

Review and assessment of the functioning of market surveillance activities pursuant to Article 18(6) of Regulation (EC) No 765/2008 – 2010–2013

Slovenia

Contents

<i>Scope of the report</i>	2
Overview of general market surveillance activities	3
A. Review of general market surveillance activities.....	3
B. Assessment of the functioning of market surveillance activities.....	7
Market surveillance activities in specific sectors	8
Sector 1: Medical devices.....	8
1.A. Review of market surveillance activities in the sector.....	8
1.B. Assessment of the functioning of market surveillance activities in the sector	10
Sector 2: Cosmetics	10
2.A. Review of market surveillance activities in the sector.....	10
2.B. Assessment of the functioning of market surveillance activities in the sector	12
Sector 3: Toys	13
3.A. Review of market surveillance activities in the sector.....	13
3.B. Review of market surveillance activities in the sector	15
Sector 4: Personal protective equipment (Directive 89/686/EEC).....	15
4.A. Review of market surveillance activities in the sector.....	15
4.B. Assessment of the functioning of market surveillance activities in the PPE sector.....	17
Sector 5: Construction products.....	18
5.A. Review of market surveillance activities in the sector.....	18
5.B. Assessment of the functioning of market surveillance activities in the sector	20

Sector 6: Aerosol dispensers	21
6.A. Review of market surveillance activities in the sector.....	21
6.B. Assessment of the functioning of market surveillance activities in the sector	23
Sector 7: Simple pressure vessels and pressure equipment (Directives 2009/105/EC and 97/23/EC)	23
7.A. Review of market surveillance activities in the sector.....	23
7.B. Assessment of the functioning of market surveillance activities in the sector	25
Sector 8: Transportable pressure equipment	25
8.A. Review of market surveillance activities in the sector.....	25
8.B. Assessment of the functioning of market surveillance activities in the sector	28
Sector 9: Machinery	28
9.A. Review of market surveillance activities in the sector.....	28
9.B. Assessment of the functioning of market surveillance activities in the sector	30
Sector 10: Lifts (Directive 1995/16/EC).....	31
10.A. Review of market surveillance activities in the lifts sector.....	31
10.B. Assessment of the functioning of market surveillance activities in the lifts sector.....	33
Sector 11: Cableways (Directive 2000/9/EC and amendments)	33
11.A. Review of market surveillance activities in the cableways sector	33
11.B. Assessment of the functioning of market surveillance activities in the cableways sector	35
Cableways inspectors do not perform market surveillance but carry out checks of installations in use.	35
Sector 12: Noise emission by equipment for use outdoors (Directive 2000/14/EC),	36
12.A. Review of market surveillance activities in the sector.....	36
12.B. Assessment of the functioning of market surveillance activities in the sector	38
Sector 13: Equipment and protective systems intended for use in potentially explosive atmospheres (ATEX Directive 1994/9/EC).....	38
13.A. Review of market surveillance activities in the ATEX sector	38
13.B. Assessment of the functioning of market surveillance activities in the ATEX sector	40
Sector 14: Pyrotechnics	40

14.A. Review of market surveillance activities in the sector.....	40
14.B. Assessment of the functioning of market surveillance activities.....	41
Sector 15: Explosives for civil uses	42
15.A. Review of market surveillance activities in the sector.....	42
15.B. Assessment of the functioning of market surveillance activities.....	42
Sector 16: Appliances burning gaseous fuels	42
16.A. Review of market surveillance activities in the sector.....	42
16.B. Assessment of the functioning of market surveillance activities in the sector	44
Sector 17: Measuring instruments, non-automatic weighing instruments and pre-packaged products	45
17.A. Review of market surveillance activities in the sector.....	45
17.B. Assessment of the functioning of market surveillance activities in the sector	47
Sector 18: Electrical and electronic equipment under the Directive on Electromagnetic Compatibility	48
18.A. Review of market surveillance activities in the sector.....	48
18.B. Assessment of the functioning of market surveillance activities in the sector	50
Sector 19: Radio and telecommunications terminal equipment under the R&TTE Directive	51
19.A. Review of market surveillance activities in the sector.....	51
19.B. Assessment of the functioning of market surveillance activities in the sector	53
Sector 20: Electrical appliances and equipment under the Low Voltage Directive	54
20.A. Review of market surveillance activities in the sector.....	54
20.B. Assessment of the functioning of market surveillance activities in the sector	56
Sector 21: Waste electrical and electronic equipment	57
21.A. Review of market surveillance activities in the sector.....	57
21.B. Assessment of the functioning of market surveillance activities in the sector	59
Sector 21: Accumulators and batteries under Directive 2006/66/EC.....	59
21.A. Review of market surveillance activities in the sector.....	59
21.B. Assessment of the functioning of market surveillance activities in the sector	61

Sector 22: Chemicals (detergents, paints, persistent organic pollutants)	61
22.A. Review of market surveillance activities in the sector.....	61
22.B. Assessment of the functioning of market surveillance activities in the sector	64
Sector 23: Ecodesign and energy labelling.....	64
23.A. Review of market surveillance activities in the sector.....	64
23.B. Assessment of the functioning of market surveillance activities in the sector	66
Sector 24: Efficiency requirements for hot-boilers fired with liquid or gaseous fuels	67
Sector 25: Recreational craft.....	67
25.A. Review of market surveillance activities in the sector.....	67
25.B. Assessment of the functioning of market surveillance activities in the sector	69
Sector 26: Marine equipment (Directive 96/98/EC and amendments)	69
Sector 27: Motor vehicles and parts thereof	69
27.A. Review of market surveillance activities in the sector.....	69
27.B. Assessment of the functioning of market surveillance activities in the sector	72
Sector 28: Non-road mobile machinery (Directive 97/68/EC).	72
28.A. Review of market surveillance activities in the sector.....	72
28.B. Assessment of the functioning of market surveillance activities in the sector	74
Sector 29: Mineral fertilisers	74
29.A. Review of market surveillance activities in the sector.....	74
29.B. Assessment of the functioning of market surveillance activities in the sector	76
Annex 1: Reference list of sectors.....	77

Scope of the report

The report covers market surveillance activities with regard to all products falling within the framework of REGULATION (EC) NO 765/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93. Market surveillance with regard to the products in question falls within the competence of various inspectorates, which are organised as bodies within different ministries.

The Directives included in this report are indicated in the last column of the Annex. The report does not include information on market surveillance activities with regard to products that fall exclusively within the scope of Directive 2001/95/EC on general product safety.

Overview of general market surveillance activities

A. Review of general market surveillance activities

Information on the general market surveillance organisation and infrastructures in place for the 2010–2013 period

As stated in the introduction, surveillance is carried out by various inspectorates in accordance with their competences, which derive from regulations on the organisation of the State administration or other regulations defining their competences and functions. The inspectorates are organised within different ministries, as follows:

The predominant part of the control of products in the market is carried out by the **Market Inspectorate of the Republic of Slovenia (TIRS)**, a body of the **Ministry of Economic Development and Technology**. In its work the TIRS applies laws and implementing regulations in the fields of consumer protection, unfair business practices in relation to consumers, undeclared work, small business activities, retail, real property brokerage, catering and tourism, copyright, consumer lending, unfair competition and use of the Slovene language. Another significant area of its work consists of oversight in the technical field, from the point of view of general product safety, as regards electrical devices, construction products, machinery, electrical equipment, personal protective equipment and other technical fields.

With regard to implementation of Regulation (EC) No 765/2008, the TIRS is responsible for market surveillance in the following fields:

1. personal protective equipment (Directive 89/686/EEC),
2. construction products (Regulation 305/2011),
3. aerosol dispensers (Directive 75/324/EEC),
4. machinery (Directive 2006/42/EC),
5. noise emission by equipment for use outdoors (Directive 2000/14/EC),
6. gas appliances (Directive 2009/142/EC),
7. electrical and electronic equipment under the Directive on Electromagnetic Compatibility – EMC (Directive 2004/108/EC),
8. radio and telecommunications terminal equipment – R&TTE (Directive 1999/5/EC),
9. electrical appliances and 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/EC, 2002/96/EC and 2006/66/EC),
12. ecodesign and energy labelling (Directives 2009/125/EC and 2010/3/EC),
13. recreational craft (Directive 1994/25/EC), and
14. non-road mobile machinery (Directive 97/68/EC).

In addition to the above, it is responsible for implementation of Directive 2001/95/EC on general product safety, although this field is not covered in this report.

The **Metrology Inspectorate** is part of the Metrology Office, a department of 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 the case of suppliers, articles of precious metals on the market and measuring units in public use. This report only refers to market surveillance of measuring instruments, including non-automatic weighing instruments, for which common European legislation covering the new approach exists (Directive 2004/22/EC on measuring instruments (MID) and Directive 2009/23/EC on non-automatic weighing instruments (NAWI))

The **Health Inspectorate** is a body within the **Ministry of Health** and from the point of view of the application of Regulation (EC) No 765/2008 is responsible for surveillance in the field of toy safety (Directive 2009/48/EC) and cosmetics (Regulation 1223/2009). While it is fully responsible for toy safety oversight, in the field of cosmetic products it is responsible for carrying out inspections of the health quality of cosmetic products. In addition to the above, it is responsible for implementation of Directive 2001/95/EC on general product safety, although this field is not covered in this report.

The **Chemicals Office** is a body within the **Ministry of Health**. The inspectorate set up within this office is mainly focused on implementation and surveillance in the field of chemical legislation. From the point of view of application of Regulation (EC) No 765/2008, it is responsible for surveillance activities regarding chemicals: detergents, paint products and persistent organic pollutants (Regulation 648/2004, Directive 2004/42/EC, Regulation 850/2004). In addition to the above, it is responsible for implementation of Directive 2001/95/EC on general product safety, although this field is not covered in this report.

The **Public Agency for Medicinal Products and Medical Devices (JAZMP)** is an implementing institution whose field of legislation likewise falls within the competence of the **Ministry of Health**. As the body responsible for surveillance of the medical devices market (including in vitro diagnostic medical devices and active implantable medical devices) under Directives 93/42/EEC, 98/79/EC and 90/385/EC, the JAZMP carries out surveillance activities across the medical devices sector on the Slovenian market, which includes activities relating to the classification of products as medical devices, essential requirements for medical devices, clinical research of medical devices, the system of vigilance for medical devices and notified conformity assessment bodies. The JAZMP provides surveillance of manufacturers or manufacturers' representatives and wholesale and retail suppliers of medical devices to ensure that in accordance with currently applicable legislation they fulfil conditions for the performance of this activity and exercises other forms of control in order to protect public health and ensure the safety of medical devices in the Republic of Slovenia.

The **Labour Inspectorate** is a body within the Ministry of Labour, Family and Social Affairs and is responsible for surveillance of products in use in the following fields: lifts (Directive 1995/16/EC) and products intended for use in potentially explosive atmospheres (ATEX Directive 1994/9/EC). The competent inspectors of the Labour Inspectorate carry out market surveillance activities within the context of standard scheduled inspections and extraordinary inspections, where they do not differentiate between content or different regulations. Thus in the course of the same inspection they simultaneously verify the fulfilment of the provisions of legislation from multiple fields. Market surveillance activities for the fields of lifts and products in potentially explosive atmospheres are therefore shown...???

The **Internal Affairs Inspectorate (IRSNZ)** is a body within the Ministry of the Interior. The IRSNZ

carries out inspection and supervision activities with regard to the implementation of laws and implementing regulations adopted on their basis in the fields of: personal security, physical protection of nuclear and radioactive substances and facilities, protective measures on vessels and in ports, detective activities, weapons, explosives and pyrotechnic articles, confidential data, and ski area safety and rules. The work of the IRSNZ is determined by the annual programme of work of the inspectorate, which is based on the programme of work of the Ministry of the Interior. From the point of view of implementation of Regulation (EC) No 765/2008, it is responsible, under existing regulations, for surveillance activities with regard to pyrotechnic articles and explosives for civil uses (Directive 93/15/EEC and Directive 2007/23/EC).

The **Agriculture and Environment Inspectorate** is responsible for surveillance activities with regard to mineral fertilisers (Regulation 2003/2003) and is a body within the **Ministry of Agriculture, Forestry and Food**.

