1. **Basic Information**
   1.1 Désirée Number: CZ2003/004-338.02.01
   1.2 Title: Czech Trade Inspection - Strengthening market surveillance including the Rapid Alert System
   1.3 Sector: Internal market and Economic criteria
   1.4 Location: Czech Republic

2. **Objectives**
   2.1 Overall Objective:
   Existence of a functioning market economy, as well as the capacity to cope with competitive pressure and market forces within the Union.

   2.2 Project purpose:
   To ensure enhancing operability and strengthening market surveillance action for non-food products in national context through fulfilment Council Directives 92/59/EEC and 2001/95/EC and to ensure effectiveness of cross-border market surveillance action through fulfilment Council Regulation 93/339/EC.

   2.3 Accession Partnership/Action Plan/ Peer review
   - Consumer protection has been stressed as the integral part of a well functioning internal market in the Accession Partnership.
   - In the National plan 2001 – the implementation document of the Accession Partnership – consumer protection has assumed the position of a national priority and took four pages of activities and actions under the chapter 3.7.2.
   - In the Action Plan for reinforcing the CR administrative capacity the consumer protection issues may be found under the negotiating chapter 23 focusing on rationalisation of market surveillance and its harmonisation with that of EU.
   - In the Monitoring Report on the accession negotiation progress in the area of consumer protection it has been monitored under Chapter 23 that preparations have progressed and key framework legislation as well as implementing measures have been adopted, however, efforts shall continue to complete alignment with respect to several non-safety measures.
   - In the Regular Report 2002 the consumer protection issue has been evaluated, under Chapter 23. The process of administrative improvement continues with further enhancement of the market surveillance structures. However, efficiency and coordination among market surveillance institutions could still be further improved. Efforts should continue to increase the operability of the existing system for the exchange of information between market surveillance bodies. To complete the preparation effort should now focus on fine-tuning of the legislation, adoption of outstanding measures and the ongoing improvement of the coordination among the market surveillance bodies.
   - Finally, in the conclusions of assessment mission (Peer review) held in Prague, on the provisions of Council Directive 92/59/EEC was stated that in Czech Republic should be pre-accession advisers in the area of product safety, so that all the authorities involved in general product safety enforcement have a greater and more effective opportunity of learning with their counterparts.

   2.4 Contribution to National Development Plan
   n.a.

   2.5 Cross Border Impact
   n.a.

3. **Description**
   3.1 Background and justification:
The project should reflect the need of ensuring product safety as a priority issue of CR customer policy also stated in Concept of Consumer Policy for the Period 2001-2005 and in compliance with recommendations of European Commission in Regular reports and Accession Partnerships.

And parallel the needs to ensure results of Peer Review GPS Mission Final Report and to be fully in line with Comments and Recommendations paragraphs a), d), e), f) and j) as well as with Detailed Report Of The Evaluation Team paragraph 26.

With respect to final report of Peer review on general product safety obtain in November 2002, the criticized issues are being analysed and appropriated measures will be taken.

The existing system of market inspections as well as all improvements covered by this project are involving in whole market surveillance in competence of CTI. The Project is defined to strengthen the capacity and effectiveness of market surveillance in product safety to the date of the accession.

The consumer protection surveillance is divided into 2 main areas – food and non-food products. Concerning food products, there could be mentioned Czech Agricultural and Food Inspection (CAFI) and State Veterinary Administration (SVA), concerning non-food products the decisive authority is Czech Trade Inspection and other surveillance authorities focusing on special issues. The legislative framework of the general product safety (implementation of Directive 92/59/EEC) is solved by Act No. 102/2001Coll., on general product safety. The implementation of Directive 2001/95/EC will be solved by amendments of the Act. No. 102/2001Coll.

The legislative framework of the product safety cross border controls (implementation of Regulation 339/93/EEC) is solved by Act No. 102/2001 Coll., on General Safety (Article 10-12). The implementation of Regulation (EEC) No 339/93 makes the Czech Trade Inspection a part the rapid alert system against dangerous products.

This law will, in the date of the accession (2Q/.2004.), put the duty to CTI to issue the compulsory opinion within the three working days period following the customs body request on suspicious product admission to internal market including to take on the appropriate measures. The organization structure of CTI is in modification process to be able communicate effectively with customs bodies on the boarding and in their centre as well as to have an immediate contact with notified testing bodies anywhere on inland area.

Existing structure of one central inspectorate and 14 regional offices gives the good pre-requisite to manage this task according the law demand. To meet operational needs and cover effectively the Czech Republic area by mobile inspection service consisting minimally of 7 cars of van type equipped by information/communication technology, printing device, samples taking and transporting device and on-site measuring instruments. Further assumption for whole market protection system functioning is the central communicating software placed on central inspectorate with the client part placed in mobile workplaces and with remote accessible emergency services on individual regional inspectorates. This central system will contain the on-line database of products safety data and will be connected to European likewise information systems. Such whole mobile inspection system must be supported by in-depth education and training all personnel taking part on it.

The size of project was calculated basing on results of analyse made by CTI on the end of 1999. The document is available on CTI under the name „The regional inspectorates personnel and qualification needs analysis..“, where the data from Czech Statistical Office were taken in account. The basic information, which formed the structure of regional inspectorates, is the number and the location density of economical subjects as well as their production capacity. Reasonability of the structure justified by this way was proved by continuous operational costs analysis covering the results of two years operation. The 7 mobile units design is the solution, which keeps the efficiency of today regional inspectorates structure and connects it with necessity of on-boarding activities that are as opposed to inland economic subjects structure.

The investment establishes the long time in future being used system of movable inspection performance and samples transport which would be incorporated into standard assets care system performing continuous efficiency and reasonability monitoring. All future operational and maintenance costs will be paid by operational budget of CTI in accordance with rules of economical behaviour.

3.2 Linked activities:
The Czech Trade Inspection has built an information exchange system for cooperating with Customs Authorities, which means that the personnel training and education takes place on both sides together with
tuning the information applications and their output formats. The costs of those activities are paid by operational budget. An exchange of information related to practice of EU member states is also supported by TAIEX – ad hoc seminars and sessions are organized.

- In July 2002, was organized seminar by MIT, in cooperation with TAIEX (REQ. 4480), on the safety of products at the EU’s external borders and on cooperation between supervisory and customs authorities in the Czech Republic.
- In September 2002, a consultation took place in CTI, in cooperation with TAIEX (REQ.5906), on safeguard clause notification, advantages of using ICSMS including presentation

3.3 Results:

   - Developed market surveillance plans
   - Increased consumers awareness of product safety issues through Consumer Non- Governmental Organizations (NGOs) action
   Staff trained
   - MIT and CTI staff trained in carrying out effective administration of RAPEX and use of information from CIRCA.
   - NGO staff trained in carrying out increased awareness of product safety issues

2. Strengthened system of the cross-border inspection by treating of potentially dangerous products (according Council regulation 93/339/EC and the recommendations of Peer review 2002)
   - Proposals for improving market surveillance actions of CTI, including guidelines of efficient system for exchange information between MIT, CTI and Customs Authorities.
   - It is envisaged that the activities of this Twinning light will contribute to the design of the technical assistance( Part 3 of the PF).
   Staff trained
   - CTI staff and custom officer trained in carrying out efficient cooperation for cross-border inspection of potentially dangerous products.

