

**National Market Surveillance Programme Pursuant to Article 18(5) of  
Regulation (EC) No 765/2008**

**NATIONAL MARKET SURVEILLANCE PROGRAMME  
PLAN  
SLOVENIA**

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## **1. GENERAL MARKET SURVEILLANCE ORGANISATION AND INFRASTRUCTURE**

Pursuant to the State Administration Act (ZDU-1, UL RS, No 52/02, 14 June 2002 as amended) and the Inspection Act (ZIN, UL RS, No 56/02 as amended), regulations on the organisation of state administration and other regulations specifying competencies relating to inspection. In Slovenia, market surveillance is conducted by a variety of different inspectorates, as stated under point 1.1.

Inspectorates are organised as bodies affiliated to ministries or as part of a public agency (Public Agency for Medicinal Products and Medical Devices).

Pursuant to the Inspection Act (ZIN), inspectorates and inspectors operate in line with the following basic principles:

- autonomy and responsibility (inspectors carry out their work autonomously and professionally, and take decisions independently);
- public nature of work (informing the public of the findings produced and measures taken);
- safeguarding of the public and private interest (in their work and decision-making, inspectors must ensure that parties are able to protect their rights);
- proportionality (in exercising their powers, inspectors should only operate to the extent necessary to ensure effective inspection. The gravity of the measure must be proportionate to the
- gravity of the infringement).

### **1.1. Identification and responsibilities of national market surveillance authorities**

The major part of market surveillance under Regulation (EC) No 765/2008 is conducted by the Market Inspectorate of the Republic of Slovenia (TIRS), which is a body affiliated to the Ministry of Economic Development and Technology. In addition to the TIRS, market surveillance of product safety is also conducted by other inspectorates affiliated to various ministries, as follows: the Health Inspectorate of the Republic of Slovenia, the Metrology Inspectorate of the Republic of Slovenia (operating within the Metrology Institute of the Republic of Slovenia), the Chemicals Inspectorate of the Republic of Slovenia (operating within the Chemicals Office of the Republic of Slovenia), the Medical Devices Inspection Service of the Republic of Slovenia (operating within the Public Agency for Medicinal Products and Medical Devices), the Labour Inspectorate of the Republic of Slovenia, the Internal Affairs Inspectorate of the Republic of Slovenia, the Inspectorate of the Republic of Slovenia for Agriculture, Forestry, Hunting and Fisheries (Agricultural Inspection Service), the Inspectorate of the Republic of Slovenia for Agriculture and the Environment (Construction, Surveying, Mapping and Housing Inspection Service), the Inspectorate of the Republic of Slovenia for Protection Against Natural and Other Disasters, and the Infrastructure Inspectorate of the Republic of Slovenia.

We provide detailed information below on the competencies of specific inspectorates in Slovenia engaged in conducting surveillance of various sectors.

#### **Market Inspectorate of the Republic of Slovenia (TIRS):**

1. Personal protective equipment (Directive 89/686/EEC)
2. Construction products (Regulation (EU) No 305/2011)
3. Aerosol dispensers (Directive 75/324/EEC)
4. Machinery (Directive 2006/42/EC)
5. Noise emissions in the environment by equipment for use outdoors (Directive 2000/14/EC)
6. Appliances burning gaseous fuels (Directive 2009/142/EC)
7. Electrical and electronic equipment under the Electromagnetic Compatibility Directive (EMC, Directive 2004/108/EC)
8. Radio and telecommunications equipment (RTTE, Directive 1999/5/EC)
9. Electrical equipment under the Low Voltage Directive (LVD, Directive 2006/95/EC)
10. Accumulators and batteries under Directive 2006/66/EC
11. Waste electrical and electronic equipment (Directives 2011/65/EU, 2002/96/EC and 2006/66/EC)
12. Eco-design and energy labelling (Directives 2009/125/EC and 2010/3/EC)
13. Recreational craft (Directive 1994/25/EC)
14. Non-road mobile machinery (Directive 97/68/EC)
15. General product safety (Directive 2001/95/EC).

**Health Inspectorate of the Republic of Slovenia (ZIRS):**

1. Toy safety (Directive 2009/48/EC)
2. Cosmetic products (Regulation (EC) No 1223/2009)
3. General product safety (Directive 2001/95/EC).

The ZIRS is a body affiliated to the Ministry of Health. It is the sole body responsible for exercising surveillance in the area of toy safety (Directive 2009/48/EC). In the area of cosmetic products (Regulation (EC) No 1223/2009) it is responsible for inspecting the health compliance of cosmetic products. As part of its remit, the ZIRS also exercises surveillance pursuant to Directive 2001/95/EC on general product safety (products for children).

**Metrology Institute, Metrology Inspectorate of the Republic of Slovenia:**

1. Measuring instruments (MID, Directive 2004/22/EC)
2. Non-automatic weighing instruments (NAWI, Directive 2009/23/EC)

The Metrology Inspectorate is organised as part of the Metrology Institute of the Republic of Slovenia, which is a body affiliated to the Ministry of Economic Development and Technology. Metrological control, which is within the competence of the Metrology Office, covers measuring instruments on the market and in use, and prepacked products at packers and importers, and may also be carried out in relation to suppliers, articles of precious metals on the market and measuring units in public use.

**Chemicals Office (URSK), Chemicals Inspectorate:**

1. Biocides (Regulation (EU) No 2012/528)
2. Chemical substances under REACH and classification and labelling regulations (Regulation (EC) No 1907/2006 and Regulation (EC) No 1272/2008), and other chemicals (detergents, paints, etc.)



3. Electrical and electronic equipment under Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS)
4. General product safety (Directive 2001/95/EC).

The URSK is a body affiliated to the Ministry of Health. The Chemicals Inspectorate is organised as part of the URSK and is chiefly oriented towards the implementation and surveillance of legislation on chemicals; it is also responsible, within its area of work, for implementing Directive 2001/95/EC on general product safety from the aspect of chemical safety.

**Public Agency for Medicinal Products and Medical Devices (JAZMP) - Medical Devices Inspection Service:**

1. Medical devices (including *in vitro* diagnostic medical devices and active implantable medical devices) (Directives 93/42/EEC, 98/79/EC and 90/385/EEC).

The JAZMP is an implementing institution acting under the auspices of the Ministry of Health. As the body responsible for the exercise of surveillance of the medical devices market (including *in vitro* diagnostic medical devices and active implantable medical devices), the Medical Devices Inspection Service of JAZMP conducts market surveillance across the entire area of medical devices in Slovenia; this encompasses activities connected with the classification of medical devices, the essential requirements applying to medical devices, clinical research into medical devices, the medical devices vigilance system, and the notified conformity assessment bodies. The JAZMP provides surveillance of manufacturers or manufacturers' representatives and wholesale and retail suppliers of medical devices to ensure that they meet the conditions for the performance of this activity in accordance with currently applicable legislation. It also exercises other forms of control in order to protect public health and ensure the safety of medical devices in Slovenia.

**Labour Inspectorate of the Republic of Slovenia (IRSD):**

1. Lifts (Directive 1995/16/EC)
2. Machinery (Directive 2006/42/EC)
3. Personal protective equipment (Directive 89/686/EEC)
4. Equipment and protective systems intended for use in potentially explosive atmospheres (ATEX, Directive 1994/9/EC)

The IRSD is a body affiliated to the Ministry of Labour, Family, Social Affairs and Equal Opportunities and is responsible for conducting surveillance of products **in use at the workplace** (at employers); in doing so it works closely with the TIRS and with the Customs Administration of the Republic of Slovenia.

**Internal Affairs Inspectorate (IRSNZ):**

1. Explosives for civil uses (Directive 2014/28/EU)
2. Pyrotechnic articles (Directive 2013/29/EU)
3. Firearms (Directive 91/477/EEC)

The IRSNZ is a body affiliated to the Ministry of the Interior and, from the aspect of the implementation of Regulation (EC) No 765/2008, conducts surveillance of pyrotechnic articles, explosives for civil use on the market and in use, and firearms.

The **Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning (Construction, Surveying, Mapping and Housing Inspection Service)** comes under the Ministry of the Environment and Spatial Planning and is responsible, among other things, for surveillance of construction products on building sites in accordance with Regulation (EU) No 305/2011 and in close cooperation with TIRS.

The **Inspectorate of the Republic of Slovenia for Agriculture, Forestry, Hunting and Fisheries (Agricultural Inspection Service)** is responsible for conducting surveillance of mineral fertilisers (Regulation (EC) No 2003/2003) and is a body affiliated to the Ministry of Agriculture, Forestry and Food.

The **Infrastructure Inspectorate of the Republic of Slovenia** is a body affiliated to the Ministry of Infrastructure and is responsible for conducting surveillance of the following products:

1. The **Road Transport Inspection Service (ICP)** conducts surveillance of motor vehicles and motor vehicle parts in accordance with the provisions of Directive 2002/24/EC, Directive 2007/46/EC and Regulation (EC) No 1222/2009. The inspectors at the inspectorate that is responsible for transport carry out inspections of the conformity of vehicles, their parts and equipment, and the work of vehicle manufacturers and their authorised representatives, distributors of vehicles and parts, professional organisations and registration organisations. Surveillance is also carried out under the regulations on technical requirements for products and on assessing conformity, and the regulations on general product safety, by which controls of the conformity and safety of products placed on the market or in use are regulated. In relation to regulations on general product safety, they report to the TIRS, which is the contact body within the RAPEX system.
2. The **Energy Inspection Service** conducts surveillance of the compliance of implementation of periodic checks and tests and of the compliance of transportable pressure equipment in use (Directive 2010/35/EU), which means that it exercises surveillance of gas filling stations, LPG and other cylinders, cylinder batches, barrels, transportable pressurised containers for industrial gases, and the appurtenant protective and other equipment.
3. **Inspection Service for Roads, Railways, Cableway Installations and Ski Slopes.** On the basis of the Cableway Installations Designed to Carry Persons Act (ZŽNPO), the Inspection Service for Cableway Installations and Ski Slopes (two inspectors) carries out surveillance of cableway installations designed to carry persons, which are also covered by Directive 2000/9/EC. The Inspection Service does not carry out market surveillance or surveillance of the placing of the relevant products on the market at manufacturers, distributors or retailers, but only checks the compliance of products which are already in use or have been installed. Checks are conducted of the following aspects: the state, operation, maintenance and capacity of cableway installations for safe and unhindered carriage of persons, compliance with the conditions for the operation of cableway installations, the application of the technical regulations, norms and standards in the performance of work and the use of materials during the construction and reconstruction of cableway installations.

The **Inspectorate of the Republic of Slovenia for Protection Against Natural and Other Disasters (IRSVNDN)** is a body affiliated to the Ministry of Defence and is responsible for exercising surveillance of personal protective equipment for firefighting. It conducts surveillance at professional firefighting units and voluntary fire fighting associations on the basis of an annual plan and notifications received, and takes an active part in coordinated surveillance operations relating to personal protective equipment at national level (the bulk of its cooperation takes place with the TIRS and the Customs Administration).

## **1.2. Coordination and cooperation mechanisms between national market surveillance authorities**

Under Article 14 of the Inspection Act, the Inspection Council, which is a permanent interdepartmental working body comprising chief inspectors from all inspectorates in the country, directors of inspection services or other representatives of affiliated bodies performing inspection tasks, is responsible for coordinating the various inspectorates and ensuring that inspection tasks are performed in an effective and integrated manner.

The Inspection Council coordinates the plans of work of inspection services, plans coordinated action by different inspection bodies, proposes the formulation of groups of inspectors for the joint execution of inspection tasks, and decides the manner in which they work. The Inspection Council also addresses common issues relating to problems and to the operation of inspection bodies, and notifies the Slovenian government of such. In addition to the coordination of all inspectorates in Slovenia, the Ministry of Economic Development and Technology, which is responsible for enforcing Regulation (EC) No 765/2008, coordinates the work of the competent inspectorates and ensures that information is exchanged in accordance with the Regulation within the **Working Group for the Implementation of Regulation 765**. The working group is organised as an interdepartmental advisory body comprising representatives of all relevant inspectorates and representatives of the Customs Administration. The working group is chaired by a representative from the Ministry of Economic Development and Technology and meets twice a year, or as required. In the periods between those meetings, communications and the coordination of outstanding issues take place via e-mail or telephone. The working group mirrors the European Commission's working group for the implementation of Regulation 765 (Internal Market for Products – Market Surveillance Group IMP-MSG), and formulates national positions on matters addressed at the IMP-MSG.

Working groups with a narrower focus also operate in the area of sectoral legislation; within these groups, coordination also takes place for the implementation of joint surveillance of certain products, e.g. in the areas of personal protective equipment, general product safety, etc.

## **1.3. Cooperation between national market surveillance and customs authorities**

The Customs Administration of the Republic of Slovenia, which is organised within the Financial Administration of the Republic of Slovenia under the auspices of the Ministry of Finance, is responsible for conducting surveillance of products that enter the European Union market from third countries.

The Customs Administration uses (EU) Guidelines for import controls in the field of product safety and conformity in its work, and on this basis has drawn up a catalogue of measures that assist cooperation between customs authorities and the competent surveillance authorities. Cooperation between customs authorities and individual inspectorates is based on bilateral agreements or cooperation agreements between the individual institutions.

Where customs authorities, in the course of inspecting goods declared for release into free circulation, find that:

- a certain product displays characteristics which give cause to believe that, when properly installed, maintained and used, it presents a serious risk to health, safety, environmental protection or any other public interest,
- that the product is not accompanied by the prescribed documentation,
- or that the product is not marked with the prescribed CE marking (or the CE marking has been affixed to the product in a false or misleading manner)

they suspend its release into free circulation and immediately notify the competent market surveillance authority of this (Article 27 of Regulation (EU) No 765/2008). The goods are retained for a maximum of three working days. Within these three working days the surveillance authorities ascertain whether action is necessary and, if it is not, notify the customs authority of the possibility of releasing the product into free circulation.

#### **1.4. Rapid information exchange system (RAPEX)**

Pursuant to the Slovenian Government Decree on the Method of International Exchange of Information on Measures and Actions Restricting Trade in Products (UL RS, No 79/11), the Market Inspectorate is the RAPEX contact point. The contact point takes part regularly in RAPEX meetings at the European Commission and is in charge of the transfer of information to Slovenia. The RAPEX working group in Slovenia, which comprises representatives of the inspectorates responsible for RAPEX implementation, ordinarily meets once a year.

#### **1.5. Information and Communication System on Market Surveillance (ICSMS)**

The ICSMS contact point in Slovenia is the Ministry of Economic Development and Technology, which is responsible for ensuring coordination between users of the system. Slovenia has used the ICSMS since 2006, and the Market Inspectorate has been an active user of the system. In 2014 training was held with the support of the European Commission and attended by representatives of all competent inspectorates; other inspectorates thereby also became more actively involved in using the system.

#### **1.6. General description of market surveillance activities and relevant procedures**

The Ministry of Economic Development and Technology (MGRT) has no direct influence on the preparation of the financial plans and annual programmes of individual inspectorates. The role of the MGRT is to exchange information between itself and the competent surveillance authorities, and to encourage cooperation and the implementation of joint surveillance actions for products that fall within the competence of the various surveillance authorities. This is also a liaison role from the point of view of the application of Regulation (EC) No 765/2008.

Based on the work of the last five years and the experience gained in that time, cooperation and the recognition of the requirements of Regulation 765 have both improved. Cooperation has been established between the inspection services carrying out the surveillance of products in use and the inspection service responsible for surveillance of products on the market. Similarly, cooperation has also been established between inspectorates and the customs service, where it should be noted that cooperation is more thoroughgoing with some surveillance bodies (e.g. the inspection bodies for the market and health) than with others. Progress has also been made in the level of knowledge and awareness of RAPEX and the ICSMS. Pursuant to the Decree on the Method of

International Exchange of Information on Measures and Actions Restricting Trade in Products (UL RS, No 79/11), the Market Inspectorate is the RAPEX contact point, while the contact point for the ICSMS is the Ministry of Economic Development and Technology. The competent surveillance authorities are also involved in exchanging information with the surveillance authorities of other Member States via a variety of forums and working groups such as PROSAFE, AdCo groups, WELMEC, ECHA, etc. Owing to a lack of funds, attendance at working group meetings has somewhat declined recently.

Difficulties common to all inspection services include a lack of funds for surveillance and, in particular, for product testing, and a shortfall in human resources (which results in a partial picture of the actual situation regarding products on the market from the point of view of protecting the public interest, e.g. health protection generally, health and safety at work, consumer protection, environmental protection and security).

#### **1.7. General framework of cooperation with other Member States and non-Member States**

The competent surveillance authorities are also involved in exchanging information with the surveillance authorities of other Member States via a variety of forums and working groups such as PROSAFE, AdCo groups, WELMEC, ECHA, etc. Owing to a lack of funds, attendance at working group meetings has somewhat declined recently.

#### **1.8. Evaluation of market surveillance measures and reporting**

The competent inspectorates report on a regular basis to the Ministry of Economic Development and Technology pursuant to Article 18(5) and (6) of Regulation 765.

#### **1.9. Horizontal activities planned for the relevant period**

As stated under point 1.2., the Ministry of Economic Development and Technology chairs the working group for the implementation of Regulation 765; it is responsible for the exchange of information within this working group. Working groups with a narrower focus also operate in the area of sectoral legislation; within these groups, coordination also takes place for the implementation of joint surveillance of certain products, e.g. in the areas of personal protective equipment, general product safety, etc.

We are planning at least two meetings of the 765 Working Group in 2016 to coordinate market surveillance. We will monitor activities at the IMP-MSG level and convene additional meetings as required in order to resolve any specific problems.

## **2. MARKET SURVEILLANCE IN SPECIFIC SECTORS**

### **2.1. Medical devices (Directives 93/42/EEC, 98/79/EC and 90/385/EEC)**

#### **2.1.1. *Responsible authority and contact details***

Public Agency for Medicinal Products and Medical Devices of the Republic of Slovenia  
Slovenčeva 22  
1000 Ljubljana  
Tel: +386 8 2000 500  
Fax: + 386 8 2000 510  
E-mail: info@jazmp.si, janez.obreza@jazmp.si

Sources: budget

Personnel: Two inspectors employed full-time.

Technical equipment: The JAZMP does not have its own laboratory for testing medical devices.

#### **2.1.2. *Market surveillance procedures and strategy***

Surveillance of the field of medical devices is based on a risk analysis of the signals identified via notifications, the media, routine inspections, etc. The JAZMP is responsible for the surveillance of commercial entities engaged in wholesale and retail trade in medical devices and registered in Slovenia, and of manufacturers registered in Slovenia; it is also responsible for the surveillance of medical devices in use. In 2016 we will focus on the surveillance of medical devices in use, particularly at healthcare institutions, where we will inspect the use of medical devices to see whether it corresponds to the manufacturer's purpose of use, as well as whether maintenance is being carried out correctly, and on the surveillance of manufacturers and commercial entities engaged in wholesale and retail trade in medical devices; in parallel with these surveillance activities, surveillance will also be conducted of medical devices on the market. Priorities regarding surveillance will be established on the basis of risk analyses, with various parameters (classification of a medical device, accessibility of a medical device, risk to the user, etc.) serving as the criteria. We will also continue to resolve notifications received, in line with the priorities, in 2016. Surveillance will take place as it has done up to now, in most cases as administrative surveillance.

Information is also taken from the market via the COEN system and the vigilance system. We are notified of all problems encountered by other Member States in relation to medical devices via both systems. We are notified of all non-compliances in medical devices via the COEN group and of all complications relating to medical devices via the vigilance group. We also monitor notifications on changes and on medical device certificates revoked within the EU.

We also cooperate with customs authorities in implementing Regulation 765/2008, where we plan to tighten surveillance at the larger customs posts (Port of Koper, Sežana, etc.) of certain medical device tariff codes, and thereby more effectively prevent non-compliant medical devices from entering the market. The process of adopting new regulations will continue in 2016 with the cooperation of the JAZMP, which will also prepare itself for adoption of the regulations.

#### **2.1.3. *Report on activities carried out in 2015***

In 2015 the JAZMP carried out six surveillance operations *ex officio* at manufacturers and commercial entities engaged in wholesale and retail trade of medical devices as part of the implementation of Regulation (EC) No 765/2008/EC. In all instances of

surveillance, irregularities were found that had already been rectified (i.e. the matter had already been resolved). Sixty-one notifications leading to special surveillance operations were also resolved in 2015. Most of the infringements were identified in relation to online sales (chiefly in the area of advertising). Fifty-seven notifications were made in 2015. In 2015 the JAZMP also cooperated with customs authorities, and received five cases for examination. A decision prohibiting placement on the market was issued in all these cases, as the products in question could not be proved to comply with regulations (they had not been properly furnished with the CE marking or else the marking was missing). Coordinated surveillance was also conducted with the TIRS and ZIRS in October. Eight warnings were issued under the Inspection Act, along with one warning under the Offences Act. The 2015 plan was not implemented in full, as the inspector for medical devices was replaced in the course of the year (only one inspector was employed for the area in question in 2015).

