

# **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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April 2005 – High Tatras

# 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

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# 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)

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# 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

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# THANK YOU

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