STANDARD SUMMARY PROJECT FICHE

1. Basic Information:

1.1. Desiree number: 2002/000-590-02-01
Twinning Component Number: LV/2002/IB/EC-01
1.2. Title: MARKET SURVEILLANCE SYSTEM IN NON-FOOD AREA
1.3. Sector: Free movement of goods
1.4. Location: Project owner: Ministry of Economy, Brivibas str. 55, Riga, LV 1519, Latvia
Ministry of Welfare, Skolas str. 28, Riga, LV 1331, Latvia
− Ministry of Environment and Regional Development, Peldu str. 25, Riga, LV 1494, Latvia
− Consumer Rights Protection Centre, Elizabetes str. 41/43, Riga, LV 1010, Latvia
− State Sanitary Inspection, Kugu str. 26, Riga, LV-1048, Latvia
− State Construction Inspectorate, Kr.Barona str. 99, k.1a., Riga, LV 1012, Latvia
− Riga Technical University, Azenes 14/24, Riga, LV-1048, Latvia
− State Revenue Service, Smilsu str. 4, Riga LV-1050, Latvia

2. Objectives

2.1. Overall Objective:
Free movement of goods in the non-food area except for products for medical purposes.

2.2. Project purpose:
Strengthening capacity of market surveillance institutions in areas other than food, pharmaceuticals and medical devices.

2.3. Accession Partnership and NPAA priority
The project objectives cover priority actions for Latvia as defined in the National Program for Adoption of acquis communautaire and Accession Partnership.

Accession Partnership:
Complete the reform of the market surveillance system.
Complete the process of transposition and implementation of all New approach and sectoral legislation with the acquis.

NPAA:
LA-009 – To set up normative and institutional base in areas of protection of economic interests of consumers, product safety and labelling of goods in accordance with EU requirements.
LA-006 – To set up normative and institutional base in construction and building sector in accordance with EU requirements.
LA-069 – Integration of Latvian legislation with requirements of EU in several sections of free movement of goods.

3. Description

3.1. Background and justification
In order to ensure effective implementation of the acquis communautaire in the area of free movement of goods, the market surveillance system in Latvia shall be in conformity with the requirements of European Union.
The system which existed earlier in Latvia was based on the pre-market control of the products – approval and inspection was mostly carried out prior to release of products into the market. This system has now been changed and the manufacturer is the person, which is fully responsible for the conformity of products in accordance with the prescribed provisions in Latvia. The existing institutions are not fully aware of their responsibilities in ensuring that only safe products are available on the market.

The Concept of the Market Surveillance National Programme was accepted on 20th May 1997 designating the Ministry of Economy as responsible ministry for the elaboration and coordination of the Programme. Later on planned Market Surveillance National Programme was included in the Quality Assurance National Programme as one of its subprogrammes. The main objective of the subprogramme is to create an adequate legislative and institutional structure for the surveillance of products and services in the local market.

The legislative basis for the market surveillance and product liability has been improved by adopting “Product and Services Safety Law” and “Law on the Liability for Product and Service Deficiencies” on 20th June 2000. The laws have been elaborated in compliance with European Union directives 92/59/EEC; 87/357/EEC; 85/374/EEC. Legislation in all areas included in this project is fully harmonized with EU requirements.

Market surveillance in Latvia is organized in a way that specific institutions are responsible for the market surveillance of different fields:

1. Consumer Rights Protection Centre - products covered by “New approach” directives (electromagnetic compatibility, low voltage, personal protective equipment, machinery, pressure equipment, etc.), consumer products such as textiles, footwear, toys and general product safety.

Overall coordination of market surveillance policy, legislation and activities are carried out by the Ministry of Economy. According to Consumer Rights Protection Law (Article 25.) coordination between different market surveillance institutions, NGO’s and relevant bodies on a daily basis (practical job) is the responsibility of the Consumer Rights Protection Centre.

