

SLOVAK REPUBLIC

Regulation (EC) No. 765/2008

National Market Surveillance Programme

**HORIZONTAL
WITH SECTOR TABLES**

2014 - 2015

January 2014

National Market Surveillance Programme of the Slovak Republic 2014 - 2015

Introduction

This document is a National Market Surveillance Programme of the Slovak Republic covering the years 2014 - 2015, in respect of market surveillance of products that come within EU harmonisation legislation and is prepared on the basis of Article 18 (5) of the European Parliament and Council Regulation (EC) 765/2008 (Reg. (EC) 765/2008), as well as non-harmonised area (GPSD). It includes the horizontal coordination and sector tables of the Slovak Republic (see below).

The general objectives of market surveillance

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

The organization at national level

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

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

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

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

According to the Act No. 402/2013 Coll. on Office for Regulation of Electronic Communications and Postal Services and on the Transport Office, as amended¹ new Office for Regulation of Electronic Communications and Postal Services (Regulation Office) was created and the former Telecommunication Office of the Slovak Republic is repealed since 1 January 2014. The Regulation Office is the regulatory and pricing authority and performs state surveillance in the field of electronic communications and postal services.

¹ valid since 4 December 2013

Slovak Metrological Inspectorate has a specific role as a market surveillance authority, as for the various enforcement activities relating to the articles of Reg. (EC) 765/2008 carried out by other market surveillance authorities, producers and notified bodies (conformity assessment), they use instruments (legally controlled measuring instruments, etalons or calibrated meters) which are enforced by Slovak Metrological Inspectorate.

Type of Control

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

Coordination and cooperation

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

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

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

In 2014 the Slovak Trade Inspection will start EU project: reactive and proactive control of Toys in category children's scooters.

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

Customs cooperation

The Financial Directorate of the Slovak Republic - its Risks Management Dpt., and national market surveillance authorities cooperate on a base of bilateral agreements following the Art. 27 - 29 of the Regulation (EC) No. 765/2008.

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

- Central Inspectorate of the Slovak Trade Inspection
- State Institute for Drugs Control
- Department of State Control of Veterinary Biological Products and Drugs
- State Veterinary and Food Administration of SR

Other cooperation is organised on the basis of oral agreements.

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

ICSMS in Slovakia

Slovakia joined ICSMS in 2012. In total 11 representatives of the Slovak Trade Inspection, National Labour Inspectorate, Telecommunications Office of the Slovak Republic, Slovak Metrological Inspectorate, Slovak Office of Standards, Metrology and Testing and the Customs Dpt. of the Financial Directorate of the Slovak Republic were trained. In 2013, further methodologists and inspectors of the Slovak Trade Inspection as well as representatives of the Public Health Authority of SR were trained. The Slovak Office of Standards, Metrology and Testing administer ICSMS at the national level.

Priorities

- Improvement of cooperation between different NMSA and improvement of cooperation with customs,
- Availability to address comments or requests for information on the websites of the respective MS authorities,
- Training for risk assessment,
- Preparation for challenges from the new EU legislation (New alignment package, Product safety and Market Surveillance Package, etc.).

Office for Regulation of Electronic Communications and Postal Services (<http://www.teleoff.gov.sk>)

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

Member State : Slovak Republic

Surveillance Authority: Office for Regulation of Electronic Communications and Postal Services and on the Transport Office

Address: Office for Regulation of Electronic Communications and Postal Services and on the Transport Office, **State Surveillance Dpt., Regional Office**

Banská Bystrica, Zvolenská cesta 20, 974 05 Banska Bystrica

Planning for: 2014 - 2015

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

No of EU legislation applicable Directive	Sector	Description of the product or category	Type of monitoring	Monitoring motivation	Monitoring activity	Priority	Starting period or date	Development	Outcomes or further initiatives
1995/5/EC	Radio and Telecommunications Terminal Equipment	Radio equipment and telecommunications terminal equipment	Proactive	Risk assessment	Administrative control/ adoption of measures	High	2013 - 2014	Self-initiative, cooperation with the Slovak Trade Inspection, participation in the ADCO campaign	Communication with producers, non-compliant product notification to EC and other MS, communication and exchange of experiences with national MSAs of other MS

