may review at regular intervals the validity of certificates used for the verification⁵. The Commission shall provide notice of expiration of the validity of the verification to the EPREL supplier at least three months in advance.
6. A previously verified supplier shall lose its status of 'verified' if it appears to be inactive and not responsive for over twelve months. Its registered product models shall be marked as not placed on the market anymore.

Article 12

Parameters necessary to identify or differentiate product models

1. For each registered product model, the Commission may provide suppliers the possibility of registering values for the following parameters, when not already included in the specific Delegated Regulation under Regulation (EU) 2017/1369 on the product group:
 - a. the GTIN, where applicable;
 - b. the Member States where they place their products;
 - c. parameters included in the mandatory product information to be provided according to the implementing measure under Directive 2009/125/EC for that product group;
 - d. other parameters which are necessary or useful for users to correctly search, identify and differentiate specific product models and their intended use.
2. Parameters which are listed in point 1 above shall not be part of the product information sheet and of the compliance assessment by market surveillance authorities.

Article 13

Placing and end of placing on the market of product models

1. The registration by a supplier of a product model in EPREL shall be deemed completed only after all the following parameter values have been entered and the relevant documents have been uploaded in EPREL:

- a. all values related to the parameters and documents required under Regulation (EU) 2017/1369, Regulation (EU) 2020/740 or any delegated act adopted under those regulations applicable to the product;
 - b. the date of placing on the market of the first unit of the particular model.
2. The EPREL compliance system shall confirm the completeness of the parameter values entered as part of the registration of the model.
3. The date and time of placing on the market is determined based on Central European Time (CET) or Central European Summer Time (CEST), as applicable.
4. As from the date under point 3 above, a model is deemed placed on the market and the information entered by the supplier shall become accessible to market surveillance authorities and the public part shall become public.
5. The date of end of placing on the market of each product model shall be entered in EPREL within 90 days after its occurrence. The entry is without prejudice to a supplier's freedom to continue to place the model on the market and may be updated.

Article 14

Product models placed on the market by multiple suppliers

1. To avoid redundant registrations, a supplier, placing on the market a product model that had been previously registered in EPREL by another supplier, in respect of which the information is available in the public part of EPREL, shall link its registration to the previous model registration, without entering the public information a second time.
2. Where a supplier considers that the public information on a product model previously registered by another supplier is incorrect in any parameter part of the label or product information sheet, then the supplier may register the product model as a new product model.
3. The mandatory technical documentation for the product model, relevant for compliance, shall in any event be entered by each supplier also when linking its registration to a previous one.
4. If a model that is being registered by a supplier it has already been registered by another supplier, the second registration may be linked to the previous at any time.

Article 15

Facilitating access to model registrations in EPREL

1. In order to facilitate the display of labels, including for on line distance selling and on the Internet, the EPREL model registration number shall be communicated to dealers or, for tyres, to distributors.
2. To permit the consultation of a model's registration in EPREL, the dealer or, for tyres, the distributor, shall ensure that the QR code is accessible and scannable.

Article 16

Data exchange model and software release management

1. Suppliers shall register product models either by using the interactive EPREL compliance website or by uploading the model data using the latest version of the data exchange model available.
2. Any modification in the data exchange model, if requiring modifications of the software used by suppliers, shall be announced by the Commission at least two months before it is deployed in the EPREL production system and shall be made available for preliminary testing in the EPREL acceptance system.
3. Advanced notice is only required if the change involves a malfunction or error on the supplier's side or any incorrect data upload in the EPREL compliance system.
4. The obligation to upload products' model data using a new data exchange model shall only apply to the registration of new models.
5. Any modification in the transfer protocol requiring modifications of the software used by suppliers, shall be announced by the Commission and made available in the EPREL acceptance system at least four months before it is deployed in the EPREL production system.

Article 17

Maintenance, system availability and data availability

1. The Commission shall make available, via the online portal, the guidelines and instructions on how to register models in the EPREL compliance system.
2. The Commission shall provide a helpdesk service to ensure suppliers and market surveillance authorities receive technical support. The helpdesk service shall be available during Commission working days and during normal working hours, as determined yearly in the Commission Decision on public holidays for staff of the European institutions in Brussels and Luxembourg. Those working days shall be published on the online portal. However, technical support for urgent requests shall be ensured between 27 and 31 December.
3. Written exchanges between suppliers and the helpdesk shall be stored for six months and made available to market surveillance authorities upon request.
4. The Commission may suspend the availability of the compliance system or of the EPREL public system, without prior notice, as result of a malfunction or of a cyber-attack or any urgent security measure and keep the systems inaccessible until a safe situation is re-established.
5. In case registration is prevented by temporary unavailability or malfunctioning of the EPREL compliance system, the Commission shall record data and time of unavailability and keep a record of the unavailability and make it available to market surveillance authorities and suppliers upon request for not less than five years.
6. Both the compliance and the public EPREL systems shall be accessible at all times, except during necessary and previously announced periods of maintenance activities, including deployment of new software releases. The Commission shall issue an advance notice of inaccessibility on the compliance website or on the public website, as applicable.
7. Suppliers that, in case of unavailability of the system, cannot complete the registration process before placing new models on the market, shall keep a record of

their best efforts to complete the registration process in due time, or, in case of unavailability of the EPREL registration system, at the earliest opportunity.

8. Neither the Commission nor suppliers shall be held liable for any loss of data entered in EPREL resulting from causes independent of their will.

Article 18

Public data availability

The Commission shall make the public parameter values, label and product information sheet of registered models available by the means of Application Programming Interfaces (API).

Article 19

Inappropriate or fraudulent use of EPREL

Where the Commission identifies inappropriate or fraudulent activity, including linked to massive data download, it shall take the necessary measures to avoid abuse of EPREL.

Article 20

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from the same day. Articles 3 and 7 shall apply from [OPOCE please set 6 months later].

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN