

Slovak Trade Inspection

**Slovak experience
in risk assessment to increase
the safety of consumers**

Workshop „Practical Application of Risk Assessment and Management Tools“
23 November 2009, UNECE WP.6, Geneva

Scope of presentation

- Competencies of Slovak Trade Inspection
- Planning of controls
- Information system ECHO
- Risk assessment – problems
- Main experience in last years
- Risky products in Slovakia
- Toys – sectoral national programme
- Special Eurobarometer 298
- How to improve our work

Competencies of Slovak Trade Inspection

- **Act on State Control of Internal Market in the Consumer Protection Matters** (the sphere of authority of STI, the rights and duties of the inspectors, the rights and duties of the inspected persons, powers - protective measures and fines)
- **Act on Technical Requirements for Products and On Conformity Assessment Procedures** (the system of government ordinances – transposition of the New Approach Directives)
- **Act on Consumer Protection** (transposition of the General Product Safety Directive in the form of Governmental Ordinance to the Act)

New Approach Directives

- Machinery Directive
- Low Voltage Directive
- Electromagnetic compatibility
- Toy Safety Directive
- Pressure Equipment Directive
- Personal Protective Equipment Directive
- Recreational Craft
- Radio equipment and telecommunications terminal equipment
- Appliances Burning Gaseous Fuels
- Refrigeration appliances
- Noise Emission
- Construction products

Other Acts regarding protection of consumer's economic interests ...

Acts on

- Prices
- Protection of Non-smokers
- Conditions for the Marketing of Products and the Provision of Services in Market Places
- Consumer Protection at Door-to-Door Sale and Home-Delivery Sale
- Emergency Reserves of Oil and Oil Products and on Resolution of Oil Crisis
- Advertising
- Financial services
- Consumer Credit

Other Acts regarding protection of consumer's economic interests ...

- Conducted Tours, Conditions for the Enterprise of Travel Offices and Agencies
- E-commerce
- Waste
- Packing
- Building Products
- Chemical Substances and Preparation
- Conditions for the Launch of Biocide Products onto the Market
- Protection of some TV and Radio broadcasting services
- Passenger rights in air transport

Planning of control based on

- complaints of consumers and economic operators
- announcements of other administration bodies
- new legal norms
- experience from previous controls
- experience from appeal procedures
- follow-up of the measures
- notifications from RAPEX system
- risk assessment
- Echo system

Within scope of risk assessment

(before sampling of products)

These aspects are taken into account in deciding whether a product is suspicious and whether we will take a sample of it or not:

- type of product – with recurrent risk
- the origin of the product – the manufacturer
- riskiness of the economic operator – the importer, the distributor

(Inspectorates have the database of operators according the degree of risk)

Main sources of information

- experience from previous proactive controls
- notifications from RAPEX system
(the same risk occurred repeatedly within some group of products)
- complaints of consumers – ECHO system

Information system „ECHO“

The objective of the system is to actively gather information on accidents caused by the use of any non-food products in the household, in leisure and sports activities.

The system has been active since 2008 and until present day:

- the number of complaints rose from 29 (in 2008) to 105 (in 2009)
- the number of dangerous products which were found based on these complaints increased from 17 % (in 2008) to 42 % (in 2009)
- increase in the awareness of consumers

ECHO leaflet – inner and outer side



ECHO

Informačný systém
o rizikách výrobkov,
ktoré spotrebiteľovi
spôsobili úraz

HRAČKY

DOMÁCNOSŤ

ŠPORT

HOBBY

Nevyhnutné údaje hlásenia:

- názov výrobku
- miesto zakúpenia
- čo výrobok spôsobil

ECHO je systém, ktorý slúži na:

- hlásenie úrazov spôsobených výrobkom
- hlásenie nebezpečnosti výrobku
- pre monitoring rizikových výrobkov

ECHO neslúži na hlásenie reklamácií nekvalitného tovaru

Slovenská obchodná inšpekcia
SOI

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Ohrozil vaše zdravie alebo život nepotravinársky výrobok pri hre, športe, na detskom ihrisku, v domácnosti alebo vo voľnom čase kdekoľvek inde?

OZNÁMTE NÁM TO!

vyplňte formulár o riziku výrobkov na
www.soi.sk – **SYSTÉM ECHO**

alebo telefonujte
02/58 272 138

alebo mailujte na
echo@soi.sk

POMÔŽEME JEDEN DRUHÉMU

Vy dáte ECHO nám a my dáme ECHO ostatným spotrebiteľom

Before a RAPEX notification

An authority performs the appropriate **risk assessment** in order to assess whether a product to be notified poses a serious risk to health and safety of consumers.

