

***NATIONAL MARKET SURVEILLANCE
PROGRAMME
2015
Poland***

Warsaw, December 2014

Table of contents

1. GENERAL MARKET SURVEILLANCE ORGANISATION AND INFRASTRUCTURE	6
1.1. Identification and responsibilities of national market surveillance authorities	6
1.2. Coordination and cooperation mechanisms between national market surveillance authorities	8
1.3. Cooperation between national market surveillance authorities and customs	8
1.4. Rapid alert system (RAPEX).....	9
1.5. ICSMS information system	10
1.6. General description of market surveillance activities and relevant procedures	10
1.7. General framework of cooperation with other Member States and non-member states	12
1.8. Evaluation of market surveillance actions and reporting	13
1.9. Horizontal activities planned for the relevant period	13
2. MARKET SURVEILLANCE IN SPECIFIC SECTORS	14
2.1. Sector 1 – Medical devices (including In vitro diagnostic medical devices and Active implantable medical devices)	14
2.1.1. Responsible authority and contact details	14
2.1.2. Market surveillance procedures and strategy	14
2.1.3. Report from activities carried out under the previous planning period	14
2.2. Sector 2 – Cosmetics	15
2.2.1. Responsible authority and contact details	15
2.2.2. Market surveillance procedures and strategy	15
2.2.3. Report from activities carried out under the previous planning period	15
2.3. Sector 3 – Toys.....	16
2.3.1. Responsible authority and contact details:	16
2.3.2. Market surveillance procedures and strategy	16
2.3.3. Report from activities carried out under the previous planning period	16
2.4. Sector 4 – Personal protective equipment	16
2.4.1. Responsible authority and contact details:	16
2.4.2. Market surveillance procedures and strategy	17
2.4.3. Report from activities carried out under the previous planning period	17

2.5.	Sector 5 – Construction products	18
2.5.1.	Responsible authority and contact details:	18
2.5.2.	Market surveillance procedures and strategy	18
2.5.3.	Report from activities carried out under the previous planning period	18
2.7.	Sector 7 – Simple pressure vessels and Pressure equipment	18
2.7.1.	Responsible authority and contact details	18
2.7.2.	Market surveillance procedures and strategy	19
2.7.3.	Report from activities carried out under the previous planning period	19
2.8.	Sector 8 – Transportable pressure equipment	19
2.8.1.	Responsible authority and contact details	19
2.8.2.	Market surveillance procedures and strategy	20
2.8.3.	Report from activities carried out under the previous planning period	20
2.9.	Sector 9 – Machinery	20
2.9.1.	Responsible authority and contact details	20
2.9.2.	Market surveillance procedures and strategy	21
2.9.3.	Report from activities carried out under the previous planning period	21
2.10.	Sector 10 – Lifts	21
2.10.1.	Responsible authority and contact details	21
2.10.2.	Market surveillance procedures and strategy	22
2.10.3.	Report from activities carried out under the previous planning period	22
2.11.	Sector 11 – Cableways	22
2.11.1.	Responsible authority and contact details	22
2.11.2.	Market surveillance procedures and strategy	22
2.11.3.	Report from activities carried out under the previous planning period	22
2.12.	Sector 12 – Noise emissions for outdoor equipment	22
2.12.1.	Responsible authority and contact details	22
2.12.2.	Market surveillance procedures and strategy	23
2.12.3.	Report from activities carried out under the previous planning period	23
2.13.	Sector 13 – Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres	23
2.13.1.	Responsible authority and contact details	23
2.13.2.	Market surveillance procedures and strategy	24
2.13.3.	Report from activities carried out under the previous planning period	24
2.14.	Sector 14 – Pyrotechnics	24
2.14.1.	Responsible authority and contact details	24
2.14.2.	Market surveillance procedures and strategy	24
2.14.3.	Report from activities carried out under the previous planning period	25
2.15.	Sector 15 – Explosives for civil uses	25
2.15.1.	Responsible authority and contact details	25
2.15.3.	Report from activities carried out under the previous planning period	25
2.16.	Sector 16 – Appliances burning gaseous fuels	25

2.16.1.	Responsible authority and contact details	25
2.16.2.	Market surveillance procedures and strategy	26
2.16.3.	Report from activities carried out under the previous planning period	26
2.17.	Sector 17 – Measuring instruments, Non-automatic weighing instruments and Pre-packaged products	26
2.17.1.	Responsible authority and contact details	26
2.17.2.	Market surveillance procedures and strategy	26
2.17.3.	Report from activities carried out under the previous planning period	27
2.18.	Sector 18 – Electrical equipment under EMC	27
2.18.1.	Responsible authority and contact details	27
2.18.2.	Market surveillance procedures and strategy	27
2.18.3.	Report from activities carried out under the previous planning period	28
2.19.	Sector 19 – Radio and telecom equipment under RTTE	28
2.19.1.	Responsible authority and contact details:	28
2.19.2.	Market surveillance procedures and strategy	28
2.19.3.	Report from activities carried out under the previous planning period	28
2.20.	Sector 20 – Electrical appliances and equipment under LVD	28
2.20.1.	Responsible authority and contact details	28
2.20.2.	Market surveillance procedures and strategy	29
2.20.3.	Report from activities carried out under the previous planning period	29
2.21.	Sector 21 – Electrical and electronic equipment under RoHS and WEEE and batteries ..	29
2.21.1.	Responsible authority and contact details	29
2.21.2.	Market surveillance procedures and strategy	30
2.21.3.	Report from activities carried out under the previous planning period	30
2.22/A	Sector 22A – Chemical substances under REACH and Classification and Labelling Regulations	30
2.22/A.1.	Responsible authority and contact details	30
2.22/A.2.	Market surveillance procedures and strategy	30
2.22/A.3.	Report from activities carried out under the previous planning period	31
2.22/B	Sector 22B – Other chemicals (Detergents, Paints, Persistent Organic Pollutants, Fluorinated greenhouse gases, Ozone Depleting Substances, etc.)	31
2.22/B.1.	Responsible authority and contact details	31
2.22/B.2.	Market surveillance procedures and strategy	31
2.22/B.3.	Report from activities carried out under the previous planning period	31
2.23.	Sector 23 – Eco-design and Energy Labelling; Efficiency requirements for hot-boilers fired with liquid or gaseous fuels	32
2.23.1.	Responsible authority and contact details:	32
2.23.2.	Market surveillance procedures and strategy	32
2.23.3.	Report from activities carried out under the previous planning period Trade Inspection	33
2.24.	Sector 24 – Tyre labelling	33
2.24.1.	Responsible authority and contact details	33

2.24.2.	Market surveillance procedures and strategy	33
2.24.3.	Report from activities carried out under the previous planning period	33
2.25.	Sector 25 – Recreational crafts	33
2.25.1.	Responsible authority and contact details	33
2.25.2.	Market surveillance procedures and strategy	34
2.25.3.	Report from activities carried out under the previous planning period	34
2.26.	Sector 26 – Marine equipment	34
2.26.1.	Responsible authority and contact details	34
2.26.2.	Market surveillance procedures and strategy	35
2.26.3.	Report from activities carried out under the previous planning period	35
2.27.	Sector 27 – Motor vehicles.....	35
2.27.1.	Responsible authority and contact details	35
2.27.2.	Market surveillance procedures and strategy	35
2.27.3.	Report from activities carried out under the previous planning period	35
2.29.	Sector 29 – Fertilisers.....	35
2.29.1.	Responsible authority and contact details	35
2.29.2.	Market surveillance procedures and strategy	36
2.29.3.	Report from activities carried out under the previous planning period	36
2.31.	Sector 31 – Biocides.....	36
2.31.1.	Responsible authority and contact details	36
2.31.2.	Market surveillance procedures and strategy	36
2.31.3.	Report from activities carried out under the previous planning period	36
2.32.	Sector 32 – Textile labelling.....	37
2.32.1.	Responsible authority and contact details	37
2.32.2.	Market surveillance procedures and strategy	37
2.32.3.	Report from activities carried out under the previous planning period	37
2.33.	Sector 33 – Packaging and packaging waste	37
2.33.1.	Responsible authority and contact details	37
2.33.2.	Market surveillance procedures and strategy	37
2.33.3.	Report from activities carried out under the previous planning period	38
2.34.	Sector 34 – Railway interoperability.....	38
2.34.1.	Responsible authority and contact details.....	39
2.34.2.	Market surveillance procedures and strategy.....	39
2.34.3.	Report from activities carried out under the previous planning period.....	39

1. GENERAL MARKET SURVEILLANCE ORGANISATION AND INFRASTRUCTURE

1.1. Identification and responsibilities of national market surveillance authorities

The Polish market surveillance system for non-food products subject to CE marking is governed by 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 (OJ L 218, 13.8.2008, p. 30) and the Act of 30 August 2002 on the conformity assessment system (consolidated text: *Journal of Laws (Dziennik Ustaw)* 2014, item 1645, as amended, further: ACAS). This system does not apply to:

- medical devices which are subject to supervision by the President of the Office for Registration of Medicinal Products, Medical Devices and Biocidal Products,
- cosmetics which are subject to supervision by the Chief Sanitary Inspector and the Trade Inspection,
- fertilisers which are subject to supervision by the Chief Inspector of Agricultural and Food Quality,
- chemical substances, chemicals, tyre labelling, biocides, textile product labelling which are subject to supervision by the Trade Inspection.

