

SLOVAK REPUBLIC

Regulation (EC) No. 765/2008

National Market Surveillance Programme

**HORIZONTAL
WITH SECTORAL TABLES**

2013 - 2014

January 2013

National Market Surveillance Programme of the Slovak Republic 2013 - 2014

Introduction

This document is a National Market Surveillance Programme of the Slovak Republic covering the years 2013 - 2014, in respect of market surveillance of products that come within EU harmonisation legislation and is prepared on the basis of Article 18 (5) of the European Parliament and Council Regulation (EC) 765/2008 (Reg. (EC) 765/2008), as well as non-harmonised area (GPSD). It includes the horizontal coordination and sectoral tables of the Slovak Republic (see below).

The general objectives of market surveillance

Objective of market surveillance in Slovakia is to enforce the legal requirements on products and at the same time the level playing field. This can be achieved if only safe products are available on the market, complying with the EU legal requirements. This achievement is ensured by control and surveillance procedures and methods proactive as well as reactive ones (prevention, inspection of documents, physical inspections). If the product presents a risk, it is necessary to adopt appropriate measures for remedy (withdrawal, recall, etc.) and to inform the public, the Commission and the other Member States accordingly.

The organization at national level

Market surveillance authorities in Slovakia are bodies fulfilling the supervision provisions of the legislation based on definition of their activities according to special regulations.

They are mostly government authorities linked to the budget of the responsible ministry, they are independent in decision-making and control activities, but cooperate closely in the implementation of legislation. They have a strategic work plan, covering local and / or national priorities. Priority areas include rapid response to credible complaints based on risk assessment.

The Slovak Trade Inspection (STI) is a general market supervision authority in the field of consumer protection in the internal market for non-food products, excepting cosmetic and tobacco products, products in contact with food and medical devices. In addition to the monitoring activities mentioned in the sectorial table STI as a surveillance authority of consumer products of the New Approach Directives under the Act 264/1999 Coll. on Technical Requirements for Products and Conformity Assessment as amended, and as supervisor of general safety of consumer products under the Act 250/2007 Coll. on consumer protection as amended, will all year 2012 to carry out ongoing checks on products of consumer nature on the market of the SR based on the incentives and RAPEX notifications.

The safety of goods for workplaces and related matters are the responsibility of the National Labour Inspectorate and the Labour Inspection System. State Institute for Drugs Control provides market supervision of medical devices. Cosmetics products are enforced by the Public Health Authority of the Slovak Republic and 36 Regional Public Health Authorities.

State Navigation Administration is responsible for recreational crafts. Telecommunications Office of the Slovak Republic ensures compliance with the conditions of the placing on the market and putting into service of telecommunications equipment and facilities, which may be a source of electromagnetic interference - market surveillance is the responsibility of State Surveillance Department, in particular its Regional Offices.

Slovak Metrological Inspectorate has a specific role as a market surveillance authority, as for the various enforcement activities relating to the articles of Reg. (EC) 765/2008 carried out by other market surveillance authorities, producers and notified bodies (conformity assessment), they use

instruments (legally controlled measuring instruments, etalons or calibrated meters) which are enforced by Slovak Metrological Inspectorate.

Type of Control

- Awareness rising, when the new legal requirements are introduced,
- Proactive on the basis of a risk assessment,
- Reactive on the bases of complaints, RAPEX and CIRCA notifications.

Coordination and cooperation

Working Group for implementation of the Reg. 765/2008 provides coordination and exchange of information between the Slovak market surveillance authorities, customs and responsible ministries within the meaning of Reg. (EC) 765/2008. Working group is chaired by the Slovak Office of Standards, Metrology and Testing, as the gestor responsible for the implementation of the Reg. (EC) 765/2008 in Slovakia.

Principles of cooperation between market surveillance authorities in Slovakia are enshrined in the Cooperation Agreements of the Central Inspectorate of the STI concluded with the Public Health Authority SR (control of health safety of toys, childcare products and products containing the detected volume of chemicals) and the State Veterinary and Food Administration (control of general food sales requirements).

On the base of the Government Resolution SR No. 486/2011 the current Slovak legislation is analysed in order to develop individual / sub-analysis of effectiveness of control and inspection authorities in the scope of individual sectors (ME SR, MH SR, MI SR, MLSAF, MTCRD SR, ME SR, SOSMT SR, MF SR)¹ in 2013.

The aim is to ensure equitable coverage of the control of the market in the field of consumer products and services as well as products and services for professional use and to determine Slovak market surveillance authorities for those products and services that are not yet within the competence of any market surveillance authorities on the Slovak internal market.