In the framework of the European Commission’s Regional programme on quality assurance and other related fields (PRAQ III) the evaluation of Latvian market surveillance system has been carried out. The following shortcomings of the system have been established and recommendations for the improvement have been given:

- The major problem in the market surveillance is lack of staff. This problem becomes more acute with implementation of more and more EU directives.
- The problem of lack of staff is not only the quantitative but also qualitative problem – the knowledge about the new regulations among staff is low.
- In order to overcome some staff related problems it is necessary to increase level of training. The market surveillance institutions need very specific training on each piece of new legislation.
- The lack of both human and financial resources is also very important problem, which should be solved by the Latvian Government. The resources necessary for the carrying out of all market surveillance activities have to be attributed to the responsible market surveillance institutions.
- Cooperation between market surveillance institutions in Latvia has to be improved. Information exchange system between market surveillance institutions would be a good step.
• The system of planning the market surveillance activities has to be introduced in each market surveillance institution, basing on the statistical information and risk evaluation.
• In order to prevent taking of different measure in the similar cases, a common position has to be elaborated for taking decisions and punishing for different violations.
• It is advised to introduce the quality management system in the market surveillance institutions, because such system may ensure arrangement of the work of the institution and description of the activities carried out, trying to eliminate possible defaults in the actions of market surveillance institution before they have arisen.

The problem of staffing is gradually being solved by additional financing of the market surveillance institutions. Additional staff (10 persons) is provided for the Consumer Rights Protection Centre (CRPC) in order to strengthen its administrative capacity – 3 regional offices of CRPC have been established during year 2001 in Liepaja, Ventspils and Valmiera. It is planned to establish two more regional offices in 2002 and to allocate gradually more and more resources for the market surveillance activities.

The current project is designed to solve the problems identified during the evaluation of market surveillance system in Latvia by the PRAQ III program and to carry out activities to address the recommendations given for improvement of the system.

**Project Component 1 – Establishment of the co-ordinated market surveillance system**

The market surveillance system in Latvia is developed in conjunction with the process of implementation of EU product directives – sector by sector. In order to ensure smooth functioning of the overall system it is necessary to analyze the efficiency of the existing system and to elaborate a strategy for the development of the system in Latvia, taking into account all existing market surveillance authorities, their capacity, existing laboratories and the needs of the industry.

Within the first component of this project it is planned to provide assistance to the ministries involved in market surveillance issues and market surveillance institutions in the process of elaboration of strategic market surveillance documents and improvement of planning process in market surveillance institutions. The assistance will include a deep analysis of the current market surveillance system in Latvia, the institutions including Market Surveillance Council, their functions, existing and necessary equipment and human resources as well as the identification of problems that Latvia have and will be facing regarding market surveillance. Following the results of that analysis, under the auspices of the Market Surveillance Council a strategy on improvement of the market surveillance system will be elaborated and adopted.

Evaluation and analysis on necessary assistance for the CRPC and other market surveillance institutions will be performed and a final list of equipment proposed. This will give an objective look on current technical capacity of these institutions and identify necessary upgrading of market surveillance methods and equipment.

Evaluation of current situation in coordination processes between market surveillance authorities as well as evaluation of administrative capacity of market surveillance authorities including personnel availability and competence will be performed and necessary further steps proposed.

Taking into account results of the abovementioned evaluation of coordination processes an information exchange system between the MS institutions has to be introduced by means of elaborating strategy for such a system and procedures for implementation of the system. Adequate technical means for implementation of information exchange system will be provided as well.
It is planned also to provide training of the MS institutions staff on general matters (handling of cases, organization of MS activities, quality management etc.) of market surveillance organization in order to achieve higher level of market surveillance quality.

**Project component 2 – Optimisation of function and strengthening of the capacity of the market surveillance institutions**

The objective of development of the institutional market surveillance infrastructure is to improve possibilities of the existing market surveillance institutions to carry out all necessary market surveillance activities according to the EU standards. For the proper functioning of the market surveillance system it is very important that respective institutions have the necessary resources for the carrying out their activities in this area.

According to the spheres of competence the existing system can be subdivided in the following main areas:

1. products covered by “New approach” directives (electromagnetic compatibility, low voltage, personal protective equipment, machinery, construction products, pressure equipment etc.). In these areas legislation in Latvia has been mostly adopted, but the enforcement of the legislation is one of the weakest points for Latvia;
2. consumer products (textiles, footwear, toys, cosmetics, household chemicals), and general product safety.