## **2.2. Cosmetic products**

### **2.2.1. *Responsible authority and contact details***

Health Inspectorate of the Republic of Slovenia, Vožarski pot 12, 1000 Ljubljana  
Tel: + 386 1 280 3802 Fax: +386 1 280 3808 E-mail: gp.zirs@gov.si  
Contact person: Helena Hočevar

The Inspectorate employs 88 inspectors, who conduct surveillance operations in the various areas of work covered by the inspectorate. The funds allocated to the Inspectorate's work in the field of administrative surveillance come from its overall budget, and additional funds are allocated for analyses on the basis of the annual plan. The Health Inspectorate has no additional technical resources for surveillance (e.g. internal laboratories). In the course of inspection tasks, the Inspectorate is provided with the expert support of specialist institutions, including the National Institute of Public Health (NIJZ) and the National Laboratory of Health, Environment and Food (NLZOH).

### **2.2.2. *Market surveillance procedures and strategy***

Surveillance is carried out as part of routine and non-routine inspections, as well as by means of sampling.

Proactive surveillance is carried out in the form of routine inspections conducted *ex officio* without any specific additional reason as part of the annual surveillance programme. The frequency of surveillance is determined by placing facilities into categories; this is done on the basis of a risk assessment. The risk assessment takes account of the type and scope of activity of those activities or facilities under surveillance, the target populations of consumers/users and the level of implementation of internal surveillance, taking the resources available to the Inspectorate into account. The analysis takes account of data derived from a surveillance operation, the types and number of notifications the previous year, the volume of work required in the coming year, the anticipated amendments to regulations and any ongoing issues.

Non-routine inspections (the reactive approach) are conducted in cases where there is a well-founded suspicion that regulations are not being complied with, i.e. based on notifications, cases assigned from other services or notifications from the RAPEX system, reports in the media, etc. Control inspections are a particular form of non-routine surveillance conducted as controls of measures carried out in cases where irregularities have already been identified.

Surveillance is also carried out as part of various campaigns, the focus of which changes depending on the results of the inspections carried out in previous years, changes to rules applying to the area, potential new risks and the state of the art.

In the area of cosmetic products, surveillance takes place at responsible entities, importers, distributors, in retail and in sanitary care facilities, along with surveillance of cosmetic products placed on the market and surveillance of their use.

The Inspectorate makes the surveillance findings public on its website.

In discharging its tasks, the Health Inspectorate cooperates with various public authorities and professional institutions. It cooperates with other inspection bodies to plan and implement joint inspections as part of the regional coordination of inspection bodies, assigns cases that do not fall under the Inspectorate's jurisdiction in terms of subject matter, and consults on specific matters and on the handling of products whose composition or presentation classifies them as 'borderline products', primarily with the Public Agency for Medicinal Products and Medical Devices and the Chemicals Office. In accordance with Regulation (EC) No 765/2008, the Inspectorate also cooperates with the Customs Administration. Inspectorate representatives serve on the technical board of the national standards body (SIST). The Health Inspectorate takes part in groups of representatives of Member States' European market surveillance authorities in cosmetics (PEMSAC).

In 2016 we are planning to focus our administrative surveillance on suntanning cosmetics, hair colour products, eyelash-curling products, cosmetics at fairs, markets and in shops selling ethnic goods, and on claims made for cosmetic products, in addition to routine surveillance of compliance with the general requirements. The following product groups will be included in the sampling programme: eyelash and eyebrow dyes, children's nappy change cosmetics, decorative cosmetics for children and soap in bar form.

### **2.2.3. *Report on activities carried out in 2015***

In 2015 health inspectors conducted 1 466 inspections of commercial entities that are responsible persons, manufacturers, importers and distributors or that are engaged in the retail sale, sale (and use) of cosmetics for professional purposes at sanitary care facilities, childcare facilities and hotels.

Inspectors took 45 samples of cosmetic products for laboratory analysis of the microbiological and/or chemical parameters.

On the basis of the surveillance findings, 604 inspection measures were imposed (351 administrative measures and 253 offence measures). Most of the non-compliances found in the course of surveillance of responsible persons/manufacturers resulted from an assessment of document compliance (12 % of cases) or safety reports (13 % of cases). A significant proportion of non-compliances (7 %) were also found in regard of claims regarding the effects of cosmetic products, both by manufacturers (responsible persons) and distributors. Inadequate product labelling accounted for most of the non-compliances. Since the majority of the responsible persons/manufacturers are from abroad, the non-compliances related chiefly to deficient or non-existent translations into Slovenian.

Surveillance of compliance with the provisions applying to eyelash extension/growth products and to specific groups of products in light of the new requirements for parabens



took place in the form of targeted campaigns. We focused on the surveillance of products imported from third countries, of claims made on cosmetic products, with an emphasis on online sales, and of cosmetic products supplied at trade fairs, markets and shops selling ethnic goods.

The number of misleading online advertisements which make no mention of the company marketing the products is on the rise. In many cases the legal entities marketing the products are not Slovenian, meaning that inspectors are powerless to act. Consequently, we once again published a warning of the pitfalls of online purchases on the Inspectorate's website.

Health inspectors took 45 samples in 2015; these included samples of natural cosmetics, liquid soap and soap in bar form, wet wipes, cosmetics declared as paraben- or preservative-free, children's cosmetics in soft plastic packaging, and cosmetics in toys. The samples were analysed for selected chemical (preservatives, allergens, phthalates, heavy metals) and microbiological parameters. Inspections were also conducted of the labelling of and claims on products.

The results of the testing showed that 14 of the 45 samples of cosmetic products taken were non-compliant. One was non-compliant in relation to chemical parameters and one to microbiological parameters; the others were non-compliant solely in relation to labelling and/or claims.

## **2.3. Toys**

### **2.3.1. *Responsible authority and contact details***

Health Inspectorate of the Republic of Slovenia, Vožarski pot 12, 1000 Ljubljana  
Tel: + 386 1 280 3802 Fax: +386 1 280 3808 E-mail: gp.zirs@gov.si  
Contact person: Helena Hočevar

The Inspectorate employs 88 inspectors, who conduct surveillance operations in the various areas of work covered by the Inspectorate. The funds allocated to the Inspectorate's work in the field of administrative surveillance come from its overall budget, and additional funds are allocated for analyses on the basis of the annual plan. The Health Inspectorate has no additional technical resources for surveillance (e.g. internal laboratories). In the course of inspection tasks, the Inspectorate is provided with the expert support of specialist institutions, including the National Institute of Public Health (NIJZ) and the National Laboratory of Health, Environment and Food (NLZOH).

### **2.3.2. *Market surveillance procedures and strategy***

Surveillance is carried out as part of routine and non-routine inspections, as well as by means of sampling.

Proactive surveillance is carried out in the form of routine inspections conducted *ex officio* without any specific additional reason as part of the annual surveillance programme. The frequency of surveillance is determined by placing facilities into categories; this is done on the basis of a risk assessment. The risk assessment takes account of the type and scope of activity of those activities or facilities under surveillance, the target populations of consumers/users and the level of implementation of internal surveillance, taking the resources available to the Inspectorate into account. The analysis takes account of data derived from a surveillance operation, the types and

number of notifications the previous year, the volume of work required in the coming year, the anticipated amendments to regulations and any ongoing issues.

Non-routine inspections (the reactive approach) are conducted in cases where there is a well-founded suspicion that regulations are not being complied with, i.e. based on notifications, cases assigned from other services or notifications from the RAPEX system, reports in the media, etc. Control inspections are a particular form of non-routine surveillance conducted as controls of measures carried out in cases where irregularities have already been identified.

Surveillance is also carried out as part of various campaigns, the focus of which changes depending on the results of the inspections carried out in previous years, changes to rules applying to the area, potential new risks and the state of the art.

Surveillance is conducted of manufacturers, importers, distributors of toys, the retail sale of toys, and of toys at nursery schools.

The Inspectorate makes the surveillance findings public on its website.

In discharging its tasks, the Health Inspectorate cooperates with various public authorities and professional institutions. It cooperates with other inspection bodies to plan and implement joint inspections as part of the regional coordination of inspection bodies, assigns cases that do not fall under the Inspectorate's jurisdiction in terms of subject matter, and consults on specific matters and on the handling of products primarily with the Market Inspectorate and the Chemicals Office. In accordance with Regulation (EC) No 765/2008, the Inspectorate also cooperates with the Customs Administration. Inspectorate representatives serve on the technical board of the national standards body (SIST). The Health Inspectorate takes part in groups of representatives of Member States' European market surveillance authorities (ADCO).

We are planning to focus administrative surveillance in 2016 on Lent carnival toys, scooters, bicycles, educational toys and toys for nursery schools, trampolines, toys featuring projectiles and percussion caps, and toys marketed at trade fairs and markets, alongside routine controls of compliance with the general requirements. The following groups of toys will be included in the sampling programme: swings, toys made from soft plastic, musical toys, scooters, water toys, toys featuring projectiles, Lent carnival costumes, textile toys, rubber and plastic toys, teething rings and finger paints.

### ***2.3.3. Report on activities carried out in 2015***

In 2015 health inspectors conducted 859 inspections at commercial entities engaged in production, import, distribution and retail sale, as well as at nurseries. Inspectors took 80 toy samples for laboratory analysis of the relevant parameters.

On the basis of the surveillance findings, 284 inspection measures were imposed (175 administrative measures and 109 offence measures).

Most of the deficiencies identified by inspectors at manufacturers and importers related to incomplete technical documentation, in particular poor safety assessments in relation to the planning and production of toys, documentation on conformity assessment procedures for a production series and the EC declaration of conformity (27 % of cases). A significant proportion of non-compliances (i.e. in 8 % of cases) were also found in regard of non-compliance labelling, particularly the provision of warnings and instructions in the Slovenian language, both by manufacturers and distributors.

Some surveillance took place as part of campaigns in 2015 as well. These were focused on a specific group of toys or on the obligations incumbent upon the relevant entities: Lent carnival toys, electrical toys and toys featuring lasers, trampolines, toys for leisure activities, toys for use in or on water, bracelets with tags, and toys sold at trade fairs, markets and in shops selling ethnic goods. Surveillance operations also encompassed surveillance of the range of toys available online.

In addition to administrative surveillance, the annual surveillance programme also included sampling, under which 80 toy samples were analysed: bracelets and loom bands, swings, toys made of soft plastic, telephones, wooden toys, water toys, toys featuring projectiles, bubbles, textile toys, battery-powered toys, hard plastic toys, yo-yos and Lent carnival toys. Specific groups of toys were tested in relation to their construction, the materials used and their play value to see that they met the requirements regarding physical and mechanical properties, flammability, and electrical, microbiological and chemical properties. All the toys were assessed to see whether the manufacturer had labelled them in Slovenian and, if necessary, in a foreign language. Forty-six of the 80 samples taken were non-compliant. Risk assessments were drawn up in relation to the non-compliances found. Twelve samples were found to pose a serious risk under the strictest criteria and in relation to the anticipated purpose of use of the toy in question. In six samples the reason for the serious risk was non-compliance resulting from chemical properties (presence of phthalates). Two samples of Lent carnival toys were found to be flammable, while in four samples a serious risk was posed by a failure of compliance resulting from the mechanical and physical properties of the toys in question.

#### **2.4. Personal protective equipment (Directive 89/686/EEC)**

##### ***2.4.1. Responsible authority and contact details***

The following inspection bodies are responsible for conducting market surveillance of personal protective equipment on the Slovenian market:

the Market Inspectorate of the Republic of Slovenia;

the Inspectorate of the Republic of Slovenia for Protection Against Natural and Other Disasters (IRSVNDN);

the Labour Inspectorate of the Republic of Slovenia (IRSD).

##### ***2.4.1.1 Responsible authority and contact details (TIRS)***

Market Inspectorate of the Republic of Slovenia

Dunajska cesta 160,

1000 Ljubljana

Contact person: Marjetka Učakar

The funds earmarked for the work of the authority responsible for administrative surveillance of personal protective equipment are part of the Market Inspectorate's overall budget, with additional funds of EUR 10 000 incl. VAT earmarked in 2016 for laboratories qualified to carry out technical assessments of personal protective equipment. Surveillance of the implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 26 inspectors who have undergone technical education and training (also under the Personal Protective Equipment Directive).

The Market Inspectorate has no additional technical resources, such as internal testing laboratories, for the market surveillance of personal protective equipment.

#### **2.4.1.2 Responsible authority and contact details (IRSVNDN)**

Inspectorate of the Republic of Slovenia for Protection Against Natural and Other Disasters, Vojkova cesta 61, Ljubljana, [irsvndn@mors.si](mailto:irsvndn@mors.si), Tel: 00386 1 230 53 68

The IRSVNDN has no technical resources for conducting surveillance of personal protective equipment for firefighters, nor does it have special dedicated resources for technical surveillance in 2016, although budget funds have been secured for surveillance to the extent planned. Inspections of documentation on personal protective equipment in use will be conducted. The amount of time spent on inspections can be expressed as a Full-Time Equivalent of 0.25.

#### **2.4.1.3 Responsible authority and contact details (IRSD)**

Labour Inspectorate of the Republic of Slovenia  
Verovškova 64a  
1000 Ljubljana  
[gp.irsd@gov.si](mailto:gp.irsd@gov.si)

The Labour Inspectorate is an administrative body affiliated to the Ministry of Labour, Family, Social Affairs and Equal Opportunities. It has five regional units and is headquartered at Verovškova 64a, Ljubljana. The Inspectorate is represented by Slovenia's chief labour inspector, Nataša Trček. The Inspectorate's e-mail address is: [gp.irsd@gov.si](mailto:gp.irsd@gov.si).

The area of work of the administrative body is specified by the Labour Inspection Act and the Inspection Act. The Labour Inspectorate is responsible for exercising surveillance of three major, professionally distinct areas: employment relations, health and safety at work, and social security.

In relation to health and safety at work, labour inspectors are responsible for conducting surveillance of the provision and use of appropriate personal protective equipment at workplaces in accordance with the Health and Safety at Work Act and the accompanying Rules on Personal Protective Equipment Used by Workers at Work (Directive 89/656/EEC). They also establish the compliance of personal protective equipment with the provisions of the Technical Requirements for Products and Conformity Assessment Act and the accompanying Rules on Personal Protective Equipment in the course of workplace inspections.

In addition to surveillance of the provision and use of the appropriate personal protective equipment, labour inspectors are also responsible, under Article 4 of the ZID-1, for providing workers and employers with expert assistance in implementing the Rules on Personal Protective Equipment. We find that only a small number of workers and employers are requesting this expert assistance.

Workplace surveillance of personal protective equipment is conducted by 32 labour inspectors responsible for health and safety at work.

## **2.4.2 Market surveillance procedures and strategy**

### **2.4.2.1 Market Inspectorate of the Republic of Slovenia**

**Market surveillance:**

The market surveillance of personal protective equipment takes place pursuant to the Market Inspectorate's annual plan as adopted, RAPEX notifications received on unsafe personal protective equipment, notifications received on the import of non-compliant personal protective equipment by the Customs Administration, the provisions of Regulation (EC) No 765/08, notifications received in relation to personal protective equipment from consumers and users in Slovenia, coordinated and planned inspections by other surveillance authorities in Slovenia, and cases assigned by other national and European surveillance authorities via the ICSMS.

**Cooperation by the Market Inspectorate:**

The Market Inspectorate informs the public on a regular basis of the surveillance activities conducted in relation to personal protective equipment via its website ([www.tirs.si](http://www.tirs.si)), where it also regularly publishes its findings on the reactive detection of unsafe personal protective equipment on the Slovenian market in response to the publication of RAPEX notifications. It also publishes other notices on the website of importance to the public in relation to the market surveillance of personal protective equipment in Slovenia. A representative from the Market Inspectorate sits on the technical board of the national authority at the Slovenian Institute for Standards and Metrology (SIST) concerned with personal protective equipment, and on the board of the personal protective equipment working group at the Ministry of Economic Development and Technology. For personal protective equipment, the Market Inspectorate conducts coordination meetings with other inspectorates responsible for the surveillance of personal protective equipment in use as part of the exchange of information regarding inspections. On the basis of the information thus obtained, it conducts market surveillance of equipment on the market, which involves a system of mutual exchange of information leading to more effective coordinated inspections.

The Market Inspectorate takes part at the European level in the ADCO PPE group, which brings together surveillance authorities responsible for the area of personal protective equipment.

**Market surveillance strategy for personal protective equipment:**

The Market Inspectorate generally conducts three types of routine planned surveillance: surveillance to ensure that the prescribed documents have been enclosed and surveillance of product labelling, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products using the prescribed conformity and other markings; surveillance of the implementation of the prescribed conformity assessment procedures and the production and archiving of technical documentation and of the EC declaration of conformity to the prescribed extent; and surveillance, by means of sampling, of the actual implementation of basic health and safety conformity requirements laid down in the technical regulations. In the course of surveillance conducted using sampling procedures, samples are taken of products placed on the market as compliant and sent for technical analysis/review and testing to qualified testing laboratories in order to verify that they meet the prescribed requirements.

If the conditions are found not to be met, notification of an unsafe product is made through RAPEX or by using a safeguard clause procedure, and through information exchange via the ICSMS. Information on unsafe products is published on the Inspectorate's website.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users, notifications of unsafe products via RAPEX, the exchange of information on safeguard clauses and the ICSMS, notifications from other surveillance authorities, and notifications from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest, testing laboratories and inspectors to put forward proposals to assist in the drawing-up of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

The following personal protective equipment groups will be subject to surveillance in 2016:

1. The administrative surveillance of personal protective equipment will cover:
  - a. equipment for protecting eyes from mechanical particles and respiratory passages from dust particles
  - b. drowning-prevention equipment, e.g. life jackets and buoyancy aids
  - c. eye-protection equipment, e.g. sunglasses, and head-protection equipment, e.g. cycling, roller blading and roller skating helmets
  - d. equipment for protecting parts of the body, e.g. knee pads, and the whole body, e.g. work clothing
2. Sampling of personal protective equipment:
  - a. Safety gloves to protect against mechanical risks
  - b. PPE protective footwear
  - c. PPE work footwear

#### **2.4.2.2      *IRSVNDN***

Pursuant to Article 15 of the Technical Requirements for Products and Conformity Assessment Act (UL RS, No 17/11, ZZTPUS-1) and in connection with Article 15 of the Rules on Personal Protective Equipment (UL RS, Nos 29/05, 23/06 and 76/11), the IRSVNDN has conducted inspections of personal protective equipment for firefighting since October 2011. An inspection procedure is conducted alongside surveillance procedures, along with offence proceedings in the case of an offence. The fines are laid down in the ZZTPUS-1 and start from EUR 1 200 for legal entities and EUR 200 for individuals.

The IRSVNDN conducts inspections at professional and voluntary firefighting units in accordance with the adopted programme of work; it also deals with all notifications received. It takes an active part in coordinated surveillance operations involving personal protective equipment at the national level. Given the specifics of the area of surveillance (use of personal protective equipment by firefighters), most of the cooperation takes place with the Market Inspectorate. Where surveillance uncovers irregularities that lie within the remit of other surveillance authorities, the cases are assigned for resolution to the responsible authority.

The IRSVNDN also operates preventively in the area of firefighting. To this end, we provide information to firefighting organisations on the prescribed requirements in this field and, after surveillance operations have been carried out, apprise them of the findings.

#### **2.4.2.3 Labour Inspectorate**

Labour inspectors ascertain whether personal protective equipment complies with the essential health and safety requirements in the course of routine and non-routine inspections.

A specific item of personal protective equipment at workplaces is included in the Labour Inspectorate's planned targeted surveillance for the following year if inspectors notice, in the course of their work in the current year, that this item is problematic in terms of health and safety at work.

Labour inspectors also ascertain the compliance of personal protective equipment when investigating accidents at work, if they believe that there is a causal link between the accident and the personal protective equipment used. The conclusions of investigations into accidents at work and the information processed on workplace accidents reported by employers lead us to find that accidents are mostly caused by a failure to use personal protective equipment or the use of personal protective equipment that serves a different purpose.