   Staff trained on special equipment delivered.

4. Delivered equipment for 7 special mobile workplaces including transporting device and on-site measuring instruments with GSM data communication according to EEC Regulation 93/339/EC

3.4 Activities:

1. Twinning light to assist in
   - development of the methodology for CTI’s organisation of general products safety inspection together with issue related to increasing of consumer’s awareness of product safety (according Council Directives 92/59/EEC and 2001/95/EC and the recommendations of Peer review 2002).
   - Training and advising the CTI staff on how to develop methodology for general product safety inspections to ensure better and more effective performance. Training of app.20 CTI officers in carrying out administration of RAPEX.
   - Training of app.15 CTI officers and 5 MIT officers in carrying out effective use of information from CIRCA.
   - Training and advising for relevant NGO’s staff how to increase consumers’ awareness of product safety.
   Requirement of experience:
   Medium Term Expert (MTE), to provide training, and produce a comprehensive document on methodology for general product safety.
   The MTE should have at least 10 years of relevant professional experience, deep knowledge of the relevant acquis and its implementation,
Short-term experts from minimum of 2 different EU member states providing training, will support the MTE Study visits for app.15 Czech experts to obtain experience with mechanism applied in EU member states.

2) **Twinning light** for:
   - Strengthening system of the cross-border inspection by treating of potentially dangerous products (according Council regulation 93/339/EC and the recommendations of Peer review 2002) as need to fulfil obligations for membership in the area of product safety; including cooperation principles with other involved institutions.
   - Advising to relevant CTI staff on how to develop cooperation principles with other involved institutions including cross border inspection of potentially dangerous products, including 1 seminar for 2 days for the CTI staff and customs officers.
   - To assist to design main inputs for the technical assistance( Part 3 of the PF).
   - Training of app.25 CTI officers, 30 custom officers and 5 MIT officers in carrying out efficient cooperation for cross-border inspection of potentially dangerous products.

Requirement of experience :
A Medium Term Expert (MTE), to provide training, and produce a comprehensive document on increasing effectiveness of cooperation between CTI and other involved institutions.
The MTE should have the following profile: at least 10 years of relevant professional experience, and deep knowledge of the relevant acquis and its implementation.

Short–term experts from minimum of 2 different EU member states providing training and assistance in the TOR for TA preparation (part 3) will support the PAA. Study visits will be specified during the project running will be for app.15 Czech experts to obtain experience with mechanism applied in EU member states.

3) **Technical assistance**
   - To develop a communication / database system by strengthening of exchanging information between MoIT, surveillance body (CTI) and customs authority, (according the Council Directives 92/59/EEC and 2001/95/EC, the Council Regulation 93/339/EC and the recommendations of Peer review 2002).
   - Training of app 14 CTI officers in carrying out effective use of equipment and communication software.

4) **Supply of equipment**
Supply of equipment - 7 special mobile workplaces equipped by laboratory and communicational devices. (see annexes 4, 6)

3.5 Lessons learned: n.a.

4. **Institutional Framework**

Beneficiaries of the project are two authorities (CTI and MIT) resulted from the following clarification > **The Czech Trade Inspection** is a decisive market surveillance authority for non-food product. The basic law forming CTI activities is Act No.1986/64Coll., on Czech Trade Inspection. The Act No. 102/2001 Coll., on general product safety put the CTI duty on market surveillance related to general product safety (implementation of Council Directives 92/59/EEC). In the date of the accession will come into force parts of the Act (No. 102/2001 Coll.) which put the duty to CTI to issue the compulsory opinion within the three working days period following the customs body request on suspicious product admission to internal market including to take on the appropriate measures (implementation of Council Regulation 93/339/EC). The amendment (of the Act. No. 102/2001Coll.) that will be prepared to be delivered to the government to the end of this year, will put the duty to CTI related to market surveillance action (implementation of Council Directive 2001/95/EC).

The coordinator in the field of consumer protection is the **Ministry of Industry and Trade (MoIT).**

MIT, respectively the Consumer Protection Department of MIT is responsible for implementing (Council Directives 92/59/EEC and 2001/95/EC, the Council Regulation 93/339/EC). Due to scope of the Activity No. 3 of contract (TA) that was formulated more widely than competences of Czech Trade Inspection, the MIT was also nominated as a coordinator for this part. is.

The cogency of laws mentioned comes from date of accession therefore IB project like this one is to be finished at this date.
After the project completion the owner of assets supplied becomes the Czech Trade Inspection.

5. **Detailed Budget (M€)**

<table>
<thead>
<tr>
<th>Project components</th>
<th>PhareSupport</th>
<th>National Co-financing*</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment Support</td>
<td>Institution Building</td>
<td>Total (=I+IB)</td>
</tr>
<tr>
<td>Twinning Light</td>
<td>0.15</td>
<td>0.15</td>
<td>0.15</td>
</tr>
<tr>
<td>Twinning Light</td>
<td>0.15</td>
<td>0.15</td>
<td>0.15</td>
</tr>
<tr>
<td>Technical Assistance</td>
<td>0.28</td>
<td>0.28</td>
<td>0.28</td>
</tr>
<tr>
<td>Supply of equipment</td>
<td>0.24</td>
<td>0.24</td>
<td>0.08</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>0.24</strong></td>
<td><strong>0.58</strong></td>
<td><strong>0.82</strong></td>
</tr>
</tbody>
</table>

* There will be parallel co-financing, ensured from MIT budget chapter 322 from CR State Budget in 2003 year

6. **Implementation Arrangements**

6.1 Implementing Agency

The CFCU which is in Czech Republic the Ministry of Finance of the Czech Republic, Centre for Foreign Assistance, Letenská, 15, 118 10 PRAHA 1 is responsible for tendering, contracting and accounting. The responsibility for technical preparation and control will remain with beneficiary Czech Trade Inspection.

The Contact person for TA:

**Ing. Denisa Provazníková**, Head of Unit, Ministry of Industry and Trade, Consumer protection Department, Na Františku 32, 110 15 Praha 1.

Phone: +420 22406 2716, Fax: +420 2 2406 2314, E-mail: provaznikova@mpo.cz

6.2 Twinning

The twinning contact person:

**Mgr. Zbynek Suchomel**, Director of the Czech Trade Inspection, Štepánská 15, 120 00 Praha 2.

Phone: +420 296366102, Fax: +420 296366236, E-mail: zsuchomel@coi.cz

6.3 Non-standard aspects

n.a.