Market surveillance authorities in Slovakia participate in the overall sector cooperation at EU level, such as sector ADCO group (ADCO Machinery, ADCO Lifts, ADCO RTTE, ADCO EMC, etc.), in the establishing of a cooperative EU metrological surveillance project and on revision of the Guide for metrological market surveillance of WG5 WELMEC. SR is a member of PEMSAC working group (cosmetic products).

In 2013 the Slovak Trade Inspection will start EU project: reactive and proactive control of Toys in category acoustic devices.

The Slovak market surveillance programmes are published on the web of respective Slovak MSA.

Customs cooperation

Customs Administration of the Slovak Republic and national market surveillance authorities cooperate on a base of bilateral agreements following the Art. 27 - 29 of the Regulation (EC) No. 765/2008.

Until now cooperation agreements are concluded between the Customs Directorate of SR and

- Central Inspectorate of the Slovak Trade Inspection

¹ Ministry of Economy SR, Ministry of Health SR, Ministry of Interior SR, Ministry of Labour, Social Affairs and Family SR, Ministry of Transport, Construction and Regional Development SR, Ministry of Environment SR, Slovak Office of Standards, Metrology and Testing, Ministry of Finance SR

- State Institute for Drugs Control
- Department of State Control of Veterinary Biological Products and Drugs
- State Veterinary and Food Administration of SR

Other cooperation is organised on the basis of oral agreements.

Negotiations for the conclusion of other cooperation agreements have already started.

ICSMS in Slovakia

Slovakia joined ICSMS. Roll-out ICSMS - training of the future Slovak trainers was finished in November 2012. In total 11 representatives of the Slovak Trade Inspection, National Labour Inspectorate, Telecommunications Office of the Slovak Republic, Slovak Metrological Inspectorate, Slovak Office of Standards, Metrology and Testing and the Customs Dpt. of the Financial Directorate of the Slovak Republic were trained.

The Slovak Office of Standards, Metrology and Testing will administer ICSMS at the national level.

Priorities

- Improvement of cooperation between different NMSA and improvement of cooperation with customs,
- Training of NMSA employees to use ICSMS by the Slovak trainers,
- Within the process of creating new or adapting the existing approaches in the field of metrological surveillance - preparing for solving problems related to development of information technologies and their impact on the instruments and their software (MID),
- Availability to address comments or requests for information on the websites of the respective MS authorities,
- Training for risk assessment,
- Preparation for challenges from the new EU legislation (new alignment package, GPSD – revision, new Regulation on market surveillance, recreational craft, pyrotechnic, etc.).

Telecommunications Office of the Slovak Republic (<http://www.teleoff.gov.sk>)

SECTORAL NATIONAL MARKET SURVEILLANCE PROGRAMME (<http://www.teleoff.gov.sk/index.php?ID=30>)

Member State : Slovak Republic

Surveillance Authority: Telecommunications Office of SR,

Address: Telecom. Office of the SR, State Surveill. Dpt., Regional Office Banská Bystrica, Zvolenská cesta 20, 974 05 Banska Bystrica

Planning for : 2013 - 2014

Person responsible for the Sectoral NMSP: Ing. Ján Lenci, Director, tel./fax: +421 484135001, e-mail address: jan.lenci@teleoff.gov.sk

| No of EU legislation applicable | Sector | Description of the product or category | Type of monitoring | Monitoring motivation | Monitoring activity | Priority | Starting period or date | Development | Outcomes or further initiatives |
|---------------------------------|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------|----------------------------------------------|----------|-------------------------|---------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1995/5/EC | Radio and Telecommunications Terminal Equipment | Radio equipment and telecommunications terminal equipment | Proactive | Risk assessment | Administrative control/ adoption of measures | High | 2012 - 2013 | Self-initiative, cooperation with the Slovak Trade Inspection, participation in the ADCO campaign | Communication with producers, non-compliant product notification to EC and other MS, communication and exchange of experiences with national MSAs of other MS |
| 2004/108/EC | Electromagnetic compatibility (EMC) | Devices that generate electromagnetic emissions, the level does not allow other products to work in accordance with their intended purpose | Proactive | Risk assessment | Administrative control/ adoption of measures | High | 2012 - 2013 | Self-initiative, cooperation with the Slovak Trade Inspection | Communication with producers, non-compliant product notification to EC and other MS, communication and exchange of experiences with national MSAs of other MS |

