Product liability – legal framework

How to handle problems with regard to non-registered or „disappearing“ companies

The fight against illegal imports

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The scope of the presentation

- The reason why MARS Group assigned this task
- Results of controls based on sampling of products in 2004
- Statistics on the RAPEX system in 2004
- The steps that the Slovak Trade Inspection, in cooperation with other authorities, has taken
- The proposal of solution
Our experience from the past

More than 50% of tested products, which were not comply with technical requirements

- are maybe illegally imported
- without related documentation
- without any identifying labeling
- their riskiness is based on their construction
- it is impossible to identify their manufacturer, authorized representative or importer

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Dangerous Products

Our findings in 2004

- Total number: 37
- Own findings: 32
- Findings based on notification from RAPEX: 5
- Unknown origin: 30
- Toys: 54%
- Electrical appliances: 33%
- Other products: 13%

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2004 Report and statistics on the RAPEX system

- More than half of the 388 notifications concern two categories of products: electrical appliances 27% toys 26%
- Nature of danger: injury 29%
  electric shock 28%
  choking/suffocation 20%
  fire risks 16%
- Unknown origin of products: 24% (like in 2003)
The involvement of all stakeholders

- Ministries
- Customs authorities
- Market surveillance bodies
- Tax authorities
- Industry and trade
- Consumers

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The proposal of solution

- To improve administrative cooperation between national authorities
- To improve enforcement of Regulation 339/93
- Common control actions mainly with Customs Authorities, resp. Police
- To give the control body the mandate to seize goods of unknown origin
- To define „serious infringe“ in special legal regulations in connection with the trade law with the possibility of suspending resp. revoking the trade license
THANK YOU

For further information, please contact:

Nadezda Machutova
General Director
Slovak Trade Inspection
Prievozská 32, 827 99 Bratislava 27
Slovak Republic

Tel: 00421/02/5827 2203; Fax:00421/02/5341 4996
Web-site: www.soi.sk
e-mail: machutova@soi.sk

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