6.4 Four Phare contracts:

(1) Twinning light 0.15 M€
(2) Twinning light 0.15 M€
(3) Technical assistance 0.28 M€
(4) Equipment supply 0.24 M€

7. **Implementation Schedule**

<table>
<thead>
<tr>
<th></th>
<th>(1) Twinning Light</th>
<th>(2) Twinning Light</th>
<th>(3) Technical Assistance</th>
<th>(4) Supply</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>7.3 Project completion</strong></td>
<td>1Q/2004</td>
<td>1Q/2004</td>
<td>2Q/2005</td>
<td>1Q/2004</td>
</tr>
</tbody>
</table>

8. **Equal Opportunity**

Equal opportunity principles and practices in ensuring equitable gender participation in the Project will be guaranteed.

9. **Environment**
10. **Rates of return**
   n.a.

11. **Investment criteria**
   n.a.

12. **Conditionality and sequencing**

   - The part implementing Council Regulation 93/339/EC will enter into effect on the day the Czech Republic’s EU Accession Treaty.

   In this time is prepared the amendment of Act No. 102/2001 Coll., which will implemented Council Directive 2001/95/EC and will be submitted to the government by the end of the year 2002.

   There is no linked among the Project parts (contracts).

   **Time-sequencing:**
   For starting of No.3 contract are necessary to gain the outputs (proposal of technical specification) from contracts No.2.
   For the No. 4 of Contract: Supply must be done before the date of accession carrying out implementation of Council Regulation 93/339/EC.

**ANNEXES TO PROJECT FICHE**

1. Logframe planning matrix
2. Detailed implementation chart
3. Contracting and disbursement schedule
4. Technical specification of equipment
5. Reference to the Study on Analysis of Qualified Personnel Requirements of the Regional Inspectorates’
### LOGFRAME PLANNING MATRIX FOR

**Project title:** Czech Trade Inspection - Strengthening market surveillance including the Rapid Alert System

**Beneficiary institutions:** MIT/CTI (Czech Trade Inspection)

**Overall objective**
- Existence of a functioning market economy, as well as the capacity to cope with competitive pressure and market forces within the Union

**Objectively verifiable indicators**
- Acknowledgement by the European Commission

**Sources of Verification**
- EC Trade statistics
- Monitoring Report
- EC General Report / Internal market

**Project purpose**

**Objectively verifiable indicators**
- By the end of the project the time for taking and analysing the product samples and for issuing the compulsory opinion should be decreased from 7 to 3 working days (according to Council Regulation 93/339/EC).

**Sources of Verification**
- Annual report of Czech Statistical Office
- Statistical reports of CR Customs and Surveillance bodies.

**Results**

**Objectively verifiable indicators**
- Methodology on general product safety inspection delivered by 4 project month
- 4 seminars for 35 CTI and 5 MIT officers held.
- 8 seminars for NGO staff field.
- Co-operation principles agreed

**Sources of Verification**
- Delivery documentation
- Training reports

**Assumptions**
- Partial financing (25%) by state budget.
- The qualified personnel is available and their skill is proved.
(2) **Strengthened system of the cross-border inspection** by treating of potentially dangerous products (according Council regulation 93/339/EC and the recommendations of Peer review 2002)

*Staff trained*

(3) **Special developed communication/database system** for exchanging information with surveillance bodies according the Council Directives 92/59/EEC and 2001/95/EC, the Council Regulation 93/339/EC and the recommendations of Peer review 2002.

*Staff trained* on special equipment delivered

(4) **Purchased equipment** for 7 special mobile workplaces including transporting device and on-site measuring instruments with GSM data communication according to EEC Regulation 93/339/EC,

14 CTI operators received 2-days training course each

Methodology on cross-border inspection delivered by 4 project month

Technical specification for Communication / database system - Project Part 3 (Technical Assistance) delivered by 6 project month.

3 training courses, 2 days each; 25 CTI, 30 Customs and 5 MIT officers held.

Communication / database system tested by 5 project months but the system development is not mentioned in Activities, there is just training – to be clarified

7 mobile workplaces delivered and put into operation by the end of 2004

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) <strong>Developing of the methodology for CTI’s organisation</strong> of general products safety inspection together with issue related to increasing of consumer’s awareness of product safety seminars in CR, study visits to EU counterpart, training (according Council Directives 92/59/EEC and 2001/95/EC and the recommendations of Peer review 2002)</td>
<td><strong>1) Twinning light contract; 0.15 MEUR</strong> Developing of the methodology for CTI’s organisation of general products safety inspection together with issue related to increasing of consumer’s awareness of product safety (according Council Directives 92/59/EEC and 2001/95/EC and the recommendations of Peer review 2002) <strong>Training and advising the CTI staff</strong> on how to develop methodology for general product safety inspections to ensure better and more effective</td>
<td>Co-operation agreement, Development documentation, Training report, Delivery report, CTI Accounting Report / Class 1-Fix assets.</td>
<td>• The project is co-financed by state budget The information exchange is taking place aiming to precise the technical demands to specification of mobile workplaces</td>
</tr>
</tbody>
</table>
(2) Strengthening system of the cross-border inspection by treating of potentially dangerous products as need to fulfil obligations for membership in the area of product safety; including cooperation principles with other involved institutions study visits to EU counterpart, training (according Council regulation 93/339/EC and the recommendations of Peer review 2002).

performanc
- Training of app.20 CTI officers in carrying out administration of RAPEX.
- Training of app.15 CTI officers and 5 MIT officers in carrying out effective use of information from CIRCA.
- Training and advising for relevant NGO’s staff how to increase consumers’ awareness of product safety.

Training and advising for relevant NGO’s staff how to increase consumers’ awareness of product safety.

Expert requirements>
A Medium Term Expert (MTE), to provide training, and produce a comprehensive document on methodology for general product safety.

The MTE should have the following profile>
- at least 10 years of relevant professional experience,
- deep knowledge of the relevant acquis and its implementation,
- university degree,
- good command of English,
- computer literate.

Short–term experts> from minimum of 2 different EU member states providing training, will support the PAA.

Study visits for app.15 Czech experts to obtain experience with mechanism applied in EU member states.

2) Twinning light contract; 0,15 MEUR

Strengthening system of the cross-border inspection by treating of potentially dangerous products (according Council regulation 93/339/EC and the recommendations of Peer review 2002) as need to fulfil obligations for membership in the area of product safety; including cooperation principles with other involved institutions.
**Strengthening of the communication/database system** for exchanging information between MIT, surveillance body (CTI) and customs authority, training of staff in carrying out effective use of equipment and communication software (according the Council Directives 92/59/EEC and 2001/95/EC, the Council Regulation 93/339/EC and the recommendations of Peer review 2002).

**Training and advising relevant CTI staff** on how to develop cooperation principles with other involved institutions including cross border inspection of potentially dangerous products, including 1 seminar for 2 days for the CTI staff and customs officers.
- STE for 3 training courses, 2 days each; 25 CTI, 30 Customs and 5 MIT officers will receive training course for cooperation for cross-border inspection.

**Expert Requirements**
A Medium Term Expert (MTE), to provide training, and produce a comprehensive document on increasing effectiveness of cooperation between CTI and other involved institutions. The MTE should have the following profile:
- at least 10 years of relevant professional experience,
- deep knowledge of the relevant acquis and its implementation,
- university degree,
- good command of English,
- computer literate.