Similarly, we also cooperate with TIRS in particular, acquiring interpretations of the implementation of these Rules and participating in their targeted campaigns and in surveillance of this field. While the number of complaints relating to implementation of the Rules on Personal Protective Equipment is not high, we do examine each one in accordance with the provisions of the ZIN.

### **2.4.3 Report on activities carried out in 2015**

#### **2.4.3.1 Market Inspectorate**

In 2015, as part of the planned sampling-based administrative surveillance of personal protective equipment, the Market Inspectorate conducted 189 inspections and checked 376 types of personal protective equipment on the basis of reports received. Administrative non-compliance was found in 49 % of cases. Eleven examples of protective gloves manufactured under EN 388 in connection with EN 420 were sent for testing to ZVD d.d. Ljubljana, the accredited laboratory. Technical non-compliance was established in 36 % of cases.

In total the Market Inspectorate issued:

- five administrative decisions, 71 warnings under the ZIN;
- 48 warnings under the ZP-1, 19 reminders under the ZP-1 and one decision under the ZP-1 (with fine);
- ten voluntary withdrawals of products and their return to the manufacturer, and one recall of a product from the market.

The Market Inspectorate used its website ([www.ti.gov.si](http://www.ti.gov.si)) to keep the public regularly updated on its activities relating to personal protective equipment by publishing appropriate reports following surveillance activities performed. In 2015 it therefore published reports on the surveillance conducted of personal protective equipment for protecting against falls from height, safety gloves for protecting against mechanical risks, protective and safety footwear, and hearing-protection equipment, along with a report on

sampling-based surveillance of the compliance of gloves for protecting against mechanical risks.

Four notifications were received from the Customs Administration on planned imports of personal protective equipment. In the course of surveillance, an import licence was granted for one of the instances of import, while orders were given for the import of non-compliant personal protective equipment to be refused in the other three cases.

In 2015 the Market Inspectorate received 14 RAPEX notifications relating to personal protective equipment. In the course of surveillance, one unsafe personal protective equipment product was located on the Slovenian market following a RAPEX notification.

The Market Inspectorate's website contains notice of personal protective equipment (one type of protective gloves sampled) and of semi-automatic and classic climbing crampons located on the Slovenian market following a RAPEX notification.

#### **2.4.3.2 Report on activities carried out in 2015 (IRSVNDN)**

In 2015, as part of the coordinated surveillance of personal protective equipment, the IRSVNDN concluded its outstanding surveillance operations of protective gloves (SIST EN 659:2003+A1:2008/AC:2009) and footwear for firefighters (SIST EN 15090:2012); some of these operations had been conducted in 2014.

In 2015 we began carrying out inspections of personal protective equipment/helmets for firefighting in buildings and other structures (SIST EN 443:2008). One inspection was carried out in which it was found that the helmets did not meet the requirements; an inspection measure was therefore issued to ensure that adequate helmets for firefighters were provided. We will conduct other inspections at professional firefighting units in 2016.

#### **2.4.3.3 Report on activities carried out in 2015 (IRSD)**

In 2015, using routine and non-routine inspections, inspectors promptly verified the compliance of personal protective equipment at the workplace in accordance with the provisions of the Rules on Personal Protective Equipment in cases where there was a suspicion that personal protective equipment did not comply with the essential health and safety requirements.

In line with the campaigns planned for 2015, surveillance of work equipment was conducted for heat-resistant gloves as part of **surveillance of the implementation of regulations relating to health and safety at work at bakeries**. Surveillance of the compliance of heat-resistant gloves with the essential health and safety requirements was one of the elements of the surveillance conducted as part of this campaign. Surveillance was conducted at 31 employers, with two infringements under Article 25/2-1 of the ZVZD-1 being recorded.

In addition to these two campaigns, the surveillance of work equipment was also carried out by means of routine and non-routine inspections. The figures show that there were 15 infringements of Article 9 (adequacy of the conformity declaration), one infringement of Article 10 (labelling and adequacy of the CE marking) and one infringement of Article 5(2) of the Rules on Personal Protective Equipment.

In 2015 the IRSD recorded 98 infringements of Article 25/2-1 of the ZVZD-1 involving an employer putting into use work equipment and other work tools without having



acquired the documentation that ensures its compliance with the essential health and safety at work requirements.

In 2015 inspectors drew attention to the importance of choosing the proper personal eye-protection equipment, having found that such equipment as had been provided did not correspond to actual conditions at the workplace. In 2016, on the basis of these findings, a campaign of surveillance is planned of the implementation of health and safety at work regulations in relation to the provision and use of the appropriate personal eye-protection equipment. As part of this campaign, inspectors will pay particular attention to whether personal protective equipment is being supplied and used, whether personal protective equipment corresponds to actual conditions at the workplace, whether personal protective equipment has been properly maintained, and whether practical training is being conducted at the workplace on the correct way to wear personal protective equipment. Surveillance will be conducted of the proper marking of products in accordance with the relevant standard, the provision and adequacy of the declaration of conformity, and the provision of appropriate instructions for users.

At the end of 2015 we received notification from the TIRS regarding the non-compliance of gloves for protecting against mechanical risks (ISSA LINE GLOVES, type: Strong Catch). An inspection had found, through sampling, that the gloves had a resistance level of 2 while the gloves had been marked as having level 3 resistance to tearing. At the start of 2016 IRSD inspectors will deal with this notification accordingly using the enclosed list of employers, in accordance with its competencies.

We will become further involved in the targeted campaigns of other surveillance bodies if the IRSD is shown to have competence in the area concerned.

## **2.5 Construction products (Regulation (EU) No 305/2011)**

### **2.5.1 *Responsible authority and contact details***

The following inspection bodies are responsible for conducting surveillance of construction products in Slovenia:

the Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning - Construction, Surveying, Mapping and Housing Inspection Service (construction inspectors), and

the Market Inspectorate of the Republic of Slovenia.

#### **2.5.1.1 *Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning - Construction, Surveying, Mapping and Housing Inspection Service (construction inspectors)***

Construction, Surveying, Mapping and Housing Inspection Service, Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning, Ministry of the Environment and Spatial Planning

Dunajska 58, 1000 Ljubljana, Slovenia, Tel: (01) 420 44 88, Fax: (01) 420 44 91

Contact person: Andrej Praček

No special budget funds have been set aside for surveillance of the installation of construction products, and no tests of the properties of construction products will be conducted. All 66 construction inspectors will be involved in conducting surveillance of construction products (estimated 3 % of their working time).

### **2.5.1.2        *Responsible authority and contact details***

The authority responsible for conducting market surveillance of construction products in Slovenia is:

the Market Inspectorate of the Republic of Slovenia,  
Dunajska cesta 160,  
1000 Ljubljana  
Contact person: Teja Štivan Žgajnar

The Chemicals Office of the Republic of Slovenia is responsible for conducting surveillance of construction products in relation to the information referred to in Article 6(5) of Regulation (EU) No 305/2011.

The funds earmarked for the work of the authority responsible for conducting administrative surveillance of construction products are part of the Market Inspectorate's overall budget. Surveillance of implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 26 inspectors who have undergone technical education and training (also under the Construction Products Regulation). The Market Inspectorate has no additional technical resources (internal testing laboratories) for the market surveillance and testing of construction products.

### **2.5.2        *Market surveillance procedures and strategy***

#### **2.5.2.1        *Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning - Construction, Surveying, Mapping and Housing Inspection Service***

The surveillance of construction products installed into buildings takes place pursuant to the construction inspectorate's annual plan as adopted, and to notifications and reports regarding the installation of non-compliant construction products.

In 2016 we intend to continue to train one inspector per regional unit to conduct surveillance of construction products in order to achieve greater professionalism and uniformity of work in this field.

In drawing up the annual surveillance plan, due regard is paid to the findings from previous years, the state of the legislation and of any expected amendments, and the current and expected state of affairs at construction sites.

A campaign of surveillance of construction products will take place in 2016. Once again the focus will be on steel structures, ETICS, windows and doors, as 2015 showed that these areas are still not sufficiently regulated. The feasibility of the surveillance procedures will depend on the actual type of construction to be carried out at construction sites. Surveillance will also be conducted of the installation of other types of construction product.

Warnings will be issued and the removal of deficiencies by a specified deadline ordered if any irregularities of a purely formal nature are found. Where this method cannot be employed, further construction shall be suspended and the Market Inspectorate informed that there is a product on the market that has not been placed on the market in line with the rules, in accordance with Article 150 of the ZGO-1. Those infringing the provisions on the 'installation of construction products' are sanctioned in accordance with the Offences Act; a contractor of works or a construction supervisor at a construction site

may be regarded as responsible for any such infringement. The competent market inspection body conducts surveillance of product manufacturers.

### **2.5.2.2 Market Inspectorate**

#### **Market surveillance:**

The market surveillance of construction products takes place pursuant to the Market Inspectorate's annual plan as adopted, RAPEX notifications received on unsafe construction products, notifications received on the import of non-compliant construction products by the Customs Administration, the provisions of Regulation (EC) No 765/08, notifications received in relation to construction products from consumers and users in Slovenia, and cases assigned by other national and European surveillance authorities via the ICSMS.

#### **Cooperation by the Market Inspectorate:**

The Market Inspectorate uses its website to keep the public regularly informed of the findings of planned surveillance activities conducted in relation to construction products. It also publishes other notifications on the website that are of importance to the public in relation to the requirements and to the market surveillance of construction products in Slovenia.

The Market Inspectorate takes part at the European level in the AdCo group for construction products, which brings together surveillance bodies responsible for the area of construction products.

#### **Market surveillance strategy for construction products:**

The Market Inspectorate conducts three types of planned routine surveillance: surveillance of the prescribed documents and surveillance of the labelling of construction products, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products using the prescribed conformity markings and other product information; surveillance of the implementation of the prescribed procedure for assessing and verifying unacceptable properties, implementation and the archiving of technical documentation and the EC declaration of conformity to the prescribed extent; and surveillance of the labelling of products and the implementation and documenting of factory production controls, checked using the administrative surveillance method.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of construction products on the market pursuant to notifications and complaints received from consumers and users, notifications of unsafe products via RAPEX and the ICSMS, and notifications from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. The Market Inspectorate invites representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest, testing laboratories and inspectors to put forward proposals to assist in the drafting of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

In addition to reactive surveillance, plans have been made for the following construction product groups to be subject to surveillance in 2016:

3. Administrative surveillance will cover:
  - e. Wooden structures
4. Sampling will be conducted for:
  - f. PVC sewage pipes

### **2.5.3 Report on activities carried out in 2015**

#### **2.5.3.1 Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning - Construction, Surveying, Mapping and Housing Inspection Service**

In 2015 the construction inspectors of the Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning conducted 289 inspections of construction products.

Warnings were issued for 44 products and a decision was issued for four products under Article 150 of the ZGO-1. Cases concerning three products were assigned to the Market Inspectorate.

#### **2.5.3.2 Market Inspectorate**

In 2015 the Market Inspectorate conducted 143 inspections and inspected 74 different types of construction product.

In total the Market Inspectorate issued:

- 15 decisions removing an established irregularity or prohibiting or restricting the placing of non-compliant construction products on the market, and 45 other administrative measures;
- six offence decisions and 57 other offence measures in response to an offence committed in the marketing of non-compliant construction products.

The Market Inspectorate used its website ([www.ti.gov.si](http://www.ti.gov.si)) to keep the public regularly updated on its activities relating to construction products by publishing appropriate reports following surveillance activities performed. In 2015 it therefore published reports on the surveillance activities carried out in relation to concrete tiles and solid fuel stoves.

Six notifications were received from the Customs Administration on planned imports of construction products. In the course of the subsequent surveillance procedures, an import licence was granted for five of the instances of import, while orders were given for the import of non-compliant construction products to be refused in one instance (entrance doors).

In 2015 the Market Inspectorate received six RAPEX notifications relating to construction products; no such unsafe products were subsequently located on the Slovenian market.

## **2.6 Aerosol dispensers (Directive 75/24/EEC)**

### **2.6.1 Responsible authority and contact details**

Market Inspectorate of the Republic of Slovenia  
Dunajska cesta 160,

SI-1000 Ljubljana  
Tel: + 386 1 280 87 00  
Contact person: Robert Dakskobler

The funds earmarked for the work of the authority responsible for conducting administrative surveillance of aerosol dispensers are part of the Market Inspectorate's overall budget. Surveillance of implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 26 inspectors who have undergone technical education and training (also under the Directive on aerosol dispensers). The Market Inspectorate has no additional technical resources (internal testing laboratories) for the market surveillance of aerosol dispensers.

### ***2.6.2 Market surveillance procedures and strategy***

#### **Market surveillance:**

The market surveillance of aerosol dispensers takes place pursuant to the Market Inspectorate's annual plan as adopted, notifications received from customs on the import of non-compliant aerosol dispensers, the provisions of Regulation (EC) No 765/08, notifications received from consumers and legal entities, and cases received from EU surveillance authorities via the ICSMS.

The market surveillance of aerosol dispensers takes place pursuant to the Market Inspectorate's annual plan as adopted, notifications received via RAPEX on unsafe aerosol dispensers, notifications received from customs on the import of non-compliant aerosol dispensers, the provisions of Regulation (EC) No 765/08, notifications received from consumers and legal entities, and cases received from EU surveillance authorities via the ICSMS.

#### **Cooperation by the TIRS:**

The Market Inspectorate uses its website to keep the public regularly informed of surveillance activities conducted in relation to aerosol dispensers; it also publishes on the website other notifications of importance to the public in relation to the market surveillance of aerosol dispensers in Slovenia.

#### **Market surveillance strategy for aerosol dispensers**

The Market Inspectorate generally conducts three types of routine planned surveillance: surveillance to ensure that the prescribed documents have been enclosed and surveillance of product labelling, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products using the prescribed conformity and other markings; surveillance of the implementation of the prescribed conformity assessment procedure, the production and archiving of technical documentation to the prescribed extent, and the labelling of products; and the implementation and documenting of internal manufacturing controls, which are checked using the administrative surveillance method.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users, notifications of unsafe products via RAPEX, the exchange of information on safeguard clauses and the ICSMS, and notifications from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of

interest and inspectors to put forward proposals to assist in the drafting of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

Administrative surveillance in 2016 will cover:

- aerosol dispensers supplied by distributors at specialist vehicle maintenance and repair shops.

### **2.6.3 Report on activities carried out in 2015**

In December 2015 market inspectors conducted surveillance of aerosol dispensers at vehicle suppliers to verify that the requirements of the Rules were being met. Seventeen inspections were conducted at vehicle suppliers. In the course of these inspections, market inspectors examined 46 types of aerosol dispenser and found that two types did not have the  $\exists$  marking, eight types had not been furnished with warnings in the Slovenian language (or else those warnings were inadequate) and one type did not contain a flammability hazard marking.

In response to these findings, market inspectors issued five warnings under the Inspection Act ordering that minor irregularities be rectified. Five warnings and one reminder were issued under the Offences Act.

The Market Inspectorate used its website ([www.ti.gov.si](http://www.ti.gov.si)) to keep the public regularly updated on its activities relating to aerosol dispensers by publishing appropriate reports following surveillance activities performed.

The Market Inspectorate received no RAPEX notifications regarding aerosol dispensers in 2015.

## **2.7 Simple pressure vessels and pressure equipment (Directives 2009/105/EC and 97/23/EC)**

### **2.7.1 Responsible authority and contact details**

Infrastructure Inspectorate of the Republic of Slovenia, Energy and Mining Inspection Service  
Vožarski pot 12, 1000 Ljubljana

Surveillance is conducted by seven energy inspectors operating in the area of mechanical energy.

The Inspectorate has no technical resources (laboratory and other equipment for analyses and tests) for establishing product compliance.

No funds were specially earmarked for the surveillance of pressure equipment and simple pressure vessels in the financial plan; however, a plan was drawn up for the number of inspections to be carried out on the market and in use in 2015.

### **2.7.2 Market surveillance procedures and strategy**

The Energy and Mining Inspection Service conducted surveillance in accordance with the 2015 annual plan of work. Proactive surveillance is conducted in accordance with the plan, while reactive surveillance is conducted on the basis of notifications, initiatives, etc. We cooperate with customs authorities, the Market Inspectorate and the Labour Inspectorate in the surveillance of the placing of products on the market. The

Inspectorate's representative regularly takes part in ADCO meetings on PED and SPV, and actively participates in drawing up market surveillance guidelines.

The surveillance priorities of the Energy and Mining Inspection Service are determined on the basis of risk to the life and property of the persons who use the products covered by the above directives. Surveillance is chiefly based on inspections of equipment in use and only to a small extent on the placing of equipment on the market. One of the basic reasons for this surveillance strategy is the lack of staff available to conduct stricter surveillance of products being placed on the market (seven mechanical engineers).

### **2.7.3 *Report on activities carried out in 2015***

A total of 215 inspections were conducted of products covered by Directives 2009/105/EC and 97/23/EC in 2015 (pressure equipment). Inspections were largely conducted at companies, where checks were made of the compliance of equipment in use and whether periodic checks of pressure equipment had been conducted in accordance with the national legislation. In addition, such equipment was also inspected as part of the SEVESO campaign (installations with a higher and lower environmental risk).

A fairly large number of infringements were found in the course of surveillance of simple pressure vessels and items of pressure equipment; these largely related to the non-compliance of equipment in use (the prescribed periodic equipment checks and tests had not been carried out of equipment in use in accordance with the requirements of national legislation). The deficiencies were eliminated by the deadlines set by the inspector.

We conducted ten instances of direct surveillance of the placing of simple pressure vessels and pressure equipment on the market in the retail sector. No irregularities were identified.

The Energy and Mining Inspection Service also follows notifications received by the Slovenian RAPEX contact point. We published no notifications relating to simple pressure vessels and pressure equipment in 2015.

## **2.8 *Transportable pressure equipment (Directive 2010/35/EU)***

### **2.8.1 *Responsible authority and contact details***

Infrastructure Inspectorate of the Republic of Slovenia, Energy and Mining Inspection Service  
Vožarski pot 12, 1000 Ljubljana

Surveillance is conducted by seven energy inspectors operating in the area of mechanical energy.

### **2.8.2 *Market surveillance procedures and strategy***

The Energy and Mining Inspection Service conducted surveillance in accordance with the 2015 annual plan of work. Proactive surveillance is conducted in accordance with the plan, while reactive surveillance is conducted on the basis of notifications, initiatives, etc. We cooperate on a regular basis with customs authorities, the Market Inspectorate and the Labour Inspectorate in the surveillance of the placing of products on the market, and regularly attend ADCO meetings relating to the TPED.

The surveillance priorities of the Energy and Mining Inspection Service are determined on the basis of risk to the life and property of the persons who use the products covered

by the above directives. Surveillance is chiefly based on inspections of equipment in use and only to a small extent on the placing of equipment on the market. One of the basic reasons for this surveillance strategy is the lack of staff available to conduct stricter surveillance of products being placed on the market (seven mechanical engineers).

### **2.8.3 *Report on activities carried out in 2015***

Twenty-nine inspections were conducted of products covered by Directive 2010/35/EU on transportable pressure equipment in 2015. Inspections were largely carried out at petrol stations, with checks made of compliance controls for LPG gas cylinders, and at manufacturers and distributors of industrial gases.

No infringements of the legislation were found in the course of TPED surveillance. We did not conduct direct surveillance at manufacturers, importers, distributors and retailers of the placing of TPED products on the market. The Energy and Mining Inspection Service also follows notifications received by the Slovenian RAPEX contact point. We published no notifications relating to transportable pressure equipment in 2015.

## **2.9 Machinery (Directive 2006/42/EC)**

### **2.9.1 *Responsible authority and contact details***

The following inspection bodies are responsible for the surveillance of machinery in the Republic of Slovenia:

the Labour Inspectorate of the Republic of Slovenia, and  
the Market Inspectorate of the Republic of Slovenia.

#### **2.9.1.1 *Labour Inspectorate of the Republic of Slovenia (IRSD)***

Verovškova 64a

1000 Ljubljana, [gp.irsd@gov.si](mailto:gp.irsd@gov.si).

In accordance with the Rules on Machinery Safety (UL RS, Nos 75/2008, 66/2010 and 74/11), the IRSD is responsible for conducting surveillance of the provisions of the Rules in the work process at a specific employer.

Surveillance is carried out, in particular, of requirements for ensuring compliance with the essential health and safety at work requirements, including in relation to the requirements of the Health and Safety at Work Act (UL RS, No 43/2011) and the Rules on Health and Safety at Work in the Use of Work Equipment (UL RS, No 101/2004).

