Mandatory vs voluntary EE programmes: what MVE approaches?
Different instruments, different approaches

Self-declaration with some degree of pre-registration checks

Third-party certification
Key differentiators?

- Governance
  - Post-market verification vs third-party certification?

- Risk of fraud
  - Intensity of MVE?
Governance

- **Mandatory:**
  - command & control
  - aim: target all actors on the market
  - mean: need to avoid creating unequal conditions for market operators (in terms of MVE)

- **Voluntary:**
  - cooperation & negotiation
  - aim: target a limited number of actors
  - mean: unequal conditions for market operators can be tolerated
Risk of fraud

- Penalties
  - Mandatory: withdrawal of products from the market/financial fines/impact on brand
  - Voluntary: withdrawal from the programme/impact on brand

- Correlation between type of programme (m vs v) and risk of fraud not proven empirically

- Some indicators of greater risk of fraud:
  - Products sold without an established brand
  - Products sold mainly as components
  - Manufacturers/markets with a history of non-compliance
  - Indications from stakeholders (e.g. competitors, consumer organisations)
Conclusion

- Governance structure is a differentiator
  - The application of different MVE regimes is an option

- Risk of fraud is not
  - The intensity of MVE should depend primarily on the product addressed, not the programme
Case study- ENERGY STAR: why the EU doesn’t want to align certification and verification and with US?

- ENERGY STAR: voluntary programme BUT linked to mandatory requirements (public procurement) – need to create equal access for all market operators

- Covers products (in the EU) that are not particularly exposed to fraud

- Light registration procedures part of the success story
Results of the survey of EU ENERGY STAR Partners

If the EU Energy Star Programme would require products to be tested in an outside, certified laboratory in order to be qualified would you still participate in the Programme?

- 23% - yes
- 20% - probably, but for a limited number of products
- 57% - no
Thank you