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|----------------------------|----------------------|------------------------------------------|-----------|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|------------------------|---------------------------|---------------------------------------------|
| 76/768/EEC 1223/2009/EC | cosmetic products | producers, importers | proactive | lack of knowledge legislative changes | Product information file | | 2013 | national initiative | cooperation, education | contact person: helena.kohutova@uvzsr.sk |
| 76/768/EEC 1223/2009/EC | cosmetic products | producers, importers | proactive | lack of knowledge legislative changes | <u>campaign:</u> - "CPNP notification - new notification procedures" - "Cosmetovigilance system" | high | 2013 | national initiative | cooperation, education | contact person: helena.kohutova@uvzsr.sk |
| 1223/2009/EC | cosmetic products | producers, importers, distributors | proactive | legislative changes | <u>monitoring of nanomaterials:</u> - identification substances used as nanomaterials - identification category of products containing nanomaterials - identification claims used | | 2013 | EU project | information | contact person: janka.kisacova@uvzsr.sk |

State Mining Authority and 5 District Mining Authorities (<http://www.hbu.sk>)

SECTORAL NATIONAL MARKET SURVEILLANCE PROGRAMME

Member State: Slovak Republic

Surveillance Authority: State Mining Authority and 5 District Mining Authorities

Planning for: 2013-2014

Responsible person: Ing. Vladimír Tejbus, CSc.:

e-mail address:

hbu@hbu.sk; obuba@obuba.sk; obubb@mail.t-com.sk; obuke@obuke.sk; obupd@obupd.sk; obusnv@obusnv.sk

| No of EU legislation applicable | Sector | Description of the product or category | Type of monitoring | Monitoring motivation | Monitoring activity | Priority | Starting period or date | Project manager Generalities |
|---------------------------------|--------------------------|-------------------------------------------------------------------------------|--------------------|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|----------|-------------------------|------------------------------------------------------------------------------------------------|
| Directive 93/15/EEC | Explosives for civil use | Explosive substances or articles according Act 163/2001 Coll. | reactive | -Complaints -own estimation of market situation -impetus from other MS authority | Administration of permits in the field of explosives for civil use | high | 2012 | Contact person: Martin Lutonský e-mail lutonsky@hbu.sk |
| Directive 93/15/EEC | Explosives for civil use | Explosive substances or articles according Act 163/2001 Coll. | reactive | | - control of activities in the district mining authorities in the field of explosives | | 2012 | Contact person: Martin Lutonský e-mail lutonsky@hbu.sk |
| Directive 93/15/EEC | Explosives for civil use | Explosive substances or articles according Act 163/2001 Coll. | proactive | | -monitoring of market in cooperation with Slovak Trade Inspection | | 2013 | Contact person: Martin Lutonský e-mail lutonsky@hbu.sk |
| Directive 2007/23/EC | Pyrotechnic articles | Pyrotechnic products intended for technical purposes or for entertainment and | reactive | | Monitoring of the market and storage, administrative control of required documents | High | 2013 | Contact person: Martin Lutonský e-mail lutonsky@hbu.sk |

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|----------------------|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|---------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|-----------------------------------------------------------------|
| | | celebration use | | | | | | |
| Directive 2007/23/EC | Pyrotechnic articles | Pyrotechnic products intended for technical purposes or for entertainment and celebration use | reactive | | - Control of activities in the district mining authorities in the field of pyrotechnic products | | 2013 | Contact person: Martin Lutonský e-mail lutonsky@hbu.sk |
| ATEX | Technical equipment and protective systems | Technical equipment and protective systems relating to equipment in underground mines and parts of surface installations | - reactive - proactive | | -Control of activities in the district mining offices in the field of technical equipment and protective systems intended for use in explosive atmospheres | high | 2012 | Contact person: Vladimir Tejbus e-mail tejbus@hbu.sk |

Slovak Metrological Inspectorate (<http://www.smi.sk>)
SECTORAL NATIONAL MARKET SURVEILLANCE PROGRAMME (<http://www.unms.sk/?technicka-harmonizacia>)

Member State: Slovak Republic
 Supervisory Authority: Slovak Metrological Inspectorate (SMI)
 Planned: 2013 - 2014
 Responsible: Ing. Radovan Filo, Director SMI
 E-mail: Radovan.filo@normoff.gov.sk

