

POWERS AND DUTIES OF THE CONSUMER RIGHTS PROTECTION CENTRE

The Consumer Rights Protection Centre is the designated market surveillance authority for consumer rights protection in Latvia. This entails conducting a range of activities and the exercise of specific enforcement powers to ensure that products and services are compliant with the law. The officials make routine control and sampling visits and exercise any or all of their powers as the situation demands. Most entrepreneurs will therefore have contact with CRPC officials so need to be aware of their enforcement activities.

Consumer Rights Protection Law

General enforcement powers:

- require a manufacturer, seller or service provider to stop violating the law, and
 - to perform specific actions to rectify the impact thereof and
 - determine the time period for the implementation of such actions.
- publish the action taken in the newspaper Latvijas Vēstnesis [the official Gazette of the Government of Latvia] (the costs associated with the publication shall be covered by the manufacturer, seller or service provider).

Law on the Safety of Goods and Services

- Power to monitor the conformity of products and services to these safety requirements by:
 - supervision and monitoring programmes
 - suspicion of the non-conformity
 - consumer complaints
- Power to:
 - monitor products and services put into circulation
 - request information necessary for the evaluation of product and services safety
 - request product samples
- Power to enter commercial premises for the purpose of carrying out market surveillance
- Power to examine documents

- Power to organise laboratory or other expert examination of products to determine conformity if:
 - it is provided for by the annual supervisory and monitoring programme as approved by the CRPC director, or
 - if a complaint has been received.
- Power to recover the cost having products tested by an appropriate laboratory or other expert examination when such a test or examination proves a non-compliance
- Powers on discovering an unsafe product or service:
 - suspend the supply of the product or the provision of services to allow for assessment, examination and seeking an expert opinion;
 - prohibit the sale of products & the provision of services and take action to ensure compliance
 - request the effective and immediate withdrawal of the product or service from circulation, if already placed on market, and issuing of warning to consumers
 - recall unsafe products from consumers and organise their destruction
- If the risk applies only under certain conditions:
 - power to request warnings of *particular risks* to be displayed on labelling
 - power to order a producer, distributor or service provider to perform *specific measures* to guarantee safety
 - power to prohibit the sale of products & the provision of unsafe services until implementation of such measures
- If the risk applies only to certain categories of persons:
 - Power to request appropriate special warnings aimed at the at risk groups
- Power to share information:
 - compliance with safety legislation is supervised and monitored by the CRPC and other State authorities including Customs Authorities and the Sanitary Border Inspection within the scope of their competence.
 - market Surveillance authorities, have a duty to co-operate and mutually exchange information

All actions taken by CRPC must be in accordance with:

- EU precautionary principle and be proportional to the identified risk.
- CRPC operational procedures
- Cabinet Regulations relating to sampling procedures