The scope of activities of different market surveillance authorities is detailed in the following separate provisions:

Market surveillance authority	Legal act
Provincial inspectors of the Trade Inspection – reporting to the President of the Office of Competition and Consumer Protection (further: IH – <i>Inspekcja Handlowa</i>)	Act of 15 December 2000 on the Trade Inspection (<i>Journal of Laws</i> 2014, item 148, as amended)
National Labour Inspection bodies (further: PIP – <i>Państwowa Inspekcja Pracy</i>)	Act of 13 April 2007 on the National Labour Inspection (<i>Journal of Laws</i> No 89, item 589, as amended)
President of the Office of Electronic Communications (further: UKE President – <i>Urząd Komunikacji Elektronicznej</i>)	Act of 16 July 2004 – Telecommunication law (<i>Journal of Laws</i> 2014, item 243)
Environmental Protection Inspection bodies (further: IOŚ – <i>Inspekcja Ochrony Środowiska</i>)	Act of 27 April 2001 – Environmental protection law (<i>Journal of Laws</i> 2013, item 1232)
President of the Office of Rail Transport (further: UTK President – <i>Urząd Transportu Kolejowego</i>)	<ul style="list-style-type: none">- Act of 28 March 2003 on rail transport (consolidated text: <i>Journal of Laws</i> 2013, item 1594, as amended)- Act of 19 August 2011 on transport of dangerous goods (<i>Journal of Laws</i> No 227, item 1367)
building control bodies	Act of 16 April 2004 on building products (consolidated text: <i>Journal of Laws</i> 2014, item 883)
President of the State Mining Authority (further: WUG	Act of 9 June 2011 – Geological and mining law (consolidated text: <i>Journal of Laws</i> 2014, item 613,

President – <i>Wyższy Urząd Górniczy</i>)	as amended)
directors of maritime offices (further: UM – <i>Urząd Morski</i>)	Act of 21 March 1991 on the maritime territory of the Republic of Poland and on the maritime administration (consolidated text: <i>Journal of Laws</i> 2013, item 934)
provincial road transport inspectors (further: ITD – <i>inspektor transportu drogowego</i>)	Act of 19 August 2011 on transport of dangerous goods (<i>Journal of Laws</i> No 227, item 1367)
President of the Office for Registration of Medicinal Products, Medical Devices and Biocidal Products	Act of 20 May 2010 on medical devices (<i>Journal of Laws</i> No 107, item 679, as amended)
Chief Inspector of Agricultural and Food Quality	Act of 21 December 2000 on the commercial quality of food and agricultural products (<i>Journal of Laws</i> 2005, No 187, item 1577, as amended)
Chief Sanitary Inspector	Act of 14 March 1985 on the State Sanitary Inspection (consolidated text: <i>Journal of Laws</i> 2011, No 212, item 1263, as amended)

The list of Polish market surveillance authorities, including their areas of responsibility and contact details, is available at the European Commission's website: <http://ec.europa.eu/DocsRoom/documents/6059/attachments/1/translations/en/renditions/pdf>.

It is difficult to specify resources at the disposal of national market surveillance authorities (including budget or staff expressed as full-time equivalent units), as inspectors are also involved in the performance of other statutory tasks (e.g. trade inspectors check compliance with provisions on fuel quality or price marking of goods, whereas labour inspectors check compliance with labour provisions). In 2013, market surveillance authorities had at their disposal an estimated budget of EUR 10 224 870.27¹ and 1 389 full-time equivalent units².

This document provides information on activities planned from 1 January to 31 December 2015. Activities of all market surveillance authorities extend to the entire national territory.

The part of the programme made available to the public is the part intended for publication on the website of the Office of Competition and Consumer Protection (http://uokik.gov.pl/kompetencje_prezesa_uokik_i_opis_systemu.php#faq851) and the website of the European Commission (http://ec.europa.eu/enterprise/policies/single-market-goods/internal-market-for-products/market-surveillance/index_en.htm – after selection of the relevant country). The 2014 programme, following its approval by the Polish Council of Ministers' Committee for European Affairs, was sent by e-mail to the European Commission and to the other Member States on 9 January 2014.

¹ These figures do not include the State Mining Authority, Maritime Offices, the Agricultural and Food Quality Inspection, the Road Transport Inspection. Incomplete data for the Office for Registration of Medicinal Products, Medical Devices and Biocidal Products.

² These figures do not include the Agricultural and Food Quality Inspection. Estimated data for the Trade Inspection.

1.2. Coordination and cooperation mechanisms between national market surveillance authorities

The President of the Office of Competition and Consumer Protection (further: UOKiK President – *Urząd Ochrony Konkurencji i Konsumentów*) is the authority responsible for monitoring and coordinating the market surveillance system in Poland (in accordance with Regulation No 765/2008) and for carrying out administrative proceedings with the aim of imposing obligations on economic operators who place on the market dangerous goods or goods which do not conform to the essential requirements applicable to the following sectors: 2, 3, 4, 7, 9, 14, 16, 17, 20, 21, 22, 23, 24, 27, 32. The market surveillance tasks of the UOKiK President include cooperating with Customs and national market surveillance authorities, planning inspections to be carried out by the Trade Inspection, responding to complaints and signals of irregularities coming from the market, conducting EU-level cooperation with market surveillance authorities from other Member States and with the European Commission, preparing periodic reports on the findings of inspections, training IH inspectors responsible for carrying out inspections, and keeping public registers to inform the public on goods which do not conform to the essential requirements or are dangerous or against which an administrative decision has been issued ordering their withdrawal from the market. The UOKiK President also plays the role of a national contact point under the RAPEX and ICSMS systems.

The Market Surveillance Steering Committee is another national mechanism for coordination and cooperation. It is an informal platform for information and opinion exchange among the representatives of the state administration involved in the performance of market surveillance tasks. It is also tasked to support the UOKiK President in his role as a monitoring body. The Committee has been meeting at least once a year since 2004, i.e. since the market surveillance system was implemented in Poland. The Committee's mission is to develop cooperation among the authorities involved in the national product control system, share experiences and information, and increase the national system's effectiveness through the harmonisation of procedures applied by the authorities. The representatives of all market surveillance authorities, the Ministry of Finance (representing Customs) and the Ministry of the Economy (responsible for legislative matters as part of the national market surveillance system) participate in the Committee's meetings. The most recent meeting, which took place on 9 December 2014 at the UOKiK's office, was dedicated to discussing key assumptions underlying the regulations implementing the sectoral directives within the new legal framework, the recent Commission guidance on the operation of ICSMS, and the statistical analysis of data collected as part of the national market surveillance system in 2011–2013. Another meeting of the Committee will be held in 2015.

Complaints raised to the UOKiK President are, insofar as possible, factored in the planning of inspections or the UOKiK President instructs the competent market surveillance authority to investigate the matter.

Market surveillance authorities report annually to the UOKiK President on the inspections they have carried out.

1.3. Cooperation between national market surveillance authorities and customs

Customs authorities collaborate with market surveillance authorities on an ongoing basis using the procedure provided for in Articles 27–29 of Regulation No 765/2008, i.e. suspension of the release of a product for free circulation on the Community market.

If in doubt whether or not a product conforms to the requirements, Customs seek an opinion from market surveillance authorities. A negative opinion results in suspension of the release of the product for free circulation. The authorities may also state in their opinions what measures need to be taken in order to remedy detected non-conformities. Therefore, Customs may, at a request of the importer, give their consent to the measures aimed at remedying non-conformities under the suspension procedure. As a result of corrective actions taken by the importer, and after all other requirements of the customs law have been met, the product concerned is released for circulation. By a decision of the Head of Customs, product safety coordinators have been established in all customs chambers since 2011. Their main tasks include monitoring the correct and uniform application of market surveillance regulations and cooperating with market surveillance authorities in order to increase the effectiveness of joint actions.

Ongoing development of cooperation with Customs authorities in ensuring products' compliance with requirements is one of the priorities of all market surveillance authorities participating in the system. The upward trend in requests addressed by Customs to market surveillance authorities is expected to continue.

Collaboration between Customs and market surveillance authorities takes place both at the central and local levels (on the part of Customs, the responsibility for collaboration rests on product safety coordinators, who have been appointed at each of the sixteen customs chambers).

These activities include:

- passing information on an ad-hoc basis on new risks or areas identified by market surveillance authorities as requiring concerted efforts,
- regular dialogue:
 - o at the Steering Committee's forum,
 - o collaboration in preparing Poland's position on new EU legislative proposals,
- joint actions, which most frequently involve joining international actions (e.g. PROSAFE-led projects).