The Labour Inspectorate is based at Verovškova 64a, Ljubljana and has five regional units. The Inspectorate is represented by Slovenia's chief labour inspector, Nataša Trček. The Inspectorate's website is: [gp.irsd@gov.si](mailto:gp.irsd@gov.si).

The provisions of the Rules on Machinery Safety are overseen by inspectors in the field of health and safety at work; there were 32 such inspectors at the end of 2015. The IRSD has no separate budget or portion of the budget set aside for surveillance of the provisions of the Rules on Machinery Safety, nor does it have a laboratory or the relevant measuring equipment.

#### **2.9.1.2 *Market Inspectorate of the Republic of Slovenia***

The following body is responsible for the surveillance of machinery on the market in the Republic of Slovenia:

the Market Inspectorate of the Republic of Slovenia  
Dunajska cesta 160,



1000 Ljubljana  
Contact person: Maksimiljan Bornšek

The funds allocated to the Inspectorate's work in the field of administrative surveillance of machinery come from its overall budget, and additional funds of € 10 000.00 have been allocated in 2016 for technical analyses in authorised laboratories for machinery. Surveillance of the technical regulations for which the Market Inspectorate is responsible is carried out by inspectors with technical training (covering the directives on machinery), of whom there are 26 in all. The Market Inspectorate has no other technical facilities (internal testing laboratories) for the surveillance of machinery on the market.

## ***2.9.2 Market surveillance procedures and strategy***

### ***2.9.2.1 Labour Inspectorate of the Republic of Slovenia***

In relation to the implementation of legislation on machinery safety, the competent inspectors send specific expert assistance to applicants and interested parties in accordance with Article 4 of the ZID-1.

The IRSD is involved in surveillance of the provisions of the Rules on Machinery Safety through routine and non-routine inspections and targeted and pre-planned campaigns for a specific year or period. In the course of surveillance at an employer, inspectors establish compliance with the requirements of the Rules on Machinery Safety; at the same time they also verify compliance with the provisions of the Health and Safety at Work Act and the Rules on Health and Safety at Work in the Use of Work Equipment to the extent that they relate to the use of safe work equipment.

The competent inspectors also conduct surveillance of the set of provisions of the Rules on Machinery Safety (conformity declaration, data table, affixing of the CE marking, instructions) in targeted campaigns planned at the start of each year, and proceed from the issues identified in previous years. It should also be pointed out that surveillance is carried out of work equipment/machinery indirectly via the Rules on Health and Safety at Work in the Use of Work Equipment. As part of the surveillance of work equipment, investigations are carried out of accidents at work involving work equipment that led to an injury to a worker.

We work with the TIRS by obtaining interpretations of the implementation of the Rules on Machinery Safety and also by being involved in their targeted campaigns and surveillance activities in relation to the surveillance of the Rules on Machinery Safety for machinery in the work process.

### ***2.9.2.2 Market Inspectorate of the Republic of Slovenia***

#### **Market surveillance:**

The market surveillance of machinery takes place pursuant to the Market Inspectorate's annual plan as adopted, RAPEX notifications received on unsafe machinery, notifications received on the import of non-compliant machinery by the Customs Administration, the provisions of Regulation (EC) No 765/08, notifications received in relation to machinery from consumers and users in Slovenia, and cases assigned by other national and European surveillance authorities via the ICSMS.

#### **Cooperation by the Market Inspectorate:**

The Market Inspectorate informs the public on a regular basis of the surveillance activities conducted in relation to machinery via its website, where it also regularly publishes its findings on the reactive detection of unsafe machinery on the Slovenian market in response to the publication of RAPEX notifications. It also publishes on the website other notifications of importance to the public in relation to the market surveillance of machinery in Slovenia. A representative of the Inspectorate also serves on the technical board of the national standards body (SIST).

The Market Inspectorate takes part at the European level in the ADCO Machinery group, which brings together surveillance authorities responsible for the area of machinery. In 2016 it will also continue the cooperation and management begun in 2015 as part of the joint surveillance campaign in relation to electrical hand tools coordinated by PROSAFE (JA2014).

### **Market surveillance strategy for machinery:**

The Market Inspectorate generally conducts three types of routine planned surveillance: surveillance to ensure that the prescribed documents have been enclosed and surveillance of product labelling, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products using the prescribed conformity and other markings; surveillance of the implementation of the prescribed conformity assessment procedure, the production and archiving of technical documentation and of the EC declaration of conformity to the prescribed extent, the labelling of products, and the implementation and documenting of internal manufacturing controls, which are checked using the administrative surveillance method; and surveillance of actual compliance with the safety and other prescribed requirements of the relevant technical regulations, which is checked using the sampling method. In this type of surveillance, samples are taken of products placed on the market as compliant and sent for technical analysis/review and testing to qualified testing laboratories in order to verify that they meet the prescribed requirements.

If the conditions are found not to be met, notification of an unsafe product is made through RAPEX or by using a safeguard clause procedure, and through information exchange via the ICSMS. Information on unsafe products is published on the Inspectorate's website.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users, notifications of unsafe products via RAPEX, the exchange of information on safeguard clauses and the ICSMS, and notifications from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest, testing laboratories and inspectors to put forward proposals to assist in the drawing-up of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

The following groups of machinery will be subject to surveillance in 2016:

Administrative surveillance will cover:

angle grinders;

motor hoes.

Sampling of the following groups of machinery:

mitre saws;

angle grinders (as part of the 'Electrical hand tools' joint campaign at the PROSAFE organisation in Brussels).

### **2.9.3            *Report on activities carried out in 2015***

#### **2.9.3.1            *Labour Inspectorate of the Republic of Slovenia***

In 2015 the Labour Inspectorate carried out inspections of the provisions of the Rules on Machinery Safety continuously throughout the year. In the course of routine and non-routine inspections, checks were made to ensure that the requirements of the Health and Safety at Work Act and the Rules on Health and Safety at Work in the Use of Work Equipment, with direct reference to the Rules on Machinery Safety, are being adhered to. A targeted campaign, which included surveillance of the implementation of health and safety at work regulations in relation to work equipment used by employers and which also indirectly included the requirements of the Rules on Machinery Safety (instructions for use, manufacturer's instructions, EC declaration of conformity, tag with basic details affixed on the work equipment, CE marking furnished), was carried out between 13 and 22 May 2015.

Seventy-six inspections were recorded as part of the campaign of surveillance of the implementation of health and safety at work regulations in relation to work equipment used by employers, which took part between 13 and 22 May 2015. Statistical processing of the data shows that inspectors identified 154 infringements of health and safety at work legislation. Ninety-nine infringements related directly to ensuring that work equipment was used safely, while 45 infringements related directly to ensuring that work equipment was working faultlessly and to inspecting and testing work equipment (initial inspection, periodic inspections, inspection after installation or re-installation), 51 infringements related to the documentation received, the existence and positioning of safety instructions, the furnishing of machinery with data tags and warning signs, and the archiving of documentation on machinery, and three infringements related to the inadequate securing of unsafe machinery components. Of the above-mentioned 51 infringements, one related to the EC declaration of conformity, 19 to the documentation that an employer is obliged to obtain, before putting work equipment and tools into use, nine to the marking of work tools, seven to the archiving of documentation and 15 to instructions on safe working.

In 2015 inspectors identified seven irregularities in the field of occupational health and safety in relation to compliance with the requirements of the Rules on Machinery Safety. One irregularity related to compliance with the essential health and safety requirements laid down in Annex 1, four to the composition and presence of the EC declaration of conformity and two to the affixing of the CE marking.

Several irregularities relating to the provision of safe work equipment and its use in the work process were recorded in 2015 in relation to the Rules on Health and Safety at Work in the Use of Work Equipment and the Health and Safety at Work Act.

#### **2.9.3.2            *Market Inspectorate of the Republic of Slovenia***

In 2015 the Market Inspectorate conducted 97 inspections and inspected 167 different types of machine.

In total the Market Inspectorate issued:

- one decision prohibiting the sale of non-compliant machinery and 55 other administrative measures;
- two offence decisions and four other offence measures in response to an infringement committed in the marketing of non-compliant products.

The Market Inspectorate used its website ([www.ti.gov.si](http://www.ti.gov.si)) to keep the public regularly updated on its activities relating to machinery by publishing appropriate reports following surveillance activities performed. In 2015 it therefore published reports on the surveillance conducted of swappable agricultural and forestry equipment and hot water boilers with a rated power of up to 500kW using an automated wood biomass (pellets) filling system.

Ten notifications were received from the Customs Administration on planned imports of machinery. In the course of the subsequent surveillance procedures, an import licence was granted for five of the instances of import, while orders were given for the import of non-compliant machinery to be refused in the other five instances.

In 2015 the Market Inspectorate received 15 RAPEX notifications relating to machinery; in subsequent surveillance procedures, two unsafe items of machinery were located on the Slovenian market following a RAPEX notification.

The Market Inspectorate published details of two unsafe items of machinery on its website: both (an EINHELL car jack and an EINHELL lathe) were located on the basis of RAPEX notifications.

## **2.10 Lifts (Directive 1995/16/EC)**

### **2.10.1 Responsible authority and contact details**

Labour Inspectorate of the Republic of Slovenia (IRSD)  
Verovškova 64a  
1000 Ljubljana, [gp.irsd@gov.si](mailto:gp.irsd@gov.si).

In accordance with the Rules on Lift Safety (UL RS, Nos 83/2007 and 81/2011), the IRSD is responsible for exercising surveillance of lifts in business premises (at the locations of specific employers).

Surveillance is conducted of compliance with the essential health and safety requirements of the above Rules and the improvements made to existing lifts put into use before 1 May 2004 and relating to the minimum safety requirements, along with surveillance of the placing of lifts on the market, and of lift checks and maintenance.

The Labour Inspectorate is based at Verovškova 64a, Ljubljana and has five regional units. The Inspectorate is represented by Slovenia's chief labour inspector, Nataša Trček. The Inspectorate's e-mail address is: [gp.irsd@gov.si](mailto:gp.irsd@gov.si).

The provisions of the Rules on Lift Safety are overseen by inspectors in the field of health and safety at work; there were 32 such inspectors at the end of 2015. The IRSD has no separate budget or portion of the budget set aside for surveillance of the

provisions of the Rules on Lift Safety, nor does it have a laboratory or the relevant measuring equipment.

### **2.10.2 *Market surveillance procedures and strategy***

With regard to the Rules on Lift Safety, the public concerned are provided with information and expert assistance in accordance with Article 4 of the ZID-1.

The IRSD is involved in surveillance of the provisions of the Rules on Lift Safety through routine and non-routine inspections and targeted and pre-planned campaigns for a specific year or period. In the course of surveillance at employers, inspectors establish compliance with the requirements of the Rules on Lift Safety, chiefly the essential health and safety requirements of these Rules and the requirements to make improvements to existing lifts put into use before 1 May 2004 and relating to the minimum safety requirements. They also conduct surveillance of the placing of lifts on the market, and of lift checks and maintenance. Research is also conducted into accidents at work involving lifts or lift safety components.

### **2.10.3 *Report on activities carried out in 2015***

In 2015 the Labour Inspectorate carried out inspections of the provisions of the Rules on Lift Safety continuously throughout the year as part of its routine and non-routine inspection activities, and in cases where a suspicion of a possible infringement in this area had arisen. No targeted surveillance (campaign) covering the provisions of the Rules on Lift Safety was conducted in 2015, although a campaign related to this area was carried out in 2013 and at the beginning of 2014.

In 2015 inspectors working in the field of health and safety at work identified nine irregularities following routine and non-routine inspections in relation to compliance with the requirements of the Rules on Lift Safety. Two irregularities related to the provision of periodic technical lift inspections, one to a failure to adhere to the lift inspection schedule, three to the periodic lift inspection report, one to the establishment of a permanent two-way voice connection with the lift rescue service, one to the acquisition and implementation of adequate instructions on use, care and maintenance, and one to the person responsible for carrying out regular lift inspections during operation in order to establish whether there were technical faults that could put the health and safety of users at risk (in accordance with the instructions of the lift installer).

## **2.11 *Cableway installations (Directive 2000/9/EC)***

### **2.11.1 *Responsible authority and contact details***

Infrastructure Inspectorate of the Republic of Slovenia,  
Inspection Service for Roads, Railways, Cableway Installations and Ski Slopes  
Vožarski pot 12, 1000 Ljubljana

Surveillance is conducted by two inspectors for cableway installations and ski slopes.

### **2.11.2 *Market surveillance procedures and strategy***

Under the Cableway Installations Designed to Carry Persons Act (ZŽNPO, UL RS, Nos 126/3, 56/13 and 33/14), cableway and ski slope inspectors do not conduct market surveillance or surveillance of the placing of products on the market, but merely examine the compliance of products that are already in use or have already been installed. The relevant procedures are conducted on the basis of an annual plan of work (2016),

notifications received, and follow-up on accidents and other emergency events on cableway installations.

Given that inspectors do not conduct market surveillance of products, there is no need for cooperation to take place with the competent market surveillance authorities. There is otherwise very good routine cooperation with other competent surveillance authorities, such as the police, the IRSNZ and the operator's supervisors. We regularly attend international ITTAB conferences aimed at surveillance authorities involved in the field of cableway installations and ski slopes.

### **2.11.3** *Report on activities carried out in 2015*

In 2015, 130 inspections of cableway installations and ski slopes were conducted whose point of reference included Directive 2000/9/EC. As part of the inspections, the inspectors examine status, operation, maintenance and the capacity of cableway installations to ensure the safe and unobstructed carriage of persons, establish whether the conditions applying to cableway operation are being complied with, and establish whether technical regulations, norms and standards in the execution of works and the use of materials in the construction and reconstruction of cableway installations are being applied. We do not conduct direct surveillance of the placing of cableway products on the market at manufacturers, importers, distributors and retailers under the applicable legislation.

## **2.12** **Noise emissions in the environment by equipment for use outdoors (Directive 2000/14/EC)**

### **2.12.1** *Responsible authority and contact details*

The following authority is responsible for conducting market surveillance in Slovenia of noise emissions in the environment by equipment for use outdoors:  
the Market Inspectorate of the Republic of Slovenia,  
Dunajska cesta 160,  
1000 Ljubljana  
Contact person: Maksimiljan Bornšek

The funds earmarked for the work of the authority responsible for conducting administrative surveillance of noise emissions in the environment by equipment for use outdoors are part of the Market Inspectorate's overall budget. The Inspectorate is able to call upon a team of 26 specially trained market inspectors to conduct surveillance of the 'new approach' directives (including the directive on noise emissions in the environment by equipment for use outdoors). The Market Inspectorate has no additional technical resources for the market surveillance of noise emissions in the environment by equipment for use outdoors.

### **2.12.2** *Market surveillance procedures and strategy*

Market surveillance

The market surveillance of noise emissions in the environment by equipment for use outdoors takes place on the basis of an annual plan adopted by the Market Inspectorate specifically for labelling and the inspection of accompanying documents.

Cooperation by the Market Inspectorate

The Market Inspectorate cooperates with other authorities in conducting surveillance of noise emissions in the environment by equipment for use outdoors on the basis of

notifications from the Customs Administration regarding the import of non-compliant machinery, pursuant to the provisions of Regulation 765/08.

The Market Inspectorate does not engage in cooperation at the European level in relation to the surveillance of noise emissions in the environment by equipment for use outdoors. The market surveillance strategy for noise emissions in the environment by equipment for use outdoors

The Market Inspectorate conducts only routine administrative surveillance of noise emissions in the environment by equipment for use outdoors, meaning that it oversees the labelling of relevant types of equipment and inspects accompanying documents (EC declaration of conformity and instructions). It is also responsible for this type of surveillance under the applicable legislation (Rules on the Noise Emissions of Machinery for Use Outdoors).

Where it finds that equipment for use outdoors and causing noise emissions is non-compliant, the Market Inspectorate moves to ensure that the non-compliances are removed or, by using coercive measures, ensure the withdrawal of the non-compliant equipment from the market.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users, notifications of unsafe products via RAPEX, the exchange of information on safeguard clauses and the ICSMS, and notifications from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest and inspectors to put forward proposals to assist in the drafting of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

In 2016 the Market Inspectorate will carry out compliance checks of equipment for use outdoors that cause noise emissions (specifically, motor hoes).

### **2.12.3 *Report on activities carried out in 2015***

In 2015 the Market Inspectorate checked the compliance of labelling and accompanying documents in the field of noise emissions in the environment by equipment for use outdoors (specifically, chainsaws). Inspectors conducted surveillance of six different types of chainsaw. Irregularities were found in labelling and in the EC declarations of conformity and instructions for use enclosed with products; two decisions were issued in an administrative procedure.

## **2.13 *Equipment and protective systems intended for use in potentially explosive atmospheres (ATEX) (Directive 1994/9/EC)***

### **2.13.1 *Responsible authority and contact details***

The Labour Inspectorate (IRSD) is responsible for conducting surveillance of the implementation of the provisions of the Rules on Explosion Protection at a workplace at

which workers employed by a specific employer are involved in a work process in which they could be exposed to a potentially explosive atmosphere; it also conducts surveillance of measures for safe operation and work in potentially explosive atmospheres.

The Labour Inspectorate is based at Verovškova 64a, Ljubljana and has five regional units. The Inspectorate is represented by Slovenia's chief labour inspector, Nataša Trček. The Inspectorate's e-mail address is: gp.irsd@gov.si.

### **2.13.2 Market surveillance procedures and strategy**

The Labour Inspectorate includes surveillance of the implementation of the provisions of the Rules on Explosion Protection in its routine surveillance programme. Where inspectors establish irregularities at workplaces that are or could be subject to dangers presented by explosive atmospheres, they take the appropriate measures. Inspectors also investigate accidents at work resulting from explosions and resulting in injuries to or the death of a worker or workers. In reaching their own findings, they take into account the findings of the conformity assessment authority that has drawn up the report on the cause of the explosion. The electricity inspection service conducts surveillance of the equipment, protection systems, devices and components in use in potentially explosive atmospheres or outside them, or which are necessary or useful for the safe operation of equipment or systems of protection owing to the risk of explosion and which the manufacturer or its authorised representative in the Community places on the market or puts into use.

### **2.13.3 Report on activities carried out in 2015**

The surveillance report relates to implementation of the Rules on Explosion Protection as applied by employers.

The results of the surveillance were as follows:

Report on explosion risk – documentation (Article 19 of the Rules on Explosion Protection).....	34 infringements
Installation (of equipment) (Article 21 of the Rules on Explosion Protection).....	21 infringements
Maintenance (of equipment) (Article 22 of the Rules on Explosion Protection) .....	nine infringements
Training (Article 24 of the Rules on Explosion Protection) .....	nine infringements
Explosions (Article 25 of the Rules on Explosion Protection) .....	five infringements

Overall findings:

The cases where workers were injured by an explosion or a subsequent fire are set out below:

An explosion caused a fatality this year: a worker who was carrying out maintenance work died after falling from a height of approx. five metres following an explosion at a petroleum derivatives construction site. This explosion indirectly caused injuries to another worker at the same time.

A worker suffered serious burns following an accident at work in which gas exploded/ignited.



Minor injuries were suffered by two workers following an accident at work in which an explosion took place during maintenance work (repairs to a hydropack) that had been placed in a shaft.

One worker was injured by a dust explosion while repairing a bolt in a calibration vessel.

## **2.14 Pyrotechnic articles**

### **2.14.1 *Responsible authority and contact details***

Internal Affairs Inspectorate of the Republic of Slovenia, Štefanova ulica 2, 1501 Ljubljana. Contact: Dr Viktor Strauch

Sources: budget EUR 15 000

Personnel: Six inspectors employed full-time.

Technical equipment: the Inspectorate does not have its own testing laboratory for pyrotechnic articles.

### **2.14.2 *Market surveillance procedures and strategy***

Surveillance of the field of pyrotechnic articles is based on a risk analysis of the signals identified via notifications, the media, routine inspections, etc. Surveillance is conducted at retailers and wholesalers of pyrotechnic articles and at firework manufacturers. Surveillance activities were conducted uniformly throughout the country. A portion of these activities were conducted preventively in the spring and a further portion in the season of peak sales, in tandem with activities as part of the PROSAFE JA 2014 project.