| No of EU legislation applicable | Sector | Description of the product or category | Type of monitoring | Monitoring motivation | Monitoring activity | Priority | Starting period or date | Development | Outcomes or further initiatives | Project manager generalities |
|---------------------------------------|-------------------------------------------|----------------------------------------------|---------------------------------------|-----------------------------------------------|--------------------------------------------------------------|----------|-------------------------|---------------------|---------------------------------|------------------------------|
| 90/384/EEC 93/68/EEC 2009/23/EC | Non-automatic weights (NAWI) | Instruments to determine the mass | Market surveillance at national level | Consumer protection | Checking instruments and documentation | High | 2012 - 2013 | According to market | Results of control | SMI |
| 2004/22/EC | Measuring Instruments MI-001 up to MI-010 | Instruments | Market surveillance at national level | Consumer, environmental and safety protection | Checking instruments and documentation | High | 2012 - 2013 | According to market | Results of control | SMI |
| 765/08/EC 768/08/EC | Measuring Instruments marked CE | Instruments | Market surveillance at national level | Protecting the public interest | Checking instruments and documentation | High | 2012 - 2013 | According to market | Results of control | SMI |
| 2007/45/EC | Prepackaged products | Products packaged in the absence of consumer | Market surveillance at national level | Consumer protection | Checking the weight or volume of packaging and documentation | High | 2012 - 2013 | According to market | Results of control | SMI |
| 2007/45/EC | Prepackaged products marked "e" | Products packaged in the absence of consumer | Market surveillance at national level | Consumer protection | Checking the weight or volume of packaging and documentation | High | 2012 - 2013 | According to market | Results of control | SMI |

National Labour Inspectorate and the system of Labour Inspection (<http://www.nip.sk>)

SECTORAL NATIONAL MARKET SURVEILLANCE PROGRAMME (<http://www.nip.sk/?t=46&s=135&ins=nip>)

Member State: Slovak Republic

Surveillance Authority: National Labour Inspectorate and the system of Labour Inspection

Planning for: 2013 - 2014

Person responsible for the Sectoral MSP: Ing. František Blažek

e-mail address: frantisek.blazek@ip.gov.sk

| No of EU legislation applicable | Sector | Description of the product or category | Type of monitoring | Monitoring motivation | Monitoring activity | Priority | Starting period or date | Development | Outcomes or further initiatives | Project manager generalities |
|-----------------------------------------------|-------------------------------|-----------------------------------------------------|-----------------------|------------------------------------------------------------|---------------------------|----------|-------------------------|-----------------------------|---------------------------------|-----------------------------------------------------------------------------------------------------|
| 2006/42/EC | Machinery | Grinding equipment | Proactive Reactive | Current performance in prevention, Concerns, complaints | documentati on control | high | 1.1. 2012 | Nationwide task for 2013 | Improving the state of OSH | Ing. František Blažek frantisek.blazek@ip.gov.sk |
| 2006/42/EC | Machinery | Scissors mechanical and hydraulic | Proactive Reactive | Current performance in prevention, Concerns, complaints | documentati on control | high | 1.Q. 2012 | Nationwide task for 2012 | Improving the state of OSH | Ing. František Blažek frantisek.blazek@ip.gov.sk |
| 2006/42/EC | Machinery | Motor trucks | Proactive Reactive | Current performance in prevention, Concerns, complaints | documentati on control | high | 1.Q. 2012 | Nationwide task for 2012 | Improving the state of OSH | Ing. František Blažek frantisek.blazek@ip.gov.sk |
| 95/16/EC amend. 2006/42/EC | Lifts | Lifts | Proactive Reactive | Current performance in prevention, Concerns, complaints | documentati on control | high | 1. Q. 2012 | Nationwide task for 2012 | Improving the state of OSH | Ing. Jaroslav Niskáč, jaroslav.niskac@ip.gov.sk |
| 89/686/EEC amend. 93/95/EEC, 93/68/EEC, | Personal protective equipment | Personal protective equipment to prevent falls from | Proactive Reactive | Current performance in prevention, Concerns, complaints | documentati on control | high | 1.Q. 2012 | Nationwide task for 2012 | Improving the state of OSH | Ing. František Blažek frantisek.blazek@ip.gov.sk |

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|-----------------------------------------------------------|-------------------------------------------|---------------------------------------------------------|---------------------------|------------------------------------------------------------|---------------------------|------|------------|-----------------------------|-------------------------------|-----------------------------------------------------|
| 96/58/EC | | heights | | | | | | | | |
| 89/686/EEC amend. 93/95/EEC, 93/68/EEC, 96/58/EC | Personal protective equipment | Personal protective equipment against mechanical impact | Proactive Reactive | Current performance in prevention, Concerns, complaints | documentati on control | high | 2. Q. 2013 | Nationwide task for 2013 | Improving the state of OSH | Ing. František Blažek frantisek.blazek@ip.gov.sk |
| 2006/95/EC | El. equipment used within certain voltage | Energy equipment | Proactive Reactive | Current performance in prevention, Concerns, complaints | documentati on control | high | 2. Q. 2013 | Nationwide task for 2013 | Improving the state of OSH | Ing. František Blažek frantisek.blazek@ip.gov.sk |
| 97/23/EC | Pressure equipment | Pressure equipment | Proactive Reactive | Current performance in prevention, Concerns, complaints | documentati on control | high | 2. Q. 2013 | Nationwide task for 2013 | Improving the state of OSH | Ing. František Blažek frantisek.blazek@ip.gov.sk |