One of the main needs of the staff of the market surveillance institutions as well as the staff of laboratories involved in the market surveillance activities is training on the legislative basis for each of the sectors, implementation and enforcement of the legislation, as well as on specific market surveillance issues – such as sampling, testing, risk analysis etc.

Market surveillance can be made more effective if there is an educated body of consumers that knows its rights and is willing to act upon them. Therefore, it is also important to carry out different activities in order to inform consumers about their rights and responsibilities.

The second component will be targeted at improvement of administrative capacity of the MS institutions. This involves development of the institutional market surveillance infrastructure and improvement of capacities of the existing market surveillance institutions to carry out all necessary market surveillance activities according to EU standards. The component is focussed on training of staff on specific issues on market surveillance of New and Old approach as well as on some general issues as sampling for example. To achieve a higher level of risk evaluation and use of statistical data the databases for MS institutions will be developed. The technical means for carrying out market surveillance activities such as laboratory and MS institutions equipment will be upgraded as well. The final necessary training, equipment or other means will be determined by the analysis provided for in Component 1 of this project. The analysis will show the exact needs of assistance to the market surveillance institutions.

**Areas covered by New approach directives**

The New approach directives lay down general safety requirements for products, which are supported by technical specifications in harmonised standards (application voluntary). The objective of market surveillance is to ensure that the harmonised level of safety and security prescribed by the New approach directives is maintained and it is regarded as a task for public authorities.

The main part of the New approach directives has already been introduced in Latvian legislation. Market surveillance system in these areas is organised as follows:
• electromagnetic compatibility, low voltage equipment, machinery, pressure equipment, personal protective equipment, toys, construction products and other products available on the market - supervised by the Consumer Rights Protection Centre;
• machinery, pressure equipment, personal protective equipment, lifts and other products taken into use in work places - supervised by the State Labour Inspection;
• construction products in buildings will be supervised by the State Construction Inspectorate, but the products put on the market - by the Consumer Rights Protection Centre

In areas of electromagnetic compatibility, low voltage equipment the legislation has been put in force already, but there is still a need for training of staff of market surveillance institutions in order to ensure proper application of the respective requirements. In areas such as machinery, pressure equipment, personal protective equipment, legislation has already been adopted. The Consumer Rights Protection Centre has not been responsible for the market surveillance of such products until now, therefore, it is essential to ensure that market surveillance activities will be carried out in accordance with EU requirements.

The State Construction Inspectorate is responsible for control of all construction activities in the country, among them for observance of conformity attestation procedures of construction products. Construction inspectors at the municipal building authorities are responsible for controlling that the construction works meet the essential safety requirements and conformity of construction products at the construction sites. As new materials and technologies are rapidly penetrating the construction market, trained engineers and specialists are urgently needed. There is a need for much more clarity in the legislation and in the operation of the legislation.

The testing equipment for CRPC and SCI is planned to provide by the project in order to ensure more effective market surveillance activities. The proposed list of equipment has been drafted, but it will be specified by analysis provided for in Component 1.

**Consumer products, household chemicals, cosmetics, fuel and general product safety**

The State Sanitary Inspection has the responsibility of market surveillance in areas of cosmetics and household chemicals. Office of Excise Goods of State Revenue Service enforces surveillance of fuel conformity. Testing facility for market surveillance of fuel will be provided both by State Revenue Service and laboratory of Riga Technical University and therefore there is need for investment in laboratories.

Some of these areas are new for appropriate institutions, therefore, it is very important to train the staff of these institutions concerning the legislation and market surveillance in these areas. There have been some previous training on these matters, but still is need for more specific training with focus on practical matters.

To increase effectiveness of market surveillance, information exchange systems concerning established non-conforming products must be established. There are several information sources to be developed:
• information from consumers, consumer complaints concerning non-conforming products;
• information received through different information exchange systems (for example, RAPEX – rapid exchange of information system on dangerous products);
• information received from customs or State Border inspection;
• information exchange between MS institutions on market surveillance activities and results.