The **Transport, Energy and Environment Inspectorate** is a body within the **Ministry of Infrastructure and Spatial Planning** and is responsible for surveillance activities with regard to the following products:

- The **Construction Inspection Service** has a responsible inspector appointed to oversee construction products who coordinates work and provides assistance in the construction products sector. Only the installation of products on building sites is controlled. If it is found that installed products were not placed on the market in accordance with legislation, the case is referred to the TIRS, the competent body.
- The **Road Transport Inspection Service (ICP)** has been included in the market surveillance system for sector 27 – Motor vehicles and their parts, in connection with Directives 2002/24/EC and 2007/46/EC and Regulation (EC) No 1222/2009, as the surveillance authority in the context of statutory powers, since July 2001. The inspectors of the inspectorate 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 regulations on technical requirements for products and assessing conformity and regulations on general product safety, by which controls of the conformity and safety of products that are placed on the market or are in use are regulated. In the part relating to regulations on general product safety, a report is made to the TIRS, which is the contact body in the RAPEX system.
- **Energy inspectors** verify the adequacy of periodic inspections and tests and check the conformity of transportable pressure equipment in use (Directive 2010/35/EC), which means checks of filling plants for gases, LPG cylinders and other cylinders, cylinder bundles, barrels, transportable pressure receptacles for technical gases and associated safety equipment and other equipment.

Cooperation with customs

The **Customs Administration**, which is part of the Financial Administration of the Republic of Slovenia under the aegis of the Ministry of Finance, is responsible for controls of products entering the market of the European Union. Information on controls carried out by the Customs Administration are not included in this report.

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 ascertain, on checking goods declared for release for free circulation, that specific products have characteristics that give rise to the probability that the product, when properly installed,

maintained and used, can seriously compromise health, safety, environmental protection or any other public

interest, or that the prescribed documentation is not enclosed with the product or it is not marked with the prescribed

CE marking (or this has been wrongly affixed), they shall prevent its release for free circulation and immediately inform the competent market surveillance authority of this (Article 27 Regulation (EU) No 765/2008). The goods shall be temporarily held for a maximum of three working days. Within these three working days the surveillance authorities shall ascertain whether action is necessary and, if it is not, notify the customs authority of the possibility of releasing the product for free circulation.

The **Ministry of Economic Development and Technology**, which is responsible for the implementation of Regulation (EC) No 765/2008, coordinates the work of the inspectorates and oversees the exchange of information in accordance with the Regulation within the Working Group set up at the Ministry for implementation of the Regulation. The Working Group includes representatives of all relevant inspectorates and representatives of the Customs Administration of the Republic of Slovenia. The group meets regularly once or twice a year or as necessary. In the interim, communication and coordination take place via electronic mail or by telephone.

Information on total resources available for market surveillance activities (subject to availability)

DATA NOT AVAILABLE.

		2010	2011	2012	2013
1.1	Budget available to market surveillance authorities in nominal terms ¹ (in EUR)				
1.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
2	Staff available to market surveillance authorities (full-time equivalent units)				
3	Number of inspectors available to market surveillance authorities (full-time equivalent units)				

¹ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities (including related infrastructures) as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation.

These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

B. Assessment of the functioning of market surveillance activities

The Ministry of Economic Development and Technology (MGRT) does not have a direct influence on the preparation of the financial plans and annual programmes of the individual inspectorates. The role of the MGRT is to exchange information between the ministry and the competent surveillance authorities and to encourage cooperation and 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.

Between 2010 and 2013 there was a slight improvement in knowledge of the requirements of the Regulation and cooperation in accordance with these requirements. Cooperation has been established between the inspection services carrying out surveillance of products in use and the inspection service responsible for surveillance of products on the market. Cooperation has also been established between inspectorates and the customs authority, where it should be emphasised that cooperation with some surveillance authorities (such as the market and health inspection services) is more intensive than with others. Progress has also been made with regard to knowledge of the RAPEX and ICSMS systems. Pursuant to the [Regulation on the method of international exchange of information about measures and actions restricting trade in products](#) (UL RS 79/11), the Market Inspectorate of the Republic of Slovenia is the RAPEX contact point, while the ICSMS contact point is the Ministry of Economic Development and Technology. The competent supervisory authorities are also included in the exchange of information with surveillance authorities from other Member States, via various forums and working groups such as PROSAFE, AdCo groups, WELMEC, ECHA, etc. Participation at meetings of working groups has recently been considerably reduced as a result of the lack of resources.

A difficulty common to all inspection services is the lack of resources for the implementation of surveillance activities and, in particular, the testing of products, combined with human resources limitations, which results in an incomplete picture of the actual state of products on the market from the point of view of the protection of public interests such as the protection of health, health and safety at work, and the protection of consumers, the environment and safety.

Market surveillance activities in specific sectors

Sector 1: Medical devices

1.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	2	1	13	1
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections ² (total number)	8	18	22	18
3.1	number of reactive inspections ³	8	11	18	14
3.2	number of self-initiated inspections ⁴	0	7	4	2
3.3	number of inspections prompted by the customs ⁵	0	1	3	2
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products ⁶	5	4	1	7
5	Number of inspections resulting in:				

² Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

³ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

⁴ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

⁵ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

⁶ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

5.1	finding of non-compliance ⁷	4	7	10	7
5.2	corrective actions taken by economic operators ('voluntary measures') ⁸	1	5	6	0
5.3	restrictive measures ⁹ taken by market surveillance authorities	1	0	1	0
5.4	application of sanctions/penalties	0	0	1	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010–2013 period (optional)

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Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹⁰ (in EUR)*	44,030	44,292	41,423	37,862
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)*	38,494	39,182	36,644	33,450
8	Staff available to market surveillance authorities (full-time equivalent units)	0.5	0.5	0.5	0.5
9	Number of inspectors available to market	0.5	0.5	0.5	0.5

⁷ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

⁸ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

⁹ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

¹⁰ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

surveillance authorities (full-time equivalent units)				
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*Resources drawn from the national budget and from surplus revenue of other JAZMP activities (budget too low). We have not indicated the percentage of the annual budget because this figure is not available.

1.B. Assessment of the functioning of market surveillance activities in the sector

Market surveillance in the medical devices sector only began to be implemented in full in 2014, when a person began working in this field on a full-time basis. Before this, market surveillance in the medical devices sector was only carried out on a part-time basis and controls were only carried out on the basis of reports. Proactive actions were not carried out because of human resources difficulties. In 2014 we also began with proactive actions and better cooperation with customs authorities.

We estimate that there are around 50 000 medical devices on the market in Slovenia, although it is difficult to give an accurate estimate because there is no register of such medical devices. We are also required to carry out surveillance of around 1 730 legal entities: medical device manufacturers, medical device wholesalers/retailers or medical device importers. We are not able to estimate the volume of imports from other Member States because the free circulation of goods applies and this information is not recorded anywhere. It is likewise difficult to estimate the volume of imports from third countries, since controls have not been carried out until now because of staffing problems.

Sector 2: Cosmetics

2.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	n/a	n/a	n/a	n/a
2.	Number of substantiated complaints by industry concerning unfair competition	n/a	n/a	n/a	n/a
3.	Number of inspections (total number)	2285	2055	1914	1432
3.1	number of reactive inspections	355	344	209	187
3.2	number of self-initiated inspections	1872	1668	1654	1196
3.3	number of inspections prompted by the customs	n/a	n/a	n/a	n/a
4	Number of inspections based on:				

4.1	tests performed in laboratories (*the reason for the inspection is a non-compliant sample)	21	26	5	8
4.2	physical checks of products	1872	1668	1654	1196
5	Number of inspections resulting in:				
5.1	finding of non-compliance	292	232	283	292
5.2 5.3	corrective actions taken by economic operators ('voluntary measures') restrictive measures taken by market surveillance authorities**, ***	207	149	206	289
5.4	application of sanctions/penalties	80	79	109	128
6	Number of inspections where other Member States were invited to collaborate	n/a	n/a	n/a	n/a

** the inspectorate's information system does not allow the (separate) display of information on the number of inspections resulting in corrective and restrictive measures; we therefore infer the number of inspections resulting in corrective and restrictive measures from information on the number of administrative measures (indicated in points 5.2 and 5.3) and administrative offence measures (point 5.4) imposed. On the basis of these it is possible to conclude that the economic operator implements corrective measures in the majority of cases of identified non-compliance even before the inspection procedure is completed and further restrictive measures are unnecessary.

***the number of inspections resulting in identified non-compliance (point 5.1) does not include non-compliance in sampling. The number of measures also includes measures because of non-compliant samples.

Information on communication activities carried out in the 2010–2013 period (optional)

The Health Inspectorate website (<http://www.zi.gov.si/>) publishes, in addition to information on product withdrawals/recalls, notices on current issues (e.g. warnings about the dangers of online shopping).

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (in EUR) ****total budget of the authority	6,565,372	5,813,788	5,171,789	4,982,892
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	0.066	0.060	0.057	0.051

8	Staff available to market surveillance authorities (*****number of employees)	135	133	134	129
9	Number of inspectors available to market surveillance authorities (*****total number of inspectors)	112	110	110	109

2.B. Assessment of the functioning of market surveillance activities in the sector

Inspection and supervision of cosmetic products take place in the context of scheduled and extraordinary inspections. Additional surveillance is provided through sampling. The frequency of scheduled inspections is based on a risk assessment that takes into account the nature and scale of activity in the sectors or facilities that are the subject of control, the requirements of and amendments to regulations, and current issues, taking into account the resources available to the inspectorate. One specific form of extraordinary surveillance consists of control inspections. These serve to check measures implemented in response to cases of already identified non-compliance.

In addition to scheduled inspections, inspection and supervision in the cosmetics sector also includes targeted inspections in the form of actions, the purpose of which is to verify the situation on the market with regard to individual groups of products offered, products at trade fairs, products offered by specific economic operators, and so on. The focus changes every year with regard to the results of inspections from previous years, amendments to regulation in the sector, any new risks and the latest findings within the field.

Market surveillance also covers online sales and cosmetics advertising, where checks are carried out by means of monitoring various media. Market surveillance also takes place in hygienic care facilities and covers cosmetic products placed on the market and their use. During the last two years we have taken an even more active approach to informing operators subject to market surveillance about the requirements of the new Regulation 1223/2009/EC on cosmetic products, while since the entry into force of the Regulation surveillance has been focused on conformity in the light of the new, stricter requirements. The number of manufacturers or responsible persons established in Slovenia is small with regard to the cosmetic products market, but in recent times the share of small manufacturers of simple products who market their products locally has been increasing. In view of the above, the impact of surveillance by the Health Inspectorate of the Republic of Slovenia of the European cosmetic products market is relatively small.

Sector 3: Toys

3.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	n/a	n/a	n/a	n/a
2.	Number of substantiated complaints by industry concerning unfair competition	n/a	n/a	n/a	n/a
3.	Number of inspections (total number)	1905	1866	1715	1540
3.1	number of reactive inspections	505	468	281	227
3.2	number of self-initiated inspections	1345	1374	1396	1279
3.3	number of inspections prompted by the customs	n/a	n/a	n/a	n/a
4	Number of inspections based on:				
4.1	tests performed in laboratories (*the reason for the inspection is a non-compliant sample)	62	76	14	25
4.2	physical checks of products	1345	1374	1396	1279
5	Number of inspections resulting in:				
5.1	finding of non-compliance	303	204	275	231
5.2	corrective actions taken by economic operators ('voluntary measures')	278	177	264	260
5.3	restrictive measures taken by market surveillance authorities**, ***				
5.4	application of sanctions/penalties	79	31	99	99
6	Number of inspections where other Member States were invited to collaborate	n/a	n/a	n/a	n/a

** the inspectorate's information system does not allow the (separate) display of information on the number of inspections resulting in corrective and restrictive measures; we therefore infer the number of inspections resulting in corrective and restrictive measures from information on the number of administrative measures (indicated in points 5.2 and 5.3) and administrative offence measures (point 5.4) imposed. On the basis of these it is possible to conclude that the economic operator implements corrective measures in the majority of cases of identified non-compliance even before the inspection procedure is completed and further restrictive measures are unnecessary.

***the number of inspections resulting in identified non-compliance (point 5.1) does not include non-compliance in sampling. The number of measures also includes measures because of non-compliant samples.