The Slovak Trade Inspection <http://www.soi.sk/sk/Novinky-SOI.soi>

SECTORAL NATIONAL MARKET SURVEILLANCE PROGRAMME for 2013 is published on the Slovak Trade Inspection www page:

<http://www.soi.sk/sk/Program-dohladu/Sektorovy-program/Sektorovy-program-dohladu-SOI-nad-trhom-vyrobkov.soi?ind=>

Persons responsible for the Sectoral NMSP: Milota Šedajová

Ľudmila Zátopková

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ludmila.zatopkova@soi.sk

| No of EU legislation applicable | Sector | Description of the product or category | Type of monitoring | Monitoring motivation | Monitoring activity | Starting period or date |
|---------------------------------|--------|---------------------------------------------------------------------|--------------------|----------------------------------|-----------------------------------------------------------|-------------------------|
| 88/378/EEC | Toys | All categories | Reactive | Own knowledge, RAPEX, incentives | Visual inspection Testing samples, border controls | All year |
| 2009/48/EC | Toys | All categories | Border controls | New legislation, Incentives | Visual inspection, documentation control, Testing samples | All year |
| 2006/95/EC | LVD | Electrical equipment designed for use within certain voltage limits | Reactive | Own knowledge, RAPEX, incentives | Visual inspection, documentation control, Testing | All year |

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|----------------------------------------------------------------|--------------------------------------|------------------------|----------|----------------------------------------------|-----------------------------------------------------------|-------------|
| | | | | | samples | |
| 2006/95/EC | LVD | Lighting and chains | Reactive | Own knowledge, incentives | Visual inspection, documentation control, Testing samples | Oct.- Dec. |
| 89/686/EEC | PPE | Visibility clothing | | EU project | documentation control, Visual inspection, Testing samples | 1-2 Q |
| 2010/30/EU 1059/2010 1060/2010 1061/2010 1062/2010 | Electrical equipm., energy labelling | Electrical products | | Market monitoring | Visual inspection | 2-4 Q |
| 2005/32 /EC | Electrical equipm., - ecodesign | Electrical products | | Market monitoring | | 2-4 Q |
| 89/106/EEC 93/68/EEC | Construction products | Construction products | Reactive | Own knowledge, incentives | documentation control, Visual inspection | All year |
| 2007/23/EC | Pyrotechnic articles | Pyrotechnic articles | Reactive | Own knowledge, incentives | documentation control, Visual inspection | Oct. - Dec. |
| 2001/95/EC | General safety | Products for childcare | Reactive | Own knowledge, incentives | Visual inspection Testing samples | All year |
| 2001/95/EC | General safety | Playground equipment | Reactive | Own knowledge, incentives, market monitoring | documentation control, Visual inspection | 2-3 Q |
| 2001/95/EC | General | Children's chairs | | EU project | | |

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|------------------------------------------------------------|--------------------------|------------------------------|----------|----------------------------------------------|--------------------------------------------------------------------------------------------------|--------------|
| 2001/95/EC | safety General safety | Acoustic equipment | Reactive | EU project | Visual inspection documentation control, | All year |
| Regulation (EC) 1907/2006, 1272/2008, Directive 1999/45/EC | Chemicals | Chemicals, chemical mixtures | Reactive | Own knowledge, incentives | documentation control, Visual inspection, Testing samples, reactive actions on incentives, RAPEX | All year |
| Regulation EC 648/2004 | Detergents | Detergents | Reactive | Own knowledge, Incentives | | All year |
| Regulation (EU) 528/2012 Regulation (EC) 1451/2007 | Biocides products | Biocides products | Reactive | Own knowledge, Incentives, market monitoring | documentation control, visual inspection | April - June |
| Directive 2002/95/EC | Electrical equipm., | Electrical equipm., | Reactive | Incentives | | All year |
| Directive 2002/96/EC | Electrical equipm., | Electrical equipm., | Reactive | Incentives, proactive | | All year |

In addition to these monitoring activities STI as a surveillance authority of consumer products of the New Approach Directives under the Act 264/1999 Coll. on Technical Requirements for Products and Conformity Assessment as amended, and as supervisor of general safety of consumer products under the Act 250/2007 Coll. on consumer protection as amended, will all year 2013 to carry out ongoing checks on products of consumer nature on the market of the SR based on the incentives and RAPEX notifications.