In area of market surveillance of cosmetic products (EU Directive 76/768/EEC, EU Directive 93/35/EEC, Commission Decision 96/335/EC), it is necessary to create database of cosmetic ingredients, which is very important for the surveillance activities. In order to ensure confidentiality
the adequate protection of the database should be introduced. For effective use of database there is need to provide adequate IT equipment. This equipment will be used as a market surveillance tool for inspectors daily work in the enterprises. It will give possibility to use information from data bases (cosmetics (cosmetic products’ substances, notified initial manufactured or imported cosmetic products etc.), chemicals, normative acts etc.) and work directly with them, provide rapid exchange of information with other regional departments of the SSI or market surveillance bodies. It also will give possibility to work in the same way as it is in EU countries and ensure accordant to EU requirements market surveillance system.

Improving work organisation in the market surveillance institutions is an essential element of market surveillance. The Consumer Rights Protection Centre has already started the process of implementing quality system – the internal audit has already been carried out in the Centre. As well European Standard EN 45004 draws up requirement for the bodies performing inspection. This standard should be followed in all market surveillance institutions.

3.2. Linked activities

1. National activities:
   - National Quality Assurance programme – operating since 1994, managed by the Coordination Council;
   - Concept of the National Market surveillance programme accepted by the Cabinet of Ministers in 1997, the programme is carried out as the subprogram of the National Quality Assurance Programme;
   - Project “Building Regulations in Latvia (elaboration of Latvian building code on ventilation of buildings and adoption of relevant CEN standards in ventilation area);
   - Energy management system in municipal buildings with establishment of a few demonstration projects to illustrate advantages of energy improvement renovations;

2. International activities:
   - European Commission’s Regional programme on quality assurance and other related fields (PRAQ III);
   - LE 9701.01.03 “Standards” providing the technical assistance to the Consumer Rights Protection Centre enhancing market surveillance system (providing necessary equipment and further upgrading of institutional capacities, as well as providing support in legislation);
   - The Phare Programme on Enforcement of Technical Regulations (LE 9701.01.01.07/18) is focusing on the training of the technical staff of the Standardisation Agency;
   - Phare 1998 project “Improvement of working environment in private and privatised enterprises;
   - Phare 2000 project “Latvian National Quality Assurance project” planned to strengthen standardisation, metrology and accreditation infrastructure;
   - Under the Phare funded Contracting & Facilitation Team contract a small sub - project on Procurement and Construction Legislation Harmonisation (realized 2000);
   - Phare 2001 project “Strengthen Tax and Customs Administrations”;

3.3. Results

This project will strengthen the market surveillance system in Latvia and increase the capacity of the respective market surveillance infrastructure.

After the implementation of the proposed project the following results are expected:

3.3.1. Co-ordinated market surveillance system established:

3.3.1.1. Strategic market surveillance documents adopted incl.:
• performed deep analysis of current market surveillance system in Latvia, institutions, functions, and human resources and ascertained further steps to be taken
• elaborated and approved by the Market Surveillance Council Strategy for the improvement of market surveillance system in Latvia
• elaborated and adopted annual plans of the market surveillance authorities;

3.3.1.2. Easy-working coordination system established between market surveillance authorities and relevant bodies incl.:  
• prepared assessment of existing coordination between market surveillance authorities and administrative capacity of market surveillance authorities including personnel availability and competence and necessary further activities proposed; 
• developed strategy on information exchange system between MS authorities, consumer NGOs and relevant bodies;  
• prepared and adopted procedures for implementation of information exchange strategy between MS authorities, consumer NGOs and relevant bodies; 
• upgraded IT equipment for MS authorities in order to introduce information exchange procedures; 
• improved professional qualification of representatives of ministries and staff of MS authorities concerning general matters of the market surveillance organisation;

3.3.2. Capacity of the market surveillance institutions strengthened and their functions optimised incl.:  
• improved professional qualification of staff of MS authorities, consumer NGOs, economic operators and others concerning general and specific market surveillance issues  
• management of market surveillance of consumer goods in MS authorities improved  
• established effective control systems in specific fields  
• upgraded IT and testing equipment of MS authorities for strengthening of information exchange system and carrying out market surveillance activities  
• upgraded testing equipment for consumer products and fuel laboratories