Information on communication activities carried out in the 2010–2013 period

In order to facilitate the understanding and uniform application of the Directive by manufacturers, importers and distributors, an all-day conference was organised at the end of 2010 by TZS (a chamber of commerce organisation), in cooperation with the Ministry of Health, the Health Inspectorate and the Maribor Institute of Public Health, under the title 'Presentation of new elements in the area of the Toy Safety Directive 2009/48/EC and, by extension, Slovenian legislation'. The presentation was followed by a general discussion. In order to facilitate monitoring of the new elements introduced by the Directive, with regard both to the obligations for economic operators in the toys sector and to safety requirements, the Health Inspectorate has posted all relevant toy safety information on its website, together with summaries of the main requirements of the Directive.

Presentations on toy safety legislation have been given at meetings organised by regional chambers of crafts and small business.

As a result of the European Toy Safety Information Seminar 2012, a translation of frequently asked questions has been posted on the toy safety section of the inspectorate's website: http://www.zi.gov.si/si/storitve/gospodarski_subjekti/varnost_igrac/pogosto_zastavljena_vprasanja

The Inspectorate's website also publishes information on topical issues (e.g. used toys, online toy sales, jigsaw puzzles, amber necklaces, etc.).

The Health Inspectorate publishes all toy safety information aimed at economic operators and consumers on the website http://www.zi.gov.si/si/delovna_podrocja/varnost_igrac (and links).

Information on resources

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms (in EUR) ****total budget of the authority	6,565,372	5,813,788	5,171,789	4,982,892
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	0.066	0.060	0.057	0.051
8	Staff available to market surveillance authorities (*****number of employees)	135	133	134	129
9	Number of inspectors available to market surveillance authorities (*****total number of inspectors)	112	110	110	109

3.B. Review of market surveillance activities in the sector

Inspection and supervision in the field of toy safety take place in the context of scheduled and extraordinary inspections. Additional surveillance is provided through sampling. The frequency of scheduled inspections is based on a risk assessment that takes into account the nature and scale of activity in the sectors or facilities that are the subject of control, the requirements of and amendments to regulations, and current issues, taking into account the resources available to the inspectorate. One specific form of extraordinary surveillance consists of control inspections. These serve to check measures implemented in response to cases of already identified non-compliance.

Market surveillance activities also take place in the context of various actions, the focus of which changes every year with regard to the results of inspections from previous years, amendments to regulations in the sector, any new risks and the latest findings within the field. Health inspectors also carry out controls in nursery schools.

The focus of controls on toys, which before the new Directive entered into force were largely based on product control, has shifted to controlling the management of the quality assurance system for toy production and monitoring their safety on the market up to the end consumer. This approach enables the market surveillance authorities to operate more effectively.

Slovenia only has a small share of toy manufacturers and importers, so the imposition of measures relating to the responsibilities of distributors is rather limited. When we enter information on unsafe products into the RAPEX system, we do not receive any feedback on the results of checks on manufacturers/importers in the countries in which they are established.

Sector 4: Personal protective equipment (Directive 89/686/EEC)

4.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period for the personal protective equipment sector

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	0	0	0	0
2.	Number of substantiated complaints by	0	0	0	0

	industry concerning unfair competition				
3.	Number of inspections ¹¹ (total number)	153	125	161	189
3.1	number of reactive inspections ¹²	3	1	4	0
3.2	number of self-initiated inspections ¹³	138	113	149	185
3.3	number of inspections prompted by the customs ¹⁴	12	11	8	4
4	Number of inspections based on:				
4.1	tests performed in laboratories	10	7	8	16
4.2	physical checks of products ¹⁵	367	423	308	315
5	Number of inspections resulting in:				
5.1	finding of non-compliance ¹⁶	31	37	46	37
5.2	corrective actions taken by economic operators ('voluntary measures') ¹⁷	14	33	44	33
5.3	restrictive measures ¹⁸ taken by market surveillance authorities	17	4	2	4

¹¹ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

¹² Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹³ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

¹⁴ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

¹⁵ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

¹⁶ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

¹⁷ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

¹⁸ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on

5.4	application of sanctions/penalties	54	37	62	42
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010–2013 period (optional)

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Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹⁹ (in EUR)	9,600.00	13,020.00	8,160.00	14,640.00
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)				
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)				

4.B. Assessment of the functioning of market surveillance activities in the PPE sector

The Market Inspectorate of the Republic of Slovenia is a body within the Ministry of Economic Development and, among other products, is responsible for market surveillance activities with regard to personal protection equipment on the market under PPE Directive 89/686/EEC, and carries out surveillance of equipment of this type on the market in accordance with its plan of work. Reports on the findings of inspections are published on the inspectorate's website www.tirs.si and, for information, as additional clarifications for personal protection equipment in the replies to questions in this field.

Provision of information to consumers also took place between 2010 and 2013. In 2012 the inspectorate held

previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

¹⁹ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

an open day and to this end presented the operation of the inspectorate as a whole and drew up additional clarifications including for the field of personal protection equipment. Participants included consumers, manufacturers, suppliers and distributors in Slovenia, the standardisation authority, the PPE laboratory, the retailers' chamber and others. The open day was reported on by journalists from newspapers and some television stations in Slovenia, whose reports on the presentation reached the general public.

In 2013 the Market Inspectorate began the first focused and coordinated administrative form of inspection in the PPE sector along with the inspectorates responsible for controls by virtue of their competence with regard to controls of PPE in use. Before implementation of this action it informed the other competent authorities about the implementation of PPE surveillance activities and the individual checklists used by the inspectorates during inspections. The participants in the presentation and coordinated controls are: The Labour Inspectorate (a body within the Ministry of Labour, Family, Social Affairs and Equal Opportunities), the Inspectorate for Protection Against Natural and Other Disasters (a body within the Ministry of Defence), the Energy and Mining Inspection Service (part of the Transport, Energy and Spatial Planning Inspectorate) and the Public Agency for Medicinal Products and Medical Devices, which oversees personal protective equipment classified as medical devices.

Sector 5: Construction products

5.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

	CONSTRUCTION PRODUCTS	2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	N/A	N/A	N/A	N/A
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	2
3.	Number of inspections ²⁰ (total number)	277	375	442	197
3.1	number of reactive inspections ²¹	195	189	196	152
3.2	number of self-initiated inspections ²²	182	186	246	28
3.3	number of inspections prompted by the	84	50	22	9

²⁰ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

²¹ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

²² This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

	customs ²³				
4	Number of inspections based on:				
4.1	tests performed in laboratories	20	0	0	3
4.2	physical checks of products ²⁴	257	375	442	197
5	Number of inspections resulting in:				
5.1	finding of non-compliance ²⁵	163	72	80	58
5.2	corrective actions taken by economic operators ('voluntary measures') ²⁶	n/a	n/a	n/a	>5
5.3	restrictive measures ²⁷ taken by market surveillance authorities	101	58	63	27
5.4	application of sanctions/penalties	39	44	46	40
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010–2013 period (optional)

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Information on resources (subject to availability): information not available

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ²⁸ (in EUR)				

²³ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

²⁴ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

²⁵ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

²⁶ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

²⁷ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

²⁸ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities

7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)				
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)				

5.B. Assessment of the functioning of market surveillance activities in the sector

The market inspectors of the Market Inspectorate of the Republic of Slovenia carry out surveillance activities with regard to construction products on the market in accordance with applicable legislation, specifically, up to 22 October 2013 the provisions of the Construction Products Act (ZGPro, UL RS 52/2000, 110/2002) and since 23 October 2013 the Construction Products Act (ZGPro-1, UL RS 82/2013), and since 1 July 2013 the requirements of Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (CPR).

Market surveillance activities are carried out by market inspectors who are part of the group designated to oversee the safety and conformity of technical products within the scope of technical Directives and Regulations. At the head office of the TIRS a sector head is responsible for surveillance. It is the sector head's job, in addition to directing the work of the group of technical inspectors, preparing relevant manuals and guidelines and dealing with the most complex surveillance cases, to cooperate with other surveillance authorities of Member States of the European Community (EC) and attend meetings of the ADCO CPR group, which brings together surveillance authorities in the construction products sector. Market surveillance activities with regard to construction products are carried out in Slovenia through administrative checks of the relevant operators (manufacturers, distributors, importers), and also reactively, as necessary, by means of technical checks involving the taking of samples and conformity testing in laboratories. The TIRS also cooperates with the authorities in charge of external border controls – the Customs Administration of the Republic of Slovenia – pursuant to Regulation 765/2008, and on the basis of such information carries out conformity checks of construction products imported from third countries (Article 27 Regulation 765/2008).

During controls of administrative conformity of construction products on the market, inspectors carry out checks on the basis of coordinated manuals and guidance prepared at the TIRS head office

(consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

on the basis of the annual plan and also reactively, on the basis of personal observation by the inspector, the situation on the market, a report or initiative received or a case passed on by another authority, in particular the Construction Inspectorate, or information received from other Member States.

Sector 6: Aerosol dispensers

6.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections ²⁹ (total number)	0	16	0	0
3.1	number of reactive inspections ³⁰				
3.2	number of self-initiated inspections ³¹	0	15		
3.3	number of inspections prompted by the customs ³²	0	1	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories				
4.2	physical checks of products ³³		74		

²⁹ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

³⁰ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

³¹ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

³² These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

³³ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

5	Number of inspections resulting in:				
5.1	finding of non-compliance ³⁴		3		
5.2	corrective actions taken by economic operators ('voluntary measures') ³⁵		3		
5.3	restrictive measures ³⁶ taken by market surveillance authorities		0		
5.4	application of sanctions/penalties		1		
6	Number of inspections where other Member States were invited to collaborate				

Information on resources (subject to availability): information not available

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ³⁷ (in EUR)				
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)				
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)				

Note: Point 7.1 only includes the costs of laboratory tests

³⁴ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

³⁵ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

³⁶ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

³⁷ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

6.B. Assessment of the functioning of market surveillance activities in the sector

Inspection and supervision in the aerosol dispensers sector take place in planned annual inspections of these products. In inspections of aerosol dispensers immediately following Slovenia's entry to the EU, it was found that almost all these products were marked with a backwards epsilon and lacked Slovene translations of warnings. As a result of annual surveillance activities, these deficiencies were remedied, with the result that aerosol dispensers destined for general use now fulfil the requirements of the Rules on aerosol dispensers. With regard to market surveillance, Slovenian manufacturers are placing compliant aerosol dispensers on the market.

On the basis of previous experience, the TIRS focuses controls above all on the sector where aerosol dispensers are used for professional purposes (e.g. the vehicle maintenance and repair segment) and come from outside the EU. In these cases it is found that some products do not have conformity markings (backwards epsilon).

Sector 7: Simple pressure vessels and pressure equipment (Directives 2009/105/EC and 97/23/EC)

7.A. Review of market surveillance activities in the sector

Note: Information is quoted for inspections by the energy inspection service of equipment in use.

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections ³⁸ (total number)	300	338	220	107
3.1	number of reactive inspections ³⁹	n/a	n/a	n/a	n/a
3.2	number of self-initiated inspections ⁴⁰	0	0	0	0

³⁸ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

³⁹ Inspections prompted by specific **complaints** (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

3.3	number of inspections prompted by the customs ⁴¹	5	4	4	6
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products ⁴²	0	0	0	0
5	Number of inspections resulting in:				
5.1	finding of non-compliance ⁴³	n/a	n/a	n/a	n/a
5.2	corrective actions taken by economic operators ('voluntary measures') ⁴⁴	50	47	32	22
5.3	restrictive measures ⁴⁵ taken by market surveillance authorities	30	28	20	15
5.4	application of sanctions/penalties	n/a	n/a	n/a	n/a
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010–2013 period (optional)

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Information on resources (subject to availability)

⁴⁰ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

⁴¹ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

⁴² This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

⁴³ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

⁴⁴ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

⁴⁵ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ⁴⁶ (in EUR)	Not available for control of pressure equipment alone	Not available for control of pressure equipment alone	Not available for control of pressure equipment alone	Not available for control of pressure equipment alone
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)				
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)				

7.B. Assessment of the functioning of market surveillance activities in the sector

Energy inspectors verify the adequacy of periodic inspections and tests and check the conformity of pressurised equipment in use: steam boilers and hot water boilers, autoclaves, LPG tanks, liquid air, hot water and steam vessels, nitrogen, ammonia, coolant gases, etc.