Customs also receive support from market surveillance authorities in the following areas:

- training for customs officers,
- preparing new or updating existing checklists for different product groups,
- engaging in the work of Expert Working Group led by DG TAXUD.

In 2015 Customs will continue its market surveillance operations in accordance with, inter alia, the 2014–2020 Customs Action Strategy, one of whose goals is to “ensure public safety and the protection of national and European Union markets, including through active use of non-tariff measures”. Sectoral areas of Customs' operations will depend on both the priorities identified by authorities specialised in a given area and on the characteristics of trade in goods. The possibility is being considered of increasing the participation of customs laboratories in the examination of selected groups of products (e.g. toys).

1.4. Rapid alert system (RAPEX)

The UOKiK President is the only body in the territory of the Republic of Poland authorised to manage data collected in the EU rapid alert system (RAPEX). Acting as a RAPEX Contact Point, the UOKiK President has the exclusive right to enter, approve and send notifications to the European Commission. Notifications published in the system are

created using information voluntarily submitted by economic operators and received from other market surveillance authorities. Documentation collected during inspections (both scheduled and ad-hoc inspections) and information from other market surveillance authorities are submitted to the Polish RAPEX Contact Point (further: PCP RAPEX). This input is then used to carry out a risk analysis and determine the basis for notification to the system. As things currently stand, the RAPEX accounts of Customs and market surveillance authorities (other than the UOKiK) have a functionality that allows only to browse notifications. Work is underway for a more extensive involvement of all authorities. Based on notifications received via the system, PCP RAPEX instructs relevant authorities to carry out an inspection. An average of 19 inspections are commissioned per year.

1.5. ICSMS information system

The Office of Competition and Consumer Protection acts as a national contact point and a national administrator for ICSMS.

The Polish ICSMS contact point is responsible for the registration of new authorities and users in the system, the translation of terminology used in the Polish version of the system, the collaboration with contact points established within other market surveillance authorities, the ongoing liaising with the Commission (DG ENTER) in matters relating to the system's technical operation, the inputting of notifications into the system, as well as accepting and handing over matters falling within the competence of the UOKiK President to other authorities. The UOKiK also sends its representative to meetings of the Expert Group on the Internal Market for Products (ICSMS). The national ICSMS contact point plays a coordinating role with regard to the ICSMS system and provides training to the system's users.

In addition to the UOKiK, the national ICSMS network is formed by ten market surveillance authorities (Office of Electronic Communications, Chief Inspectorate of Environmental Protection, Chief Inspectorate of Road Transport, Maritime Office in Gdynia, Maritime Office in Słupsk, Maritime Office in Szczecin, State Mining Authority, Office of Rail Transport, General Office of Building Control, Chief Sanitary Inspectorate). Users with rights of ICSMS access have been designated within the above-mentioned authorities and may use the system on their own as part of their inspection activities. Market surveillance authorities collaborate with the UOKiK with regard to the operation of ICSMS. Further market surveillance authorities are planned to be integrated with the system.

1.6. General description of market surveillance activities and relevant procedures

Ensuring safety and protecting the health and lives of consumers and users is a continuous process. In meeting their responsibilities, market surveillance authorities make efforts (resources permitting) to take measures aimed at the effective elimination from the market of products that may potentially represent serious risks. The authorities, as far as they have the necessary financial and human resources, do their best to ensure that the measures they take address all areas of their competence. It should be taken into consideration, however, that planned measures are only targeted at the areas which were found by the risk assessment to pose the highest threat of serious risks. However, products that fall outside the scope of the activities planned in a given year are also subject to inspections if credible complaints are made or signals are received from the market that there may be a serious risk to the health and lives of consumers and users in a specific area.

No separate market surveillance strategies are in place for different sectors and the tasks are carried out in accordance with the annual inspection plans prepared by different market surveillance authorities. The only exception is the Trade Inspection, whose annual inspection plan is prepared by the UOKiK President.

The priorities and principles of operation of UOKiK and IH in relation to ensuring product safety are defined in the strategic guidance documents entitled “The action lines of the Trade Inspection for 2011–2013” and “Consumer policy for 2010–2013”. Two new documents have recently been prepared: “The action lines of the Trade Inspection for 2014–2018” and “Consumer policy for 2014–2018”. The Trade Inspection carries out its checks on the basis of detailed inspection programmes prepared by the UOKiK President for a given quarter of the year. Products may also be inspected as part of intervention actions undertaken at the request of the UOKiK President in response to reports from consumers or information published in the media or provided by economic operators. In addition, provincial IH inspectors may take action on their own initiative if they deem it necessary, e.g. in response to complaints submitted directly to the IH.

During an inspection, an IH inspector may, if considered necessary, take samples of products free of charge for laboratory testing. The inspector verifies documents related to the conformity assessment procedure (EC declarations of conformity, marking, instructions, etc.). If, during checks, a product is found which does not meet the essential requirements but where the non-compliance does not create any serious risks and is reasonably easy to remedy (e.g. by adding marking or warnings or attaching a label), the inspector instructs the operator who placed the product on the market or the first distributor on the territory of Poland to remedy the non-compliance or withdraw the product from the market and to submit evidence of measures taken within the designated time limit.

If no steps are taken voluntarily within the designated time limit, the UOKiK President may, under Article 41c(3) ACAS, by means of a decision, order the withdrawal of the product from the market, prohibit the product from being made available, restrict the availability of the product, or order the party to the proceedings to inform consumers or users that the product does not conform to the requirements (within the specified time limit and in the specified manner). In accordance with Article 39a ACAS, such a decision forms a basis for entering the product in the register of goods which do not conform to the essential, special or other requirements. The register is kept by the UOKiK President and is made available to the public via the UOKiK website.

If the economic operator did not voluntarily take steps within the designated time limit and did not withdraw disputed products from the market, the inspection file is sent to the UOKiK President with a request to initiate proceedings (i.e. Article 40k(3) ACAS is applied). After the inspection file has been sent to the UOKiK President for the purpose of initiating administrative proceedings and upon receipt from the Market Surveillance Department of information that the proceedings in question have been initiated, the IH inspector notifies the prosecutor’s office about a suspected offence committed under Article 45 ff ACAS.

In the case where the product is found to give rise to a serious safety risk, the IH inspector, on the basis of Article 40k(1) ACAS, may, by means of a decision, prohibit the product from being made available for a maximum period of 2 months. In the justification of his/her decision, the inspector must identify the requirements which have not been met (referring to applicable provisions of the national law) and indicate the type of risks created by the product.

After the decision (for example, the decision requesting that a dangerous product be

withdrawn from the market) has become legally binding, information about adopted legal measures is sent to the European Union systems RAPEX and ICSMS (depending on the level and scope of risk). Furthermore, the UOKiK President may, by way of a decision, “order that the product be repurchased at the request of persons who are in the actual possession of such product” (Article 41c(4) ACAS) and, if it is found that a product presents a serious risk, order that the product be destroyed at the expense of a party to the proceedings if the risk cannot be eliminated otherwise (Article 41c(5) ACAS).

It is also provided that whoever places a non-conforming product on the market; affixes the conformity marking on a product which does not meet the requirements or for which the manufacturer or an authorised representative has not produced a declaration of conformity; affixes a marking resembling the conformity marking on a product, thereby potentially misleading the consumer or the product’s distributor; or destroys, removes from secured placement or makes it impossible to test a control sample, shall be subject to a fine.

Inspections conducted by other market surveillance authorities are subject to similar rules.

Specific information on the inspections planned in different thematic areas is provided in a separate document, which was prepared using the form provided by the Commission, known as “sectoral plan” (National market surveillance programmes for 2015: Sector specific activities). This document is for office use only and will not be published.

This document provides information on the activities planned from 1 January to 31 December 2015. Activities of all market surveillance authorities extend to the whole national territory.

The national market surveillance system comprises the performance of checks of products for conformity to requirements and the conduct of administrative proceedings concerning non-conforming products that have been placed on the market or brought into use. The inspection procedures provided for in Regulation No 765/2008 and the relevant provisions on the allocation of competence to market surveillance authorities are applied.

1.7. General framework of cooperation with other Member States and non-member states

Within the scope of their competence, market surveillance authorities take an active part in EU initiatives and international control projects concerning safety of consumer products. This is motivated by the fact that ensuring a high level of safety for consumers on the single market would not be possible without close collaboration with partners from other Member States.

For example, the UOKiK President has become actively involved in the work of PROSAFE³, an organisation whose goal is to share the market surveillance experience and best practice, particularly in the field of safety of products and services offered to consumers, and to facilitate information sharing among market surveillance authorities in this field. These projects provide an opportunity to develop best control practices and standardise market surveillance authorities’ approach to risk estimation for different product groups. The UOKiK has had its representative on the Board of PROSAFE since 2010.