**Short–term experts** from minimum of 2 different EU member states providing training, will support the PAA. Study visits will be specified during the project running, will be for app.15 Czech experts to obtain experience with mechanism applied in EU member state.

<table>
<thead>
<tr>
<th>(3) <strong>Technical assistance:</strong> 0.28 MEUR</th>
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<tbody>
<tr>
<td>Phases:</td>
</tr>
<tr>
<td>• Information system</td>
</tr>
<tr>
<td>• Training and courses</td>
</tr>
</tbody>
</table>

STE for 3 training courses, 2 days each; 14 CTI officers will receive training in carrying out effective use of equipment and communication software.
4) **Purchased of equipment** - 7 special mobile workplaces with equipment (see annex 6)

<table>
<thead>
<tr>
<th>4) <strong>Supply contract: 0.24 MEUR Phare funds</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Supply contract of 7 mobile workplaces</td>
</tr>
<tr>
<td>Total Phare: 0.24 MEUR</td>
</tr>
<tr>
<td>Czech co-financing: 0.08 MEUR</td>
</tr>
<tr>
<td>(technical specification see annex 6)</td>
</tr>
</tbody>
</table>

**Preconditions**

Appropriate part of investment costs (25%) is reserved in state budget of MIT for year 2003.


- The part implementing Council Regulation 93/339/EC will enter into effect on the day the Czech Republic’s EU Accession Treaty.

In this time is prepared the amendment of Act No. 102/2001 Coll., which will implemented Council Directive 2001/95/EC and will be submitted to the government by the end of the year 2002.

There is no linked among the Project parts (contracts). **For the No. 4 of Contract: Supply must be done before the date of accession carrying out implementation of Council Regulation 93/339/EC.**
DETAILED IMPLEMENTATION CHART

Czech Trade Inspection - Strengthening market surveillance including the Rapid Alert System

<table>
<thead>
<tr>
<th>Action</th>
<th>Year 2003</th>
<th>Year 2004</th>
<th>Year 2005</th>
<th>Year 2006</th>
</tr>
</thead>
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<tr>
<td>(1) Twinning light</td>
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<td>Call for proposals</td>
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<td></td>
</tr>
<tr>
<td>Start of project activity</td>
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<tr>
<td>(2) Twinning light</td>
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<tr>
<td>Call for proposals</td>
<td>x x x</td>
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<td></td>
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<tr>
<td>Start of project activity</td>
<td>x x x x x x</td>
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<tr>
<td>(3) Technical assistance</td>
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<td>Start of tendering</td>
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<td></td>
<td>x x x x x</td>
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<tr>
<td>Start of project activity</td>
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<tr>
<td>(4) Supply of equipment</td>
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<tr>
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<tr>
<td>Start of project activity</td>
<td>x x x</td>
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<td></td>
<td></td>
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<tr>
<td>Project completion</td>
<td></td>
<td></td>
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<td>x</td>
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</table>
## Annex 3

### CONTRACTING AND DISBURSEMENT SCHEDULE BY QUARTER FOR FULL DURATION OF PROGRAMME

#### Cumulative Quarterly Contracting Schedule (mil. €)

<table>
<thead>
<tr>
<th>Project</th>
<th>1Q/03</th>
<th>2Q/03</th>
<th>3Q/03</th>
<th>4Q/03</th>
<th>1Q/04</th>
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<th>4Q/05</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Czech Trade Inspection - Strengthening market surveillance including the Rapid Alert System</td>
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<td>0.82</td>
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</tr>
</tbody>
</table>

#### Cumulative Quarterly Disbursement Schedule (mil. €)

<table>
<thead>
<tr>
<th>Project</th>
<th>1Q/03</th>
<th>2Q/03</th>
<th>3Q/03</th>
<th>4Q/03</th>
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<td>0.82</td>
<td>0.82</td>
<td>0.82</td>
<td>0.82</td>
<td>0.82</td>
</tr>
</tbody>
</table>
Annex 4

Technical specification of Equipment

LOT 1. Van-type vehicle intended for carrying the set of special equipment - 7 pcs
Details:
Type of motor: Diesel, TDI, power of 65 kW
Steering: Booster powered
Starting capability: Cold weather starting device up from -15° C deg.
Seats: Two rows - 2 front, 3 rear
Feature: Strengthened battery
Costs: 7 x 28100 = 196700 EUR

LOT 2. Special built-in vehicle feature according customer’s request - 7 pcs
Partition, heat and sound insulated rear part of car, cooling unit with thermostat, folding table for portable PC, halogen lighting of working place, 12/220 V power converter, box, locked space over driver.
Costs: 7 x 5200 = 36400 EUR

LOT 3 Special equipment in car - 7 pcs
a) Samples taking set for petrol fuel, LPG
b) Inspection set for measuring (electrical and mechanical gauges, noise gauges)
c) Personal protection set (dosimeter, body protection)
d) Support set (documentation and administration instruments, tools)
e) Communication and data handling set (notebook-type PC, printer, scanner, mobile phone with GPRS function, appropriate software for communication and database handling)
Costs: 7 x 5000 = 35000 EUR

LOT 4. Central server intranet application with remote access from mobile workplaces - 1 pc
Costs: 50000 EUR
Reference to the Study on Analysis of Qualified Personnel Requirements of the Regional Inspectorates

the location and the staffing of the Regional Inspectorates (RI) the Czech Trade Inspection prepared in November 1999 a study under the name ‘Analysis of Qualified Personnel Requirements of the Regional Inspectorates’ in relation to the incidence of potential checked persons in their region. The study is archived under this title by the Czech Trade Inspection and it was used to determine the optimum number of mobile workplaces that will complement the existing system of regional conformity checks, so that the new requirements for the conformity checks can be met by the set time limits under Directive 93/339/EC, on checks for conformity with the rules on product safety.

The study applied data on the location of registered businesses (RES) on the state territory in relation to the location and capacity of the Regional Inspectorates of the Czech Trade Inspection.

The following table summarizes the results.