There are no dedicated resources exclusively for the testing of pressure equipment and testing of this kind is not carried out. Only administrative and operational checks in the field are carried out. Energy inspectors verify the adequacy of periodic inspections of pressure equipment and check whether equipment is subject to adequate inaugural and/or periodic inspections. Documentation (record sheets, inspection programme, catalogue of measures) is inspected. In the case of irregularities, inspectors order by decision the remedying of non-compliance and, if necessary, withdrawal from use. At the same time they inform the market inspection service competent for the placing of products on the market of the identified infringement.

Sector 8: Transportable pressure equipment

8.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

⁴⁶ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections ⁴⁷ (total number)	102	101	82	107
3.1	number of reactive inspections ⁴⁸	19	26	18	23
3.2	number of self-initiated inspections ⁴⁹	79	72	60	78
3.3	number of inspections prompted by the customs ⁵⁰	4	3	4	6
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products ⁵¹	0	0	0	0
5	Number of inspections resulting in:				
5.1	finding of non-compliance ⁵²	21	20	17	22
5.2	corrective actions taken by economic operators ('voluntary measures') ⁵³	0	0	0	0

⁴⁷ Inspections are **scheduled** or ad hoc visits, controls (including online checks) or other forms of contacts (mail, telephone) undertaken by an inspector, with a focus on enforcement of regulations (excluding pure information exchange) and aimed at verification of product safety and conformity. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

⁴⁸ Inspections prompted by specific **complaints** (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

⁴⁹ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

⁵⁰ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

⁵¹ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

⁵² This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

⁵³ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

5.3	restrictive measures ⁵⁴ taken by market surveillance authorities	0	0	0	0
5.4	application of sanctions/penalties	21	20	17	22
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010–2013 period (optional)

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Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ⁵⁵ (in EUR)	There are no additional resources for checks of transportable pressure equipment.	There are no additional resources for checks of transportable pressure equipment.	There are no additional resources for checks of transportable pressure equipment.	There are no additional resources for checks of transportable pressure equipment.
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	14 % Since there are no additional resources, we only estimate the time dedicated by inspectors to transportable pressure equipment	13 % Since there are no additional resources, we only estimate the time dedicated by inspectors to transportable pressure equipment	12 % Since there are no additional resources, we only estimate the time dedicated by inspectors to transportable pressure equipment	13 % Since there are no additional resources, we only estimate the time dedicated by inspectors to transportable pressure equipment
8	Staff available to market surveillance	3	3	3	3

⁵⁴ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

⁵⁵ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

	authorities (full-time equivalent units)				
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	9	9	9	9

8.B. Assessment of the functioning of market surveillance activities in the sector

Energy inspectors verify the adequacy of periodic inspections and tests and check the conformity of transportable pressure equipment in use, which means checks of filling plants for gases, LPG cylinders and other cylinders, cylinder bundles, barrels, transportable pressure receptacles for technical gases and associated safety equipment and other equipment.

There are no dedicated resources exclusively for the testing of transportable pressure equipment and testing of this kind is not carried out. Only administrative and operational checks in the field are carried out. Energy inspectors verify the adequacy of periodic inspections of pressure equipment and check the conformity of transportable pressure equipment. In the case of irregularities, inspectors order by decision the remedying of non-compliance and, if necessary, withdrawal from use. At the same time they inform the market inspection service competent for the placing of products on the market of the identified infringement.

Sector 9: Machinery

9.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints				
2.	Number of substantiated complaints by industry concerning unfair competition				
3.	Number of inspections ⁵⁶ (total number)	213	144	181	175
3.1	number of reactive inspections ⁵⁷				

⁵⁶ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

3.2	number of self-initiated inspections ⁵⁸	169	114	150	148
3.3	number of inspections prompted by the customs ⁵⁹	44	30	31	27
4	Number of inspections based on:				
4.1	tests performed in laboratories	11	20	12	10
4.2	physical checks of products ⁶⁰	415	234	216	115
5	Number of inspections resulting in:				
5.1	finding of non-compliance ⁶¹	76	55	79	57
5.2	corrective actions taken by economic operators ('voluntary measures') ⁶²	48	45	79	57
5.3	restrictive measures ⁶³ taken by market surveillance authorities	28	10	0	0
5.4	application of sanctions/penalties	13	18	3	2
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on resources (subject to availability)

⁵⁷ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

⁵⁸ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

⁵⁹ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

⁶⁰ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

⁶¹ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

⁶² Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

⁶³ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ⁶⁴ (in EUR)	12,300	19,590	13,680	10,680
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)				
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)				

Note: Point 7.1 only includes the costs of laboratory tests

9.B. Assessment of the functioning of market surveillance activities in the sector

Market surveillance regarding machinery on the market is carried out with regard to the existing Machinery Safety Rules (Article 5). The TIRS checks the conformity of machinery on the market via market inspectors who are part of the group designated to oversee product safety within the scope of technical Directives. At the head office of the TIRS an inspector/councillor is responsible for surveillance of machinery. It is the job of this inspector, in addition to directing the work of the group of technical control inspectors, preparing relevant guidelines in individual sectors of machinery and dealing with the most complex controls, to cooperate with other surveillance authorities of Member States of the European Community (EC) and attend meetings of the ADCO machinery group, which brings together surveillance authorities in the machinery sector in the EC. Market surveillance activities with regard to machinery in Slovenia are carried out in the administrative field and through a sampling system. The TIRS also cooperates with the authorities in charge of external border controls – the Customs Administration of the Republic of Slovenia – pursuant to Regulation 765/2008, and on the basis of such information carries out conformity checks of machinery imported from third countries (Article 27 Regulation 765/2008).

When checking for conformity of machinery on the market, inspectors carry out checks on the basis of coordinated guidelines drawn up at the TIRS head office on the basis of the annual plan for a specific sector of machinery. A small group of inspectors also carries out annual sampling of a small selection of machinery. Three groups of machinery are usually selected and around 10 machines are sampled. Via separately concluded agreements with independent laboratories accredited for the machinery sector, corresponding test reports are then obtained. These serve as a basis for

⁶⁴ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

subsequent procedures in assessing the conformity of machinery on the market. In the event of it being established that machinery sampled in this way represents, in view of the risk assessment, a product that is non-compliant in terms of its construction, a safeguard clause (SGC) shall be published pursuant to Article 10 of the Machinery Safety Rules; if it is established through the risk assessment that the machinery is also hazardous, this is reported to the RAPEX system.

The conformity of machinery on the market will continue to be the subject of market surveillance activities on the basis described, since the TIRS considers that through these activities it is complying in full with the provisions of the Machinery Safety Rules and other regulations important for market surveillance which are harmonised with EC legislation.

Sector 10: Lifts (Directive 1995/16/EC)

10.A. Review of market surveillance activities in the lifts sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of lift-related accidents reported	3	5	0	1
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections ⁶⁵ (total number) in the 'lifts' sector				
3.1	number of reactive inspections ⁶⁶	/	/	/	/
3.2	number of self-initiated inspections ⁶⁷ (targeted actions)	0	179	0	0
3.3	number of inspections prompted by the customs ⁶⁸	/	/	/	/

⁶⁵ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

⁶⁶ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

⁶⁷ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

4	Number of inspections based on:				
4.1	tests performed in laboratories	/	/	/	/
4.2	physical checks of products ⁶⁹	/	/	/	/
5	Number of non-compliances identified:				
5.1	finding of non-compliance ⁷⁰	0	192	46 (in scheduled inspections)	1 (in scheduled inspections)
5.2	corrective actions taken by economic operators ('voluntary measures') ⁷¹	/	/	/	/
5.3	restrictive measures ⁷² taken by market surveillance authorities	/	/	/	/
5.4	application of sanctions/penalties	0	11 (warnings)	0	0
6	Number of inspections where other Member States were invited to collaborate	/	/	/	/

Information on communication activities carried out in the 2010–2013 period (optional)

/

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance	n/a	n/a	n/a	n/a

⁶⁸ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

⁶⁹ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

⁷⁰ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

⁷¹ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

⁷² Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

	authorities in nominal terms ⁷³ (in EUR)				
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a

10.B. Assessment of the functioning of market surveillance activities in the lifts sector

The competent inspectors of the Labour Inspectorate carry out market surveillance activities within the context of standard scheduled inspections and extraordinary inspections, where they do not differentiate between content or different regulations. Thus in the course of the same inspection they simultaneously verify the fulfilment of the provisions of legislation from multiple fields. All costs relating to market surveillance are thus covered from the overall budget of the inspectorate. The Labour Inspectorate does not plan special resources for its market surveillance activities and does not have a separate budget for this purpose.

Sector 11: Cableways (Directive 2000/9/EC and amendments)

11.A. Review of market surveillance activities in the cableways sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	n/a	n/a	n/a	n/a
2.	Number of substantiated complaints by	n/a	n/a	n/a	n/a

⁷³ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

	industry concerning unfair competition				
3.	Number of inspections ⁷⁴ (total number) in the cableways sector	77	131	133	129
3.1	number of reactive inspections ⁷⁵	/	/	/	/
3.2	number of self-initiated inspections ⁷⁶	77	131	133	129
3.3	number of inspections prompted by the customs ⁷⁷	/	/	/	/
4	Number of inspections based on:				
4.1	tests performed in laboratories	/	/	/	/
4.2	physical checks of products ⁷⁸	77	131	133	129
5	Number of non-compliances identified:				
5.1	finding of non-compliance ⁷⁹	n/a	n/a	n/a	n/a
5.2	corrective actions taken by economic operators ('voluntary measures') ⁸⁰	/	/	/	/
5.3	restrictive measures ⁸¹ taken by market surveillance authorities	/	/	/	/

⁷⁴ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

⁷⁵ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

⁷⁶ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

⁷⁷ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

⁷⁸ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

⁷⁹ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

⁸⁰ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

5.4	application of sanctions/penalties	14	12	2	6
6	Number of inspections where other Member States were invited to collaborate	/	/	/	/

Information on communication activities carried out in the 2010–2013 period (optional)

/

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ⁸² (in EUR)	n/a	n/a	n/a	n/a
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	n/a	n/a	n/a	n/a
8	Staff available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	/	/	/	/

⁸¹ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

⁸² The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

11.B. Assessment of the functioning of market surveillance activities in the cableways sector

Cableways inspectors do not perform market surveillance but carry out checks of installations in use.

The table provides data on controls of operators of cableway installations and of cableway installations in accordance with the competences defined in the Cableway Installations for the Transport of Persons Act. These inspections do not involve market surveillance but checks of the operation and maintenance of cableway installations, and therefore the data are incomplete.

Data are not available for some columns because the inspectorate does not keep separate statistics. Similarly, no information is available on budget resources for the cableways sector alone.

Sector 12: Noise emission by equipment for use outdoors (Directive 2000/14/EC),

12.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	/	/	/	/
2.	Number of substantiated complaints by industry concerning unfair competition				
3.	Number of inspections ⁸³ (total number)	115	35	90	38
3.1	number of reactive inspections ⁸⁴				
3.2	number of self-initiated inspections ⁸⁵	115	35	90	38
3.3	number of inspections prompted by the customs ⁸⁶				

⁸³ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

⁸⁴ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

⁸⁵ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products ⁸⁷	372	111	77	36
5	Number of inspections resulting in:				
5.1	finding of non-compliance ⁸⁸	41	11	60	11
5.2	corrective actions taken by economic operators ('voluntary measures') ⁸⁹	30	5	60	11
5.3	restrictive measures ⁹⁰ taken by market surveillance authorities	11	6	0	0
5.4	application of sanctions/penalties	3	5	2	1
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ⁹¹ (in EUR)	n/a	n/a	n/a	n/a

⁸⁶ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

⁸⁷ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

⁸⁸ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

⁸⁹ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

⁹⁰ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

⁹¹ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by

7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	n/a	n/a	n/a	n/a
8	Staff available to market surveillance authorities (full-time equivalent units)				
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)				

Note: Point 7.1 only includes the costs of laboratory tests

12.B. Assessment of the functioning of market surveillance activities in the sector

The TIRS carries out market surveillance in the area of noise emission by equipment for use outdoors on the basis of rules on noise emission by machinery for use outdoors, which recapitulates the content of Directive (EC) No 2000/14/EC on noise emission by equipment for use outdoors.