3.3.2.1. Professional qualifications of staff of ministries and market surveillance authorities improved both on general and specific issues of market surveillance;  
3.3.2.2. Management of market surveillance of consumer goods in MS authorities improved incl.:  
• informed MS professionals concerning their responsibilities;  
• established effective control systems in specific fields;  
• introduced and certified quality management system in CRPC thus enabling to strengthen its administrative capacity and quality, rising awareness of the CRPC, raising effectiveness of complaint handling, control activities, quality/proportionality of decisions made;  
• improved professional qualification of economic operators;  
• published informative materials and manuals on market surveillance issues.

3.3.2.3. Laboratories and office equipment of MS authorities upgraded in order to improve their technical capacity incl.:  
• developed databases in CRPC and SSI;  
• upgraded IT equipment of MS authorities for implementation of adequate information exchange system, information collection and dissemination and express testing equipment for more effective market surveillance;  
• upgraded equipment for consumer products, construction products and fuel laboratory.

3.4. Activities

Project Component 1 – Establishment of the co-ordinated market surveillance system
Activities:
The goal of component 1 is expected to achieve by performing following activities:
- performance of deep analysis of current market surveillance system in Latvia, institutions including Market surveillance Council, functions, as well as analysis and evaluation of existing and necessary equipment based on the general needs of market surveillance institutions and human resources;
- elaboration and introduction of the strategy on improvement of market surveillance system in Latvia and evaluation and specification of necessary technical upgrading of market surveillance institutions equipment as a result of the analysis;
- elaboration and adoption of annual plans for MS authorities;
- evaluation of coordination of current market surveillance system;
- elaboration and introduction of the strategy of information exchange system between MS authorities, consumer NGOs and relevant bodies;
- EU and local expertise on different MS issues;
- training for MS authorities, consumer NGOs and economic operators.

Means: Twinning:
- pre-accession advisor + Local project assistant, 16 m/m:
  - advisor would have following tasks: overall management of the project, elaboration of the market surveillance strategy, evaluation of administrative capacity of the market surveillance institutions including personnel availability and competence and technical adequacy, performance of deep analysis of current market surveillance system, design and organisation of the study visits;
  - advisor should have following profile: at least 10 years experience in market surveillance, project management experience, full university degree, fluent English

- 1 EU short term expert 1 m/m
  - for the evaluation and analysis of existing and necessary equipment MS institutions based on the general needs of market surveillance institutions

- 1 EU short term expert 1 m/m
  - for the organization of market surveillance activities and handling of cases

- 1 EU short term expert 1 m/m
  - for the general product safety

- 1 EU short term expert 4 m/m
  - for the information exchange procedures and methodology

Profile: experts should have at least 5 years experience in respective field, full university degree, fluent English

- training, 10 seminars
  - for the high level officials of the ministries and authorities represented in the Market Surveillance Council, concerning general matters of the market surveillance organisation and for the officials of the market surveillance authorities, consumer NGO’s, retailers concerning market surveillance matters, incl.:
    - 1 seminar on information exchange procedures
    - 1 seminar on MS system in EU countries
    - 3 seminars on organization of MS activities in different fields
    - 1 seminar on quality system implementation
    - 3 seminars on procedures for handling cases
    - 1 seminar on general product safety and product liability
Means: Services:

- 1 local short term expert 2 m/m
  - for the preparation of guidelines on use of information exchange system

- 1 local short term expert 6 m/m
  - for development of information exchange procedures for introduction of information exchange system

- 1 local short term expert 6 m/m
  - for development of software for introduction of information exchange system

Profile: experts should have at least 3 years experience in IT field

Means: Supplies

- upgrading (new equipment) of the information technology equipment of MS institutions for implementation of information exchange system.