<table>
<thead>
<tr>
<th>Regional Inspectorate</th>
<th>No. of RES *) per km²</th>
<th>Area covered by one RI inspector in km²</th>
<th>No. of RES *) per inspector</th>
<th>Mobile Workplace No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prague</td>
<td>544.7</td>
<td>12.4</td>
<td>6,755</td>
<td>1</td>
</tr>
<tr>
<td>Central Bohemia</td>
<td>16.9</td>
<td>225.2</td>
<td>3,806</td>
<td></td>
</tr>
<tr>
<td>Tábor</td>
<td>9.0</td>
<td>299.4</td>
<td>2,693</td>
<td>2</td>
</tr>
<tr>
<td>České Budějovice</td>
<td>8.6</td>
<td>303.6</td>
<td>2,615</td>
<td></td>
</tr>
<tr>
<td>Karlovy Vary</td>
<td>12.1</td>
<td>170.5</td>
<td>2,064</td>
<td>3</td>
</tr>
<tr>
<td>Plzeň</td>
<td>11.5</td>
<td>206.1</td>
<td>2,375</td>
<td></td>
</tr>
<tr>
<td>Liberec</td>
<td>20.3</td>
<td>134.9</td>
<td>2,737</td>
<td>4</td>
</tr>
<tr>
<td>Ústí nad Labem</td>
<td>20.8</td>
<td>129.4</td>
<td>2,696</td>
<td></td>
</tr>
<tr>
<td>Hradec Králové</td>
<td>17.3</td>
<td>190.2</td>
<td>3,291</td>
<td>5</td>
</tr>
<tr>
<td>Pardubice</td>
<td>13.3</td>
<td>196.5</td>
<td>2,611</td>
<td></td>
</tr>
<tr>
<td>Brno</td>
<td>18.9</td>
<td>197.3</td>
<td>3,725</td>
<td>6</td>
</tr>
<tr>
<td>Zlín</td>
<td>17.7</td>
<td>222.3</td>
<td>3,940</td>
<td></td>
</tr>
<tr>
<td>Olomouc</td>
<td>13.6</td>
<td>212.4</td>
<td>2,888</td>
<td></td>
</tr>
<tr>
<td>Ostrava</td>
<td>34.3</td>
<td>125.7</td>
<td>4,308</td>
<td>7</td>
</tr>
</tbody>
</table>

*) without forestry and agriculture

The final number of seven mobile workplaces was determined on the basis of the spatial location of the Regional Inspectorates, so that one mobile unit serves two adjacent Inspectorates. The shared use of the mobile units is indicated in the table.

Since this project does not concern any activities that have a direct impact on the environment, no independent assessment of the impact was demanded.
GENERAL PRODUCT SAFETY DIRECTIVE (COUNCIL DIRECTIVE 92/59/EEC)

CANDIDATE COUNTRY: CZECH REPUBLIC

EXECUTIVE SUMMARY

1. Consumer protection requirements are set out in several pieces of legislation and the provisions of the General Product Safety Directive have been implemented by General Safety of Products (102 Act, of 22nd February 2001), which came into force in July 2001.

2. Enforcement of consumer safety legislation is carried out at both regional and national level, with arrangements in place for the co-ordination of information on unsafe products and action taken to deal with them.

3. The Ministry of Industry and Trade in general co-ordinates the surveillance authorities activity, which are defined in the General Safety of Products Act (art. 7°).

4. There are contact points in each surveillance body for the exchange of information between them and the Ministry of Industry and Trade.

5. There is a big amount of testing houses that are used by surveillance authorities, as well as consumer associations and producers, to test products on safety, and it is claimed that most of them use European Standards.

6. The Ministry of Industry and Trade, in cooperation with TAIEX (Request 4480), organized a seminar for the representatives of customs authorities and market surveillance bodies which discussed, inter alia, the Council Regulation No. 339/93.

7. There is a big amount of testing houses that are used by surveillance authorities, as well as consumer associations and producers, to test products on safety, and it is claimed that most of them use European Standards.

8. The National Bank, for the purpose of discussing issues related with transposition of Directives, practical implementation, safety and analysis of the surveillance authorities activity.

9. It was stated that it seems to be an increase on the number of unsafe products in the Czech market. We believe it is due to an actual increase of products in the market caused by open market competition but also because surveillance controls have become more effective.

10. The Czech Trade Inspection is the contact point for TRAPEX, and they are familiar with the system. Last year they made 6 notifications. They are at the present changing their software system and they are also preparing RAPEX.

11. At the time being customs has no clear responsibility in the field of consumer safety and customs officers will not intercept non-compliance products without being required to do so by law.

12. Provisions enforcing Council Regulation 339/93 will come into force upon the accession and it is claimed that customs’ office will receive training, starting in August 2002, to enable them to fulfil these new responsibilities properly. On 19 July 2002, the Ministry of Industry and Trade, in cooperation with TAIEX (Request 4480), organized a seminar for the representatives of customs authorities and market surveillance bodies which discussed, inter alia, the Council Regulation No. 339/93.

13. There is no pre-accession advisers in Czech Republic in the area of General Product Safety.

14. There are no pre-accession advisers in Czech Republic in the area of General Product Safety.

15. Since 1999, statistics have been available from the Institute of Health Information and Statistics (controlled directly by the Ministry of Health) on all cases of hospitalization in all healthcare facilities in the Czech Republic, classified in accordance with Chapter XX of the International Classification of Sicknesses - Tenth Revision (External causes of morbidity and mortality), including, of course, hospitalization due to accident. Besides information on the diagnosis of the basic sickness and other information, compulsory hospitalization reports must also state the external cause of the accident. As far as the children's population is concerned, in this area the data are verified and processed further. These statistics are included in the National Register of Hospitalized Persons.

16. It was stated that there is an exchange of information between market surveillance authorities and the confederation of Industry, as well as other industry and consumer’s associations.

17. There is no intranet system linking the Central Czech Trade Inspection and its region Inspectorates, as well as other surveillance bodies.

18. According to the consumer’s associations and the enforcement authorities there is still little awareness about general product safety question and most of consumer’s complaints are still associated to quality and product guarantees.

This country intends to implement the new product safety Directive trough an amendment of their General safety of Products Act, whose works will start in the end of 2002.

Members of the Evaluation Team

Sónia Lapa de Passos - Portugal
Vicenç Valles – Spain
Comments and Recommendations

Members of the Evaluation Team make the following comments and recommendations:

a) The most important authority of enforcement in Czech Republic on General Product Safety - Czech Trade Inspection - should continue its inspections in the area of general product safety ensuring that those products are included in the annual market surveillance plans, as well as organise systematic campaigns for checking certain categories of unsafe products, according to the most problematic categories, so that there will be a more effective and complete surveillance on general product safety.

b) Public Health Institute should also organise campaigns in certain critical periods of the year, such as Christmas, once they have the responsibility over products and toys for children less than 3 years, which is a specific category of consumer that needs special attention and concern.

c) The European Commission should ensure that National Public Health Institute, which is also an important surveillance body, has the opportunity of making contacts and exchanges of information and experience with their counterparts in the European Union both during the pre-accession period and after. This Institute does not attend meetings in Brussels. They should be able to attend such meetings.

d) There is an urgent need of improvement on the exchange of information and co-operation between surveillance bodies, especially in relation to customs officers, linking all these authorities and allowing them to exchange information more rapidly and securely, through an intranet system.

e) Customs should have access to TRAPEX notifications, plus be able to provide information to the enforcement authorities when they come across with a suspicious product that is about to enter into the Czech’s market, so that market surveillance can achieve a more effective level in all stages of market control.

f) There should be pre-accession advisers in the area of product safety, so that all the authorities involved in general product safety enforcement have a greater and more effective opportunity of learning with their counterparts.

g) Concerning laboratories and products testing Czech Republic should ensure that all their testing houses that are used to analyse general product safety follow all European standards in this area.

h) Consumer’s associations should participate more actively in the production of standards and legislation regarding general product safety, in order to contribute both with their points of view and experience.

i) Consumer’s lack of interest in the safety of products is a matter of concern and should be eradicated by serious and systematic campaigns, seminars, lectures, leaflets organised and made by consumer associations and surveillance bodies.

j) Surveillance authorities have the power to withdraw but they should take a deeper concern in recalling products, so that consumer’s health and safety is effectively protected.

k) The system for collecting data on injuries requiring medical treatment should be implemented as soon as possible. Czech Republic authorities should seek information and learn from the experience of European Union states that have systems like EHLASS. This will provide valuable information to Czech Republic authorities involved in consumer safety but will allow this country to contribute to the EU accident information system.