Controls of the machinery in question on the basis of the provisions of rules on noise emission by machinery for use outdoors always take place as part of controls of the conformity of machinery, which under the provisions of Annex 1 to these rules must also meet the requirements of these rules. Under the provisions of the rules, the TIRS is responsible for controlling the conformity of machinery of this type, which means that during inspections it checks the labelling of machinery and the adequacy of the EC declaration of conformity, which is usually also enclosed with or consists of an EC declaration of conformity for machinery. The largest number of irregularities are identified in the labelling of machinery with a guaranteed sound power level (LWA) marking, which in individual cases is incorrectly applied or the form does not conform to the provisions of the rules. Certain irregularities are also identified in EC declarations of conformity. Above all it is found that the manufacturer has not stated all the information on measured and guaranteed sound power for groups of machinery that is indicated in Article 10 of the Rules. Regarding identified inadequacies, manufacturers and their authorised representatives have to date rectified these in the subsequent course of proceedings.

The TIRS will continue to carry out controls in the field of noise from machinery for use outdoors as part of overall controls of the conformity of machinery, since this type of control has to date proved to be a reasonable and economical approach in terms of the presence of inspectors on the market.

these authorities not related to the enforcement of product legislation should be excluded from the calculation.

Sector 13: Equipment and protective systems intended for use in potentially explosive atmospheres (ATEX Directive 1994/9/EC)

13.A. Review of market surveillance activities in the ATEX sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of accidents relating to ATEX products reported	1	0	0	2
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections ⁹² (total number) in the ATEX sector				
3.1	number of reactive inspections ⁹³	/	/	/	/
3.2	number of self-initiated inspections ⁹⁴				
3.3	number of inspections prompted by the customs ⁹⁵	/	/	/	/
4	Number of inspections based on:				
4.1	tests performed in laboratories	/	/	/	/
4.2	physical checks of products ⁹⁶	/	/	/	/

⁹² Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

⁹³ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

⁹⁴ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

⁹⁵ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

⁹⁶ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

5	Number of non-compliances identified:				
5.1	finding of non-compliance ⁹⁷	52	33	10	12
5.2	corrective actions taken by economic operators ('voluntary measures') ⁹⁸	/	/	/	/
5.3	restrictive measures ⁹⁹ taken by market surveillance authorities	/	/	/	/
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	/	/	/	/

Information on resources (subject to availability) – information not available

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹⁰⁰ (in EUR)	n/a	n/a	n/a	n/a
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)				
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)				

⁹⁷ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

⁹⁸ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

⁹⁹ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

¹⁰⁰ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

13.B. Assessment of the functioning of market surveillance activities in the ATEX sector

No assessment by the inspectorate is available.

Sector 14: Pyrotechnics

14.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	25	12	15	16
2.	Number of substantiated complaints by industry concerning unfair competition	/	/	/	/
3.	Number of inspections (total number)	13	24	4	67
3.1	number of reactive inspections	2	/	/	/
3.2	number of self-initiated inspections	/	/	/	6
3.3	number of inspections prompted by the customs	/	/	/	/

14.B. Assessment of the functioning of market surveillance activities

As the Slovenian market surveillance authority in the explosives and pyrotechnic articles sector, the IRSNZ carried out checks of the conformity of explosives and pyrotechnic articles for civil uses in cooperation with the Internal Market Directorate at the Ministry of Economy within the context of the requirements of Regulation (EC) No 765/2008. For the effective implementation of these market surveillance activities, the IRSNZ checked the conformity of essential safety and technical properties of explosives and pyrotechnic articles through checks of conformity documents.

The IRSNZ checked in particular how operators guaranteed the safety of health, life and property in the manufacture and circulation of explosives or pyrotechnic articles, and in the use of explosives and implementation of fireworks. The fulfilment of prescribed conditions for the adequacy of sales and storage premises, the fulfilment of personal conditions for persons performing or responsible for safe work with explosives or pyrotechnic articles, and the keeping of prescribed records of manufacture or circulation were also checked.

As well as checks of retail sales of pyrotechnic articles, the IRSNZ carried out checks of the conformity of technical and safety characteristics of category 2 pyrotechnic articles in the context of the cooperation of Member State authorities for surveillance of the internal pyrotechnic market in a joint

action by the surveillance authorities of Member States as part of the JA PROSAFE 2011- Fireworks project.

Conformity checks covered the six largest Slovenian suppliers of pyrotechnic articles. The results of testing at the notified body for conformity assessment revealed that for 40% of samples of pyrotechnic articles non-compliance was identified of a type that necessitated the removal of these articles from sale (around 3,500 items). The non-compliant products were all from category 2, namely banger batteries. It should be emphasised that all these articles were marked as compliant, as proved by the CE marking and the traceability registration number that applies to pyrotechnic articles tested in an authorised EU laboratory (notified body) pursuant to Directive 2007/23/EC on pyrotechnic articles, and could therefore be placed on the internal market of the EU in any Member State.

In the context of the rapid alert system for hazardous articles on the internal market (RAPEX) the IRSNZ also dealt with notifications received, on the basis of a request from the Slovenian control point, and found that no hazardous pyrotechnic article had been placed on the internal market of the EU or was on sale on the Slovenian market.

On the basis of identifications of non-compliant pyrotechnic articles placed on sale by Slovenian suppliers and the adoption of adequate inspection measures for the withdrawal of such articles from the market, it has been shown that inspectors would need, in addition to the power to impose a temporary prohibition of purchase, sale and use of such articles, the power to impose an irrevocable ban, since in the case of articles which have a critical non-compliance in their construction (for example the noise of the bang is above the permitted level, the flight of burning particles is outside the safety distance, the burning time of the fuse is too short or too long), this cannot be rectified and a temporary ban does not make sense. The IRSNZ therefore drew up appropriate proposals for the preparation of amendments to the Explosives and Pyrotechnic Articles Act.

Sector 15: Explosives for civil uses

15.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	/	/	/	/
2.	Number of substantiated complaints by industry concerning unfair competition	/	/	/	/
3.	Number of inspections (total number)	1	2	1	1
3.1	number of reactive inspections	/	/	/	/
3.2	number of self-initiated inspections	/	/	/	/
3.3	number of inspections prompted by the customs	/	/	/	/

15.B. Assessment of the functioning of market surveillance activities

No accidents have been recorded in the sector of use of Explosives for civil uses. In view of the above, a small number of inspections have been carried out in this sector. As a rule, the inspections did not identify infringements.

Sector 16: Appliances burning gaseous fuels

16.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints				
2.	Number of substantiated complaints by industry concerning unfair competition				
3.	Number of inspections ¹⁰¹ (total number)	54	59	17	34
3.1	number of reactive inspections ¹⁰²				
3.2	number of self-initiated inspections ¹⁰³	54	58	17	32
3.3	number of inspections prompted by the customs ¹⁰⁴	0	1	0	2
4	Number of inspections based on:				
4.1	tests performed in laboratories	4	8	4	4
4.2	physical checks of products ¹⁰⁵	89	114	13	86

¹⁰¹ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

¹⁰² Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹⁰³ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

¹⁰⁴ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

5	Number of inspections resulting in:				
5.1	finding of non-compliance ¹⁰⁶	7	14	13	26
5.2	corrective actions taken by economic operators ('voluntary measures') ¹⁰⁷	4	7	13	23
5.3	restrictive measures ¹⁰⁸ taken by market surveillance authorities	3	7	0	3
5.4	application of sanctions/penalties	10	6	3	1
6	Number of inspections where other Member States were invited to collaborate				

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹⁰⁹ (in EUR)	3,708	8,640	5,184	5,270
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)				

¹⁰⁵ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

¹⁰⁶ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

¹⁰⁷ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

¹⁰⁸ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

¹⁰⁹ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

9	Number of inspectors available to market surveillance authorities (full-time equivalent units)				
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Note: Point 7.1 only includes the costs of laboratory tests

16.B. Assessment of the functioning of market surveillance activities in the sector

Inspection and supervision in the gas appliances sector have been carried out every year since 2002. Gas appliances can be dangerous to the user if used incorrectly, in particular if they are used in premises where the manufacturer did not envisage the use of the gas appliance (e.g. gas barbecues are exclusively to be used outdoors), and if they are connected to an unsuitable pressure. For this reason it is extremely important that all this information and all these warnings are given in the Slovene language, in accordance with the Rules on gas appliances, both on the appliance itself and on the packaging and in the operating instructions.

Market surveillance activities with regard to gas appliances in Slovenia are carried out in the administrative field and through a sampling system. Slovenian manufacturers of gas appliances have also been the subject of inspections and sampling. On the basis of sampling of gas appliances, we found that the largest number of irregularities detected are in the case of gas barbecues, in particular those manufactured outside the EU.

The conformity of gas appliances on the market will continue to be the subject of market surveillance activities in the future, since the TIRS considers that such activities ensure the compliance of such appliances with the Rules on gas appliances, which are harmonised with uniform EU legislation.

Sector 17: Measuring instruments, non-automatic weighing instruments and pre-packaged products

17.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections ¹¹⁰ (total number)				

¹¹⁰ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several

3.1	number of reactive inspections ¹¹¹	0	0	0	0
3.2	number of self-initiated inspections ¹¹²	23	6	6	2
3.3	number of inspections prompted by the customs ¹¹³	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	8	1	6	2
4.2	physical checks of products ¹¹⁴	23	6	6	2
5	Number of inspections resulting in:				
5.1	finding of non-compliance ¹¹⁵	3	0	0	0
5.2	corrective actions taken by economic operators ('voluntary measures') ¹¹⁶	3	0	0	0
5.3	restrictive measures ¹¹⁷ taken by market surveillance authorities	0	0	0	0
5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member	0	0	0	0

products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

¹¹¹ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹¹² This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

¹¹³ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

¹¹⁴ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

¹¹⁵ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

¹¹⁶ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

¹¹⁷ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

	States were invited to collaborate				
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Information on communication activities carried out in the 2010–2013 period (optional)

In this reporting period inspectors carried out educational activities for operators subject to market surveillance during control inspections and not as stand-alone activities.

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹¹⁸ (in EUR)*	10 % of 315,831	1 % of 287,749	4 % of 278,855	4 % of 252,574
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)*	0.0042	0.0037	0.0035	0.0032
8**	Staff available to market surveillance authorities (full-time equivalent units)	7	7	5	5
9**	Number of inspectors available to market surveillance authorities (full-time equivalent units)	3	3	3	4

* the information relates to the budget that was available to the metrological control department of the Metrology Office for all inspection activities in all sectors, not only for market surveillance with respect to measuring instruments that is included in this report (see also the clarification in section 1.B below). For the market surveillance that is the subject of this report, we used minimal resources which we cannot realistically estimate and separate from the total budget. For this reason only a rough estimate can be offered here. Additional costs through control testing of measuring instruments (conducted in this report as tests carried out in laboratories) were not incurred, because the tests were carried out by staff from the Metrology Office and, to a lesser extent, by persons appointed to carry out authentication.

** situation as at 31 December.

¹¹⁸ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

17.B. Assessment of the functioning of market surveillance activities in the sector

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 the case of suppliers, articles of precious metals on the market and measuring units in public use. This report only refers to market surveillance of measuring instruments, including non-automatic weighing instruments, for which common European legislation covering the new approach exists (Directive 2004/22/EC on measuring instruments (MID) and Directive 2009/23/EC on non-automatic weighing instruments (NAWI)), and which were included in the sectoral programme for market surveillance for 2010–2013. As a rule all known suppliers of these measuring instruments were subject to controls. 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 a minority compared to measuring instruments checked pursuant to national or EEC legislation.

Factors that make metrological controls of measuring instruments on the market difficult, or reasons why controls are above all carried out on measuring instruments in use:

- few or no measuring instruments are located at the premises of suppliers, since many measuring instruments go directly from the manufacturer to the final customer and do not wait at the supplier, which is the operator subject to controls;
- while the complexity of measuring instruments, which must be assembled at the point of use – realistically, for such measuring instruments (e.g. fuel pumping appliances, automatic weighing instruments, taximeters), comprehensive checks of a new measuring instrument are only possible at the point of use following assembly and before use begin; such checks can realistically only be implemented by agreement with the supplier and user;
- because of the need to gain access to measuring instruments, the majority of inspections need to be announced, which means that the situation at the time of the inspection can be better than in the case of an unannounced inspection;
- for some types of measuring instruments in circulation (e.g. non-automatic weighing instruments), use for both legal and illegal purposes is possible.