Representatives of market surveillance authorities participate also in the meetings of Administrative Co-operation Groups (ADCO) concerned with the directives and regulations falling within their sphere of competence. The representatives of the UOKiK as a monitoring body attend meetings of the expert group on the internal market for products – market

³ <http://www.prosafe.org/>

surveillance group (IMP-MSG).

Market surveillance authorities participate in the officer exchange programme financed by the European Commission in the field of market surveillance and safety of non-food products.

1.8. Evaluation of market surveillance actions and reporting

Actions are typically taken in the areas that exhibit a high ratio of detected irregularities and pose a serious and direct threat to human life and health and the environment.

Market surveillance authorities are committed to regularly inspecting the areas involving products that are offered on a mass scale or intended for particularly vulnerable groups of consumers, the areas where serious irregularities have been detected in the past, and the newly regulated areas that yet need to be probed. Insofar as possible, inspections are carried out at producers, importers and wholesalers in order to target the highest level of the distribution chain.

Retail outlets, which are the most easily available to consumers, are also subject to detailed inspections. Outlets are selected for inspection on a random basis from the database of economic operators available to the authority and from among the outlets in which irregularities have been detected in past inspections or against which complaints have been made.

Complaints made directly to a given authority trigger ad hoc inspections or are factored in the planning of own actions.

Furthermore, the systematic collaboration of market surveillance authorities with Customs authorities has contributed to increasing the system's effectiveness. This collaboration has made it possible to detect irregularities even before products are placed on the common EU market. An upward trend has been continued in this field. Customs have focused their actions on the areas exhibiting the highest number of detected irregularities.

The system's effectiveness is monitored on an ongoing basis and presented in annual reports on the operation of the market surveillance system, which are prepared by the UOKiK President as a monitoring body. This effectiveness is measured using statistical data on actions and measures taken by the national market surveillance authorities. The effectiveness of the national market surveillance system is also discussed on an annual basis during meetings of the Market Surveillance Steering Committee.

The UOKiK President and other authorities publish annual reports on their websites.

The market surveillance system has been in place in Poland for over 10 years. From this perspective, it has been possible to identify certain elements of the existing system which call for improvement, clarification or change so that market surveillance authorities can effectively address threats to consumers' and users' life or health. The effected changes have also followed from an examination of the approach and guidance from the European Commission while at the same time reflecting an increasingly close collaboration with market surveillance authorities from other EU Member States and the reliance on best practice developed in the field concerned. 2015 will see further legislative work aimed at improving existing solutions and streamlining the market surveillance system.

1.9. Horizontal activities planned for the relevant period

Since Poland's EU accession, the UOKiK President has been taking an active part in EU initiatives and international surveillance projects on safety of non-food consumer

products. This is motivated by the fact that ensuring a high level of safety for consumers on the single market is not possible without close collaboration with partners from other Member States.

In 2014, Poland joined the Joint Action 2013 on the control of toy safety (commenced in January 2014 and due to be completed by April 2016) and undertook to join the Joint Action 2014 on the control of pyrotechnics and power tools (to be commenced in January 2015 and due to be completed by April 2018). Poland also joined EEPLIANT 2014 (*Energy Efficiency Complaint Products 2014*) in the capacity of project leader. The project is aimed at improving collaboration and strengthening the ability of market surveillance authorities to enforce eco-design and energy efficiency regulations, e.g. by carrying out laboratory tests and sharing best control practice. The Office of Electronic Communications will also continue to actively contribute to the work of R&TTE ADCO and EMC ADCO. Furthermore, the UKE will take part in the measurement campaign on LED Floodlights, the PIP will participate in the meetings of the ADCO Working Groups on the Machinery Directive, the Lifts Directive, the Personal Protective Equipment Directive and the Pressure Equipment Directive, and the GUNB will participate in the meetings of ADCO CPR. Market surveillance authorities and the UOKiK President will contribute to the work on changing existing legal arrangements on the market surveillance system to bring them into line with the provisions of the sectoral directives and, indirectly, Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC (OJ L 218, 13.8.2008, p. 82).

2. MARKET SURVEILLANCE IN SPECIFIC SECTORS

2.1. Sector 1 – Medical devices (including In vitro diagnostic medical devices and Active implantable medical devices)

2.1.1. Responsible authority and contact details

Market surveillance tasks in the field of medical devices are carried out by the President of the Office for Registration of Medicinal Products, Medical Devices and Biocidal Products.

Contact details:

Office for Registration of Medicinal Products, Medical Devices and Biocidal Products

Al. Jerozolimskie 181C, 02-222 Warszawa

phone +48 22 4921554

fax +48 22 4921129

e-mail: incydenty@urpl.gov.pl

www.urpl.gov.pl

2.1.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

The President of the Office prepares and carries out their activities based on an annual plan of inspections, using the procedures laid down in the Act of 20 May 2010 on medical devices.

2.1.3. Report from activities carried out under the previous planning period

The activities carried out by the President of the Office by 30 November 2014 as part of surveillance of the medical devices market included:

- initiating 27 proceedings on the issuance of administrative decisions,
- issuing 68 administrative decisions,
- giving 51 opinions on medical devices' conformity to applicable requirements at the request of Customs authorities,
- filing 6 notifications of a suspected offence related to the trade in medical devices to the public prosecutor and the police.

2.2. Sector 2 – Cosmetics

2.2.1. Responsible authority and contact details

Market surveillance tasks in the field of cosmetics are carried out by the Chief Sanitary Inspector and – in respect of the marking and adulteration of, and the legality of trade in, cosmetics – the Trade Inspection bodies reporting to the UOKiK President.

Contact details:

Chief Sanitary Inspectorate
ul. Targowa 65, 03-729 Warszawa
phone +48 22 536 13 00, fax +48 22 635 61 94
e-mail: inpektorat@gis.gov.pl

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl

2.2.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

Activities are carried out under the Act of 30 March 2001 on cosmetic products (*Journal of Laws* 2013, item 475).

State Sanitary Inspection

In 2015, the State Sanitary Inspection bodies will focus in particular on the inspection of cosmetic product information files, products intended for children and teeth whiteners, as well as on laboratory tests (chemical and microbiological analyses of cosmetic products).

The inspection plans of the State Sanitary Inspection will also incorporate checks of compliance with Commission Regulation (EU) No 655/2013 of 10 July 2013 laying down common criteria for the justification of claims used in relation to cosmetic products (OJ L 190, 11.7.2013, p. 31) in response to the Commission's request for Member States' contribution to the report for the European Parliament and the Council on the use of claims on cosmetic products.

Trade Inspection

As part of its checks on cosmetics, the Trade Inspection commissions product tests at the Specialist Laboratory of Fuels and Domestic Detergents in Bydgoszcz, which is a unit of the Office of Competition and Consumer Protection. Laboratory tests of cosmetics are mainly concerned with checking the conformity of net filling volume with the producer's declaration.

2.2.3. Report from activities carried out under the previous planning period

State Sanitary Inspection

Information on the activities of the State Sanitary Inspection in a given calendar year is provided in “The state sanitary condition” (*Stan sanitary kraju*), a document published annually on the website of the Chief Sanitary Inspectorate (the Publications section: <http://www.gis.gov.pl/?lang=pl&go=content&id=30>).

Trade Inspection

In 2014, the Trade Inspection did not carry out any checks on cosmetic products due to anticipated changes to the Act on cosmetic products which, as it is currently worded, grants rights of inspection to the Trade Inspection but, at the same time, it is not correlated with the EU regulation that gives rise to the obligation to inspect labelling.

2.3. Sector 3 – Toys

2.3.1. Responsible authority and contact details:

Market surveillance tasks in the field of toys are carried out by the Trade Inspection bodies reporting to the UOKiK President.

Contact details:

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.3.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

The 2015 plan of inspections foresees checks of selected categories of toys. Plans are also in place to carry out laboratory tests of toys. These will be carried out by the Specialist Testing Laboratory of Toys in Lublin and the Specialist Laboratory of Textile Products and Instrumental Analysis in Łódź, both of which are units of the Office of Competition and Consumer Protection.

2.3.3. Report from activities carried out under the previous planning period

141 administrative proceedings concerning toys which did not conform to the essential requirements were initiated by 1 December 2014. 17 decisions were issued imposing obligations on operators responsible for placing products on the market. The decisions were mainly concerned with the withdrawal of the products from the market.

2.4. Sector 4 – Personal protective equipment

2.4.1. Responsible authority and contact details:

Market surveillance tasks in the field of personal protective equipment are carried out by the National Labour Inspection bodies, the Trade Inspection bodies reporting to the UOKiK President and by the President of the State Mining Authority.