DETAILED REPORT OF THE EVALUATION TEAM

INTRODUCTION

1 The Czech Republic will contribute to the systems of high-speed information exchange in operation within the EU in the fields of foodstuffs and non-foodstuffs, including drugs. Measures have now been adopted for integration into these systems, including the relevant legislation.

2. The work of enforcement is mainly undertaken by a central body named Czech Trade Inspection and its 14 regional Inspectorates and also by Public Health Institute and by the Public Health Centres. These bodies cover only non-food products and receive money from the state budget only. The National Public Health Institute only ensures the methodological management. The practical operations are carried out by Public Health Centres in 14 regions and 76 districts.


- Decree of the Ministry of Health No. 38/2001 Coll.,
- Decree of the Ministry of Health No. 171/1997 Coll.,
- Decree of the Ministry of Health No. 26/2001 Coll.,
- Decree of the Ministry of Health No. 84/2001 Coll.,

Enforcement powers
4. Enforcement authorities have power to demand documentation, take samples, enter the facilities of the producer, importer, distributor, prohibiting in time of check products, decide temporary or permanent interdict the product’s introduction in the market, liquidation of the product, obligation to pass information to certain people who are exposed to danger, power to withdraw from the market, they can also take provisory measures to limit the selling. Nonetheless, they don’t recall unsafe products from the consumers.

5. Legal persons and natural persons can be fined up to CZK 20 million. The fine of CZK 50,000 is a disciplinary measure only - for obstructing an inspection and not for an offence relating to product safety.

6. In practice, traders are also given the chance to rectify faults in products, when this is possible.

7. Professionals can appeal from the decision imposed through an administrative appeal and after through a court appeal.

**Czech Trade Inspection**

8. Czech Trade Inspection is an administrative office subordinated to the Ministry of Industry and Trade, which appoints its General Director. It has a Central Inspectorate located in Prague and 14 regional inspectorates, with a total of 414 inspection officers among 537 employees. They all have to control producers, importers, distributors and retailers.

9. This Inspection and the regional inspectorates cover not only product safety but also tobacco, fuel, quality of toys, crystal, machine devices, footwear marking, protection of intellectual rights. Toys and machinery both come under the regulated area.

10. The inspectors, in 2001, controlled 48383 market places, in all areas. In general inspectors must be able to inspect all different products covered by Czech Trade Inspection, still some of them have become more specialised in certain areas.

11. It has a computer system of information that communicates with other systems of state administration as well as with international alarm system TRAPEX as well as a software support SYSKONW that dates evidence of all checks, organises statistical reports. There is also another system NOTIF gives evidence of all dangerous products. Nonetheless, they don’t have an Intranet system capable of exchanging information with the regions inspectorates and other surveillance bodies, but they expect to build it till the end of the year.

**Regional Inspectorate in Liberec**

12. The Regional Inspectorate has 2 different sections: a technical one, where product safety is included, and a trade and service section that includes issues like property rights, consumer’s credit and prices.

13. This Inspectorate in Liberec has 31 people working, 26 of them are inspectors. To improve their knowledge these inspectors take regularly courses organised by the Central Czech Trade Inspection.

14. In each region once a week there is a meeting between all the inspectors, where they can exchange information and experience and receive instructions for the new surveillances.

15. The Regional Inspectorates also provide consultive service to business people – also in the 5 Administrative Districts of the Region of Liberec – as well as organise seminars and lectures. The advisory service is provided primarily to consumers; consultancy to entrepreneurs serves as preventive consumer protection.

**National Institute of Public Health**

16. National Institute of Public Health is a health care establishment, created in 1925, which main tasks are health promotion and protection, disease prevention and follow up of environmental impact on the health status of the population. This institute depends on the Ministry of Health and on the Ministry of Finance. It uses State Budget only.

17. The Czech Republic has 14 regions - each has its own Regional Public Health Centre subordinate to the Ministry of Health; the country has 76 districts, each of which has a Public Health Territorial Unit financed from District Authority funds.

18. They control and provide guidance on health safety of various products like cosmetics, products and toys for children with less than three years and products that are in contact with foodstuff.

19. The Institute participates on the producing of legislation for state administration, including harmonization of Czech legislation with the European Union Norms, in the field of product safety. They have been invited to comment and prepare standards. Nevertheless, they don’t attend meetings in Brussels, but they would like to do so.

20. The Institute functions as an expert for the government in several areas, such as: standardization of laboratory methods, quality control of laboratory procedures and reproducibility of laboratory results, development and maintenance of databases, compilation of background information for the establishment of standards and regulations, and their integration with EU guidelines. It also provides a wide range of consulting services to professionals.
21. It operates with 45 National Reference Laboratories (NRL), 21 of them function in the area of hygiene, the remaining 24 function in microbiology and epidemiology. These laboratories are accredited by the Czech Accreditation Institute, which is member of the European Accreditation. In the Public Health Institute they have central laboratories but each centre has it own testing houses, most of them area accredit.

22. They intend to create a secure Internet system of data, which can be accessed by all Public Health Bodies.

23. From this July forward producers will assume all responsibility on their products. Nonetheless, they believe that producers will continue to ask for tests in a voluntary basis, due to the fact that they have a history of 30 years of compulsory testing. Therefore the real and systematic market surveillance will only begin in this July (for that purpose they have 307 inspectors). The following types of products are at issue: cosmetics, toys and products for children up to the age of three, and products intended for contact with foodstuffs.

**Czech Customs**

24. Customs role today is related with the virtual warehouse control, customs tax duty collection, law enforcement, customs statistics, customs policy (tariff, quota) and trade facilitation. At the time being Czech Customs has 91 officers spread all over the country and a staff of 9,500 people.

25. When necessary they provide information to the officers - they have an intranet system linking all the officers - to the surveillance bodies and to the public, through their web site, magazine and Media.

26. Only with the accession art. 11º of the General Safety of Products Act will come into force implementing Council Regulation 339/93. In the future upon learning that the product suffer from non-conformities Customs shall suspend the procedure for realising the goods into free circulation and shall seek from the competent supervisory body (Czech Trade Inspection) their binding statement.

27. They have been having contacts with EU counterparts and participate in the works in Brussels. Still they recognise that towards the EU accession there is still a lot to be done, both in officer’s training and improvements on equipment. (Phare Programme has given Customs computer equipment, in the early 90s).

