

**BOSNA I HERCEGOVINA**  
**Agencija za nadzor nad tržištem**



**BOSNIA AND HERZEGOVINA**  
**Market Surveillance Agency**

# **Market Surveillance in Bosnia and Herzegovina**

**7<sup>th</sup> MARS GROUP WORKSHOP**  
**Bratislava, 8-10 October 2009**

# Basic figures on Bosnia and Herzegovina



## Area:

51,209 km<sup>2</sup>

## Population:

3,842,265

(source: Agency for Statistics BiH,  
estimate on 30.06.2008)

## Administrative divisions:

- Federation of BiH  
(subdivision: 10 cantons)
- Republika Srpska
- Brčko District BiH

# *Transposition of EU legislation into BiH legislation*

# Transposition of New Approach Directives

- The legal framework for the transposition of New Approach Directives is the **Law on Technical Requirements for Products and Conformity Assessment** (Official Gazette of BiH No. 45/2004) and the by-laws:
  - Instruction on Method of Drafting and Procedure for Adopting the Technical Regulations (Official Gazette of BiH No. 35/2006),
  - Programme of Transposition of Technical Regulations (Official Gazette of BiH No. 35/2006).

# Current status of the transposition of NADs

- Transposition of four directives is underway and should be completed by the end of 2009:
  - Low voltage equipment 73/23/EEC,
  - Machinery 98/37/EC,
  - Electromagnetic compatibility 89/336/EEC,
  - Lifts 95/16/EC.
- Transposition of six directives (toys, ATEX, PPE, gas appliances, non-weighing instruments, pressure equipment) should be completed in early 2010.

# Transposition of General Product Safety Directive (2001/95/EC)

- The General Product Safety Directive (2001/95/EC) was transposed into the legislation of Bosnia and Herzegovina in the form of two laws:
  - **Law on General Product Safety** (Official Gazette of BiH No. 45/2004), and
  - **Law on Market Surveillance** (Official Gazette of BiH No. 45/2004).

# Transposition of the GPSD by-law

- In accordance with the Law on General Product Safety, Council of Ministers BiH adopted the by-law:
  - **Decision on notification form for the notification of dangerous products**
- Having adopted this Decision, BiH transposed the Commission Decision of 14 December 2004 laying down guidelines for the notification of dangerous consumer products to the competent authorities of the Member States by producers and distributors.

*Organization and  
responsibilities of Market  
Surveillance System in BiH*



# Organization of the Market Surveillance System in Bosnia and Herzegovina

- The market surveillance system in Bosnia and Herzegovina consist of:
  - **The Market Surveillance Agency of Bosnia and Herzegovina (MSA BiH)**
  - **Inspection authorities :**
    1. Inspectorate of Republic Srpska,
    2. Inspectorate of Federation of BiH and
    3. Inspectorate of Brcko District BiH
- The MSA BiH coordinate overall activities concerning the product safety while the inspection authorities carry out the direct inspection control (on-site inspection, product sampling and taking measures)

# MARKET SURVEILLANCE AGENCY BiH

(directly responsible to the Council of Ministers BiH)

**Coordinates all the activities regarding  
the product safety**

**Federal Administration for Inspection  
Affairs of FBiH**  
(directly responsible to the Government  
of FBiH)

**Republic Administration for Inspection  
Activities of RS**  
(directly responsible to the Government  
of RS)

**Inspectorate of Brčko District  
BiH**  
(directly responsible to the  
Government of BDBiH)

1. Market – tourism inspection
2. Health and Sanitary  
Inspection
3. Labour and Occupational  
Health and Safety Inspection
4. Urban Planning,  
Construction and Ecology  
Inspection
5. Traffic and Communications  
Inspection
6. Agricultural Inspection
7. Forestry Inspection
8. Water inspection
9. Veterinary inspection
10. Technical Inspection

1. Inspection
2. Forestry and Hunting  
Inspection
3. Veterinary inspection  
Market Inspection
4. Agricultural
5. Water inspection
6. Technical Inspection
7. Traffic and  
Communications  
Inspection
8. Urban Planning,  
Construction and Ecology  
Inspection
9. Labour and Occupational  
Health and Safety  
Inspection
10. Health and Sanitary  
Inspection
11. Education Inspection
12. Fire Safety Inspection

1. Market inspection
2. Agricultural Inspection
3. Veterinary inspection
4. Sanitary Inspection
5. Health Inspection
6. Ecology Inspection
7. Forestry Inspection
8. Water Inspection
9. Phytosanitary Inspection
10. Education Inspection
11. Labour Inspection
12. Urban Planning and Construction  
Inspection
13. Road inspection
14. Traffic Inspection
15. Electro-energetic Inspection
16. Thermo-energetic Inspection
17. Fire Safety Inspection
18. Occupational Health and Safety  
Inspection
19. Communal Inspection

# Establishment of MSA BiH

- MSA BiH was established by the Law on Market Surveillance (Official Gazette of BiH No. 45/2004) and it is an independent administrative unit, that is considered a legal entity and has all the rights and obligations set forth in this Law
- MSA BiH is responsible directly to the Council of Ministers of BiH
- MSA BiH is financed out of the budget of the institutions of Bosnia and Herzegovina
- 17 employees are currently employed in the MSA BiH and staffing commenced in late 2007.

# Responsibilities of the MSA BiH

The MSA BiH is responsible, inter alia:

- to coordinate and harmonize the activities of the Market Surveillance System in Bosnia and Herzegovina;
- to participate in the preparation and drafting of all regulations on product safety;
- to ensure uniform enforcement of the product safety legislation on the territory of BiH including interpreting the regulations on product safety and issuing the guidelines for their implementation;

# Responsibilities of the MSA BiH (cont.)

- to ensure uniform procedures for handling the consumer complaints regarding product safety and the centralized record keeping informing the public of the availability of such a mechanism;
- to continuously inform the public and all interested parties of the market surveillance activities;
- to carry out international cooperation in the field of market surveillance, especially the cooperation with the EU, Member States authorities and WTO.

# Special Responsibilities of MSA BiH

Cooperation with other European authorities competent for market surveillance and product safety with the aim to:

- exchange of information on risk assessment, dangerous products, test methods and results,
- establish and execute joint market surveillance actions and testing projects;
- exchange of expertise and best practices and cooperation in training activities;
- improve cooperation with the EC with regard to the tracing, withdrawal and recall of dangerous products.

# Main responsibilities of the inspection authorities in BiH

Inspection authorities are authorised, in accordance with the laws transposing the GPSD:

- For any product that could be dangerous: to temporarily ban its supply, the offer to supply it or its display, the various safety evaluations, checks and controls
- For any dangerous product: to ban its placing on the market and to take adequate measures
- For any dangerous product already on the market: to order or organize its actual and immediate withdrawal, alert consumers and recall from consumers with producers and distributors and its destruction in suitable conditions.

**Thank you  
for your attention!**



# Contacts

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