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Answer given by Mr Jørgensen
on behalf of the European Commission
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According to the relevant definitions, incomplete cabinets cannot be placed on the market or put into service as ‘refrigerating appliance with a direct sales function’ in the sense of Articles 2 of Commission Regulations (EU) 2019/2024¹ and (EU) 2019/2018², since some essential elements, for example doors, are missing. Only products complying with the applicable requirements, either at the time of ‘placing on the market’ or ‘putting into service’, are subject to the Regulations. However, the fact that incomplete cabinets are not within the scope of the Regulations does not prevent free trade and supply on the market.

According to the Commission’s interpretation of the relevant rules, ‘putting into service’ should be understood as the moment at which economic operators need to demonstrate compliance with the applicable requirements. It is relevant, for example, for products which can only be used after an assembly, an installation or other manipulation has been carried out.

In case a body of a refrigerator is separately ordered from the doors, the natural or legal person who ‘puts the product into service’, has the same responsibilities as a manufacturer who ‘places a product on the market’. The Commission provides further information in the Blue Guide³. It means that this natural or legal person must ensure that the product complies with the above-mentioned Regulations and that the appropriate conformity assessment procedure has been carried out.

¹ <https://eur-lex.europa.eu/eli/reg/2019/2024/oj/eng>.

² https://eur-lex.europa.eu/eli/reg_del/2019/2018/oj/eng.

³ Blue Guide on the implementation of EU products rules, COM (2022/C 247/01), OJ C 247 of 29.06.2022 (p. 38).