**Consumer's Bodies**

**Consumer Advisory Committee**

28. This Committee was established in accordance with “Consumer Policy Concept for 1999 and 2000 as a platform for permanent dialogue between the Government and Independent Civic Consumer Associations.

29. The Consumer Advisory Committee co-operates in the drawing-up and submission of legal drafts and other measures aimed at improving consumer protection in the Czech Republic; it contributes to processes where priorities are set and participates in consumer protection programmes initiated by the Ministry of Industry and Trade. These are applied when providing official grants to non-governmental not-profit organizations.

30. At the present there are 7 civic consumer organisations: Association od Czech Consumers, Prague; Consumers Defence Association of the Czech Republic, Prague; Civil Consumers Association TEST, Prague; Consumer Consultation and Information Service, Prague; Consumer-Entrepreneur Trlationship and Consumer Protection Centre, Trebic; Consumer Protection Centre, Nymburk and Consumers And Patients Protection Association, Hradec Králové. The eighth member of the Consumer Advisory Committee is the Environmental Advisory Centre network of the Czech Republic (STEP).

**Consumer Organisations Association of Czech Republic**

31. The Association of Consumer Organizations of the Czech Republic was established on 5 June 2001 and it is the umbrella organization for five civic consumer organizations dealing primarily with consumer protection issues. The Association has five members who are also members of the Consumer Advisory Committee.

**Czech Coalition of Consumers Activities**

32. There is also a Czech Coalition of Consumers Activities that seeks to become a super-departmental platform presenting a broad range of organisations and protection consumer interests in all market segments. It was established on 26th June 2001. It integrates one of the member of the Committee Consumers Defence Association of the Czech Republic, Prague and other 9 non-governmental non-profit organisations, namely ARNIKA, Prague, Ars Aequi et Boni-Atelier of Law, Prague; Ecological Legal Service, Brno; Inspection of Ecological Agriculture, Chrudim; Electric Power Consumers Association, Prague; ROSA, Ceské Budejovice, Veronica, Brno; VITA, Ostrava, Green Circle, Prague.
Confederation of Industry

33. This confederation has about 3,000 members, its membership is voluntary and they provide information to their members, organise seminars and lectures. Furthermore, it exchanges information in a regular basis with a contact person of the Czech Trade Inspection about non-food products. In addition the confederation has an important role in the producing of legislation, once they comment drafts.

Test Laboratories

34. In Czech Republic there is a big amount of laboratories, both public and private. Most of them already use European Standards, but they also make use of Czech and British standards when it is necessary.

35. It was provided a list of 32 Czech authorised bodies such as the Electro technical Testing Institute, Engineering Test Institute, Physical – Technical Testing Institute, Motor Vehicle Research Institute, Packing Information and Mechanical Testing Centre, Textile Testing Institute, Fre Technical Institute, Institute for Testing and Certification, Institute for Mechanical testing and several more. Of these 32 entities, 13 have also been notified in conjunction with PECA.

36. There is a historical reason for existing so many laboratories in the Czech Republic. In the past tests on products were compulsory, so there had to be a lot of testing houses belonging to the state.

37. To avoid the repetition of the same tests on the same products Czech Trade Inspection utilise a complete data system, which can be consulted by all Inspectorates. Unfortunately, due to lack of financial resources this data system is yet an Internet system, but they intend to change it into an intranet one as soon as possible. The Linking has already begun.

Testing House in Jablonec and Nisou branch of Brno mechanical Engineering Testing Institute.

38. This laboratory belongs to the Ministry of Industry and Trade, but don’t receive money from the state budget. They are capable of testing products such as machines, sports articles, climbing article, toys (for which they use EN 71 part I to VI), and playground equipment. They test products on request of state authorities, like Czech Trade Inspection, consumers associations and professionals.

39. This testing house has already participated in intralaboratory comparative tests and has had help from the Phare programme.

Standards

40. The Czech Accreditation Institute is the National Accreditation Body of the Czech Republic. Within the frame of the Accreditation System of this country is the executive body which ensures accreditation of testing laboratories, calibration laboratories, and certification bodies for certify products, quality systems, EMS, personnel. It also ensures accreditation of inspection bodies, environmental verifiers for EMS field and providers of proficiency testing schemes. Accreditation is carried out on the basis of internationally recognised criteria and rules, contained in international standards and normative documents applicable to accreditation.

41. Czech Accreditation Institute is member of several international organizations such as European co-operation for Accreditation (EA), International Laboratory Accreditation Cooperation (ILAC), and International Accreditation Forum (IAF).

42. A big amount of European Standards has been adopted. It was stated that more than 90% of the standard are harmonized, 60% are translated to Czech language.

43. In Czech Republic there are already 13 notified authorities under the PECA agreement (on July 2001, the Protocol to European Agreement establishing an association between the Czech Republic and the European Communities and their member States on conformity assessment and acceptable of industrial products enter into force).

July 2002

Czech Comments to the GPS Peer Review Draft Report

RE: EXECUTIVE SUMMARY

AD 6
The surveillance of foodstuffs, which is in competence of the Ministry of Agriculture, is primarily carried out by the Czech Agriculture and Food Inspection Authority and the Veterinary Administration bodies. Surveillance of non-foodstuffs is primarily carried out by the Czech Trade Inspectorate and Public Health Centres, which exercise state health surveillance, and other authorities in the field of general product safety.

AD 7
This list should be viewed as illustrative only; individual items are listed regardless of their importance. The Czech Trade Inspectorate does not inspect tobacco but the stamp duty on tobacco products; the machinery specified as one of the examples is part of the ‘regulated sphere’.
National Public Health Institute ensure the professional and methodological management of Public Health Centres as they carry out surveillance of toys and products for children up to the age of three, cosmetic products, and products intended for contact with foodstuffs.

The control of product safety at the borders in the sense of Council Regulation 339/93/EC is implemented by Act No. 102/2001 Coll., on General Product Safety. The relevant legislative provisions will enter into force on the day of Czech accession to the EU. The preparations for the application have already started.

The Ministry of Industry and Trade, in cooperation with TAIEX (Request 4480), organized a seminar for the representatives of customs authorities and market surveillance bodies which discussed, inter alia, the Council Regulation No. 339/93.

The Czech Standards Institute is a member of CEN/CENELEC.

Since 1999, statistics have been available from the Institute of Health Information and Statistics (controlled directly by the Ministry of Health) on all cases of hospitalization in all healthcare facilities in the Czech Republic, classified in accordance with Chapter XX of the International Classification of Sicknesses - Tenth Revision (External causes of morbidity and mortality), including, of course, hospitalization due to accident. Besides information on the diagnosis of the basic sickness and other information, compulsory hospitalization reports must also state the external cause of the accident. As far as the children's population is concerned, in this area the data are verified and processed further. These statistics are included in the National Register of Hospitalized Persons.