SECTORAL NATIONAL MARKET SURVEILLANCE PROGRAMME – COSMETIC PRODUCTS

Member State: **Slovak Republic**

Surveillance Authority: Public Health Authority of Slovak Republic and Regional Public Health Authorities (36)
 Planning for: **2014**

Person Responsible for the **Sectoral NMSP Cosmetic Products**: Helena Kohútová
 e-mail address: helena.kohutova@uvzsr.sk

No of EU legislation applicable Directive	Sector	Description of the product or category	Type of monitoring	Monitoring motivation	Monitoring activity	Priority	Starting period or date	Development	Outcomes or further initiatives	Outcomes or further initiatives
1223/2009/EC 655/2013/EU 2005/29/EC	cosmetic products	various products	proactive	risk assessment legislative changes proof of claims	product testing: - preservatives - perfumes which must be indicated in the list of ingredients - UV filters - heavy metals - hormones, corticosteroids - hair dyes - formaldehyde - TGA, pH - coenzyme Q10 - vitamins - microbiology - labeling monitoring : - content of parabens in cosmetic products - content of allergens in children cosmetic products - content of alpha hydroxide acids		2014	PEMSAC national initiative	information cooperation	contact person: helenakohutova@uvzsr.sk
1223/2009/EC 765/2008/EC	cosmetic products	oral care products	proactive – in cooperation with custom offices	risk assessment legislative changes	product testing: - fluorine - DEG - hydrogen peroxide - labeling	high	2014	national initiative	information cooperation	contact person: helena.kohutova@uvzsr.sk
2001/95/EC	cosmetic products	producers importers distributors	reactive	risk assessment	complains		2014	national initiative	information	contact person: helena.kohutova@uvzsr.sk
1223/2009/EC 2001/95/EC	cosmetic products	producers, importers,	reactive	risk assessment	RAPEX notifications		2014	EK initiative	information	contact person: janka.kisacova@uvzsr.sk

1223/2009/EC STN EN ISO 22716	cosmetic products	distributors producers, importers	proactive	lack of knowledge legislative changes	PIF - product information file GMP - good manufacturing practices		2014	PEMSAC initiative	information education	contact person: helena.kohutova@uvzsr.sk
1223/2009/EC	cosmetic products	producers, importers	proactive	lack of knowledge legislative changes	<u>campaign:</u> - "Cosmetovigilance system"	high	2014	national initiative	information education	contact person: helena.kohutova@uvzsr.sk
1223/2009/EC	cosmetic products	producers, importers, distributors	proactive	legislative changes	<u>product testing:</u> - nano particles <u>monitoring:</u> - identification substances used as nanomaterials - identification category of products containing nanomaterials - identification claims used		2014	EU project	information	contact person: janka.kisacova@uvzsr.sk

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

SECTORAL NATIONAL MARKET SURVEILLANCE PROGRAMME

Member State: Slovak Republic

Surveillance Authority: State Mining Authority and 5 District Mining Authorities

Planning for: 2014-2015

Responsible person: Ing. Vladimír Tejbus, CSc.:

e-mail address:

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

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

		celebration use						
Directive 2007/23/EC	Pyrotechnic articles	Pyrotechnic products intended for technical purposes or for entertainment and celebration use	reactive		- Control of activities in the district mining authorities in the field of pyrotechnic products		2013	Contact person: Martin Lutonský e-mail lutonsky@hbu.sk
Directive 94/9/EEC ATEX	Technical equipment and protective systems	Technical equipment and protective systems relating to equipment in underground mines and parts of surface installations	- reactive - proactive		-Control of activities in the district mining offices in the field of technical equipment and protective systems intended for use in explosive atmospheres	high	2013	Contact person: Vladimir Tejbus e-mail tejbus@hbu.sk

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

Member State: Slovak Republic
 Supervisory Authority: Slovak Metrological Inspectorate (SMI)
 Planned: 2014 - 2015
 Responsible: Ing. Radovan Filo, Director SMI
 E-mail: radovan.filo@normoff.gov.sk