Sector 18: Electrical and electronic equipment under the Directive on Electromagnetic Compatibility

18.A. Review of market surveillance activities in the sector

Note: Administrative conformity controls of products under the EMC Directive were carried out simultaneously with controls under the Low Voltage Directive (see the content of the

Sector 20 table). In the following table data for samples taken under the EMC Directive are shown separately!

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints				
2.	Number of substantiated complaints by industry concerning unfair competition				
3.	Number of inspections ¹¹⁹ (total number)	10	9	5	11
3.1	number of reactive inspections ¹²⁰				
3.2	number of self-initiated inspections ¹²¹	10	9	5	11
3.3	number of inspections prompted by the customs ¹²²	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	10	9	5	11
4.2	physical checks of products ¹²³	10	9	5	11
5	Number of inspections resulting in:				
5.1	finding of non-compliance ¹²⁴	9	8	2	8
5.2	corrective actions taken by economic	7	7	0	8

¹¹⁹ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

¹²⁰ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹²¹ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

¹²² These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

¹²³ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

¹²⁴ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

	operators ('voluntary measures') ¹²⁵				
5.3	restrictive measures ¹²⁶ taken by market surveillance authorities	2	1	2	0
5.4	application of sanctions/penalties	0	7	2	2
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on resources (subject to availability)

Note: point 7.1 gives actual expenditure on sampling and the payment of samples!

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹²⁷ (in EUR)	9,916	11,904	5,025	11,230
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	n/a	n/a	n/a	n/a
8	Staff available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a

Note: Point 7.1 includes the costs of laboratory tests and payment for samples taken, with a corresponding claim from the liable party for the reimbursement of costs in the case of a compliant product!

¹²⁵ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

¹²⁶ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

¹²⁷ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

18.B. Assessment of the functioning of market surveillance activities in the sector

The control of electrical and electronic equipment from the point of view of electromagnetic compatibility (EMC) on the market includes controls within the context of the existing Rules on electromagnetic compatibility, which recapitulate the EMC Directive 2004/108/EC. Control of the conformity of electrical and electronic equipment is carried out by market inspectors who are part of the group designated to oversee the safety of products within the scope of technical Directives. At the head office of the TIRS a sector head is responsible for surveillance. It is the sector head's job, in addition to directing the work of the group of technical inspectors, preparing relevant manuals and guidelines for individual groups of electric and electronic equipment and dealing with the most complex surveillance cases, to cooperate with other surveillance authorities of Member States of the European Community (EC) and attend meetings of the ADCO EMC group, which brings together surveillance authorities in the EMC sector in the EC.

Control of the electromagnetic compatibility of electrical and electronic equipment is carried out in Slovenia through administrative checks together with conformity testing checks regarding electrical safety at relevant operators (manufacturers, distributors, importers), and by means of technical checks involving the taking of samples and conformity testing in laboratories. The TIRS also cooperates with the authorities in charge of external border controls – the Customs Administration of the Republic of Slovenia – pursuant to Regulation 765/2008, and on the basis of such information carries out conformity checks of electrical and electronic equipment imported from third countries (Article 27 Regulation 765/2008).

When checking the administrative conformity of electrical and electronic equipment on the market, inspectors carry out checks on the basis of coordinated guidelines drawn up at the TIRS head office on the basis of the annual plan. The sampling of products in the field is carried out by inspectors designated in advance, who annually take a limited number of samples, depending on the amount of resources available for this sector, which the TIRS then passes on to an accredited EMC laboratory for conformity assessment as per the agreement concluded. The test reports thus obtained serve as a basis for further procedures and for the adoption of decisions by inspectors to ensure the conformity of products on the market. In the event of it being established that equipment sampled in this way represents, in view of the risk assessment, a non-compliant product, a safeguard clause (SGC) shall be notified to the Commission pursuant to Article 14 of the Electromagnetic Compatibility Rules; if it is established by inspectors through the risk assessment that there is a serious risk, i.e. the product is hazardous, this is reported to the RAPEX system.

The conformity of electrical and electronic equipment with regard to fulfilment of essential requirements regarding electromagnetic compatibility on the market will continue to be the subject of market surveillance activities on the basis described, since the TIRS considers that through these activities it is complying in full with the provisions of the Rules on electromagnetic compatibility and other regulations important for market surveillance which are harmonised with EC legislation.

Sector 19: Radio and telecommunications terminal equipment under the R&TTE Directive

19.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	n/a	n/a	n/a	n/a
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections ¹²⁸ (total number)	447	156	63	55
3.1	number of reactive inspections ¹²⁹				
3.2	number of self-initiated inspections ¹³⁰	121	69	51	49
3.3	number of inspections prompted by the customs ¹³¹	326	87	12	6
4	Number of inspections based on:				
4.1	tests performed in laboratories	10	10	5	10
4.2	physical checks of products ¹³²	111	59	46	39
5	Number of inspections resulting in:				
5.1	finding of non-compliance ¹³³	45	24	23	17

¹²⁸ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

¹²⁹ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹³⁰ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

¹³¹ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

¹³² This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

5.2	corrective actions taken by economic operators ('voluntary measures') ¹³⁴	37	19	23	16
5.3	restrictive measures ¹³⁵ taken by market surveillance authorities	8	3	0	1
5.4	application of sanctions/penalties	6	8	3	2
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹³⁶ (in EUR)	10,000	7,000	5,000	10,200
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	n/a	n/a	n/a	n/a
8	Staff available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a

Note: Point 7.1 only includes the costs of laboratory tests

¹³³ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

¹³⁴ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

¹³⁵ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

¹³⁶ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

19.B. Assessment of the functioning of market surveillance activities in the sector

In the period in question there was a marked fall in the number of inspections carried out at the initiative of customs authorities. We consider that the most important reasons for this are the relaxation of rules on individual importing, the abolition of customs at the border with Croatia and a fall in the import of inadequately labelled products. The TIRS checks the conformity of radio equipment both through technical testing in an accredited laboratory and through control of the conformity of product labelling and associated documents in products on the market. The quantity of samples tested is in accordance with the amount of resources available for technical conformity testing in an accredited laboratory. Controls are focused on products for which the highest level of non-compliant products on the market is estimated. Risk assessment is carried out on the basis of previous surveillance activities, reports submitted and information on identified non-compliance in other EU Member States. The rapid growth in the number of different types of radio equipment on the market is the reason for the continual appearance of new importers and suppliers of radio equipment who are not adequately familiar with all requirements in the radio equipment sector. Consequently, there is no fall in the proportion of non-compliances identified. There are very few manufacturers of radio equipment within the territory of Slovenia and the great majority of radio equipment is therefore obtained from other EU Member States or third countries.

Sector 20: Electrical appliances and equipment under the Low Voltage Directive

20.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints				
2.	Number of substantiated complaints by industry concerning unfair competition				
3.	Number of inspections ¹³⁷ (total number)	458	273	209	310
3.1	number of reactive inspections ¹³⁸				

¹³⁷ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

3.2	number of self-initiated inspections ¹³⁹	261	201	158	297
3.3	number of inspections prompted by the customs ¹⁴⁰	197	72	51	23
4	Number of inspections based on:				
4.1	tests performed in laboratories	59	53	35	39
4.2	physical checks of products ¹⁴¹	584	519	211	358
5	Number of inspections resulting in:				
5.1	finding of non-compliance ¹⁴²	247	329	127	198
5.2	corrective actions taken by economic operators ('voluntary measures') ¹⁴³	48	32	30	54
5.3	restrictive measures ¹⁴⁴ taken by market surveillance authorities	22	22	2	3
5.4	application of sanctions/penalties	24	46	25	29
6	Number of inspections where other Member States were invited to collaborate				

Information on resources (subject to availability)

¹³⁸ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹³⁹ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

¹⁴⁰ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

¹⁴¹ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

¹⁴² This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

¹⁴³ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

¹⁴⁴ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

Note: Point 7.1 gives the actual expenditure for sampling and the payment of samples!

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹⁴⁵ (in EUR)	43,781	56,773	36,187	31,005
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	n/a	n/a	n/a	n/a
8	Staff available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a

Note: Point 7.1 includes the costs of laboratory tests and payment for samples taken, with a corresponding claim from the liable party for the reimbursement of costs in the case of a compliant product!

20.B. Assessment of the functioning of market surveillance activities in the sector

Controls of electrical equipment on the market include controls within the scope of the existing Rules on electrical equipment designed for use within certain voltage limits, which recapitulates the Low Voltage Directive 2006/95/EC. Control of the conformity of electrical equipment is carried out by market inspectors who are part of the group designated to oversee product safety within the scope of technical Directives. At the head office of the TIRS a sector head is responsible for surveillance. It is the sector head's job, in addition to directing the work of the group of technical inspectors, preparing relevant guidelines for individual groups of electrical equipment and dealing with the most complex surveillance cases, to cooperate with other surveillance authorities of Member States of the European Community (EC) and attend meetings of the ADCO LVD group, which brings together surveillance authorities in the safety of electrical equipment sector in the EC. Market surveillance activities regarding electrical equipment are carried out in Slovenia through administrative checks of the various operators subject to market surveillance (manufacturers, distributors, importers), through technical checks involving the taking of samples and conformity testing in laboratories. The TIRS also cooperates with the authorities in charge of external border controls – the Customs Administration of the Republic of Slovenia – pursuant to Regulation 765/2008, and on the basis of such information carries out conformity checks of electrical equipment imported from third countries

¹⁴⁵ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

(Article 27 Regulation 765/2008).

When checking the administrative conformity of electrical equipment on the market, inspectors carry out checks on the basis of coordinated guidelines drawn up at the TIRS head office on the basis of the annual plan. The sampling of products in the field is carried out by inspectors designated in advance, who annually take a limited number of samples, depending on the amount of resources available for this sector, which the TIRS then passes on to accredited laboratories for conformity assessment as per the agreements concluded. The test reports thus obtained serve as a basis for further procedures and for the adoption of decisions by inspectors to ensure the conformity of products on the market. In the event of it being established that electrical equipment sampled in this way represents, in view of the risk assessment, a non-compliant product, a safeguard clause (SGC) shall be notified to the Commission pursuant to Article 11 of the Rules on electrical equipment designed for use within certain voltage limits; if inspectors establish through the risk assessment that there is a serious risk, i.e. hazardous product, this is reported to the RAPEX system.

In the case of reports received from consumers or legal entities about hazardous products on the market, the TIRS first carries out an administrative check. If the inspector and sector head consider that a hazardous product may be involved, a special (i.e. not planned) sample is taken and sent for conformity assessment to a suitable accredited laboratory. The decision of the authority in the case in question is the same as in the previously described paragraph.

The conformity of electrical equipment on the market will continue to be the subject of market surveillance activities on the basis described, since the TIRS considers that through these activities it is complying in full with the provisions of the Rules on electrical equipment designed for use within certain voltage limits and other regulations important for market surveillance which are harmonised with EC legislation.

Sector 21: Waste electrical and electronic equipment

21.A. Review of market surveillance activities in the sector

Note: The following table contains information from LVD, EMC and R&TTE checks; accumulators are shown separately

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints				
2.	Number of substantiated complaints by				

	industry concerning unfair competition				
3.	Number of inspections ¹⁴⁶ (total number)	305	278	206	318
3.1	number of reactive inspections ¹⁴⁷				
3.2	number of self-initiated inspections ¹⁴⁸	305	278	206	318
3.3	number of inspections prompted by the customs ¹⁴⁹	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products ¹⁵⁰	457	415	354	428
5	Number of inspections resulting in:				
5.1	finding of non-compliance ¹⁵¹	27	18	11	14
5.2	corrective actions taken by economic operators ('voluntary measures') ¹⁵²	27	18	11	14
5.3	restrictive measures ¹⁵³ taken by market surveillance authorities	0	0	0	0

¹⁴⁶ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

¹⁴⁷ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹⁴⁸ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

¹⁴⁹ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

¹⁵⁰ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

¹⁵¹ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

¹⁵² Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

¹⁵³ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on

5.4	application of sanctions/penalties	0	0	0	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on resources (subject to availability) – information not available

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹⁵⁴ (in EUR)				
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)				
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)				

Note: Point 7.1 includes the costs of laboratory tests and payment for samples taken, with a corresponding claim from the liable party for the reimbursement of costs in the case of a compliant product!