The current system of information exchange on consumer protection works smoothly in the Czech Republic both horizontally and vertically. In compliance with the increase in new requirements concerning the content of the information exchanged, and the higher demands on the system operability, new connections through the Internet and Intranet are being expanded in line with current needs. Although the information exchange system is currently efficient and the exchange of information is smooth, the corresponding public administration authorities are aware of the need for constant expansion and improvement of the methods used to exchange information.

The Intranet connection linking up the Czech Trade Inspectorate and its regional offices is being completed these days. The interconnection of all surveillance bodies is currently beyond the Inspectorate's capabilities.

The relevant work is in progress and at the end of 2002 the proposed amendment of the law will be submitted to the government for its approval.
RE: COMMENTS AND RECOMMENDATIONS

AD b)
The above-mentioned campaign must be organized by Public Health Centres. The National Public Health Institute will oversee its methodological management.

AD d)
The current system of information exchange on consumer protection works smoothly in the Czech Republic both horizontally and vertically. In compliance with the increase in new requirements concerning the content of the information exchanged, and the higher demands on the system operability, new connections through the Internet and Intranet are being expanded in line with current needs.

AD g)
The surveillance bodies use testing institutes, which preferentially apply European standards in their analyses (if exist).

AD h)
Consumer associations are being sent the legal drafts in the field of consumer protection through the Consumer Advisory Committee. The legal drafting team is obliged to respond on all suggestions raised. A number of such suggestions are incorporated into the final legal draft.

AD j)
Act No. 102/2001 Coll. makes it possible to order manufacturers and other concerned entities to withdraw products from circulation immediately - i.e. also from consumers. However, for technical and legislative reasons the surveillance body itself cannot withdraw products from consumers; the products are withdrawn by business entity - either in accordance with an instruction from the surveillance body or of its own initiative. In this respect, the public administration authorities are naturally obliged to inform the consumer public about products which are not safe.

AD k)
A centralized system of collecting data on injuries requiring medical treatment has been carried out by the Institute of Health Information and Statistics in all healthcare facilities based in the Czech Republic since 1999. This Institute has at its disposal and uses the EHLASS coding manual (new version, July 1996).

Because the statistics monitored and evaluated in the Czech Republic are broad in scope, it would be expedient to specify the scope of standard evaluated data within the EU, and have these data available in necessary data interface to make mutual communication faster and more efficient.
RE: DETAILED REPORT OF THE EVALUATION TEAM

AD 1
The Czech Republic will contribute to the systems of high-speed information exchange in operation within the EU in the fields of foodstuffs and non-foodstuffs, including drugs. The necessary measures have now been adopted for integration into these systems, including the relevant legislation. In this sense we recommend modification of the second sentence. Medical products are products whose features, including measures connected with consumer protection, are regulated by separate regulations, both within the EU and in the Czech Republic. We assume the term 'pharmacy' is used instead of the intended 'pharmaceuticals'.

AD 2
The National Public Health Institute only ensures the methodological management. The practical operations are carried out by Public Health Centres in 14 regions and 76 districts.

AD 3
The following specific and implementing regulations apply to the surveillance of cosmetics, toys and products for children up to the age of three, and products intended for contact with foodstuffs related to public health protection:
- Decree of the Ministry of Health No. 38/2001 Coll.,
- Decree of the Ministry of Health No. 171/1997 Coll.,
- Decree of the Ministry of Health No. 26/2001 Coll.,
- Decree of the Ministry of Health No. 84/2001 Coll.,

AD 4
No differentiation is made in this context between the surveillance body's power to do something and its power to order someone else to do something.
Act No. 102/2001 Coll. makes it possible to order manufacturers and other concerned entities to withdraw products from circulation immediately - i.e. also from consumers. However, for technical and legislative reasons the surveillance body itself cannot withdraw products from consumers; the products are withdrawn by business entity - either in accordance with an instruction from the surveillance body or of its own initiative. In this respect, the public administration authorities are naturally obliged to inform the consumer public about products which are not safe.

AD 5
Legal persons and natural persons can be fined up to CZK 20 million. The fine of CZK 50,000 is a disciplinary measure only - for obstructing an inspection and not for an offence relating to product safety.

AD 9
Toys and machinery both come under the 'regulated area'. The Czech Trade Inspectorate examines the safety of toys, not their quality.

AD 11
The Intranet connection linking up the Czech Trade Inspectorate and its regional offices is being completed these days. The NOTIF system contains products which for certain reasons do not meet standards - this does not mean they are actually dangerous.

AD 12
Not property rights but intellectual property rights are at issue here. The Inspectorate does not examine prices as such - it only inspects whether they are clearly labelled and concur with the actual price charged.

AD 15
The advisory service is provided primarily to consumers; consultancy to entrepreneurs serves as preventive consumer protection.

AD 17
The Czech Republic has 14 regions - each has its own Regional Public Health Centre subordinate to the Ministry of Health; the country has 76 districts, each of which has a Public Health Territorial Unit financed from District Authority funds.

AD 22
The Ministry of Health plans to create an Internet data system. Representatives of the National Public Health Institute only mentioned this fact during discussions.

AD 23
The following types of product are at issue: cosmetics, toys and products for children up to the age of three, and products intended for contact with foodstuffs.

AD 29
The Consumer Advisory Committee cooperates in the drawing-up and submission of legal drafts and other measures aimed at improving consumer protection in the Czech Republic; it contributes to processes where priorities are set and participates in
consumer protection programmes initiated by the Ministry of Industry and Trade. These are applied when providing official grants to non-governmental non-profit organizations.

AD 30
Seven consumer organizations are currently members of the Consumer Advisory Committee. The eighth member of the Consumer Advisory Committee is the Environmental Advisory Centre network of the Czech Republic (STEP).

AD 31
The Association of Consumer Organizations of the Czech Republic was established on 5 June 2001 and it is the umbrella organization for five civic consumer organizations dealing primarily with consumer protection issues. The Association has five members who are also members of the Consumer Advisory Committee.

AD 32
The Coalition of Civic Consumer Organizations was established on 26 June 2001 and tries to become a platform presenting a wide range of organizations covering the interests of consumers in all market segments. It integrates one member of the Consumer Advisory Committee and another ten non-governmental non-for-profit organizations.

AD 34
The British standard was used to inspect children's pram harnesses; these are not covered by standards in the EU or the Czech Republic, and this was mentioned during discussions as an example of the fact that the testing laboratories don’t need to be tied to Czech CSN standards only. However, this is not a rule. German DIN standards tend to be used more often.

AD 35
There are currently 33 authorized persons; at the time of the meeting there were 32 (a list is given in the appendix). Of these, 13 entities have been also notified in conjunction with PECA.

AD 36
Tests of the overwhelming majority of products, but not all, were obligatory.

AD 37
The Intranet connection linking up the Czech Trade Inspectorate and its regional offices is being completed these days.

AD 38
This is the Jablonec nad Nisou branch of Strojírenský zkušební ústav, s.p. Brno (Brno Mechanical Engineering Testing Institute). Its activities include tests of products at request of state authorities.

AD 43
There are currently 13 notified subjects in conjunction