### **2.14.3 *Report on activities carried out in 2015***

In 2015 the IRSNZ, in the course of implementing Regulation (EC) No 765/2008, carried out 66 surveillance activities linked to pyrotechnic articles. Most of the irregularities were found in relation to the organisation and equipment of specific sales outlets/shops, warehouses and the containers in which pyrotechnic articles were sold. Most of the irregularities related to the height to which pyrotechnic articles were stacked at a sales outlet, the use of excessively small lettering for warnings to users (in one case there was no warning at the sales outlet), the presence of empty packaging and other items in warehouses where only pyrotechnic articles in their original packaging are supposed to be stored, insufficiently spacious passages for sellers, insufficient space between pyrotechnic articles and warehouse walls, an insufficient number of fire extinguishers, a failure on the part of a liable entity to inform the Ministry of the Interior of a change to their status and the name of the responsible person, and the failure of the responsible person to keep a key to the warehouse on their person. In all cases the liable entities rectified the irregularities while the surveillance was being conducted, following a warning issued by the inspector. One liable entity was found to have destroyed pyrotechnic articles without a permit to do so from the Ministry of the Interior. An offence procedure was therefore introduced under the Regulation on the Destruction of Explosives. Another liable entity was found to be selling pyrotechnic articles without a permit from the Ministry of the Interior; they were issued with a decision prohibiting further sales until the acquisition of a permit, and offence proceedings were commenced against the legal entity and responsible person. A third liable entity was found to be selling compound fireworks in which the permitted weight of explosives for pyrotechnic articles that could be placed in free circulation had been exceeded. The entity was issued

with a decision suspending further sales until rectification of the irregularity. The IRSNZ also notified the European Commission and other Member States of the findings and measures relating to these three products via the ICSMS. The liable entity had rectified the irregularity by the start of the season of peak sales; the temporarily suspension was therefore lifted and the European Commission and Member States were notified via the ICSMS.

Two-way communication between the Market Inspectorate and the IRSNZ was introduced to ensure that inspectors from these two bodies did not conduct surveillance at the same sales outlets at the same time; therefore, this did not occur in 2015.

Within the framework of the rapid alert system for unsafe products on the internal market (RAPEX) and following a request from the Slovenian control point (TIRS), the IRSNZ also received notifications and established that no unsafe pyrotechnic product placed on the EU internal market was on sale in Slovenia.

As a result of positive experiences gained from participation in the PROSAFE JA 2011 project, the IRSNZ was again involved in the PROSAFE JA 2014 project for the market surveillance of these products. Therefore, in December 2015, it took five types of certified pyrotechnic product from six importers or distributors of pyrotechnic articles for testing at the notified EU laboratory in Romania (INSEMEX). The aim of these tests was to verify the reliability of the EU's notified bodies that had issued certificates of compliance for the samples taken.

The Inspectorate also conducts surveillance of the **safety of firework preparation and implementation** by first examining, at the request of the administrative unit that issues permits for public fireworks displays, the report on the planned display and then, where required, carrying out an on-the-spot surveillance operation. Eight such operations were conducted. No threats to human life or health, or to property, from dangerous falling solid or burning particles were identified in the planned area after activation of the fireworks.

## **2.15 Explosives for civil uses**

### ***2.15.1 Responsible authority and contact details***

Internal Affairs Inspectorate of the Republic of Slovenia, Štefanova ulica 2, 1501 Ljubljana. Contact: Dr Viktor Strauch

Sources: budget EUR 10 000

Personnel: Three inspectors employed full-time.

Technical equipment: the Inspectorate does not have its own testing laboratory for explosives.

### ***2.15.2 Market surveillance procedures and strategy***

Surveillance of the field of explosives is based on a risk analysis of the signals identified via notifications, the media, routine inspections, etc. Surveillance was performed at shotfirers.

### ***2.15.3 Report on activities carried out in 2015***

In 2015 the IRSNZ, in the course of implementing Regulation (EC) No 765/2008, carried out six surveillance activities linked to **explosives for civil uses** – specifically, the

supply, storage and use of explosives and explosive agents at shotfirers. Deficiencies in the maintenance of certain records were the only (minor) irregularities identified. These irregularities were rectified after the inspector issued a warning, i.e. while the surveillance was still ongoing or prior to expiry of the deadline set. It should also be pointed out that all shotfirers were in possession, at the time the surveillance was performed, of prescribed certified explosives and explosive agents that had been furnished with a CE marking from the notified EU body, while one already had a computerised system for tracking explosives in place.

## **2.16 Appliances burning gaseous fuels (Directive 2009/142/EC)**

### **2.16.1 Responsible authority and contact details**

The authority responsible for conducting market surveillance of appliances burning gaseous fuels in Slovenia is:

the Market Inspectorate of the Republic of Slovenia,

Dunajska cesta 160, 1000 Ljubljana.

Contact person: Robert Dakskobler

The funds earmarked for the work of the authority responsible for the administrative surveillance of appliances burning gaseous fuels are part of the Market Inspectorate's overall budget, with additional funds of EUR 7 000 earmarked in 2016 for technical analyses by an accredited laboratory for appliances burning gaseous fuels. Surveillance of implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 26 inspectors who have undergone technical education and training (also under the Directive on appliances burning gaseous fuels). The Market Inspectorate has no additional technical resources (internal testing laboratories) for the market surveillance of appliances burning gaseous fuels.

### **2.16.2 Market surveillance procedures and strategy**

#### **Market surveillance:**

The market surveillance of appliances burning gaseous fuels takes place pursuant to the Market Inspectorate's annual plan as adopted, RAPEX notifications received on unsafe appliances, notifications received on the import of non-compliant appliances by the Customs Administration, the provisions of Regulation (EC) No 765/08, notifications received in relation to appliances from consumers and users in Slovenia, and cases assigned by other national and European surveillance authorities via the ICSMS.

#### **Cooperation by the Market Inspectorate:**

The Market Inspectorate informs the public on a regular basis of the surveillance activities conducted in relation to appliances burning gaseous fuels via its website, where it also regularly publishes its findings on the reactive detection of unsafe appliances burning gaseous fuels on the Slovenian market in response to the publication of RAPEX notifications. It also publishes on the website other notifications of importance to the public in relation to the market surveillance of appliances burning gaseous fuels in Slovenia. A representative of the Inspectorate also serves on the technical board of the national standards body (SIST).

The Market Inspectorate takes part at the European level in the ADCO Gas Appliances group, which brings together surveillance authorities responsible for such appliances. Joint surveillance by Member States is planned in 2016 in the area of appliances burning gaseous fuels for cooking installed in vehicles (motorhomes, holiday caravans, vessels).

## **Market surveillance strategy for appliances burning gaseous fuels:**

The Market Inspectorate generally conducts three types of routine planned surveillance: surveillance to ensure that the prescribed documents have been enclosed and surveillance of product labelling, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products using the prescribed conformity and other markings; surveillance of the implementation of the prescribed conformity assessment procedure, the production of technical documentation and of the EC declaration of conformity to the prescribed extent, the labelling of products, and the implementation and documenting of internal manufacturing controls, which are checked using the administrative surveillance method; and surveillance of actual compliance with the safety and other prescribed requirements of the relevant technical regulations, which is checked using the sampling method. In this type of surveillance, samples are taken of products placed on the market as compliant and sent for technical analysis/review and testing to qualified testing laboratories in order to verify that they meet the prescribed requirements.

If the conditions are found not to be met, notification of an unsafe product is made through RAPEX or by using a safeguard clause procedure, and through information exchange via the ICSMS. Information on unsafe appliances burning gaseous fuels is published on the Inspectorate's website.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users, notifications of unsafe products via RAPEX, the exchange of information on safeguard clauses and the ICSMS, and notifications from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest, testing laboratories and inspectors to put forward proposals to assist in the drawing-up of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

The following groups of appliances burning gaseous fuels will be subject to surveillance in 2016:

5. Administrative surveillance will cover:
  - g. Appliances burning gaseous fuels
  - h. Gas stoves intended for installation into vehicles.
6. Sampling of the following appliances burning gaseous fuels:
  - d. Gas-fired grills.

### **2.16.3 *Report on activities carried out in 2015***

The Market Inspectorate focused this year's controls of appliances burning gaseous fuels on the surveillance of gas stoves and built-in gas hobs. Checks were therefore made to ensure that the CE marking was present on a specific type of appliance burning gaseous fuels, along with the required indications on the appliance itself and warnings on the packaging. Checks were also made of the content of the instructions for assembly, use

and maintenance, and whether a warranty had been enclosed with the appliance. Where an appliance burning gaseous fuels did not have a CE marking, instructions, warnings or a warranty in the Slovenian language, inspectors restricted the non-compliant appliance's access to the market until the deficiency had been eliminated.

Inspectors carried out inspections of 58 gas stoves and built-in gas hobs intended for use in enclosed spaces at 44 commercial entities. In response to the irregularities found, 22 warnings were issued under Article 33 of the Inspection Act, along with eight warnings under the Offences Act. One reminder was issued under the ZP-1 in response to an infringement.

In 2015 the TIRS sampled four appliances burning gaseous fuels in order to establish actual compliance. Only gas-fired grills for outdoor use were sampled, as these had been shown to be the most non-compliant products in previous years' sampling operations. The Market Inspectorate sent the sampled products to an authorised laboratory for testing.

The findings of the testing of the sampled products at the accredited laboratory at which the compliance of appliances burning gaseous fuels with the harmonised standards was checked and established showed that two of the samples taken were non-compliant (minor non-compliance that could affect safety, Category 1), while two gas-fired grills were found to have a non-compliance that presented a direct hazard (Category 3), as two gas feed tubes were broken. Another appliance had been adapted for a working pressure of 50 mbar, which cannot be used in Slovenia or in any other Member State except Germany. All the distributors that had placed the gas-fired grills on the Slovenian market reacted by rectifying the administrative irregularities. In the case of the technical non-compliance, they withdrew the products from the market.

All the distributors that had placed the gas-fired grills on the Slovenian market reacted by rectifying the administrative irregularities. In the case of the technical non-compliance, they withdrew the products from the market.

The Market Inspectorate used its website ([www.ti.gov.si](http://www.ti.gov.si)) to keep the public regularly updated on its activities relating to appliances burning gaseous fuels by publishing appropriate reports following surveillance activities performed.

The Market Inspectorate received three RAPEX notifications relating to appliances burning gaseous fuels in 2015. In subsequent surveillance procedures, none of the notified products were located on the Slovenian market following the RAPEX notifications.

## **2.17 Measuring instruments, non-automatic weighing instruments and pre-packaged products (Directives 2004/22/EC, 2009/23/EC, 76/211/EEC and 2007/45/EC)**

### **2.17.1 *Responsible authority and contact details***

Metrology Institute of the Republic of Slovenia (Metrology Surveillance Division)

Tkalska ulica 15,

3000 Celje

Tel: 03 428 07 50

Fax: 03 428 07 60

E-mail: [gp.mirs@gov.si](mailto:gp.mirs@gov.si)

Five people are employed on a full-time basis to conduct metrology surveillance (four inspectors and one metrological supervisor). The division has measuring equipment for testing devices that measure liquid fuels for the filling of motor vehicle fuel tanks, and testing non-automatic weighing instruments, electricity meters, water meters, tyre pressure gauges and the measuring of actual quantities of pre-packaged products. For the purpose of conducting inspections, the surveillance division may also work with internal organisational units of the Institute engaged in the control testing of measuring instruments (e.g. weight laboratory, volume laboratory, etc.).

### **2.17.2 Market surveillance procedures and strategy**

In addition to its other tasks (surveillance of measuring instruments in use and the market surveillance of the correct use of units of measurement and of precious metal products), the Metrology Institute conducts metrological market surveillance of measurements in Slovenia in accordance with the MID and the NAWI Directive, and of pre-packaged products at packers and importers in accordance with Directives 76/211/EEC and 2007/45/EC.

The basic task of metrological market surveillance is to prevent the placing of non-compliant measuring instruments and pre-packaged products on the market, and to exclude such instruments and products from the market. The main check made in the course of surveillance of measuring instruments is whether a conformity assessment procedure has been conducted and whether they have a valid endorsement; a control test may also be applied to establish whether the measuring instrument continues to meet the prescribed metrological requirements. Owing to the very large number of measuring instruments and the limited resources (human and financial) available, surveillance is focused primarily on more unregulated areas and on preventing and detecting substantial infringements involving greater levels of risk (financial, technical, health-related, etc.). Surveillance of pre-packaged products involves checking whether the actual quantity corresponds to the nominal value indicated on the label, and the adequacy of the measuring instruments and documentation within the internal quantity control system, and of the markings on product packaging.

In the course of their work, metrological surveillance inspectors also take part in coordinated campaigns together with other inspection bodies with the aim of improving the efficiency and coordination of the operations of inspection bodies (e.g. surveillance of taxi meters with transport inspectors).

Internationally, metrological surveillance is an active component of the European WELMEC group (WG5 (ADCO) for market surveillance and WG6 for pre-packaged products). Surveillance is also an active component of joint market surveillance projects for measuring instruments; the European Commission publishes tenders for these projects and co-finances them. Internal surveillance projects addressing the surveillance of measuring instruments on the market as well as in use also take place between Member States in accordance with needs and capacities. Surveillance is also an active component of the exchange of experiences and information, reporting on non-compliances found, etc. (ICSMS database, joint surveillance workshops, WG5 and WG6 meetings, etc.).

Basic guidelines and priorities of surveillance:

Measuring instruments involving a greater possibility of risk (financial, technical, health-related) will be the chief subjects of surveillance.

Increasing the effectiveness of surveillance with an emphasis on the content of surveillance activities and not on the formal number of surveillance activities performed (e.g. control tests of electricity meters and water meters, control tests of fuel-pumping appliances and other measurements, tests of products from precisely specified suppliers of products made from precious metals, etc.).

Surveillance of non-automatic weighing instruments – placing on the market – prior to first regular certification

Systematic surveillance of alcoholic spirits packed outside the EU is conducted at importers and distributors, in response to non-compliances found in the previous year

Surveillance of suppliers with an ‘e’ code is conducted once every two years if the previous surveillance operation did not yield any negative results (otherwise once a year)  
Well-founded complaints and notifications treated as a matter of priority

The MarketSurv MID Project 101/G/ENT/IMA13/11212 (a joint EU project) will be completed in the first half of 2016. Within the ADCO MI-WG5 working group, we are planning to start a new market surveillance project in 2016. This has not yet been defined. The Metrology Institute will, alongside the above projects, also conduct surveillance of water meters, non-automatic weighing instruments, catering containers, exhaust gas analysers and imported pre-packaged products.

### **2.17.3 Report on activities carried out in 2015**

Metrological surveillance lies within the remit of the Metrology Institute of the Republic of Slovenia and is exercised over measuring instruments on the market and in use, pre-packaged products at packers, importers and possibly distributors, products on the market that are made from precious metals, and measurement units in public use.

This report relates only to market surveillance conducted of measuring instruments for which there is common European ‘new approach’ legislation, i.e. Directive 2004/22/EC on measuring instruments (MID) and Directive 2009/23/EC on non-automatic weighing instruments (NAWI), and of pre-packaged products (Directives 76/211/EEC and 2007/45/EC). As a rule, all known suppliers of these measuring instruments were subject to surveillance. The vast majority (more than 90 %) of inspection activities regarding measuring instruments in the reporting period were carried out on measuring instruments in use, which at least in the initial period of use to a large extent reflect the state of these measuring instruments on the market. During the reporting period the measuring instruments on the market (and above all in use) that were checked pursuant to the MID were in the minority compared to measuring instruments checked pursuant to national or EEC legislation.

The following market surveillance tasks were conducted in 2015:

- in accordance with the **MarketSurv MID Project 101/G/ENT/IMA13/11212**, detailed tests of thermal energy meters (12 items) were conducted, along with administrative surveillance of electricity meters and the required measurement tests;
- administrative tests of water meters (six items) and the testing of three items;

- administrative surveillance in the area of non-automatic weighing instruments in accordance with the EU NAWI project, where 53 instruments were examined;
- in addition to surveillance checks carried out at packers, nine market surveillance operations were carried out at importers in relation to pre-packaged products.

The functional aspects of measuring instruments were checked in accordance with regulations. Non-compliances were found in relation to the accessibility of software for both types of measuring instruments, i.e. electricity meters and thermal energy meters. No non-compliances were found in the non-automatic weighing instruments project. There were four examples where pre-packaged products on the market were found to have insufficient quantities of product.

## **2.18 Electrical equipment under the Electromagnetic Compatibility Directive (Directive 2004/108/EC)**

### **2.18.1 *Responsible authority and contact details***

The following authority is responsible for the market surveillance of electrical equipment under the Electromagnetic Compatibility Directive in Slovenia:

the Market Inspectorate of the Republic of Slovenia,

Dunajska cesta 160,

1000 Ljubljana

Contact person: Viljem Muzek

Surveillance of implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 20 inspectors who have undergone technical education and training and who also conduct surveillance under other directives. The Market Inspectorate has no additional technical resources (internal testing laboratories) for the market surveillance of electrical equipment under the Electromagnetic Compatibility Directive.

### **2.18.2 *Market surveillance procedures and strategy***

#### **Market surveillance:**

The market surveillance of electrical equipment under the Electromagnetic Compatibility Directive takes place pursuant to the Market Inspectorate's annual plan as adopted, safeguard clauses received, notifications received on the import of non-compliant electrical equipment under the Electromagnetic Compatibility Directive by the Customs Administration, the provisions of Regulation (EC) No 765/08, notifications received in relation to electrical equipment under the Electromagnetic Compatibility Directive from consumers and users in Slovenia, and cases assigned by other national and European surveillance authorities via the ICSMS.

#### **Cooperation by the Market Inspectorate:**

The Market Inspectorate informs the public on a regular basis of the surveillance activities conducted in relation to electrical equipment under the Electromagnetic Compatibility Directive, which are conducted together with surveillance of electrical equipment under the Low Voltage Directive, via its website, where it also regularly publishes its findings on the reactive detection of unsafe electrical equipment. A representative of the Inspectorate also serves on the technical board of the national standards body (SIST).



The Market Inspectorate takes part at the European level in the ADCO EMC group, which brings together surveillance authorities responsible for the area covered by the Electromagnetic Compatibility Directive.

**Market surveillance strategy for electrical equipment under the Electromagnetic Compatibility Directive:**

The Market Inspectorate generally conducts three types of routine planned surveillance: surveillance to ensure that the prescribed documents have been enclosed and surveillance of product labelling, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products with the prescribed conformity and other markings; surveillance of the implementation of the prescribed conformity assessment procedure, the production and archiving of technical documentation and of the EC declaration of conformity to the prescribed extent, the labelling of products, and the implementation and documenting of internal manufacturing controls; and surveillance of actual compliance with the safety and other prescribed requirements of the relevant technical regulations, which is checked using the sampling method. In this type of surveillance and as far as the available funds allow, samples are taken of products placed on the market as compliant and sent for technical analysis/review and testing to a qualified testing laboratory in order to verify that they meet the prescribed requirements. If the conditions regarding safety are found not to be met, notification of an unsafe product is made using a safeguard clause procedure, and through information exchange via the ICSMS. Information on unsafe products is published on the Inspectorate's website.

The Market Inspectorate also conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users, the exchange of information on safeguard clauses and the ICSMS, and notifications from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors that influence events on the market. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest, testing laboratories and inspectors in the field to put forward proposals to assist in the drawing-up of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

The following groups of electrical equipment under the Electromagnetic Compatibility Directive will be subject to administrative surveillance in 2016:

Administrative surveillance will cover:

Large household appliances, vacuum cleaners, lighting series with built-in electronic transducers.

The following groups of electrical appliances and equipment will be sampled:

automotive inverters 12/230V, LED reflectors, electrical extension leads with several sockets and protection, electric pans, children's table lamps, digital multimeters, microwave ovens, contact grills, electric water heaters, wet electric shavers.

### **2.18.3** *Report on activities carried out in 2015*

In 2015 the Market Inspectorate conducted 318 inspections of various entities as part of the surveillance of electrical equipment under the Low Voltage Directive and inspections of 823 different types of electrical equipment under the Electromagnetic Compatibility Directive.

The Market Inspectorate imposed measures in response to established irregularities in electrical equipment under the Electromagnetic Compatibility Directive, together with measures in the course of the surveillance of electrical equipment under the Low Voltage Directive.

The Market Inspectorate used its website ([www.ti.gov.si](http://www.ti.gov.si)) to keep the public regularly updated on its activities relating to electrical equipment under the Electromagnetic Compatibility Directive by publishing appropriate reports following surveillance activities performed. In 2015 it therefore published reports on the surveillance activities carried out in relation to installation cables, installation switches and electrical extension leads, ventilators and air-conditioning appliances, heat and other pumps, and lighting series.

No notifications of the planned import of electrical equipment under the Electromagnetic Compatibility Directive were received from CURS.