Contact details:

National Labour Inspection
ul. Barska 28/30, 02-315 Warszawa
Phone: +48 (22) 391 82 15
Fax: +48 (22) 391 82 14
E-mail: kancelaria@gip.pip.gov.pl

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

State Mining Authority
ul. Poniatowskiego 31, 40-055 Katowice
Phone: (32) 736 17 00
Fax: (32) 251 48 84
E-mail: wug@wug.gov.pl

2.4.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

National Labour Inspection

In 2015, the National Labour Inspection is planning:

- a) proactive inspections of a selected group of personal protective equipment based on the assessment of risk to worker safety and health;
- b) reactive inspections – these will be carried out as necessary in response to complaints and reports on the presence on the national market of personal protective equipment intended for use at work that may not conform to regulatory requirements.

Trade Inspection

The 2015 plan of inspections foresees checks of selected categories of personal protective equipment. Laboratory tests are also planned at accredited laboratories.

State Mining Authority

The WUG President prepares and carries out their activities based on the annual plan of inspections, using the procedures laid down in the Act of 9 June 2011 – Geological and mining law.

Inspections at mining plants comprise checks on products and supporting documents. Where it is suspected that a product does not conform to the essential or other requirements, a risk assessment is carried out. Where a non-conforming product is found to be in use at a mining plant, officers acting on authorisation from the WUG President conduct an inspection at the manufacturer, authorised representative, importer or distributor.

2.4.3. Report from activities carried out under the previous planning period

National Labour Inspection

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

Trade Inspection

By 1 December 2014, inspection findings resulted in the initiation of one administrative proceeding on non-conformity of personal protective equipment with the essential requirements. No decision was issued that would impose any obligations on operators responsible for placing products on the market.

State Mining Authority

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

2.5. Sector 5 – Construction products

2.5.1. Responsible authority and contact details:

The General Inspector of Building Control and 16 provincial inspectors of building control are the bodies responsible for matters relating to construction products.

Contact details:

General Office of Building Control
ul. Krucza 38/42, 00-926 Warszawa
Fax: (22) 661 81 42
E-mail: esp@gunb.gov.pl, dwb@gunb.gov.pl

2.5.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

In 2015, inspections are planned to focus on product groups identified through risk assessment, particularly in terms of impact on the safety of building structures, environmental protection and energy efficiency, as well as on those where the need for inspection is prompted by the knowledge of the local market of construction products in different provinces.

2.5.3. Report from activities carried out under the previous planning period

A total of 1 245 inspections were carried out by 31 October 2014, covering 3 513 construction products. Checks were concerned with the products placed on the market both under the European scheme and under the national scheme. 71 % of checked products were CE-marked products.

Irregularities were found in 36 % of checked products. As a result, 425 administrative proceedings were initiated that led to the issuance of 166 rulings restricting trade in the products concerned.

In 2014, building control bodies issued 41 opinions, including 30 negative opinions, at the request of Customs authorities.

2.7. Sector 7 – Simple pressure vessels and Pressure equipment

2.7.1. Responsible authority and contact details

Market surveillance tasks in the field of simple pressure vessels and pressure equipment are carried out by the National Labour Inspection, the Trade Inspection reporting to the UOKiK President, and the State Mining Authority.

Contact details:

National Labour Inspection
ul. Barska 28/30, 02-315 Warszawa
Phone: +48 (22) 391 82 15
Fax: +48 (22) 391 82 14
E-mail: kancelaria@gip.pip.gov.pl

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

State Mining Authority
ul. Poniatowskiego 31, 40-055 Katowice
Phone: (32) 736 17 00
Fax: (32) 251 48 84
E-mail: wug@wug.gov.pl

2.7.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

National Labour Inspection

In 2015, the National Labour Inspection is planning to conduct reactive inspections of simple pressure vessels and pressure equipment. Inspections will be carried out at workplaces in response to complaints and reports on the presence on the national market of simple pressure vessels and pressure equipment that do not conform to regulatory requirements.

Trade Inspection

The 2015 plan of inspections foresees checks of selected simple pressure vessels and pressure equipment.

State Mining Authority

The WUG President prepares and carries out their activities based on the annual plan of inspections, using the procedures laid down in the Act of 9 June 2011 – Geological and mining law.

2.7.3. Report from activities carried out under the previous planning period

National Labour Inspection

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

Trade Inspection

The findings of inspections carried out by 1 December 2014 did not give rise to any administrative proceedings on non-conforming products. No decision was issued that would impose any obligations on operators responsible for placing products on the market.

State Mining Authority

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

2.8. Sector 8 – Transportable pressure equipment

2.8.1. Responsible authority and contact details

Market surveillance activities in the field of transportable pressure equipment are carried out by the President of the Office of Rail Transport and the provincial Road Transport inspectors.

Contact details:

Office of Rail Transport
Al. Jerozolimskie 134, 02-305 Warszawa
Phone: (22) 749 14 00
Fax: (22) 749 14 01
E-mail: utk@utk.gov.pl

Chief Inspectorate of Road Transport
ul. Postępu 21, 02-676 Warszawa
Phone: (22) 22 04 000
Fax: (22) 22 04 899
E-mail: info@gitd.gov.pl

2.8.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

Office of Rail Transport

Strengthening the safety surveillance of the railway system in Poland by stepping up audit and control measures related to its operation has been identified by the UTK President as a priority for 2015. Other areas of particular concern to the UTK President include surveillance of rail transport of dangerous goods, including transportable pressure equipment, surveillance of products used in the railway transport and surveillance of railway lines.

Road Transport Inspection

Control activities of the Road Transport Inspection are governed by the Act of 19 August 2011 on transport of dangerous goods and on the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR). These tasks are carried out as part of routine checks on vehicles carrying dangerous goods and on-the-spot checks at the premises of enterprises engaged in the transport of dangerous goods by road.

2.8.3. Report from activities carried out under the previous planning period

Office of Rail Transport

4 inspections were carried out on 10 products. No irregularities were found.

Road Transport Inspection

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

2.9. Sector 9 – Machinery

2.9.1. Responsible authority and contact details

Market surveillance tasks in the field of machinery are carried out by the President of the State Mining Authority, the National Labour Inspection and the Trade Inspection bodies reporting to the UOKiK President.

Contact details:

National Labour Inspection
ul. Barska 28/30, 02-315 Warszawa
Phone: +48 (22) 391 82 15
Fax: +48 (22) 391 82 14
E-mail: kancelaria@gip.pip.gov.pl

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

State Mining Authority
ul. Poniatowskiego 31, 40-055 Katowice
Phone: (32) 736 17 00
Fax: (32) 251 48 84
E-mail: wug@wug.gov.pl

2.9.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

National Labour Inspection

In 2015, the National Labour Inspection is planning:

- a) proactive inspections of a selected group of products that present a serious risk of injury to operators and other persons; these inspections will cover machines for metal processing, including lathes, milling machines, drilling machines, saws, grinders and multi-purpose machine tools;
- b) reactive inspections – these will be carried out as necessary in response to complaints and reports on the presence on the national market of machines intended for use at work that may not conform to regulatory requirements.

Trade Inspection

The 2015 plan of inspections foresees checks on selected machines.

State Mining Authority

The WUG President prepares and carries out their activities based on the annual plan of inspections, using the procedures laid down in the Act of 9 June 2011 – Geological and mining law.

2.9.3. Report from activities carried out under the previous planning period

National Labour Inspection

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

Trade Inspection

6 administrative proceedings on non-conforming products were initiated by

1 December 2014. No decision was issued that would impose any obligations on operators responsible for placing products on the market.

State Mining Authority

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

2.10.Sector 10 – Lifts

2.10.1. Responsible authority and contact details

Market surveillance tasks in the field of lifts are carried out by the National Labour Inspection bodies.

Contact details:

National Labour Inspection
ul. Barska 28/30, 02-315 Warszawa
Phone: +48 (22) 391 82 15
Fax: +48 (22) 391 82 14
E-mail: kancelaria@gip.pip.gov.pl

2.10.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

In 2015, the National Labour Inspection will be carrying out reactive inspections in the field concerned. Inspections of lifts used at work will be carried out in response to complaints and reports on suspected malfunctions.

2.10.3. Report from activities carried out under the previous planning period

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

2.11.Sector 11 – Cableways

2.11.1. Responsible authority and contact details

Market surveillance activities in the field of cableways are carried out by the President of the Office of Rail Transport.

Contact details:

Office of Rail Transport
Al. Jerozolimskie 134, 02-305 Warszawa
Phone: (22) 749 14 00
Fax: (22) 749 14 01
E-mail: utk@utk.gov.pl

2.11.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

Strengthening the safety surveillance of the railway system in Poland by stepping up audit and control measures related to its operation has been identified by the UTK President as a priority for 2015.

Other areas of particular interest to the UTK President include surveillance of the

conformity of cableways placed on the market for the carriage of passengers with the essential requirements under Article 10(4) of the Act of 28 March 2003 on rail transport.

2.11.3. Report from activities carried out under the previous planning period

7 inspections were carried out on 8 products in 2014. All products were found to conform to the requirements.

2.12. Sector 12 – Noise emissions for outdoor equipment

2.12.1. Responsible authority and contact details

Market surveillance tasks in the field of noise emissions for outdoor equipment are carried out by the National Labour Inspection bodies, the Environmental Protection Inspection bodies and the President of the State Mining Authority.