Guaranteed results:

Guaranteed results of this component are:
- deep analysis of current market surveillance system in Latvia, institutions, functions, and human resources performed and further steps to be taken ascertained
- elaborated and approved by the Market Surveillance Council Strategy for the improvement of market surveillance system in Latvia
- annual plans of the market surveillance authorities elaborated and adopted;
- evaluation of existing and necessary equipment based on the general needs of market surveillance institutions performed and necessary upgrading proposed
- information exchange system between market surveillance institutions and relevant bodies introduced
- professional skills of staff of MS authorities, consumer NGO’s on general matters of the market surveillance organisation improved

Project component 2 – Optimisation of function and strengthening of the capacity of the market supervising institutions

Activities

The goal of component 1 is expected to achieve by performing following activities:
- EU and local expertise on different MS issues;
- training for MS authorities, consumer NGOs and economic operators.
- participation in International events, expert groups and meetings for implementation of EU directives
- design and organization of the study visits on practical performance of market surveillance activities, use of techniques, methods and equipment
- implementation and certification of quality system in the CRPC
- elaboration of the databases for MS authorities
- preparation of guidelines and manuals on the implementation of New approach directives for economic operators, information campaigns
- production of informative materials, information campaigns
- investments to develop and improve the testing basis and testing equipment of consumer products laboratories
- investments to equipment in MS authorities

Means: Twinning
**Overall**

- 1 EU short term expert 1 m/m  
  - on sampling of non-food products and training (2 seminars and 1 workshop)

**Means: Services**

**Overall**

- 1 local project assistant 10 m/m  
  - to assist MS institutions on implementation of project Component 2 activities, preparation of training, EU experts visits, study visits etc.

  Expert should have 5 year experience in project management, full university degree, fluent English

- 3 EU short term experts 1m/m  
  - on training and use of market surveillance equipment

- study visit, 10 MS officials  
  - on practical performance of market surveillance activities, use of techniques, methods and equipment

- 1 EU short term expert 1 m/m and 1 local short term expert 5 m/m  
  - on quality systems implementation

- certification of quality management system of CRPC (to be subcontracted to accredited certification body)

- participation in international events, experts meetings (technical committees for implementation of EU directives, conferences, educational seminars, expert working groups on technical adaptation), 10 MS officials on market surveillance in specific fields

**New approach**

- EU short term expertise 3 m/m on New approach directives:  
  - on construction products  
  - on market surveillance of products covered by other New approach directives (LVD, EMC, Machinery etc.)

- 1 EU short term expert 3 m/m and 1 local short-term IT expert 6 m/m  
  - on development of database for CRPC

  - information campaigns for CRPC, SCI and SRS in order to strengthen public awareness of consumer matters and reliable market surveillance and to open successful communication with the businesses:  
    - production of informative materials (guidelines, leaflets etc. for market surveillance institutions)

- participation in EU expert groups for implementation of EU directives, 10 MS officials
Training: 10 seminars:
- 2 seminars on different New approach directives for MS institutions, NGO’s and retailers
- 2 seminars on construction products for MS institutions and retailers
- 2 seminars on procedures for withdrawal from the market MS institutions and retailers
- seminars on general product safety
- 2 seminars for manufacturers/retailers on practical matters of market surveillance activities, 1 conference

Old approach

- 1 local short term expert 1 m/m
  - on development of fuel surveillance unit in SRS
- EU short term expertise 2 m/m on cosmetics and chemicals:
  - on market surveillance for cosmetics
  - on market surveillance for household chemicals

Profile: experts should have at least 5 years experience in respective field, full university degree, fluent English

- 1 EU short term expert 2 m/m and 1 local short term expert 6 m/m
  - on development of databases of cosmetics and household chemicals for SSI

Training: 6 seminars
- 2 seminars on chemicals
- 2 seminars on cosmetics
- 1 seminar on FUEL for laboratories
- 1 seminar on FUEL for MS institutions

Means: Supply

- upgrading (new equipment) of market surveillance equipment, express laboratories for CRPC
- upgrading (new equipment) testing equipment for SCI
- upgrading (new equipment) of the information technology equipment of SSI for implementation of information exchange system and creation of adequate system for notification of dangerous products, rapid information exchange system between MS institutions, regional offices
- upgrading (new equipment) testing equipment of SRS as market surveillance institution of fuel products
- upgrading (new equipment) equipment of laboratory of RTU for conformity assessment of fuel products