## **2.19** **Radio and telecommunications terminal equipment under the Radio and Telecommunications Terminal Equipment Directive (Directive 1999/5/EC)**

### **2.19.1** *Responsible authority and contact details*

The authority responsible for conducting market surveillance of radio and telecommunications terminal equipment in Slovenia is:

the Market Inspectorate of the Republic of Slovenia,

Dunajska cesta 160,

1000 Ljubljana

Contact person: Marjan Oven

The funds earmarked for the work of the authority responsible for the administrative surveillance of radio and telecommunications terminal equipment are part of the budget of the Market Inspectorate, with additional funds of EUR 5 000 earmarked in 2015 for technical analyses by qualified laboratories for radio equipment. Surveillance of implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 26 inspectors who have undergone technical education and training (also under the Radio and Telecommunications Terminal Equipment Directive). The Market Inspectorate has no additional technical resources (internal testing laboratories) for the market surveillance of radio and telecommunications terminal equipment.

### **2.19.2** *Market surveillance procedures and strategy*

#### **Market surveillance:**

The market surveillance of radio and telecommunications terminal equipment takes place pursuant to the Market Inspectorate's annual plan as adopted, RAPEX notifications received on unsafe radio equipment and telecommunications terminal equipment, notifications received on the import of non-compliant products by the Customs Administration, the provisions of Regulation (EC) No 765/08, notifications received from the safeguard clause system, notifications received in relation to radio and telecommunications terminal equipment from consumers and users in Slovenia and cases

assigned by other national and European surveillance authorities via the ICSMS, and as part of joint campaigns with other EU Member States within the ADCO group.

### **Cooperation by the Market Inspectorate:**

The Market Inspectorate uses its website to keep the public regularly informed of surveillance activities conducted in relation to radio and telecommunications terminal equipment. It also publishes on the website other notifications of importance to the public in relation to the market surveillance of radio and telecommunications terminal equipment in Slovenia.

The Market Inspectorate takes part at the European level in the ADCO R&TTE group, which brings together surveillance authorities responsible for the area of radio and telecommunications terminal equipment. In 2016 it will also take part in the joint surveillance campaign in relation to remote-controlled toys.

### **Market surveillance strategy for radio and telecommunications terminal equipment:**

The Market Inspectorate generally conducts three types of routine planned surveillance: surveillance to ensure that the prescribed documents have been enclosed and surveillance of product labelling, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products using the prescribed conformity and other markings; surveillance of the implementation of the prescribed conformity assessment procedure, the production and archiving of technical documentation and of the EC declaration of conformity to the prescribed extent, the labelling of products, and the implementation and documenting of internal manufacturing controls, which are checked using the administrative surveillance method; and surveillance of actual compliance with the safety and other prescribed requirements of the relevant technical regulations, which is checked using the sampling method. In this type of surveillance, samples are taken of products placed on the market as compliant and sent for technical analysis/review and testing to qualified testing laboratories in order to verify that they meet the prescribed requirements.

If the conditions are found not to be met, notification of an unsafe or non-compliant product is made through RAPEX or by using a safeguard clause procedure, and through information exchange via the ICSMS. Information on unsafe products is published on the Inspectorate's website.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users, notifications of unsafe products via RAPEX, the exchange of information on safeguard clauses and the ICSMS, and notifications from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest, testing laboratories and inspectors to put forward proposals to assist in the

drawing-up of the plan. There is also cooperation in the form of joint ADCO R&TTE campaigns. The final product surveillance plan is determined on the basis of a risk assessment.

The following groups of radio and telecommunications terminal equipment will be subject to surveillance **in 2016**:

Administrative surveillance will encompass, in particular, radio-controlled toys, wireless microphones, mobile network signal boosters and short-range remote controllers on retail sale.

Sampling will be conducted of the following groups of radio and telecommunications terminal equipment: radio-controlled toys and GSM signal boosters.

### **2.19.3**            *Report on activities carried out in 2015*

Thirty-one inspections were carried out and 36 products examined. In the course of surveillance we wished to cover mainly professional equipment using different frequency bands and bandwidths. Despite the fact that there are a number of online providers of such equipment in Slovenia, surveillance showed they did not actually keep equipment in the higher price bracket in stock but supplied it from abroad when an order was placed. Alongside professional equipment, surveillance was also carried out of amateur flying equipment sold in general retail outlets.

The deficiencies most commonly found were: missing or inadequate conformity declaration, inadequate warranty and inadequate instructions for use. All the irregularities found were rectified before the procedure was completed. There was also one voluntary product withdrawal.

Two reminders were issued, along with three warnings under the ZP-1. Eighteen warnings were issued for the records under the ZIN, as were four warnings under ZP-1.

The Market Inspectorate received no RAPEX notifications or safeguard clauses regarding radio equipment in 2015.

## **2.20**            **Electrical appliances and equipment under the Low Voltage Directive (Directive 2006/95/EC)**

### **2.20.1**            *Responsible authority and contact details*

The authority responsible for conducting the market surveillance of electrical appliances and equipment in Slovenia is:

the Market Inspectorate of the Republic of Slovenia,  
Dunajska cesta 160,  
1000 Ljubljana

Contact person: Viljem Muzek

The funds earmarked for the work of the authority responsible for the administrative surveillance of electrical appliances and equipment are part of the Market Inspectorate's overall budget, with additional funds of EUR 25 000 (gross) earmarked in 2016 for technical analyses by accredited laboratories. Surveillance of implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 20 inspectors who have undergone technical education and training. The Market Inspectorate has no additional technical resources (internal testing laboratories) for the market surveillance of electrical appliances and equipment.

## **2.20.2** *Market surveillance procedures and strategy*

### **Market surveillance:**

The market surveillance of electrical appliances and equipment takes place pursuant to the Market Inspectorate's annual plan as adopted, RAPEX notifications received on unsafe electrical appliances and equipment, notifications received on the import of non-compliant electrical appliances and equipment by the Customs Administration, the provisions of Regulation (EC) No 765/08, notifications received in relation to electrical appliances and equipment from consumers and users in Slovenia, and cases assigned by other national and European surveillance authorities via the ICSMS.

### **Cooperation by the Market Inspectorate:**

The Market Inspectorate informs the public on a regular basis of the surveillance activities conducted in relation to electrical appliances and equipment via its website, where it also regularly publishes its findings on the reactive detection of unsafe electrical appliances and equipment on the Slovenian market in response to the publication of RAPEX notifications. It also publishes on the website other notifications of importance to the public in relation to the market surveillance of electrical appliances and equipment in Slovenia. A representative of the Inspectorate also serves on the technical board of the national standards body (SIST).

The Market Inspectorate takes part at the European level in the ADCO LVD group, which brings together surveillance authorities responsible for the area of electrical appliances and equipment.

### **Market surveillance strategy for electrical appliances and equipment:**

The Market Inspectorate generally conducts three types of routine planned surveillance: surveillance to ensure that the prescribed documents have been enclosed and surveillance of product labelling, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products using the prescribed conformity and other markings; surveillance of the implementation of the prescribed conformity assessment procedure, the production and archiving of technical documentation and whether the EC conformity declaration had been issued to the prescribed extent, the labelling of products, and the implementation and documenting of internal manufacturing controls; and surveillance of actual compliance with the safety and other prescribed requirements of the relevant technical regulations, which is checked using the sampling method. In this type of surveillance, samples are taken of products placed on the market as compliant and sent for technical analysis/review and testing to accredited testing laboratories in order to verify that they meet the prescribed requirements.

If the conditions regarding safety are found not to be met, notification of an unsafe product is made via RAPEX or using a safeguard clause procedure, and through information exchange via the ICSMS. Information on unsafe products is published on the Inspectorate's website.

The Market Inspectorate also conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users, notifications of unsafe products via RAPEX, the exchange of information on safeguard clauses and the ICSMS, and notifications received from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any

expected amendments, the current and expected state of affairs on the market, and other factors that influence events on the market. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest, testing laboratories and inspectors in the field to put forward proposals to assist in the drawing-up of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

The following groups of electrical appliances and equipment will be subject to surveillance **in 2016**:

Administrative surveillance will cover:

large household appliances;  
vacuum cleaners;  
lighting series with built-in electronic transducers.

The following groups of electrical appliances and equipment will be sampled:

automotive inverters 12/230V;  
LED reflectors;  
electrical extension leads with several sockets and protection;  
electric pans;  
children's table lamps;  
digital multimeters;  
microwave ovens;  
contact grills;  
electrical water heaters;  
wet electric shavers.

### **2.20.3** *Report on activities carried out in 2015*

In 2015 the Market Inspectorate conducted 318 inspections at various entities and inspected 823 different types of electrical equipment.

There were two instances of voluntary recall of unsafe electrical equipment.

In total the Market Inspectorate issued:

six administrative decisions and 95 other administrative measures; liable entities also voluntarily accepted 133 measures (regulation, withdrawal, destruction, recall); three offence decisions, nine payment orders and 97 other offence measures in response to an offence committed in the marketing of non-compliant products.

The Market Inspectorate used its website ([www.ti.gov.si](http://www.ti.gov.si)) to keep the public regularly updated on its activities relating to electrical appliances and equipment by publishing appropriate reports following surveillance activities performed. In 2015 it therefore published reports on the surveillance activities carried out in relation to installation cables, installation switches and electrical extension leads, ventilators and air-conditioning appliances, heat and other pumps, and lighting series.

Thirty-one notifications were received from the Customs Administration on planned imports of electrical appliances and equipment. In the course of the subsequent surveillance procedures, an import licence was granted for 22 instances of import, while

orders were given for the import of non-compliant electrical appliances and equipment to be refused in nine other instances.

In 2015 the Market Inspectorate received 352 RAPEX notifications relating to electrical appliances and equipment. In subsequent surveillance procedures, four unsafe products were located on the Slovenian market following the RAPEX notifications.

Details of six unsafe products were published on the Market Inspectorate website: four of these were found following RAPEX notifications, while two were published in the RAPEX system following the appropriate sampling procedures conducted on the Slovenian market for electrical appliances and equipment. Notification was made of a safeguard clause for one product.

## **2.21 Electrical and electronic equipment under the Waste Electrical and Electronic Equipment Directive (Directive 2002/96/EC)**

### **2.21.1 *Responsible authority and contact details***

The authority responsible for conducting market surveillance of the provision of a proper marking for the separate collection of waste electrical and electronic equipment in Slovenia is:

the Market Inspectorate of the Republic of Slovenia,  
Dunajska cesta 160,  
1000 Ljubljana  
Contact person: Viljem Muzek

The Market Inspectorate has no separately earmarked funds for the work of the authority responsible for conducting administrative surveillance of the provision of a proper marking for the separate collection of waste electrical and electronic equipment. Surveillance of implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 20 inspectors who have undergone technical education and training.

### **2.21.2 *Market surveillance procedures and strategy***

#### **Market surveillance:**

Market surveillance of the provision of a proper marking for the separate collection of waste electrical and electronic equipment takes place pursuant to the Market Inspectorate's annual plan as adopted, notifications received on the import of non-compliant electrical and electronic equipment by the Customs Administration, and notifications received in relation to the provision of a proper marking for the separate collection of waste electrical and electronic equipment from consumers and users in Slovenia.

#### **Cooperation by the Market Inspectorate:**

The Market Inspectorate informs the public on a regular basis of the surveillance activities conducted in relation to the provision of a proper marking for the separate collection of waste electrical and electronic equipment via its website, where it also regularly publishes its findings on the reactive detection of inadequately marked products under other regulations, such as the LVD, EMC and R&TTE.

#### **Market surveillance strategy for the provision of a proper marking for the separate collection of waste electrical and electronic equipment:**

The Market Inspectorate conducts routine planned surveillance as part of the implementation of other surveillance activities, such as electrical and electronic equipment under the LVD, EMC and R&TTE, i.e. together with checks of the labelling of products using the prescribed conformity and other markings and surveillance of the implementation of the prescribed conformity assessment procedure, the production and archiving of technical documentation, and whether the EC conformity declaration had been issued to the prescribed extent.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors that influence events on the market. The final product surveillance plan is determined on the basis of a risk assessment.

In **2016** surveillance will be conducted of the following groups of products in relation to the provision of a proper marking for the separate collection of waste electrical and electronic equipment:

The following groups of electrical appliances and equipment will be subject to surveillance in 2016:

Administrative surveillance will cover:

- large household appliances;
- vacuum cleaners;
- lighting series with built-in electronic transducers.

The following groups of electrical appliances and equipment will be sampled:

- automotive inverters 12/230V;
- LED reflectors;
- electrical extension leads with several sockets and protection;
- electric pans;
- children's table lamps;
- digital multimeters;
- microwave ovens;
- contact grills;
- electrical water heaters;
- wet electric shavers.

### ***2.21.3 Report on activities carried out in 2015***

In 2015 the Market Inspectorate inspected more than 1 000 different items of electrical and electronic equipment for which this marking is prescribed. The number of infringements for which a warning under the ZIN was imposed was negligible as a proportion of the number of products inspected. No other measures were necessary since those responsible voluntarily removed the irregularities in the course of the surveillance operation itself.



The Market Inspectorate used its website ([www.ti.gov.si](http://www.ti.gov.si)) to keep the public regularly updated on its activities relating to provision of a proper marking for the separate collection of waste electrical and electronic equipment by publishing appropriate reports following surveillance activities performed.

Combined surveillance operations will be continued in 2016, i.e. controls of the provision of a proper marking for the separate collection of waste electrical and electronic equipment will take place at the same time as other administrative surveillance activities for electrical and electronic equipment.

## **2.21 Electrical and electronic equipment under Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment**

### **2.22.1 Responsible authority and contact details**

Chemicals Office of the Republic of Slovenia, Ajdovščina 4, 1000 Ljubljana

Contact: [gp-ursk@gov.si](mailto:gp-ursk@gov.si)

Tel: 01 400 6051, Fax: 01 400 6266

Sources: budget

Personnel: An annual FTE of 0.03 (four inspectors)

### **2.21.2 Market surveillance procedures and strategy**

The Chemicals Inspection Service (IK) operates under the risk assessment guidelines defined in its operational plan of work. Surveillance is divided into different types (routine, non-routine, control) and covers procedures by specific area of surveillance (chemicals, biocides, detergents, RoHS, etc.).

Cooperation with other national and surveillance authorities takes place in the established manner in relation to the area of surveillance and the requirements applying to particular cases.

The basis for the planning of the areas of priority is defined in the IK's operational plan of work and rests on an assessment of relevance in relation to the information acquired in the course of routine surveillance, any insufficient surveillance in previous years, the level of coordination of surveillance between Member States, and compliance with the requirements of new regulations.

### **2.21.3 Report on activities carried out in 2015**

In 2015 the IK sampled ten items of electrical and electronic equipment (Pb, Cr VI, Hg, Cd, PBE, PBDE). Four products were non-compliant. Measures prohibiting trade were ordered, offence procedures initiated, and notifications made to RAPEX and the ICSMS.

## **2.22 (A+B) Chemical substances under REACH and classification and labelling regulations (Regulation (EC) No 1907/2006 and Regulation (EC) No 1272/2008)**

### **2.22.1 Responsible authority and contact details**

Chemicals Office of the Republic of Slovenia, Ajdovščina 4, 1000 Ljubljana

Contact: [gp-ursk@gov.si](mailto:gp-ursk@gov.si)

Tel: 01 400 6051, Fax: 01 400 6266

Sources: budget

Personnel: An annual FTE of 1.6 (four inspectors)

### **2.22.2 *Market surveillance procedures and strategy***

The Chemicals Inspection Service (IK) operates under the risk assessment guidelines defined in its operational plan of work. Surveillance is divided into different types (routine, non-routine, control) and covers procedures by specific area of surveillance (chemicals, biocides, detergents, RoHS, etc.).

Cooperation with other national and surveillance authorities takes place in the established manner in relation to the area of surveillance and the requirements applying to particular cases.

The basis for the planning of the areas of priority is defined in the IK's operational plan of work and rests on an assessment of relevance in relation to the information acquired in the course of routine surveillance, any insufficient surveillance in previous years, the level of coordination of surveillance between Member States, and compliance with the requirements of new regulations.

### **2.22.3 *Report on activities carried out in 2015***

In 2015 the IK sampled 20 items of jewellery for the presence of nickel, cadmium and lead (six were deemed non-compliant because of the presence of cadmium and lead) and ten windscreen detergents (methanol and labelling – all samples were compliant). Measures prohibiting trade were ordered and a notification placed in the RAPEX system.

## **2.23 *Eco-design and energy labelling; efficiency requirements for hot-water boilers fired with liquid or gaseous fuels (Directives 2009/125/EC and 2010/30/EU; Directive 1992/42/EEC)***

### **2.23.1 *Responsible authority and contact details***

The authority responsible for conducting market surveillance of the eco-design requirements for products and energy labelling in Slovenia is:

the Market Inspectorate of the Republic of Slovenia,  
Dunajska cesta 160,  
1000 Ljubljana

Contact person: Marjan Oven

The Market Inspectorate also conducts market surveillance of the compliance of small heating appliances with a rated thermal power of 400 kW or less that use gas oil or gaseous fuels with the limit values for nitrogen oxide emissions.

The funds earmarked for the work of the authority responsible for conducting administrative surveillance of energy labelling are part of the Market Inspectorate's overall budget. No additional funds are planned for technical analyses by qualified laboratories in 2016. The Market Inspectorate is continuing its surveillance of LED bulbs, which is financed as part of the EEPLIANT project. Surveillance of implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 26 inspectors who have undergone technical education and training. The Market Inspectorate has no additional technical resources (internal testing laboratories) for surveillance of this area.

### **2.23.2 *Market surveillance procedures and strategy***

#### **Market surveillance:**

The market surveillance of energy labelling takes place pursuant to the Market Inspectorate's annual plan as adopted, information received on non-compliant products identified in the course of testing in other EU Member States and international campaigns, notifications received on the import of non-compliant products by the Customs Administration, the provisions of Regulation (EC) No 765/08, notifications received from consumers and users in Slovenia, and cases assigned by other national and European surveillance authorities via the ICSMS.

### **Cooperation by the Market Inspectorate:**

The Market Inspectorate uses its website to keep the public regularly informed of surveillance activities conducted in relation to energy labelling. It also publishes on the website other notifications of importance to the public in relation to the market surveillance of energy labelling in Slovenia, particularly upon the entry into force of new energy labelling regulations for specific types of product. A representative of the Inspectorate also serves on the technical board of the national standards body (SIST).

The Market Inspectorate takes part at the European level in the ADCO group for energy labelling, which brings together surveillance authorities responsible for this area.

### **Market surveillance strategy for energy labelling:**

The Market Inspectorate generally conducts three types of routine planned surveillance: surveillance to ensure that the prescribed documents have been enclosed and surveillance of product labelling, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products using the prescribed conformity markings, energy labels and other markings; surveillance of the implementation of the prescribed conformity assessment procedure, the production and archiving of technical documentation and of the EC declaration of conformity to the prescribed extent, the labelling of products, and the implementation and documenting of internal manufacturing controls, which are checked using the administrative surveillance method; and surveillance of actual compliance with the prescribed requirements of the relevant European Commission regulations, which is checked using the sampling method. In this type of surveillance, samples are taken of products placed on the market as compliant and sent for technical analysis/review and testing to qualified testing laboratories in order to verify that they meet the prescribed requirements.

If the conditions are found not to be met, notification of a non-compliant product is made using a safeguard clause procedure and through information exchange via the ICSMS. Information on non-compliant products is published on the Inspectorate's website.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users, the exchange of information on safeguard clauses and ICSMS, and notifications received from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. We invite representatives of the Ministry of Economic Development and Technology, the Ministry of Infrastructure, non-governmental consumer organisations, commercial associations of interest, testing laboratories and inspectors to put forward

proposals to assist in the drawing-up of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

The following groups of products will be subject to surveillance in 2016:

Administrative surveillance will cover room heaters and water heaters.

The procedure of verifying the compliance of LED bulbs, begun in 2015, will continue.

### **2.23.3** *Report on activities carried out in 2015*

Electric bulbs and lamps are subject to surveillance. Surveillance was carried out in classic and online retail outlets. Seventy-nine entities were inspected. These inspections addressed 162 products in classic retail outlets, including 30 lamps; the other cases involved the inspection of all lamp and bulb types. Surveillance was conducted of online retail outlets (23 outlets, 81 products).

Sixteen products were found whose properties did not comply with the eco-design requirements. Twenty-seven products did not have an energy label, and nine products had inadequate energy labels. Nineteen of the 81 online products did not state the energy class of the product, and other required information was missing in 24 cases.