21.B. Assessment of the functioning of market surveillance activities in the sector

The TIRS carries out market surveillance activities with regard to the marking of electrical and electronic equipment with the symbol indicating separate collection of WEEE pursuant to Article 5 of the separate collection of waste electrical and electronic equipment. Checks are not carried out separately but as part of the performance of administrative checks in accordance with guidelines for the LVD, EMC and R&TTE sectors.

The TIRS will continue to carry out controls in this sector as part of controls of the conformity under other regulations, since this type of control has to date proved to be a reasonable and economical approach in terms of the presence of inspectors on the market.

previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

¹⁵⁴ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

Sector 21: Accumulators and batteries under Directive 2006/66/EC

21.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	/	/	/	/
2.	Number of substantiated complaints by industry concerning unfair competition	/	/	/	
3.	Number of inspections ¹⁵⁵ (total number)	72	26	0	0
3.1	number of reactive inspections ¹⁵⁶				
3.2	number of self-initiated inspections ¹⁵⁷	72	26	0	0
3.3	number of inspections prompted by the customs ¹⁵⁸	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories				
4.2	physical checks of products ¹⁵⁹	283	143	0	0
5	Number of inspections resulting in:				

¹⁵⁵ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

¹⁵⁶ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹⁵⁷ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

¹⁵⁸ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

¹⁵⁹ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

5.1	finding of non-compliance ¹⁶⁰	23	0		
5.2	corrective actions taken by economic operators ('voluntary measures') ¹⁶¹	17	0		
5.3	restrictive measures ¹⁶² taken by market surveillance authorities	6	0		
5.4	application of sanctions/penalties	4	0		
6	Number of inspections where other Member States were invited to collaborate				

Information on resources (subject to availability): information not available

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹⁶³ (in EUR)	n/a	n/a	n/a	n/a
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	n/a	n/a	n/a	n/a
8	Staff available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a

Note: Point 7.1 only includes the costs of laboratory tests

¹⁶⁰ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

¹⁶¹ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

¹⁶² Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

¹⁶³ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

21.B. Assessment of the functioning of market surveillance activities in the sector

The TIRS only oversees the implementation of Articles 5, 7 and 33 of the Decree on the management of batteries and accumulators and waste batteries and accumulators (UL RS 3/2010, 64/2012 and 93/2012), while monitoring of implementation of the Decree as a whole is carried out by inspectors responsible for the environment. Because of the above, the TIRS only gives findings in relation to the controls from these three Articles.

Market surveillance activities regarding batteries and accumulators in past years have not identified significant deficiencies, so checks of these products are not implemented every year. In the past, checks were also carried out at Slovenian manufacturers of accumulators and rechargeable batteries in order to ensure that compliant products were being placed on the single EU market. There are no manufacturers of single-use batteries in Slovenia, so checks were carried out in the retail trade and at the first distributors placing these products on the market in Slovenia. The TIRS did not establish the volume of imports, since this element is important for the environmental inspection service.

Sector 22: Chemicals (detergents, paints, persistent organic pollutants)

22.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period*

* **also covers checks of** electrical and electronic equipment under the Directive on the restriction of the use of certain hazardous substances in electrical and electronic equipment, the Directive on waste electric and electronic equipment and the Directive on batteries, and of other consumer products under the Directive on general product safety.

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints				
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections ¹⁶⁴ (total number)	54	31	43	49

¹⁶⁴ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

3.1	number of reactive inspections ¹⁶⁵	6	4	5	6
3.2	number of self-initiated inspections ¹⁶⁶	48	27	38	43
3.3	number of inspections prompted by the customs ¹⁶⁷	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	40	0	10	20
4.2	physical checks of products ¹⁶⁸	54	31	43	49
5	Number of inspections resulting in:				
5.1	finding of non-compliance ¹⁶⁹	38	19	30	33
5.2	corrective actions taken by economic operators ('voluntary measures') ¹⁷⁰	0	0	0	0
5.3	restrictive measures ¹⁷¹ taken by market surveillance authorities	38	19	30	33
5.4	application of sanctions/penalties	3	0	3	0
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

¹⁶⁵ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹⁶⁶ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

¹⁶⁷ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

¹⁶⁸ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

¹⁶⁹ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

¹⁷⁰ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

¹⁷¹ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

Information on total resources available for market surveillance activities (subject to availability)

		2010	2011	2012	2013
1.1	Budget available to market surveillance authorities in nominal terms ¹⁷² (in EUR)	49,277	44,537	52,752	45,742
1.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	2.75	2.79	4.32	4.05
2	Staff available to market surveillance authorities (full-time equivalent units)	0.8	0.8	0.8	0.8
3	Number of inspectors available to market surveillance authorities (full-time equivalent units)	0.8	0.8	0.8	0.8

22.B. Assessment of the functioning of market surveillance activities in the sector

The Chemicals Inspection Service at the Chemicals Office carried out monitoring of chemicals (detergents, paint products, etc.) throughout the entire 2010–2013 period in the form of scheduled, extraordinary and control inspections.

a) Scheduled inspections: are inspections as part of planned actions and sampling (limited in terms of time and quantity) and planned inspections that are carried out regularly at the premises of operators with a frequency determined on the basis of risk, with regard to:

- risk from activity (manufacture, wholesale, retail, etc.),
- quantity and classification of hazardous chemicals at operators,
- state of compliance in the past.
- finding of irregularities in other inspections,

b) Extraordinary inspections: are carried out as a result of:

- reports,
- requests of parties,
- cases assigned by other authorities (including RAPEX inspections),
- information obtained in the field, from the media or from other authorities, because its relevance and risk are expressed in the current year.

c) Control inspections: are carried out in order to verify on the spot whether the operator has rectified previously identified deficiencies or has implemented measures that have been ordered.

¹⁷² The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities (including related infrastructures) as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation.

These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

Five targeted control actions were planned in 2014 (including two international projects), as well as four sampling actions (one action remains the obligation to report every second year, while the other three are optional depending on available resources). Actions are selected and planned so as to take into account:

- the reporting obligation in accordance with legislation
- international projects
- current relevance: in most cases this involves monitoring of new regulations in force which have not yet been subjected to checks or a sector which is most exposed to use and monitoring by the public (clothing, footwear, jewellery),
- inadequate checks in previous years: specific sectors and activities not subjected to checks in previous years (inadequately, to an insufficient extent or not at all),
- identified irregularities on the basis of reports and RAPEX notifications.

Inspections of Electrical and electronic equipment includes inspection of documentation and in 2014 were part of a sampling action.

Sector 23: Ecodesign and energy labelling

23.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	/	/	/	/
2.	Number of substantiated complaints by industry concerning unfair competition	/	/	/	/
3.	Number of inspections ¹⁷³ (total number)	58	59	26	100
3.1	number of reactive inspections ¹⁷⁴				4
3.2	number of self-initiated inspections ¹⁷⁵	58	59	26	96
3.3	number of inspections prompted by the	/	/	/	/

¹⁷³ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

¹⁷⁴ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹⁷⁵ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

	customs ¹⁷⁶				
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	26	4
4.2	physical checks of products ¹⁷⁷	0	0	0	96
5	Number of inspections resulting in:				
5.1	finding of non-compliance ¹⁷⁸	16	8	6	78
5.2	corrective actions taken by economic operators ('voluntary measures') ¹⁷⁹	14	8	4	77
5.3	restrictive measures ¹⁸⁰ taken by market surveillance authorities	2	0	2	1
5.4	application of sanctions/penalties	2	0	2	1
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹⁸¹ (in EUR)	0	0	19,920	3,240

¹⁷⁶ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

¹⁷⁷ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

¹⁷⁸ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

¹⁷⁹ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

¹⁸⁰ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

¹⁸¹ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment

7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	n/a	n/a	n/a	n/a
8	Staff available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a

Note: Point 7.1 only includes the costs of laboratory tests

23.B. Assessment of the functioning of market surveillance activities in the sector

Throughout the 2010–2013 period the TIRS carried out visual checks of the conformity of products in terms of ecodesign and energy labelling. In 2012 and 2013 it also carried out the first testing of samples in the laboratory. With the entry into force of new ecodesign and energy labelling regulations for new groups of products, the TIRS is faced with the problem of the feasibility of testing in Slovenia, since there is an increasing number of products for which no suitably qualified and accredited laboratory is available. Where such a laboratory is available, the high costs of testing mean that the volume of tests is heavily dependent on the resources allocated for this type of testing.

Sector 24: Efficiency requirements for hot-boilers fired with liquid or gaseous fuels

data not available.

Sector 25: Recreational craft

25.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	/	/	/	/

cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

2.	Number of substantiated complaints by industry concerning unfair competition	/	/	/	/
3.	Number of inspections ¹⁸² (total number)	43	15	25	7
3.1	number of reactive inspections ¹⁸³				
3.2	number of self-initiated inspections ¹⁸⁴	41	11	25	7
3.3	number of inspections prompted by the customs ¹⁸⁵	2	4	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products ¹⁸⁶	45	11	26	9
5	Number of inspections resulting in:				
5.1	finding of non-compliance ¹⁸⁷	11	0	6	0
5.2	corrective actions taken by economic operators ('voluntary measures') ¹⁸⁸	11	0	5	0
5.3	restrictive measures ¹⁸⁹ taken by market surveillance authorities	0	0	1	0

¹⁸² Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

¹⁸³ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹⁸⁴ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

¹⁸⁵ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

¹⁸⁶ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

¹⁸⁷ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

¹⁸⁸ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

5.4	application of sanctions/penalties	1	0	0	0
6	Number of inspections where other Member States were invited to collaborate				

Information on resources (subject to availability): information not available

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ¹⁹⁰ (in EUR)	n/a	n/a	n/a	n/a
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	n/a	n/a	n/a	n/a

Note: Point 7.1 only includes the costs of laboratory tests

25.B. Assessment of the functioning of market surveillance activities in the sector

The TIRS has been carrying out market surveillance activities with regard to vessels and engines for them since the entry into force of the Rules on recreational craft in 2005. Given the small size of the market, all Slovenian manufacturers of vessels and the majority of vendors of vessels in Slovenia known to the inspectorate to perform the activity of sale of vessels have already been inspected.

Market surveillance activities regarding vessels and engines in Slovenia are only carried out in the form of administrative checks. In the first years of market surveillance activities, quite a number of irregularities were identified, since smaller Slovenian manufacturers and also manufactures from the

¹⁸⁹ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

¹⁹⁰ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

countries of the former Yugoslavia were not familiar with uniform European legislation and were placing on the market vessels without the CE marking, statutory plates and CIN (craft identification number). As a result of checks and measures issued by the TIRS, manufacturers and also importers of vessels have familiarised themselves with the requirements of uniform EU legislation and have begun to manufacture and sell vessels that comply with regulations. Conformity checks of vessels are planned to continue in the future – including at the Internautica Portorož boat show and the boat show in Izola.

Sector 26: Marine equipment (Directive 96/98/EC and amendments)

Checks of marine equipment on the market are carried out by the TIRS together with checks of recreational craft, but there is no separate information on the checks.

Checks of marine equipment in use are carried out by the Maritime Inspection Service, which is part of the Maritime Administration. The Maritime Inspection Service does not keep a special record of details of checks of equipment in use in accordance with Directive 96/98/EC.