No of EU legislation applicable - Directive	Sector	Description of the product or category	Type of monitoring	Monitoring motivation	Monitoring activity	Priority	Starting period or date	Development	Outcomes or further initiatives	Project manager generalities
90/384/EEC 93/68/EEC 2009/23/EC	Non-automatic weights (NAWI)	Instruments to determine the mass	Market surveillance at national level	Consumer protection	Checking instruments and documentation	High	2013 - 2014	According to market	Results of control	SMI
2004/22/EC	Measuring Instruments MI-001 up to MI-010	Instruments	Market surveillance at national level	Consumer, environmental and safety protection	Checking instruments and documentation	High	2013 - 2014	According to market	Results of control	SMI
765/08/EC 768/08/EC	Measuring Instruments marked CE	Instruments	Market surveillance at national level	Protecting the public interest	Checking instruments and documentation	High	2013 - 2014	According to market	Results of control	SMI
2007/45/EC	Prepackaged products	Products packaged in the absence of consumer	Market surveillance at national level	Consumer protection	Checking the weight or volume of packaging and documentation	High	2013 - 2014	According to market	Results of control	SMI
2007/45/EC	Prepackaged products marked "e"	Products packaged in the absence of consumer	Market surveillance at national level	Consumer protection	Checking the weight or volume of packaging and documentation	High	2013 - 2014	According to market	Results of control	SMI

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

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

Member State: Slovak Republic

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

Planning for: 2014 - 2015

Person responsible for the Sectoral MSP: Ing. František Blažek

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

No of EU legislation applicable Directive	Sector	Description of the product or category	Type of monitoring	Monitoring motivation	Monitoring activity	Priority	Starting period or date	Development	Outcomes or further initiatives	Project manager generalities
2006/42/EC	Machinery	Grinding equipment	Proactive Reactive	Current performance in prevention, Concerns, complaints	documentati on control	high	1.1. 2013	Nationwide task for 2014	Improving the state of OSH	Ing. František Blažek frantisek.blazek@ip.gov.sk
2006/42/EC	Machinery	Scissors mechanical and hydraulic	Proactive Reactive	Current performance in prevention, Concerns, complaints	documentati on control	high	1.Q. 2013	Nationwide task for 2014	Improving the state of OSH	Ing. František Blažek frantisek.blazek@ip.gov.sk
2006/42/EC	Machinery	Motor trucks	Proactive Reactive	Current performance in prevention, Concerns, complaints	documentati on control	high	1.Q. 2013	Nationwide task for 2014	Improving the state of OSH	Ing. František Blažek frantisek.blazek@ip.gov.sk
95/16/EC amend. 2006/42/EC	Lifts	Lifts	Proactive Reactive	Current performance in prevention, Concerns, complaints	documentati on control	high	1. Q. 2013	Nationwide task for 2014	Improving the state of OSH	Ing. Jaroslav Niskáč, jaroslav.niskac@ip.gov.sk

89/686/EEC amend. 93/95/EEC, 93/68/EEC, 96/58/EC	Personal protective equipment	Personal protective equipment to prevent falls from heights	Proactive Reactive	Current performance in prevention, Concerns, complaints	documentati on control	high	1.Q. 2013	Nationwide task for 2014	Improving the state of OSH	Ing. František Blažek frantisek.blazek@ip.gov.sk
89/686/EEC amend. 93/95/EEC, 93/68/EEC, 96/58/EC	Personal protective equipment	Personal protective equipment against mechanical impact	Proactive Reactive	Current performance in prevention, Concerns, complaints	documentati on control	high	2. Q. 2013	Nationwide task for 2014	Improving the state of OSH	Ing. František Blažek frantisek.blazek@ip.gov.sk
2006/95/EC	El. equipment used within certain voltage	Energy equipment	Proactive Reactive	Current performance in prevention, Concerns, complaints	documentati on control	high	2. Q. 2013	Nationwide task for 2014	Improving the state of OSH	Ing. František Blažek frantisek.blazek@ip.gov.sk
97/23/EC	Pressure equipment	Pressure equipment	Proactive Reactive	Current performance in prevention, Concerns, complaints	documentati on control	high	2. Q. 2013	Nationwide task for 2014	Improving the state of OSH	Ing. František Blažek frantisek.blazek@ip.gov.sk