Contact details:

National Labour Inspection
ul. Barska 28/30, 02-315 Warszawa
Phone: +48 (22) 391 82 15
Fax: +48 (22) 391 82 14
E-mail: kancelaria@gip.pip.gov.pl

Chief Inspectorate of Environmental Protection
ul. Wawelska 52/54
00-922 Warszawa, Poland
Phone: (22) 825 04 65
Fax: (22) 825 33 25
E-mail: gios@gios.gov.pl

State Mining Authority
ul. Poniatowskiego 31, 40-055 Katowice
Phone: (32) 736 17 00
Fax: (32) 251 48 84
E-mail: wug@wug.gov.pl

2.12.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

National Labour Inspection

In 2015, the National Labour Inspection will be carrying out reactive inspections in the field of noise emissions for outdoor equipment. Inspections of products used at work will be carried out in response to complaints and reports on alleged non-conformities.

Environmental Protection Inspection

In 2015, different types of construction machines, garden machines and power tools will be checked for the correctness of labelling and technical documentation.

State Mining Authority

The WUG President prepares and carries out their activities based on the annual plan of

inspections, using the procedures laid down in the Act of 9 June 2011 – Geological and mining law.

2.12.3. Report from activities carried out under the previous planning period

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

2.13. Sector 13 – Equipment and Protective Systems Intended for use in Potentially Explosive Atmospheres

2.13.1. Responsible authority and contact details

Market surveillance tasks in the field of equipment and protective systems intended for use in potentially explosive atmospheres are carried out by the National Labour Inspection bodies (at employers other than mining plants) and by the President of the State Mining Authority (at mining plants).

Contact details:

National Labour Inspection
ul. Barska 28/30, 02-315 Warszawa
Phone: +48 (22) 391 82 15
Fax: +48 (22) 391 82 14
E-mail: kancelaria@gip.pip.gov.pl

State Mining Authority
ul. Poniatowskiego 31, 40-055 Katowice
Phone: (32) 736 17 00
Fax: (32) 251 48 84
E-mail: wug@wug.gov.pl

2.13.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

National Labour Inspection

In 2015, the National Labour Inspection will be carrying out reactive inspections in the field of equipment and protective systems intended for use in potentially explosive atmospheres. Inspections of products used at work will be carried out in response to complaints and reports on alleged non-conformities.

State Mining Authority

The WUG President prepares and carries out their activities based on the annual plan of inspections, using the procedures laid down in the Act of 9 June 2011 – Geological and mining law.

2.13.3. Report from activities carried out under the previous planning period

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

2.14. Sector 14 – Pyrotechnics

2.14.1. Responsible authority and contact details

Market surveillance tasks in the field of pyrotechnics are carried out by the Trade Inspection bodies reporting to the UOKiK President (pyrotechnics classes 1–4) and the National Labour Inspection bodies (pyrotechnics classes P1, P2, T1 and T2).

Contact details:

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

National Labour Inspection
ul. Barska 28/30, 02-315 Warszawa
Phone: +48 (22) 391 82 15
Fax: +48 (22) 391 82 14
E-mail: kancelaria@gip.pip.gov.pl

2.14.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

Trade Inspection

The 2015 plan of inspections foresees checks on selected pyrotechnic products of classes 1–3.

National Labour Inspection

In 2015, the National Labour Inspection will be carrying out reactive inspections in the field of pyrotechnic products of classes T1 and P1. Inspections of products used at work will be carried out in response to complaints and reports on alleged non-conformities.

2.14.3. Report from activities carried out under the previous planning period

National Labour Inspection

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

Trade Inspection

6 administrative proceedings on non-conforming products were initiated by 1 December 2014. No decision was issued that would impose any obligations on operators responsible for placing products on the market.

2.15. Sector 15 – Explosives for civil uses

2.15.1. Responsible authority and contact details

Market surveillance tasks in the field of explosives for civil uses are carried out by the President of the State Mining Authority.

Contact details:

State Mining Authority
ul. Poniatowskiego 31, 40-055 Katowice
Phone: (32) 736 17 00
Fax: (32) 251 48 84
E-mail: wug@wug.gov.pl

2.15.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

The WUG President prepares and carries out their activities based on the annual plan of inspections, using the procedures laid down in the Act of 9 June 2011 – Geological and mining law.

2.15.3. Report from activities carried out under the previous planning period

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

2.16. Sector 16 – Appliances burning gaseous fuels

2.16.1. Responsible authority and contact details

Market surveillance tasks in the field of appliances burning gaseous fuels are carried out by the National Labour Inspection bodies and the Trade Inspection bodies reporting to the UOKiK President.

Contact details:

National Labour Inspection

ul. Barska 28/30, 02-315 Warszawa

Phone: +48 (22) 391 82 15

Fax: +48 (22) 391 82 14

E-mail: kancelaria@gip.pip.gov.pl

Office of Competition and Consumer Protection

Plac Powstańców Warszawy 1, 00-950 Warszawa

Phone: +48 (22) 55 60 800

Fax: +48 (22) 826 61 25

E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.16.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

National Labour Inspection

In 2015, the National Labour Inspection will be carrying out reactive inspections in the field of appliances burning gaseous fuels. Inspections of products used at work will be carried out in response to complaints and reports on alleged non-conformities.

Trade Inspection

No inspections are planned in 2015. Intervention measures may be taken, e.g. in response to complaints.

2.16.3. Report from activities carried out under the previous planning period

National Labour Inspection

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

Trade Inspection

The findings of inspections carried out by 1 December 2014 did not give rise to any administrative proceedings on non-conforming products. No decision was issued that would impose any obligations on operators responsible for placing products on the market.

2.17.Sector 17 – Measuring instruments, Non-automatic weighing instruments and Pre-packaged products

2.17.1. Responsible authority and contact details

Market surveillance tasks in the field of measuring instruments, non-automatic weighing instruments and pre-packaged products are carried out by the President of the State Mining Authority and the Trade Inspection bodies reporting to the UOKiK President.

Contact details:

State Mining Authority
ul. Poniatowskiego 31, 40-055 Katowice
Phone: (32) 736 17 00
Fax: (32) 251 48 84
E-mail: wug@wug.gov.pl

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.17.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

State Mining Authority

The WUG President prepares and carries out their activities based on the annual plan of inspections, using the procedures laid down in the Act of 9 June 2011 – Geological and mining law.

Trade Inspection

The 2015 plan of inspections foresees checks on selected measuring instruments.

2.17.3. Report from activities carried out under the previous planning period

State Mining Authority

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

Trade Inspection

The findings of inspections carried out by 1 December 2014 did not give rise to any administrative proceedings on non-conforming products. No decision was issued that would impose any obligations on operators responsible for placing products on the market.

2.18.Sector 18 – Electrical equipment under EMC

2.18.1. Responsible authority and contact details

Market surveillance tasks in the field of electrical equipment under EMC are carried out

by the President of the State Mining Authority and the President of the Office of Electronic Communications.

Contact details:

State Mining Authority
ul. Poniatowskiego 31, 40-055 Katowice
Phone: (32) 736 17 00
Fax: (32) 251 48 84
E-mail: wug@wug.gov.pl

Office of Electronic Communications
ul. Kasprzaka 18/20, 01-211 Warszawa
Phone: +48 (22) 534 94 83
Fax: +48 (22) 534 93 10
E-mail: uke@uke.gov.pl

2.18.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

State Mining Authority

The WUG President prepares and carries out their activities based on the annual plan of inspections, using the procedures laid down in the Act of 9 June 2011 – Geological and mining law.

Office of Electronic Communications

In 2015, priority areas will include power supplies, LED lighting devices, household appliances and radio and television goods. Measurement campaigns on EMC (LED Floodlights) are also planned within the framework of collaboration with ADCO EMC.

2.18.3. Report from activities carried out under the previous planning period

State Mining Authority

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

Office of Electronic Communications

655 products were checked by 30 September 2014. Of these, 172 products were found to be non-conforming. 41 products did not conform to the essential requirements and 161 to other requirements. 425 opinions were issued to Customs bodies.

37 administrative decisions were issued and 83 administrative proceedings were initiated.

2.19.Sector 19 – Radio and telecom equipment under RTTE

2.19.1. Responsible authority and contact details:

Market surveillance tasks in the field of radio and telecom equipment under RTTE are carried out by the President of the Office of Electronic Communications.

Contact details:

Office of Electronic Communications
ul. Kasprzaka 18/20, 01-211 Warszawa
Phone: +48 (22) 534 94 83
Fax: +48 (22) 534 93 10

E-mail: uke@uke.gov.pl

2.19.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

In 2015, priority areas of control will include radio-controlled models, GSM repeaters, baby monitors and weather stations. As part of the Annual Control Plan, the UKE President is planning a measurement campaign on mobile phones (SAR rate), tablets and smartphones.