According to the Guidelines:

- The seriousness of risk is assessed according to the degree of damage, the likelihood of damage, the group of consumers whom the product is designed for

Problems in risk assessment

- if there is no method of risk assessment which could prove the risk (baby carriage)
- if risk assessment related to the content of dangerous chemical substances in toys - until July 2013 the old directive is in effect - it does not make any reference to complete ban or limits on their content (like in the new directive – case of the puzzle)
- if there is no unified procedure to test products (case of the baby car seats – child restraint system)

Problems with labeling

More than one half of dangerous products are not labeled with details of producer / importer:

- there is lack of efficiency within market surveillance and consumer protection
- it is impossible to impose a fine on the producer in case of unjustified use of CE mark
- a difficulty in proving the originality of the product (counterfeit or not)

RAPEX system

year	2006	2007	2008	2009*
Number of notifications	653	1100	1318	1113
findings of dangerous products	78 _(15-R)	174 _(9-R)	180 _(4-R)	54 _(0-R)
dangerous products with CE mark (%)	78	78	92	98
dangerous products from third countries (%)	54	25	65	72
dangerous products of unknown origin (%)	31	58	21	11

Risky products in Slovakia

- **Electric Christmas lights** – risk of electric shock and fire,
from sampled products in 2007 – 55 % dangerous products
in 2008 – 39 % dangerous products
- **Chargers (for mobile phones)** – risk of electric shock and fire
from sampled products in 2008 – 100 % dangerous products
in 2009 – 28 % dangerous products
- **Bicycles including children's bicycles** – risk of injury
from sampled products in 2008 – 57 % dangerous products
in 2009 – 63 % dangerous products

RAPEX system - main experience

- In 2007 and 2008 Slovakia placed third in the number of notifications sent to the system
- RAPEX system is mirror of activities of market surveillance bodies, the more controls we do = the more findings
- market surveillance performance has become more difficult:
 1. variety of commodities with identified risk has been increasing together with variety of reasons for unsafety
 2. CE mark loses its credibility
 3. high number of notifications from RAPEX requires higher capacity
 4. problems with translation of materials
- economic operators take voluntary measures
- general problems with products imported from third countries
- general problems with safety of toys and electric appliances
- 50 % of all dangerous products do not contain any information about the manufacturer which results in problems with traceability of products

Risky products in Slovakia

- **Children's lights** – risk of electric shock and fire
from sampled products in 2008 – 54 % dangerous products
- **Children's high chairs** – risk of injury
from sampled products in 2008 – 41 % dangerous products

These commodities require further controls in the near future.

Risky products in Slovakia

Toys – account for about 50 % of all dangerous products per year

- international project PROSAFE
control intended for children under 36 months (risk of suffocation with small parts and chemical risk)
- national market surveillance program
 - repeated risks – chemical risk, damage to hearing, injuries, suffocation, strangulation , risk of burning
 - biannual (2009-2010)
 - balance of proactive and reactive controls

National market surveillance programme on toys - object

- **toys intended for children under 36 months**
(wrong labeling of the limit of age)
- **magnetic toys**
(absence of required warning, planning of testing the force of magnet – EN 71-1+ A8)
- **toys with sound effect**
(excessive volume of sound – children's mobile phones)
- **plastic toys containing phthalates**
(problems with dolls and aquatic toys)
- **toys and inflammability**

Co-operation mainly with

- **Customs Authorities**

Convention on cooperation - January 2001
(reviewed in 2004, 2006 and 2009)
regularly meetings, seminars and trainings

- **Public Health Authority**

examination of health risks

- **Notified bodies**

testing and consultancy

Information and education via media, Internet, annual reports...

On web site www.soi.sk

- overview of the dangerous products which were found on our market
- overview of all notifications on the internal market
- important warnings sent by manufacturers in case they launched a product which might pose a risk to consumers

Special Eurobarometer 298

Consumer protection in the internal market, Publication October 2008

- **Price tends to be the main driver of consumer choice**

(the price – 75%

safety – 50%

the country where the product was made – 26%

the identity of the supplier – 22%)

- **Most Europeans think that a small number of products are unsafe**

Special Eurobarometer 298

Consumer protection in the internal market, Publication October 2008

- **Europeans appear to be very familiar with product recalls**

The absolute majority (75%) of E. citizens have heard in the last 12 months of non-food products being recalled from the market (through television, radio, newspapers).

- **Very few respondents have suffered an injury due to a defective product**

In the last two years, only 2% of E. citizens or a member of their immediate family suffered an injury or accident from a defective product.

http://ec.europa.eu/public_opinion/archives/ebs/ebs_298_en.pdf

And what about attitude of business?

Because market surveillance has a broader role as an essential element of enforcement of the relevant legislation – ensure a level playing field for all competitors.

Confidence of consumers and confidence of business serves as a mirror of our work.

How to improve our work

- to enhance **the cooperation** and strengthen **a confidence** between enforcement bodies
(in order to accelerate consumer protection, Slovak Trade Inspection informs the member state which put the dangerous product into distribution and makes test protocols available to them immediately after the risk has been confirmed)
- all actors on the market must be confident that notified bodies operate to high standards
- **information and education** – informed and confident consumers and business are essential for the market

Thank you

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