The Slovak Trade Inspection

<http://www.soi.sk/sk/Novinky-SOI.soi>

SECTORAL NATIONAL MARKET SURVEILLANCE PROGRAMME

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

Member State: Slovak Republic

Surveillance Authority: The Slovak Trade Inspection (STI)

Planning for: 2014

Persons responsible for the Sectoral NMSP: Milota Šedajová

e-mail address: milota.sedajova@soi.sk

Jana Pisková

jana.piskova@soi.sk

No of EU legislation applicable	Sector	Description of the product or category	Type of monitoring	According to the Slovak legislation	Monitoring motivation	Starting period or date
Directive 2009/48/EC	Toys	All categories	reactive	Act No. 78/2012 Coll.	reactive actions on incentives, RAPEX, border controls, own findings	All year
	Toys -	children's scooters			EU project	2-4 Q
Directive 2006/95/EC	LVD	Electrical equipment designed for use within certain voltage limits	Reactive	Act No. 264/1999 Coll., as amended Government Ordinance SR No. 308/2004 Coll., as amended	own knowledge, RAPEX, Incentives	All year
Directive 2006/95/EC	LVD	Lights, christmas luminaire chains	Reactive	Act No. 264/1999 Coll., as amended Government Ordinance SR No. 308/2004 Coll., as amended	reactive actions on incentives, own findings	Oct.- Dec.
Directive 2010/30/EU delegated Regulation EC 1059/2010 1060/2010 1061/2010 1062/2010	Electrical equipm., energy labelling	Electrical products	Reactive	Act No. 182/2011 Coll. delegated Regulation EC 1059/2010 1060/2010 1061/2010 1062/2010	market monitoring	2-4 Q

Regulation EP and C 305/2011	Construction products	Construction products	Proactive, Reactive actions on incentives	Regulation EP and C 305/2011 Government Ordinance SR No. 162/2013 Coll.	reactive actions on incentives	All year
Directive 2007/23/EC	Pyrotechnic articles	Pyrotechnic articles	reactive	Act No. 264/1999 Coll., as amended Government Ordinance SR No. 398/1999 Coll., Government Ordinance SR No. 485/2008 Coll.	reactive actions on incentives own findings	Oct.- Dec.
Directive GPSD 2001/95/EC	General safety	Children's chairs		Act No. 250/2007 Coll., Government Ordinance SR No. 404/2007 Coll.	EU Project	All year
Directive GPSD 2001/95/EC	General safety	Textile products		Act No. 250/2007 Coll., Government Ordinance SR No. 404/2007 Coll.	EU Project	2-4 Q
Directive GPSD 2001/95/EC	General safety	Childcare products	reactive	Act No. 250/2007 Coll., Government Ordinance SR No. 404/2007 Coll.	reactive actions on incentives, RAPEX, own findings	All year
Regulation (EC) 1907/2006, Regulation (EC) 1272/2008, Directive 1999/45/EC	Chemicals	Chemicals, chemical mixtures	Reactive Proactive	Act No. 67/2010 Coll., Government Ordinance SR No. 46/2009 Coll.	own findings, reactive actions on incentives, proactive	All year All year 4 Q
Regulation EC 648/2004	Detergents	Detergents	Reactive	Act No. 67/2010 Coll.	reactive actions on incentives proactive	All year
Regulation (EU) 528/2012 Regulation (EC) 1451/2007	biocides	biocidal products	Reactive Proactive	Act No 319/2013 Coll.	reactive actions on incentives proactive	All year 2 Q
Directive 2011/65/EU	Electrical equipment	Electrical equipment	Reactive proactive	Act No. 346/2013 Coll.	reactive actions on incentives proactive	All year
Directive 2002/96/EC	Electrical equipm.,	Electrical equipm.,	Reactive	Act No. 223/2001 Coll.	reactive actions on incentives proactive	All year

In addition to these monitoring activities STI as a **surveillance authority of consumer products of the New Approach Directives under the Act 264/1999 Coll.** on Technical Requirements for Products and Conformity Assessment as amended, and as **supervisor of general safety of consumer products under the Act 250/2007 Coll.** on consumer protection as amended, will all year 2014 to carry out ongoing checks on products of consumer nature on the market of the SR based on the incentives and RAPEX notifications.