2.19.3. Report from activities carried out under the previous planning period

347 products were checked by 30 September 2014. Of these, 134 products were found to be non-conforming. 9 products did not conform to the essential requirements and 129 to other requirements. 332 opinions were issued to Customs bodies.

31 administrative decisions were issued and 46 administrative proceedings were initiated.

2.20. Sector 20 – Electrical appliances and equipment under LVD

2.20.1. Responsible authority and contact details

Market surveillance tasks in the field of electrical appliances and equipment are carried out by the President of the State Mining Authority, the National Labour Inspection and the Trade Inspection bodies reporting to the UOKiK President.

Contact details:

State Mining Authority
ul. Poniatowskiego 31, 40-055 Katowice
Phone: (32) 736 17 00
Fax: (32) 251 48 84
E-mail: wug@wug.gov.pl

National Labour Inspection
ul. Barska 28/30, 02-315 Warszawa
Phone: +48 (22) 391 82 15
Fax: +48 (22) 391 82 14
E-mail: kancelaria@gip.pip.gov.pl

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.20.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

State Mining Authority

The WUG President prepares and carries out their activities based on the annual plan of inspections, using the procedures laid down in the Act of 9 June 2011 – Geological and mining law.

National Labour Inspection

In 2015, the National Labour Inspection will be carrying out reactive inspections in the field of electrical equipment designed for use within certain voltage limits. Inspections of products used at work will be carried out in response to complaints and reports on alleged non-conformities.

Trade Inspection

The 2015 plan of inspections foresees checks on selected electrical appliances. Laboratory tests are also planned to assess LED sources for photobiological risks. Tests will be carried out at accredited laboratories.

2.20.3. Report from activities carried out under the previous planning period

State Mining Authority

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

National Labour Inspection

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

Trade Inspection

23 administrative proceedings concerning non-conforming products were initiated by 1 December 2014. 4 decisions were issued imposing obligations on operators responsible for placing products on the market. The decisions were mainly concerned with the withdrawal of the products from the market.

2.21. Sector 21 – Electrical and electronic equipment under RoHS and WEEE and batteries

2.21.1. Responsible authority and contact details

Market surveillance tasks in the field of electrical and electronic equipment under RoHS and WEEE and batteries are carried out by the Trade Inspection reporting to the UOKiK President.

Contact details:

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.21.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

The Trade Inspection as a market surveillance authority is responsible for supervising retailers of portable batteries or accumulators for compliance with their obligations.

As part of its checks on batteries and accumulators, the Trade Inspection commissions product tests from the Specialist Laboratory of Textile Products and Instrumental Analysis in Łódź, which is a unit of the Office of Competition and Consumer Protection. Batteries are tested for the presence of cadmium, lead and mercury.

2.21.3. Report from activities carried out under the previous planning period

The Trade Inspection's checks on trade in batteries and accumulators will be conducted throughout 2014. Inspections will cover at least 852 batches of batteries or accumulators at 200 enterprises. Tests are also planned at the Specialist Laboratory of Textile Products and Instrumental Analysis in Łódź.

2.22/A Sector 22A – Chemical substances under REACH and Classification and Labelling Regulations

2.22/A.1. Responsible authority and contact details

Market surveillance tasks in the field of chemical substances under REACH and Classification and Labelling Regulations are carried out by the Trade Inspection reporting to the UOKiK President.

Contact details:

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.22/A.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

The Trade Inspection is an authority responsible for market surveillance under Article 67 of the REACH Regulation and Chapters III and IV of the CLP Regulation on labelling and packaging.

The authority carries out its inspections under Article 29(3) of the Act of 25 February 2011 on chemical substances and their mixtures (*Journal of Laws* No 63, item 322, as amended).

The Trade Inspection commissions tests from the Specialist Laboratory of Textile Products and Instrumental Analysis in Łódź (a unit of the Office of Competition and Consumer Protection) to check products for the presence of prohibited chemical substances.

Products are tested for the presence of aromatic amine (leather and textile products), cadmium (jewellery, imitation jewellery, hair accessories and plastic articles), nickel (sewing accessories, textile products and jewellery), dimethyl fumarate (leather products), phthalates and lead (jewellery and imitation jewellery, particularly if containing non-metal elements).

2.22/A.3. Report from activities carried out under the previous planning period

The Trade Inspection's checks on products for the presence of certain chemical substances are conducted throughout 2014. Inspections will cover at least 244 batches of products at 244 enterprises. Laboratory tests will also be conducted to check products for the presence of selected chemical substances.

2.22/B Sector 22B – Other chemicals (Detergents, Paints, Persistent Organic Pollutants, Fluorinated greenhouse gases, Ozone Depleting Substances, etc.)

2.22/B.1. Responsible authority and contact details

Market surveillance tasks in the field of other chemicals (detergents, paints, persistent organic pollutants, fluorinated greenhouse gases, ozone depleting substances, etc.) are carried out by the Trade Inspection, a body reporting to the UOKiK President.

Contact details:

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.22/B.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

The Trade Inspection carries out its inspections under Article 3(1)(1), 3(1)(1c) and 3(1)(6) of the Act of 15 December 2000 on the Trade Inspection and Article 29(3)(c) of the Act of 25 February 2011 on chemical substances and their mixtures.

The Trade Inspection commissions detergent tests from the Specialist Laboratory of Fuels and Domestic Detergents in Bydgoszcz (net weight, pH, capacity to emulsify fats, washing capacity, presence of optical brighteners, the content of active oxygen and anion-active compounds) and from the Specialist Laboratory of Textile Products and Instrumental Analysis in Łódź (methanol contents).

2.22/B.3. Report from activities carried out under the previous planning period

In the first quarter of 2014, the Trade Inspection carried out nationwide checks on the labelling of detergents. Checks covered 48 enterprises offering different types of detergents. 191 product batches were checked. 32 batches were found to be non-conforming. Samples of 12 batches of windscreen washer were collected for testing. Results of methanol tests conducted at the Specialist Laboratory of Textile Products and Instrumental Analysis in Łódź (a unit of the Office of Competition and Consumer Protection) provided grounds to call into question 3 of the tested samples due to a methanol content in excess of 3 % by weight.

2.23.Sector 23 – Eco-design and Energy Labelling; Efficiency requirements for hot-boilers fired with liquid or gaseous fuels

2.23.1. Responsible authority and contact details:

Market surveillance tasks in the field of eco-design and energy labelling are carried out by the President of the Office of Electronic Communications and the Trade Inspection bodies reporting to the UOKiK President.

Contact details:

Office of Electronic Communications
ul. Kasprzaka 18/20, 01-211 Warszawa
Phone: +48 (22) 534 94 83
Fax: +48 (22) 534 93 10
E-mail: uke@uke.gov.pl

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa

Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.23.2. *Market surveillance procedures and strategy*

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

The UKE President has competence over the products governed by:

- Commission Regulation (EC) No 1275/2008 of 17 December 2008 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to eco-design requirements for standby and off mode electric power consumption of electrical and electronic household and office equipment (OJ L 339, 18.12.2008, p. 45);
- Commission Regulation (EC) No 107/2009 of 4 February 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to eco-design requirements for simple set-top boxes (OJ L 36, 5.2.2009, p. 8);
- Commission Regulation (EC) No 278/2009 of 6 April 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to eco-design requirements for no-load condition electric power consumption and average active efficiency of external power supplies (OJ L 93, 7.4.2009, p. 3);
- Commission Regulation (EC) No 642/2009 of 22 July 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to eco-design requirements for televisions (OJ L 191, 23.7.2009, p. 42);
- Commission Delegated Regulation (EC) No 1062/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of televisions (OJ L 314 of 2010, p. 64).

Market surveillance activities concerning other products fall within the competence of the Trade Inspection.

Trade Inspection

The 2015 plan of inspections foresees checks on selected products.

Office of Electronic Communications

In 2015, inspections will cover mainly information technology equipment intended primarily for use in the domestic environment, sound reproduction devices, television sets and home theatre systems, power supplies for use with electrical and electronic household and office equipment as referred to in Article (2)1 of Regulation No 1275/2008 and small household appliances.

2.23.3. *Report from activities carried out under the previous planning period*

Trade Inspection

The findings of inspections carried out by 1 December 2014 did not give rise to any administrative proceedings on non-conforming products. No decision was issued that would impose any obligations on operators responsible for placing products on the market.

Office of Electronic Communications

514 products were checked by 30 September 2014. Of these, 98 products were found to be non-conforming. 4 products did not conform to the essential requirements and 94 to other requirements. No opinions were issued to Customs bodies.

1 administrative decision was issued and 3 administrative proceedings were initiated.

Inspections of television sets found 14 cases where the inspected entities failed to comply with obligations or prohibitions regarding the provision of information about the consumption of energy by energy-using products.

8 decisions were issued imposing penalties under Article 17(1) of the Act on the obligations to provide information about the consumption of energy by energy-using products.