Forty warnings under the ZIN and 16 warnings under the ZP-1 were entered in the records. One administrative decision was issued, along with one payment order and six written warnings under the ZP-1.

## **2.24 Labelling of tyres (Regulation (EC) No 1222/2009)**

### **2.24.1** *Responsible authority and contact details*

Infrastructure Inspectorate of the Republic of Slovenia, Road Transport Inspection Service

Vožarski pot 12, 1000 Ljubljana

Surveillance is conducted by: eight road transport inspectors.

### **2.24.2** *Market surveillance procedures and strategy*

- The Road Transport Inspection Service conducts surveillance of the sector in accordance with the annual plan of work.
- It determines its surveillance priorities on the basis of risk to the safety and life of persons who use the products covered by the above Directive. Surveillance will be based on the checking of the prescribed labelling on tyres placed on the market in the various different market segments in which tyres appear.

### **2.24.3** *Report on activities carried out in 2015*

Surveillance of the labelling of tyres

In March and November, i.e. in the periods prior to the prescribed changing of tyres, 11 inspections were conducted at tyre distributors and two inspections at online tyre merchants. Minor infringements were found in the course of surveillance activities. Some tyre distributors were found to have issued invoices that did not provide the prescribed tyre labelling, while one online tyre merchant was found to have not provided a link to the Commission's website. The irregularities were rectified in response to the inspectors' measures.

## **2.25 Recreational craft (Directive 1994/25/EC)**

### **2.25.1** *Responsible authority and contact details*

Market Inspectorate of the Republic of Slovenia

Dunajska cesta 160,  
SI-1000 Ljubljana  
Tel: + 386 1 280 87 00  
Contact person: Robert Dakskobler

The TIRS is financed from the overall state budget. Surveillance in the area of recreational craft and propulsion engines for craft accounts for 10 % of the full-time working hours of one inspector. The TIRS does not have its own laboratories for testing samples.

### **2.25.2            *Market surveillance procedures and strategy***

#### **Market surveillance:**

Surveillance is conducted of recreational craft and propulsion engines pursuant to the TIRS annual surveillance plan as adopted, RAPEX notifications received, notifications received from consumers and other users, notifications received from customs on the import of non-compliant appliances burning gaseous fuels, and cases received from EU surveillance authorities via the ICSMS.

#### **Cooperation by the TIRS:**

The TIRS uses its website to keep the public regularly informed of the surveillance activities carried out and the findings made in specific fields of surveillance. It also publishes RAPEX notifications on the website following the discovery of unsafe products, as well as other important notifications affecting consumer behaviour on the market.

At the EU level, the TIRS also participates in the ADCO group for recreational craft, which also includes surveillance authorities from other European countries.

#### **Market surveillance strategy for craft:**

Craft are subject to administrative surveillance at trade fairs. Surveillance checklists are also compiled on the basis of the requirements of the standard in question.

### **2.25.3            *Report on activities carried out in 2015***

Craft represent a very narrow segment in Slovenia. The Market Inspectorate has been conducting surveillance of merchants of recreational craft and propulsion engines since 2005; in that time it has inspected all craft merchants (around 40 such sellers are active). As a result of frequent surveillance, all these merchants are well acquainted with the requirements of the relevant directive.

The market inspector conducted surveillance activities at the Internautica fair in Portorož, with four inspections being carried out. One vessel at the fair had no conformity declaration or instructions for use in the Slovenian language; another had its information plate covered, with the exhibitor explaining that this was to conceal information on the manufacturer from the competition. One vessel was exhibited that did not meet the basic requirements of the rules (no information plate or CIN code, no conformity declaration), with no indication being given that it was not on the market precisely because it did not meet these requirements.

The exhibitors of the vessels rectified all the irregularities identified prior to their being placed on the Slovenian market.

In 2015 the Market Inspectorate received one RAPEX notification. In subsequent surveillance procedures, none of the notified products were located on the Slovenian market following the RAPEX notifications.

## **2.26 Maritime equipment (Directive 96/98/EC)**

### **2.26.1 Responsible authority and contact details**

Market Inspectorate of the Republic of Slovenia

Dunajska cesta 160,

SI-1000 Ljubljana

Tel: + 386 1 280 8700 Fax: +386 1 280 8740 E-mail: gp.tirs@gov.si

Contact person: Robert Dakskobler

The funds earmarked for the work of the authority responsible for conducting administrative surveillance of maritime equipment are part of the Market Inspectorate's overall budget. Surveillance of implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 26 inspectors who have undergone technical education and training (also under the Maritime Equipment Directive). The Market Inspectorate has no additional technical resources (internal testing laboratories) for the market surveillance of maritime equipment.

### **2.26.2 Market surveillance procedures and strategy**

#### **Market surveillance:**

The market surveillance of maritime equipment takes place pursuant to the Market Inspectorate's annual plan as adopted, notifications received via RAPEX on unsafe maritime equipment, notifications received from customs on the import of non-compliant maritime equipment, the provisions of Regulation (EC) No 765/08, notifications received from legal entities, and cases assigned by EU surveillance authorities via the ICSMS.

#### **Cooperation by the TIRS:**

The Market Inspectorate informs the public of the surveillance activities conducted in relation to maritime equipment via its website, where it also regularly publishes its findings on the reactive detection of unsafe products on the Slovenian market in response to the publication of RAPEX notifications. It also publishes other notifications of importance to the public on the website.

#### **Market surveillance strategy for maritime equipment**

The Market Inspectorate generally conducts three types of routine planned surveillance: surveillance to ensure that the prescribed documents have been enclosed and surveillance of product labelling, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products using the prescribed conformity and other markings; surveillance of the implementation of the prescribed conformity assessment procedure, the production and archiving of technical documentation to the prescribed extent, the labelling of products, and the implementation and documenting of internal manufacturing controls, which are checked using the administrative surveillance method.

The Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users, the exchange of information on safeguard clauses and

ICSMS, and to notifications received from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest and inspectors to put forward proposals to assist in the drafting of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

Surveillance in 2016

- Following the adoption of the surveillance plan for 2016, the surveillance of maritime equipment will be conducted in response to any notifications or complaints received.

### ***2.26.3 Report on activities carried out in 2015***

The Market Inspectorate did not conduct any surveillance operations of maritime equipment under the 2015 plan.

The Market Inspectorate received no RAPEX notifications regarding maritime equipment in 2015.

## **2.27 Motor vehicles (Directives 2002/24/EC and 2007/46/EC)**

### ***2.27.1 Responsible authority and contact details***

Infrastructure Inspectorate of the Republic of Slovenia, Road Transport Inspection Service

Vožarski pot 12, 1000 Ljubljana

Surveillance is conducted by three road transport inspectors (two with the requisite expert knowledge)

### ***2.27.2 Market surveillance procedures and strategy***

The Road Transport Inspection Service conducts surveillance of the sector in accordance with the annual plan of work as far as possible, chiefly as non-routine surveillance based on notifications and initiatives, which also come from investigative procedures within the RAPEX system, where the inspection service cooperates with the TIRS (communication with the contact point).

The Road Transport Inspection Service determines its surveillance priorities on the basis of risk to the safety and life of the persons who use the products covered by the above directives. The main reason why surveillance is carried out solely in the form of non-routine surveillance is the lack of staff at the inspection service.

### ***2.27.3 Report on activities carried out in 2015***

Surveillance of product safety within the RAPEX system: 209 investigative procedures were conducted within the RAPEX system in 2015.

Surveillance of the compliance of vehicles and vehicle parts and equipment: eight inspections were carried out in 2015 in relation to the compliance of products connected to the above-mentioned Directive. In the course of surveillance activities, two cases were

identified of non-compliant products on the market (these were withdrawn from the market following a decision), along with a non-compliance established in the documentation for an individual vehicle-approval application, which was rectified following a measure imposed by an inspector.

## **2.28 Non-road mobile machinery (Directive 97/68/EC)**

### **2.28.1 *Responsible authority and contact details***

The authority responsible for conducting market surveillance of non-road mobile machinery in Slovenia is:

the Market Inspectorate of the Republic of Slovenia,

Dunajska cesta 160,

1000 Ljubljana

Contact person: Maksimiljan Bornšek

The funds earmarked for the work of the authority responsible for conducting administrative surveillance of non-road mobile machinery are part of the Market Inspectorate's overall budget. The Inspectorate is able to call upon a team of 26 specially trained market inspectors to conduct surveillance of the 'new approach' directives (including the directive on non-road mobile machinery). The Market Inspectorate has no additional technical resources for the market surveillance of non-road mobile machinery.

### **2.28.2 *Market surveillance procedures and strategy***

The market surveillance of non-road mobile machinery takes place on the basis of an annual plan adopted by the Market Inspectorate specifically for labelling and the inspection of accompanying documents.

## **Cooperation by the Market Inspectorate**

The Market Inspectorate cooperates with other authorities in conducting surveillance of non-road mobile machinery on the basis of notifications from the Customs Administration regarding the import of non-compliant non-road mobile machinery, pursuant to the provisions of Regulation 765/08.

The Market Inspectorate does not engage in cooperation at the European level in relation to the surveillance of non-road mobile machinery.

## **Market surveillance strategy for non-road mobile machinery**

The Market Inspectorate conducts routine administrative surveillance of non-road mobile machinery, which means that it conducts surveillance of labelling and examines accompanying documentation (type-approval certificates). It is also responsible for the surveillance of non-road mobile machinery regardless of the legislation in force (Rules on Emissions of Gaseous and Particulate Pollutants from Internal Combustion Engines to be Installed in Non-Road Mobile Machinery).

Where it finds that non-road mobile machinery placed on the market is non-compliant, the Market Inspectorate moves to ensure that the non-compliances are eliminated or, by using coercive measures, ensure the withdrawal of the non-compliant mobile machinery from the market.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications



and complaints received from consumers and users, notifications of unsafe products via RAPEX, the exchange of information on safeguard clauses and the ICSMS, and notifications from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest and inspectors to put forward proposals to assist in the drafting of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

In 2016 the Market Inspectorate will check the compliance of non-road mobile machinery installed in motor hoes.

### **2.28.3 *Report on activities carried out in 2015***

In 2015 the Market Inspectorate checked the compliance of labelling and accompanying documents in the field of non-road mobile machinery (specifically, chainsaws). Inspectors conducted surveillance of six different types of chainsaw. Irregularities were found in the labelling of non-road mobile machinery; two administrative decisions were therefore issued. A total of six inspections were conducted in this area.

## **2.29 Mineral fertilisers (Regulation (EC) No 2003/2003)**

Mineral fertilisers are products subject to free movement within the Community. Products from this group enter the food chain indirectly and can, because of impurities, present a danger to human health; moreover, some products from the ammonium nitrate fertiliser group also have explosive properties and are frequently used to make amateur explosive devices.

### **2.29.1 *Responsible authority and contact details***

- Inspectorate of the Republic of Slovenia for Agriculture, Forestry, Hunting and Fisheries, Agricultural Inspection Service, Dunajska 58, 1000 Ljubljana, Slovenia  
Saša Dragar Milanovič – chief inspector  
Primož Marolt – director of the Agricultural Inspection Service  
Maja Velikonja – agricultural inspector, Ljubljana office

Contact details: [sasa.dragar@gov.si](mailto:sasa.dragar@gov.si), [primoz.marolt@gov.si](mailto:primoz.marolt@gov.si),  
[maja.velikonja@gov.si](mailto:maja.velikonja@gov.si).

The Agricultural Inspection Service devotes 5 % of its time to the surveillance of mineral fertilisers on the internal market, which gives an annual FTE of approx. 1 (22 agricultural inspectors working in the field). Converted into the costs of the budget, and taking gross salaries into account, this represents EUR 22 000, with this sum also including funds for analytical procedures at the authorised laboratory of the Agricultural Institute of Slovenia of EUR 4 000 per year.

### **2.29.2 *Market surveillance procedures and strategy in 2016***

Emphasis will be on sampling at those fertiliser manufacturers and distributors at which analyses conducted in 2015 showed deficiencies in quality, and on inspections at sales

outlets at which irregularities in labelling and storage conditions were detected in 2015. The legal bases for the surveillance of fertilisers with the 'EC Fertiliser' marking are contained in Council Regulation (EC) No 2003/2003; for other fertilisers that do not meet the standards under the Council Regulation, the legal bases are laid down in the Mineral Fertilisers Act (UL RS, 29/2006). In the course of surveillance, an inspector may, if they find an irregularity in the labelling of fertilisers in circulation, issue a regulatory decision or decision prohibiting trade, and verify that the decision has been implemented in enforcement proceedings. The act also lays down sanctions for specific irregularities for legal entities as well as sole traders and their responsible persons.

Cooperation between different competent authorities in relation to the surveillance of mineral fertilisers has not been formalised. In the past the Customs Administration notified the Agricultural Inspection Service on the transit of ammonium nitrate fertilisers through Slovenia; in 2014 cooperation was also established with the Statistical Office of the Republic of Slovenia, which asked the IRSKGLR for assistance in processing information on the use of mineral fertilisers in Slovenia.

Surveillance under this legislation includes sampling of the quality and labelling of mineral and organo-mineral fertilisers; surveillance is also conducted of the labelling of organic fertilisers containing animal by-products. A total of 120 inspections of mineral fertilisers in circulation are planned. The taking of a further 20 samples of mineral and organo-mineral fertilisers is planned in the spring months.

### **2.29.3** *Report on activities carried out in 2015*

In 2015 the Agricultural Inspection Service at the IRSKGH drew up 171 records on the basis of the Mineral Fertilisers Act and Council Regulation (EC) No 2003/2003. The inspections focused on the following in particular:

- whether a mineral fertiliser had MAE registration or was an 'EC fertiliser';
- in the case of an EC mineral fertiliser, whether it met the conditions of Council Regulation (EC) No 2003/2003;
- compliance with the criteria applying to quality and correct labelling of mineral fertilisers that were not 'EC fertilisers';
- whether mineral fertilisers had been labelled in the Slovenian language;
- the quality of mineral fertilisers in circulation on the basis of analyses of samples taken – compliance of the declared nutrient levels with the results of the analysis;
- the possible presence of impurities that are harmful to health – heavy metals (Cd, Pb).

Inspections by the Agricultural Inspection Service are aimed at ensuring that mineral fertilisers in circulation have the correct labels (declarations), which must be in the Slovenian language. Mineral fertilisers that are not properly labelled are withdrawn from circulation. The most common errors detected in the course of controls of mineral fertilisers in circulation are inadequate declarations on packaging units, chiefly a lack of a label in the Slovenian language. The second most common type of error is detected in the results of analyses conducted to establish the quality of mineral fertilisers. **Twenty-eight** inspection decisions and three warnings under the Inspection Act were issued to remove irregularities. **Six** payment orders (amounting to **EUR 3 755.66**) were issued, along with four warnings under the Offences Act, in response to offences committed.

**Twenty** samples of mineral fertilisers were taken for tests of nutrient levels; checks were also made to establish whether heavy metal levels had been exceeded. In **five** cases

discrepancies were found between the levels of nutrients in products as declared and as established by analysis.

### **2.30 Other consumer products under the General Product Safety Directive (Directive 2001/95/EC)**

#### **2.30.1 Responsible authority and contact details**

Several inspectorates are responsible for the market surveillance of other consumer products under the General Product Safety Directive in Slovenia:  
the Market Inspectorate of the Republic of Slovenia;  
the Chemicals Office of the Republic of Slovenia;  
the Health Inspectorate of the Republic of Slovenia.

##### **2.30.1.1 Responsible authority and contact details**

Market Inspectorate of the Republic of Slovenia,  
Dunajska cesta 160,  
1000 Ljubljana  
Tel: + 386 1 280 8700 Fax: +386 1 280 8740 E-mail: [gp.tirs@gov.si](mailto:gp.tirs@gov.si)  
Contact person: Janez Novak

The funds earmarked for the work of the authority responsible for the administrative surveillance of products to which the provisions of the General Product Safety Directive apply are part of the Market Inspectorate's overall budget, with additional funds earmarked for technical analyses by qualified laboratories in line with the annual plan. Surveillance of implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 26 inspectors who have undergone technical education and training (also under the General Product Safety Directive). The Market Inspectorate has no additional technical resources (internal testing laboratories) for market surveillance.

##### **2.30.1.2 Responsible authority and contact details**

Chemicals Office of the Republic of Slovenia, Ajdovščina 4, 1000 Ljubljana  
Contact: [gp-ursk@gov.si](mailto:gp-ursk@gov.si)  
Tel: 01 400 6051, Fax: 01 400 6266  
Sources: budget  
Personnel: One employee of the four throughout the year.

##### **2.30.1.3 Responsible authority and contact details**

Health Inspectorate of the Republic of Slovenia,  
Vožarski pot 12, 1000 Ljubljana  
Tel.: + 386 1 280 3802; Fax +386 1 280 3808; E-mail: [gp.zirs@gov.si](mailto:gp.zirs@gov.si)  
Contact person: Helena Hočevar  
The Inspectorate employs a total of 88 inspectors, who conduct surveillance in various areas under the Inspectorate's remit. The funds earmarked for the authority's work in the area of administrative surveillance form part of its overall budget, and additional funds are allocated separately for analyses on the basis of the annual plan. The Health Inspectorate has no other technical facilities for surveillance (e.g. internal laboratories). The Inspectorate is assisted by expert institutions, such as the National Institute of Public Health (NIJZ) and the National Laboratory for Health, Environment and Food (NLZOH).

## **2.30.2**            *Market surveillance procedures and strategy*

### **2.30.2.1**        *Market Inspectorate of the Republic of Slovenia*

#### **Market surveillance:**

The market surveillance of other consumer products takes place pursuant to the Market Inspectorate's annual plan as adopted, RAPEX notifications received on unsafe products, notifications received on the import of non-compliant products by the Financial Administration, the provisions of Regulation (EC) No 765/2008, notifications received from consumers and users in Slovenia, and cases assigned by other national and European surveillance authorities via the ICSMS.

#### **Cooperation by the Market Inspectorate:**

The Market Inspectorate informs the public on a regular basis of the surveillance activities conducted in relation to other consumer products via its website, where it also regularly publishes its findings on the reactive detection of unsafe products on the Slovenian market in response to the publication of a RAPEX notification. It also publishes on the website other notifications of importance to the public in relation to the market surveillance of products in Slovenia. Inspectorate representatives serve on the technical boards of the national standards body (SIST). The Inspectorate also serves on the Consultative Committee on General Product Safety established at the Ministry of Economic Development and Technology. Owing to the fact that this area covers a wide variety of products, we also cooperate with the Health Inspectorate and other surveillance authorities.

At the European level we are part of the joint CSN (Consumer Safety Network, Sub-Group Safety of Products sold online) at the European Commission and the PROSAFE organisation for the implementation of joint surveillance actions.

#### **Market surveillance strategy:**

The Market Inspectorate generally conducts two types of routine planned surveillance: surveillance to ensure that the prescribed documents have been enclosed and surveillance of product labelling, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products using the prescribed markings and warnings; and surveillance of the compliance of instructions and other documents, verification of measures adopted by manufacturers to ensure product safety, which should be properly documented and included in the product's technical documentation, and surveillance of actual compliance with the safety and other prescribed requirements of the relevant technical regulations, which is checked using the sampling method. In this type of surveillance, samples are taken of products placed on the market as safe and sent for technical analysis/review and testing to qualified testing laboratories in order to verify that they meet the prescribed requirements.

If the conditions are found not to be met, notification of an unsafe product is made through RAPEX or by using a safeguard clause procedure, and through information exchange via the ICSMS. Information on unsafe products is published on the Inspectorate's website.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications

and complaints received from consumers and users, notifications of unsafe products via RAPEX, the exchange of information on safeguard clauses and the ICSMS, and notifications from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest, testing laboratories and inspectors to put forward proposals to assist in the drawing-up of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

In 2016 the following groups of other consumer products under the General Product Safety Directive will be subject to surveillance:

Administrative surveillance will cover:

- strings and shoelaces on children's clothing;
- children's equipment;
- interior blinds;
- lighters.
- Sampling of the following products:
- testing of children's toys in use.

#### **2.30.2.2 Chemicals Office of the Republic of Slovenia**

The Chemicals Inspection Service (IK) operates under the risk assessment guidelines defined in its operational plan of work. Surveillance is divided into different types (routine, non-routine, control) and covers procedures by specific area of surveillance (chemicals, biocides, detergents, RoHS, etc.).

Cooperation with other national and surveillance authorities takes place in the established manner in relation to the area of surveillance and the requirements applying to particular cases.