Sector 27: Motor vehicles and parts thereof

27.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	/	/	/	/
2.	Number of substantiated complaints by industry concerning unfair competition	/	/	/	/
3.	Number of inspections ¹⁹¹ (total number)	/	/	/	28
3.1	number of reactive inspections ¹⁹²	/	/	/	3
3.2	number of self-initiated inspections ¹⁹³	/	/	/	25

¹⁹¹ Inspections are **scheduled** or ad hoc visits, controls (including online checks) or other forms of contacts (mail, telephone) undertaken by an inspector, with a focus on enforcement of regulations (excluding pure information exchange) and aimed at verification of product safety and conformity. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

¹⁹² Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

¹⁹³ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

3.3	number of inspections prompted by the customs ¹⁹⁴	/	/	/	/
4	Number of inspections based on:				
4.1	tests performed in laboratories	/	/	/	/
4.2	physical checks of products ¹⁹⁵	/	/	/	/
5	Number of inspections resulting in:				
5.1	finding of non-compliance ¹⁹⁶	/	/	/	4
5.2	corrective actions taken by economic operators ('voluntary measures') ¹⁹⁷	/	/	/	4
5.3	restrictive measures ¹⁹⁸ taken by market surveillance authorities	/	/	/	/
5.4	application of sanctions/penalties	/	/		4
6	Number of inspections where other Member States were invited to collaborate	/	/	/	/

Information on communication activities carried out in the 2010–2013 period (optional)

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Information on resources (subject to availability)

	2010	2011	2012	2013
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¹⁹⁴ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

¹⁹⁵ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

¹⁹⁶ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

¹⁹⁷ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

¹⁹⁸ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

7.1	Budget available to market surveillance authorities in nominal terms ¹⁹⁹ (in EUR)	/	The ICP does not have dedicated resources at its disposal for market surveillance.	The ICP does not have dedicated resources at its disposal for market surveillance.	The ICP does not have dedicated resources at its disposal for market surveillance.
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	/	2% is the proportion of time estimated for the ICP which inspectors can dedicate to controls of activities in sector 27	5% is the proportion of time estimated for the ICP which inspectors can dedicate to controls of activities in sector 27	5% is the proportion of time estimated for the ICP which inspectors can dedicate to controls of activities in sector 27
8	Staff available to market surveillance authorities (full-time equivalent units)	/	1	2	2
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	/	1	2	2

27.B. Assessment of the functioning of market surveillance activities in the sector

There are no dedicated resources for the implementation of surveillance in the sector. Surveillance is carried out in the form of inspections where staff levels permit. In the case of irregularities, inspectors order by decision the remedying of non-compliance and, if necessary, withdrawal from use.

In the part relating to regulations on general product safety, a report is made to the TIRS, which is the contact body in the RAPEX system.

¹⁹⁹ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

Sector 28: Non-road mobile machinery (Directive 97/68/EC).

28.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints				
2.	Number of substantiated complaints by industry concerning unfair competition				
3.	Number of inspections ²⁰⁰ (total number)	38	35	57	38
3.1	number of reactive inspections ²⁰¹				
3.2	number of self-initiated inspections ²⁰²	38	35	57	38
3.3	number of inspections prompted by the customs ²⁰³	0	0	0	0
4	Number of inspections based on:				
4.1	tests performed in laboratories	0	0	0	0
4.2	physical checks of products ²⁰⁴	124	111	75	38
5	Number of inspections resulting in:				
5.1	finding of non-compliance ²⁰⁵	14	11	33	11

²⁰⁰ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

²⁰¹ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

²⁰² This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

²⁰³ These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

²⁰⁴ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

²⁰⁵ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

5.2	corrective actions taken by economic operators ('voluntary measures') ²⁰⁶	10	5	33	11
5.3	restrictive measures ²⁰⁷ taken by market surveillance authorities	4	6	0	0
5.4	application of sanctions/penalties	1	5	2	2
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ²⁰⁸ (in EUR)	n/a	n/a	n/a	n/a
7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)				
8	Staff available to market surveillance authorities (full-time equivalent units)				
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)				

Note: Point 7.1 only includes the costs of laboratory tests

28.B. Assessment of the functioning of market surveillance activities in the sector

The TIRS carries out surveillance activities with regard to non-road mobile machinery under Directive

²⁰⁶ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

²⁰⁷ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

²⁰⁸ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

97/68/EC of the European Parliament and of the Council on the market of the Republic of Slovenia pursuant to the Rules on the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery.

Surveillance activities with regard to non-road mobile machinery are always carried out as part of conformity assessment of machinery on the market in which internal combustion engines are installed. In checks of this kind, certain non-compliances have been identified to date, relating above all to markings on internal combustion engines. The subjects of surveillance have to date also rectified the deficiencies identified, while the TIRS has not identified other major irregularities such as a type-approval certificate not having been issued for internal combustion engines.

The TIRS will continue in the future with the practice of conformity checks of internal combustion engines installed in non-road mobile machinery as part of scheduled checks of machinery on the market.

Sector 29: Mineral fertilisers

29.A. Review of market surveillance activities in the sector

Information on enforcement activities carried out in the 2010–2013 period

		2010	2011	2012	2013
1.	Number of product-related accidents/user complaints	0	0	0	0
2.	Number of substantiated complaints by industry concerning unfair competition	0	0	0	0
3.	Number of inspections ²⁰⁹ (total number)	394	356	377	215
3.1	number of reactive inspections ²¹⁰	0	0	0	0
3.2	number of self-initiated inspections ²¹¹	394	356	377	215
3.3	number of inspections prompted by the	0	0	0	0

²⁰⁹ Inspections are scheduled or ad hoc visits, controls (including checks on the internet) or other forms of contacts (mail, telephone) undertaken by an inspector, with an enforcement focus (excluding pure information exchange) and aimed at verification of product safety and compliance. Where several products/models/regulations are checked during the same exercise, this should be counted as one inspection. In order to be considered an inspection, there must be an official report prepared following the action.

²¹⁰ Inspections prompted by specific complaints (from consumers/users, notified bodies, competing businesses, trade unions, etc.), accidents or incidents, information from other Member State authorities (e.g. via RAPEX notifications), etc.

²¹¹ This concerns 'proactive' inspections explicitly planned to target product categories/economic operators that may be found to be non-compliant on the basis of knowledge built and priorities set by authorities.

	customs ²¹²				
4	Number of inspections based on:				
4.1	tests performed in laboratories	18	11	17	20
4.2	physical checks of products ²¹³	346	345	360	195
5	Number of inspections resulting in:				
5.1	finding of non-compliance ²¹⁴ (irregularity)	39	38	63	36
5.2	corrective actions taken by economic operators ('voluntary measures') ²¹⁵	7	2	12	7
5.3	restrictive measures ²¹⁶ taken by market surveillance authorities	36	39	45	32
5.4	application of sanctions/penalties (administrative offences)	11	27	12	6
6	Number of inspections where other Member States were invited to collaborate	0	0	0	0

Information on communication activities carried out in the 2010–2013 period (optional)

/

Information on resources (subject to availability)

		2010	2011	2012	2013
7.1	Budget available to market surveillance authorities in nominal terms ²¹⁷ (in EUR)	40,000	40,000	35,000	30,000

²¹² These are inspections either initiated following customs' suspension of the release of products for free circulation or carried out directly by market surveillance authorities when they are responsible for the control of products at the border pursuant to Articles 27–29 of Regulation 765/2008.

²¹³ This refers to visual examination of the product in order to verify the existence of markings, warnings and information and determining obvious technical shortcomings of the product according to the requirements of the applicable Union legislation.

²¹⁴ This refers to any non-compliance (formal or substantial, minor as well as serious) of a product with safety and compliance legislation.

²¹⁵ Voluntary measures are defined as corrective actions taken by manufacturers, importers or distributors either to bring the product into compliance or to limit its availability on the market (e.g. stopping of sales, informing consumers/users, withdrawals from the market, recall from consumers/users) on the business's own initiative, possibly in consultation with the authority but without the measure being imposed by the latter.

²¹⁶ Compulsory measures to prohibit or restrict the product being made available on the national market, to withdraw it or to recall it. These measures are those taken when the economic operators did not follow up on previous request of market surveillance authorities to take corrective action or where authorities have to intervene urgently.

7.2	Budget available to market surveillance authorities in relative terms (% of total national budget)	40,000	40,000	35,000	30,000
8	Staff available to market surveillance authorities (full-time equivalent units)	1 FTE	1 FTE	1 FTE	1 FTE
9	Number of inspectors available to market surveillance authorities (full-time equivalent units)	1 FTE	1 FTE	1 FTE	1 FTE

29.B. Assessment of the functioning of market surveillance activities in the sector

The average use of mineral fertilisers in the years 2010–2013 in the Republic of Slovenia is 130,467 t (131,855 t in 2010, 131,303 t in 2011, 128,364 t in 2012 and 130,347 t in 2013).

²¹⁷ The budget figure should cover all financial resources which are assigned by public authorities to market surveillance and enforcement activities as well as to projects and measures aimed at ensuring compliance of economic operators with product legislation. These measures range from communication activities (consumer/business information and education) to pure enforcement and market surveillance activities. They include the remuneration of staff, direct costs of inspections, laboratory tests, training and office equipment cost. Enforcement activities at regional/local level should also be reported. Other activities undertaken by these authorities not related to the enforcement of product legislation should be excluded from the calculation.

Annex 1: Reference list of sectors

Product sectors	Relevant legislation ^{218 219}	Included in this report? (Y/N)
1. Medical devices (including in vitro diagnostic medical devices and active implantable medical devices)	Directives 93/42/EEC, 98/79/EC and 90/385/EC	D
2. Cosmetics	Regulation 1223/2009	D
3. Toys	Directive 2009/48/EC	D
4. Personal protective equipment	Directive 89/686/EEC	D
5. Construction products	Regulation 305/2011	D
6. Aerosol dispensers	Directive 75/324/EEC	D
7. Simple pressure vessels and pressure equipment	Directives 2009/105/EC and 97/23/EC	D
8. Transportable pressure equipment	Directive 2010/35/EC	D
9. Machinery	Directive 2006/42/EC	D
10. Lifts	Directive 1995/16/EC	D
11. Cableways	Directive 2000/9/EC	D
12. Noise emissions for outdoor equipment	Directive 2000/14/EC	D
13. Equipment and protective systems intended for use in potentially explosive atmospheres	Directive 1994/9/EC	D
14. Pyrotechnics	Directive 2007/23/EC	D
15. Explosives for civil uses	Directive 93/15/EEC	D
16. Appliances burning gaseous fuels	Directive 2009/142/EC	D
17. Measuring instruments, non-automatic weighing instruments and pre-packaged products	Directives 2004/22/EC, 2009/23/EC and 2007/45/EC	D
18. Radio and telecommunications terminal equipment under the EMC Directive	Directive 2004/108/EC	D
19. Radio and telecommunications terminal equipment under the R&TTE Directive	Directive 1999/5/EC	D
20. Electrical appliances and equipment under the Low Voltage Directive	Directive 2006/95/EC	D

²¹⁸ For ease of reference this table shows EU legislation in force. New legislation having replaced or amended that listed in the table should also be taken into account for the relevant period in which it is applicable.

²¹⁹ For ease of reference in some cases (e. g. eco-design, energy labelling), this table only indicates EU framework legislation, but it also covers product-specific EU legislative acts.

Product sectors	Relevant legislation^{218 219}	Included in this report? (Y/N)
21. Electrical and electronic equipment under the Directive on the restriction of the use of certain hazardous substances in electrical and electronic equipment, the Directive on waste electric and electronic equipment and the Directive on batteries	Directives 2011/65/EC, 2002/96/EC and 2006/66/EC	D
22. Chemicals (detergents, paints, persistent organic pollutants) ²²⁰	Regulation 648/2004 Directive 2004/42/EC Regulation 850/2004	D
23. Ecodesign and energy labelling	Directives 2009/125/EC and 2010/30/EU	D
24. Efficiency requirements for hot-boilers fired with liquid or gaseous fuels	Directive 1992/42/EEC	N
25. Recreational craft	Directive 1994/25/EC	D
26. Marine equipment	Directive 96/98/EC	D
27. Motor vehicles and parts thereof	Directives 2002/24/EC and 2007/46/EC, and Regulation (EC) No 1222/2009	D
28. Non-road mobile machinery	Directive 97/68/EC	D
29. Fertilisers	Regulation 2003/2003	D
30. Other consumer products under the General Product Safety Directive (optional)	Directive 2001/95/EC	
31. ... (Additional sectors – please specify)		

²²⁰ This section focuses on chemicals other than those falling under REACH and CLP Regulations. Market surveillance activities conducted under REACH and CLP Regulations fall within the scope of Regulation 765/2008, however, since they are already the subject matter of specific reports available to the public, they may be excluded from the current report. It is nevertheless asked to Member states to include in this section a link to the REACH and CLP reports for the relevant period.