2.24.Sector 24 – Tyre labelling

2.24.1. Responsible authority and contact details

Market surveillance tasks in the field of tyre labelling are carried out by the Trade Inspection bodies reporting to the UOKiK President.

Contact details:

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.24.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

The Trade Inspection is a body responsible for market surveillance under Articles 4, 5 and 6 of Regulation (EC) No 1222/2009 of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters (OJ L 342, 22.12.2009, p. 46). These articles concern specific obligations imposed on tyre suppliers, who should ensure that tyres which are delivered to distributors or end-users have the appropriate stickers and labels indicating the fuel efficiency class, the external rolling noise class and measured value and, where applicable, the wet grip class.

2.24.3. Report from activities carried out under the previous planning period

60 enterprises were inspected in 2014. 282 batches of tyres offered for sale were inspected; 5 batches at two enterprises were found to be non-conforming.

2.25.Sector 25 – Recreational crafts

2.25.1. Responsible authority and contact details

Market surveillance tasks in the field of recreational crafts are carried out by the Directors of Maritime Offices.

Contact details:

Maritime Office in Słupsk
Al. Sienkiewicza 18, 76-200 Słupsk
Phone: (59) 847 42 56, 847 42 57
Fax: (59) 847 42 55
E-mail: sekretariat@umsl.gov.pl

Maritime Office in Gdynia
ul. Chrzanowskiego 10, 81-338 Gdynia

Phone +48 (58) 355 33 33
Fax: +48 (58) 620 67 43, 621 72 31
E-mail: umgdy@umgdy.gov.pl

Maritime Office in Szczecin
pl. Batorego 4, 70-207 Szczecin
Phone: (91) 44 03 319
Fax: (91) 44 03 353
E-mail: kancelaria@ums.gov.pl

2.25.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

Checks are carried out on the basis of annual inspection plans, which can change (i.e. no checks are carried out) if a producer submits information that its economic activity has been terminated/suspended or that it differs from the type of activity indicated in the sources relied on in preparing the plans (internet, industry press, etc.).

2.25.3. Report from activities carried out under the previous planning period

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

2.26. Sector 26 – Marine equipment

2.26.1. Responsible authority and contact details

Market surveillance tasks in the field of marine equipment are carried out by the Directors of Maritime Offices.

Contact details:

Maritime Office in Słupsk
Al. Sienkiewicza 18, 76-200 Słupsk
Phone: (59) 847 42 56, 847 42 57
Fax: (59) 847 42 55
E-mail: sekretariat@umsl.gov.pl

Maritime Office in Gdynia
ul. Chrzanowskiego 10, 81-338 Gdynia
Phone +48 (58) 355 33 33
Fax: +48 (58) 620 67 43, 621 72 31
E-mail: umgdy@umgdy.gov.pl

Maritime Office in Szczecin
pl. Batorego 4, 70-207 Szczecin
Phone: (91) 44 03 319
Fax: (91) 44 03 353
E-mail: kancelaria@ums.gov.pl

2.26.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

Checks are carried out on the basis of annual inspection plans, which can change (i.e. no checks are carried out) if a producer submits information that its economic activity has been terminated/suspended or that it differs from the type of activity indicated in the sources relied on in preparing the plans (internet, industry press, etc.).

2.26.3. Report from activities carried out under the previous planning period

Assumptions underlying the existing plan of inspections are carried out on an ongoing basis.

2.27.Sector 27 – Motor vehicles

2.27.1. Responsible authority and contact details

Market surveillance tasks in the field of motor vehicles under Article 5(1) and (2) of Directive 2007/46/EC concerning obligations of manufacturers and Article 9(1) of Directive 2002/24/EC concerning obligations of motor vehicle manufacturers are carried out by the Trade Inspection bodies reporting to the UOKiK President.

Contact details:

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.27.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

The Trade Inspection carries out checks under Article 3(1)(1e) of the Act of 15 December 2000 on the Trade Inspection, which contains reference to the relevant provisions of Article 70c of the Act of 20 June 1997 – Road Traffic Law (*Journal of Laws* 2012, item 1137, as amended).

2.27.3. Report from activities carried out under the previous planning period

In the fourth quarter of 2014, the Trade Inspection is planning to conduct a pilot inspection of the marketing of equipment and parts intended for consumers that are subject to the requirement to possess a certificate of approval. Checks will cover at least 80 batches of products at 20 enterprises.

2.29.Sector 29 – Fertilisers

2.29.1. Responsible authority and contact details

Market surveillance tasks in the field of fertilisers are carried out by the Chief Inspector of Agricultural and Food Quality.

Contact details:

Agricultural and Food Quality Inspection
ul. Wspólna 30, 00-930 Warszawa
Phone + 48 22 623-29-00
Phone + 48 22 623-29-01

Fax + 48 22 623-29-98
Fax + 48 22 623-29-99
E-mail: sekretariat@ijhars.gov.pl

2.29.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

Surveillance of the market of fertilisers and plant growth enhancers is carried out under the Act of 10 July 2007 on fertilisers and fertilisation (*Journal of Laws* No 147, item 1033, as amended).

The Agricultural and Food Quality Inspection carries out an annual inspection of the marketing and labelling of fertilisers, fertilisers marked “EC FERTILISER” and plant growth enhancers for compliance with applicable regulations.

2.29.3. Report from activities carried out under the previous planning period

121 inspections were carried out by 30 September 2014.

2.31.Sector 31 – Biocides

2.31.1. Responsible authority and contact details

Market surveillance tasks under Article 69 of Regulation No 528/2012 concerning classification, packaging and labelling of biocidal products are carried out by the Trade Inspection bodies reporting to the UOKiK President.

Contact details:

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.31.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

The competence of the authority to conduct inspections arises under Article 49(2) of the Act of 13 September 2002 on biocidal products (*Journal of Laws* 2007, No 39, item 252, as amended).

2.31.3. Report from activities carried out under the previous planning period

In 2014, checks covered 50 operators offering different types of biocidal products. 194 product batches were checked, 11 of which were found to be non-conforming.

2.32.Sector 32 – Textile labelling

2.32.1. Responsible authority and contact details

Market surveillance tasks under Articles 14, 15 and 18 of the aforementioned regulation concerning the labelling of textile products and declarations of conformity for the fibre composition of textile products are carried out by the Trade Inspection bodies reporting to the

UOKiK President.

Contact details:

Office of Competition and Consumer Protection
Plac Powstańców Warszawy 1, 00-950 Warszawa
Phone: +48 (22) 55 60 800
Fax: +48 (22) 826 61 25
E-mail: uokik@uokik.gov.pl, dnr@uokik.gov.pl

2.32.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

The authority carries out its inspections under Article 3(2)(2) of the Act of 15 December 2000 on the Trade Inspection.

As part of its checks on textile products, the Trade Inspection commissions product tests from the Specialist Laboratory of Textile Products and Instrumental Analysis in Łódź. Tests are concerned with checking the conformity of fibre composition with that declared by the manufacturer.

2.32.3. Report from activities carried out under the previous planning period

The Trade Inspection's checks on the labelling and quality of textile products are conducted throughout 2014. It is assumed that checks will cover at least 1 900 batches of textile products at 280 enterprises. Laboratory tests of fibre composition are planned to be conducted on 384 product batches.

2.33.Sector 33 – Packaging and packaging waste

2.33.1. Responsible authority and contact details

Market surveillance tasks in the field of packaging and packaging waste are carried out by the Environmental Protection Inspection bodies.

Contact details:

Chief Inspectorate of Environmental Protection
ul. Wawelska 52/54
00-922 Warszawa, Poland
Phone: (22) 825 04 65
Fax: (22) 825 33 25
E-mail: gios@gios.gov.pl

2.33.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

In 2015, checks will cover sales packaging, grouped packaging and transport packaging made of plastic, paper/cardboard and aluminium.

Checks will be carried out mainly at the premises of distributors and manufacturers of packaging and manufacturers of packaged products and will be concerned with inspecting the labelling of packaging and technical documentation.

2.33.3. Report from activities carried out under the previous planning period

Assumptions underlying the existing plan of inspections are carried out on an ongoing

basis.

2.34.Sector 34 – Railway interoperability

2.34.1. Responsible authority and contact details

Market surveillance activities in the field of railway interoperability are carried out by the President of the Office of Rail Transport.

Contact details:

Office of Rail Transport

Al. Jerozolimskie 134, 02-305 Warszawa

Phone: (22) 749 14 00

Fax: (22) 749 14 01

E-mail: utk@utk.gov.pl

2.34.2. Market surveillance procedures and strategy

Details of provisions on the allocation of competence are provided in Chapter 1.1. Identification and responsibilities of national market surveillance authorities.

Strengthening the safety surveillance of the railway system in Poland by stepping up audit and control measures related to its operation has been identified by the UTK President as a priority for 2015.

2.34.3. Report from activities carried out under the previous planning period

1 inspection was carried out on 2 products. Both products were found to conform to the requirements.