The basis for the planning of the areas of priority is defined in the IK's operational plan of work and rests on an assessment of relevance in relation to the information acquired in the course of routine surveillance, any insufficient surveillance in previous years, the level of coordination of surveillance between Member States, and compliance with the requirements of new regulations.

#### **2.30.2.3 Health Inspectorate of the Republic of Slovenia**

In 2015 the IK did not record the rise in the number of RAPEX notifications in the area of chemicals seen in previous years (the trend has stabilised); moreover, the number of notified products located in Slovenia, as well as the number of products placed in the RAPEX system by the IK, also remained at roughly the same level as the previous year.

### **2.30.3 Report on activities carried out in 2015**

#### **2.30.3.1 Market Inspectorate of the Republic of Slovenia**

In 2015 the Market Inspectorate conducted surveillance of the following groups of other consumer products under the General Product Safety Directive:

- playground equipment in use;
- children's equipment (chairs);
- swim aids for swimming instruction;
- strings and shoelaces on children's clothing;
- novelty lighters;
- ladders.

The Market Inspectorate engaged in its eighth year of systematic surveillance by testing the safety of playground equipment and of the administrative surveillance of playground equipment. Market inspectors carried out surveillance of the safety of playground equipment by testing it using measuring equipment at locations at which playground equipment had been installed, along with administrative surveillance at playground equipment suppliers. The surveillance of playground equipment in use using the testing method was conducted at 96 liable entities that also enable access to and the use of playground equipment as part of their activities, with 190 items of playground equipment (compared to 167 in 2014) being inspected and tested using measuring equipment; 13 of these items were intended solely for individual and home use (22 such items in 2014). Administrative surveillance was carried out at five suppliers, with market inspectors making administrative surveillance to ensure that the playground equipment they were placing on the market was safe. Suppliers were found to be providing adequate documentation attesting to the safety of the playground equipment and compliance with the (SIST) EN 1176 standard, and enclosing technical documentation (conformity declaration or certificate under EN 1176, instructions for assembly and maintenance, inspection instructions) with the playground equipment when sold. An administrative regulatory decision was issued against one manufacturer because the playground equipment it was placing on the market did not come with conformity documents or appropriate labelling.

The Inspectorate conducted administrative surveillance of compliance with the requirements for children's equipment (child seats) in 2015. Thirty-two inspections were carried out in total, with controls at 19 retail merchants, 11 at distributors and two at manufacturers. Forty-one models of children's seating were inspected (33 high chairs, six seats that are affixed to a chair and two chairs that are affixed to a table). Administrative irregularities regarding product traceability marks were found in relation to three models of equipment, regarding instructions in 14 models and regarding the warranty in five cases. Inspectors issued ten warnings under the Inspection Act, and eight warnings and one payment order under the Offences Act in response to the irregularities found.

In 2015 the Market Inspectorate carried out 43 inspections in the course of which they checked 96 swim aids: five swim aids for swimming instruction (swim seats for swimming instruction), 63 wearable swim aids for swimming instruction (including arm bands) and 28 recreational swim aids used on and in water (inflatable lilos). The irregularities chiefly related to warnings on the product in the Slovenian language – specifically, 12 products were not marked (or else were inadequately marked) with a warning in the Slovenian language. Non-compliances were also found in relation to the provision of consumer information on the product. One of the products was found not to have the specified consumer label available in the Slovenian language, and in three products the labelling in the Slovenian language was inadequate. In response to the infringements identified, there were three voluntary withdrawals, three administrative decisions were issued prohibiting the sale of swim aids until the deficiencies had been removed under the ZVPot, one administrative decision was issued prohibiting the sale of swim aids until the deficiencies had been removed under the ZTZPUS-1, and 11

warnings were issued under the ZIN. Two offence decisions (with fines), two payment orders and six warnings under the ZP-1 were also issued.

In 2015 the Market Inspectorate conducted surveillance at 105 commercial entities that market children's clothing, in the course of which 323 items of children's clothing were inspected. Fifty-three non-compliances were found in relation to children's clothing: 17 in relation to the head and neck parts of clothing, 26 in relation to the belt, and ten in relation to the section below the hips. The liable entities were apprised of all the surveillance findings and requested to cooperate further by removing the said non-compliances. The infringements resulted in twenty-three voluntary withdrawals. In 23 cases the non-compliances were rectified, one warning was issued under the ZIN and 18 warnings were issued under the ZP-1. Three offence decisions with reminder were also issued. Information on the measures and actions carried out in relation to two items of children's clothing was also passed to the European Commission via the RAPEX system.

As part of its routine surveillance, the Inspectorate also conducted controls of the sale of novelty lighters. One merchant was found to have two different models of novelty lighter for sale. RAPEX notifications were made in relation to the novelty lighters found.

In 2015 the Market Inspectorate also conducted surveillance of the compliance of ladders, as provided for under the provisions of the General Product Safety Act. Surveillance of the compliance of ladders took place at the administrative level with inspections of ladder labelling and the adaptation of instructions for use, and with sampling, with compliance being established on the basis of the provisions of the SIST EN 131-2: 2010 + A1: 2012 standard in the selected testing laboratory.

Forty-eight commercial entities were inspected as part of administrative surveillance. Inspectors inspected 54 step ladders, 28 leaning ladders, two articulated ladders, one telescopic ladder, ten attic ladders (giving a total of 95 ladders of all types) and 13 step stools. In response to non-compliances found in relation to ladders and step stools, inspectors issued two administrative decisions and 25 administrative warnings under Article 33 of the ZIN in the course of their surveillance activities. Pursuant to the provisions of the ZP-1, two payment orders, five offence decisions with reminder and 18 warnings were issued under Article 53 of that act.

In 2015 analyses and testing were performed on step ladders (five models) and extension ladders (five models). Two ladders were found not to comply with the requirements, with a notification being placed in the RAPEX system in relation to one step ladder that was assessed as unsafe.

The Market Inspectorate used its website ([www.ti.gov.si](http://www.ti.gov.si)) to keep the public regularly updated on its activities relating to other consumer products by publishing appropriate reports following surveillance activities performed, as well as reports on unsafe products found (25 unsafe products were detected in 2015).

In 2015 the Market Inspectorate received 870 notifications for resolution from the national RAPEX contact point. Most (352) of the notifications related to electrical products, 265 to children's clothing (presence of strings and shoelaces), 72 to other general safety products, 60 to children's equipment, 49 to lighters, 19 to products containing a laser, 15 to machinery and 14 to personal protective equipment. The Market Inspectorate placed 11 notifications into the RAPEX system (five for ladders, three for electrical products, two for children's clothing and one for a lighter).

### ***2.30.3.2 Chemicals Office of the Republic of Slovenia***

In 2015 the IK did not record the rise in the number of RAPEX notifications in the area of chemicals seen in previous years (the trend has stabilised); moreover, the number of notified products located in Slovenia, as well as the number of products placed in the RAPEX system by the IK, also remained at roughly the same level as the previous year.

### ***2.30.3.3 Health Inspectorate of the Republic of Slovenia***

In 2015 health inspectors conducted 281 inspections at commercial entities engaged in production, import, distribution and retail sales, as well as at facilities at which products subject to surveillance by the Inspectorate are used. Inspectors took 30 samples of products for laboratory analysis of the microbiological and/or chemical or physical parameters. In addition to inspections based on a classification of commercial entities into different categories, a portion of the inspections were targeted at individual groups of products for children and to decorative products/products for collectors on the basis of European Commission guidelines relating to products on the borderline between these products and toys and products marketed at fairs, markets and shops selling ethnic goods.

On the basis of the surveillance findings, 56 inspection measures were imposed, 36 of which were administrative measures (four decisions to eliminate an irregularity, 30 administrative warnings, two decisions on fines), along with 20 offence sanctions/measures (six offence decisions and 14 warnings for an offence committed).

Safety warnings and instructions in the Slovenian language accounted for the largest single type of non-compliance for products that fell under the General Product Safety Act as identified by inspectors (15 %).

Thirteen inspections of 13 products took place as part of the surveillance campaign for baby slings. The few suppliers that exist do not carry stocks of such products; instead, they order products online for known customers. Guidelines for baby sling safety have only recently been issued; therefore, liable entities have, in the majority of cases, not yet been acquainted with them. The number of non-compliant products is therefore correspondingly high. The instructions and warnings enclosed with these products are usually extensive, which means that the content of the most important warnings is often lost in the mass of text. Thirty-eight per cent of these products were non-compliant. Four warnings were issued under the ZIN and one warning under the ZP.

The purpose of the campaign of surveillance of decorative products and products for collectors was, in practice, to apply or test the European Commission guidelines relating to products on the borderline between such products and toys. Thirty-eight inspections were conducted and 145 products examined in the course of the campaign; these included products for interior and exterior decoration, souvenirs, dual-use products, products for collectors and novelty products. Ten per cent of the products inspected were non-compliant; five administrative measures were taken in response, along with one offence measure. Despite the guidelines, surveillance in this area is, in practice, highly complex. By stating that a product is not a toy, some manufacturers attempt to circumvent the stricter legislative requirements and avoid the costs of ensuring product safety. It is also sometimes the case that the product is furnished with a CE marking, which gives the impression of compliance with the legislation applying to toys; at the same time, it might come with an 'only for decorative purposes' or 'this product is not a toy' declaration,



which indicates a lack of knowledge of the legislation. In the course of their inspections, inspectors apprised liable entities of the issues surrounding ‘borderline products’.

Six products were inspected in the course of the surveillance of products at fairs and markets: special toothbrushes impregnated with nanoparticles and decorative products made from ceramic and textile materials. No products were found to be non-compliant.

In 2015 health inspectors took 30 samples as part of their surveillance activities: five rubber dummies, 15 childcare products (baby-changing mats, breastfeeding pillows, textile baby-washing cloths, slings), five bibs and five samples of permanent tattoo ink. The samples were analysed and evaluated for various mechanical and/or chemical and/or microbiological parameters, such as the migration or content of metals, phthalates, primary and secondary aromatic amines, formaldehyde, nitrosamines and mercaptobenzothiazole in relation to the specific risks attached to a certain product. Assessments were also made of whether their markings and safety warnings were compliant.

The results of the analyses of the product samples indicated that 14 were non-compliant: two because of chemical and/or microbiological properties (excessive quantities of formaldehyde in baby-washing cloths and the presence of barium and 2,4-Diaminotoluene in a sample of permanent tattoo ink, which also contained *Pseudomonas aeruginosa*) and 12 merely on the basis of the warnings and markings provided. A risk assessment was drawn up in response to the chemical and microbiological non-compliances found, where one tattoo ink sample was found, applying the strictest criteria and with due regard to the purpose of use of the product, to present a serious risk because of its microbiological properties (*Pseudomonas aeruginosa*).

The health inspectorate informed the public of those non-compliant products that presented a risk to human health by publishing details on its website.

The Inspectorate received and dealt with 715 notifications for various types of product via the RAPEX system in 2015. The notifications related to products that presented a serious risk to health, as well as products that did not comply with the applicable legislation but did not represent a serious risk. Inspectors identified six such products in the course of ascertaining their presence on the Slovenian market.

In relation to general product safety, the Inspectorate received from and dealt with 111 notifications via the RAPEX system. One product was found on the Slovenian market and was found to have a misleading appearance.

On the basis of the results of the analyses of the product samples from the sampling programme, the Inspectorate placed eight notifications in the RAPEX system on various types of toys that presented a serious risk.

## **2.31 Biocides (Regulation (EU) No 2012/528)**

### **2.31.1 *Responsible authority and contact details***

Chemicals Office of the Republic of Slovenia, Ajdovščina 4, 1000 Ljubljana

Contact: [gp-ursk@gov.si](mailto:gp-ursk@gov.si)

Tel: 01 400 6051, Fax: 01 400 6266

Sources: budget

Personnel: An annual FTE of 0.8 (four inspectors).

### **2.31.2 *Market surveillance procedures and strategy***

The Chemicals Inspection Service (IK) operates under the risk assessment guidelines defined in its operational plan of work. Surveillance is divided into different types

(routine, non-routine, control) and covers procedures by specific area of surveillance (chemicals, biocides, detergents, RoHS, etc.).

Cooperation with other national and surveillance authorities takes place in the established manner in relation to the area of surveillance and the requirements applying to particular cases.

The basis for the planning of the areas of priority is defined in the IK's operational plan of work and rests on an assessment of relevance in relation to the information acquired in the course of routine surveillance, any insufficient surveillance in previous years, the level of coordination of surveillance between Member States, and compliance with the requirements of new regulations.

### **2.31.3 *Report on activities carried out in 2015***

Sampling was not performed in 2015, with the surveillance approach being modified on account of the entry into force of the new implementing regulation. Surveillance of biocides took place throughout the year. The IK is still engaged in halting the trade in biocide products that have not been entered in the Slovenian biocide product register; the register has remained active throughout the entire transition period.

A campaign of surveillance of biocide-treated products was held in 2015 as part of the CLEEN project. Twenty-five different products with the stated biocidal properties were inspected; only two of them were adequately labelled. This state of affairs is comparable with that in Europe as a whole, as legislation on biocides is introducing the category of treated products and special requirements for their labelling for the first time.

## **2.32 *Textile labelling (Regulation (EC) No 1007/2011)***

### **2.32.1 *Responsible authority and contact details***

The authority responsible for conducting market surveillance of textile and footwear labelling in Slovenia is:

Market Inspectorate of the Republic of Slovenia,  
Dunajska cesta 160,  
1000 Ljubljana  
Contact person: Luka Rus

The Market Inspectorate has no additional technical resources (internal testing laboratories) for the market surveillance of the material composition of textile products.

### **2.32.2 *Market surveillance procedures and strategy***

The market surveillance of textile products and footwear takes place on the basis of an annual plan adopted by the Market Inspectorate, Regulation (EU) No 1007/2011 and Directive 94/11/EC.

As a rule the Market Inspectorate conducts routine planned surveillance twice a year, i.e. during surveillance of seasonal sales, by examining the labelling of textile products and footwear using the administrative surveillance method, which covers surveillance of product labelling.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any

expected amendments, the current and expected state of affairs on the market, and other factors.

### **2.32.3 *Report on activities carried out in the previous programme implementation period***

In 2015 the Market Inspectorate conducted 105 inspections, in the course of which 314 textile products and items of footwear were examined. It was found that 69 textile products did not have an indication as to their material composition in the Slovenian language and three items of footwear did not contain an indicator of the main components of their composition. The liable entities were apprised of all the surveillance findings and requested to cooperate further by removing the said non-compliances. The infringements resulted in one voluntary withdrawal, in two cases the non-compliances were rectified, six decisions were issued under the ZVPot, 13 warnings were issued under the ZIN and 20 warnings were issued under the ZP-1. Three offence decisions with reminder were also issued.

## **2.33 Acquisition and possession of firearms (Directive 91/477/EEC)**

### **2.33.1 *Responsible authority and contact details***

Internal Affairs Inspectorate of the Republic of Slovenia, Štefanova ulica 2, 1501 Ljubljana. Contact: Dr Viktor Strauch  
Sources: budget EUR 15 000  
Personnel: Six inspectors employed full-time.

### **2.33.2 *Market surveillance procedures and strategy***

Surveillance of the field of the acquisition and possession of firearms is based on a risk analysis of the signals identified via notifications, the media, routine inspections, etc. Surveillance is conducted at legal entities that are holders of firearms licences, firearms and ammunition merchants, and users of firing ranges and firearms.

### **2.33.3 *Report on activities carried out in 2015***

In 2015 the IRSNZ, in the course of implementing Regulation (EC) No 765/2008, carried out 83 surveillance activities linked to the **supply, possession and sale of firearms and ammunition and the safety of firing ranges**. In relation to the possession and sale of firearms and ammunition, deficiencies were found in the maintenance of firearms records, along with the inadequate technical securing of firearms storage premises, a failure to align the current status of firearms possession or permission to carry with the firearms register or entries in firearms documents (security guard's authorisation to carry firearms), incorrect marking of the EU firearms category in the firearms document, and a failure to enter a responsible person in the prescribed firearms register under the Firearms Act. The liable entities eliminated the irregularities either in the course of the surveillance activity or by the deadline specified.

Twenty-five surveillance activities were conducted in the course of surveillance of firing ranges. This year there were a large number of notifications and initiatives made to the Inspectorate from the members of the public who felt they were at risk from shooting taking place in the vicinity of their places of residence or holiday homes. Therefore, where a bullet was found to have travelled outside the secure area of the firing range during shooting practice, the range manager or user was temporarily prohibited from

engaging in shooting practice until the hazard had been removed. Deficient or incorrect registration of the activity under the prescribed standard international classification methodology was found in cases where gainful activities were performed by holders of firearms documents (shooting societies). The liable entities removed the irregularities by the deadlines specified. There was one case of unauthorised possession of refilled ammunition by a person who did not have the prescribed certificate. They were then ordered to obtain the certificate, which they did. Eighteen surveillance activities were performed at firearms merchants and users, and 40 at holders of firearms documents.

Concerning the planned amendments to firearms legislation, the IRSNZ has taken steps, within the interdepartmental working group at the Ministry of the Interior, to draft amendments to specific provisions of the Firearms Act and a special government decree on firing ranges on the basis of the findings made in the course of inspections and the case-law generated by the Supreme Court. This also involves the incorporation of new technical and safety knowledge, chiefly as regards the definition and securing of firing ranges, at the international level, which also includes forensic and ballistic knowledge. Amendments to firearms legislation are also necessary in response to amendments to the directive on the supply and possession of firearms and at the request of the European Commission as a result of the increased illegal supply and use of firearms by terrorist groups and the incorporation of Commission Implementing Regulation (EU) 2015/2403 of 15 December 2015 on the deactivation of firearms into the Slovenian legal system.

## **2.34 Crystal glass (Directive 69/493/EEC)**

### **2.34.1 *Responsible authority and contact details***

Market Inspectorate of the Republic of Slovenia

Dunajska cesta 160,

SI-1000 Ljubljana

Tel: + 386 1 280 87 00

Contact person: Robert Dakskobler

The funds earmarked for the work of the authority responsible for the administrative surveillance of crystal glass are part of the Market Inspectorate's overall budget. Surveillance of implementation of the technical regulations that lie within the competence of the Market Inspectorate is conducted by 26 inspectors who have undergone technical education and training (also under the Crystal Glass Directive). The Market Inspectorate has no additional technical resources (internal testing laboratories) for the market surveillance of crystal glass.

### **2.34.2 *Market surveillance procedures and strategy***

#### **Market surveillance:**

The market surveillance of crystal glass takes place pursuant to the Market Inspectorate's annual plan as adopted, notifications received via RAPEX on unsafe crystal glass products, notifications received from customs on the import of non-compliant crystal glass, the provisions of Regulation (EC) No 765/08, notifications received from consumers and legal entities, and cases received from EU surveillance authorities via the ICSMS.

#### **Cooperation by the TIRS:**

The Market Inspectorate uses its website to keep the public regularly informed of surveillance activities conducted in relation to crystal glass. It also publishes on the website other notifications of importance to the public in relation to the market surveillance of crystal glass in Slovenia.

### **Market surveillance strategy for crystal glass products**

The Market Inspectorate generally conducts three types of routine planned surveillance: surveillance to ensure that the prescribed documents have been enclosed and surveillance of product labelling, which is checked using the administrative surveillance method and encompasses surveillance of the labelling of products using the prescribed conformity and other markings; surveillance of the implementation of the prescribed conformity assessment procedure, the production and archiving of technical documentation to the prescribed extent, the labelling of products, and the implementation and documenting of internal manufacturing controls, which are checked using the administrative surveillance method.

In addition to the above, the Market Inspectorate conducts non-routine surveillance by verifying the presence or otherwise of products on the market pursuant to notifications and complaints received from consumers and users, the exchange of information on safeguard clauses and ICSMS, and notifications received from the Customs Administration on the suspension of a product's release into free circulation.

In drawing up the annual surveillance plan, due regard is paid to the Strategy of the Market Inspectorate of the Republic of Slovenia, the status of the legislation and of any expected amendments, the current and expected state of affairs on the market, and other factors. We invite representatives of the Ministry of Economic Development and Technology, non-governmental consumer organisations, commercial associations of interest and inspectors to put forward proposals to assist in the drafting of the plan. The final product surveillance plan is determined on the basis of a risk assessment.

Administrative surveillance will cover:

- crystal glass at manufacturers.

#### **2.34.3 *Report on activities carried out in 2015***

The Market Inspectorate did not conduct any surveillance operations of crystal glass products under the 2015 plan.