Guaranteed results:
Guaranteed results of this component are:
- improved professional qualification of staff of MS authorities, consumer NGOs, economic operators and others concerning general and specific market surveillance issues
- management of market surveillance of consumer goods in MS authorities improved
- informed MS professionals concerning their responsibilities
- established effective control systems in specific fields
- introduced and certified quality management system in CRPC thus enabling to strengthen its administrative capacity and quality, rising awareness of the CRPC, raising effectiveness of complaint handling, control activities, quality/proportionality of decisions made
- improved professional qualification of economic operators
- published informative materials and manuals on market surveillance issues
- developed databases in CRPC and SSI
- upgraded IT and testing equipment of MS authorities for strengthening of information exchange system and carrying out market surveillance activities
- upgraded testing equipment for consumer products and fuel laboratories

3.5. Lessons learned

Following PHARE programming mission meeting and comments the project Fiche has been modified accordingly. Under Component 1 deep analysis of current market surveillance system, institutions including Market Surveillance Council and functions has been provided for. Concerning technical assistance (Supplies) evaluation and analysis will be provided in order to determine concrete needs of MS institutions in terms of equipment. GMO and LATSERT related project activities has been deleted as the GMO was said to be irrelevant and LATSERT problems with separation between market surveillance activities and pre-market conformity assessment. The pricing of experts, number of training seminars, study visits has been reduced. All comments has been taken into account and stated in the Fiche.

There has not been any OMAS, Interim Evaluation reports or other reports regarding market surveillance matters during programming period.

4. Institutional Framework

The main institutions involved in the project are the above mentioned market surveillance institutions, as well as respective ministries – Ministry of Economy, Ministry of Welfare and Ministry of Environment Protection and Regional Development.

Consumers Rights Protection Centre will be the main beneficiary of the project. Other beneficiaries are State Sanitary Inspection, State Construction Inspectorate, State Revenue Service (MS of fuel products available on the market) and Riga Technical University laboratory of fuel.

The Ministry of Economy has overall responsibility for the coordination of market surveillance activities. The Ministry of Economy will be involved in the most of the project activities in order to ensure smooth project realization in accordance with the existing situation and policy.

The Ministry of Economy will be the project owner from Latvian side. The Ministry of Economy, Consumer Rights Protection Centre will carry out practical project coordination.

Ministry of Welfare and Ministry of Environment Protection and Regional Development, as well as all mentioned market surveillance institutions will be involved in the areas where they have responsibility of market surveillance activities. Co-operation between involved institutions will be ensured by organizing Steering committee.

The Steering Committee for supervision of implementation of the project is to be composed of:

- Ministry of Economy - Department of Quality Structural Policy and Internal Market (leading institution);
- Ministry of Regional Development and Environment Protection - Building Department;
- Consumer Rights Protection Centre;
- Ministry of Welfare - Health department;
- State Sanitary Inspection;
- State Construction Inspectorate;
- State Revenue Service;

After the project completion equipment will be transferred to final beneficiaries – Latvian MS institutions and will become their property.
• Description of the beneficiaries

- **Department of Quality Structural Policy and Internal Market of the Ministry of Economy** is responsible for the drafting of the Latvian market surveillance system and coordination of all matters related with market surveillance.
- **Consumer Rights Protection Centre** is main institution responsible for the market surveillance in non-food area. Centre is also a body of practical coordination of market surveillance activities in Latvia.
- **Department of Health Affairs of the Ministry of Welfare** is responsible for legislation, strategy development and realisation in health care sector as well as legislation and supervision of issues related to public health (cosmetics, household chemicals).
- **Building Department of the Ministry of Environment Protection and Regional Development** is responsible for general supervision of construction in Latvia.
- **State Construction Inspectorate** controls construction activities and construction products at national level.
- **State Sanitary Inspection** is responsible for the supervision of such non-food products as cosmetics, household chemicals and goods coming into contact with foodstuffs.
- **Office of Excise Goods of State Revenue Service** in Latvia is responsible for surveillance of fuel products available on the market.
- **Laboratory of fuel products of Riga Technical University** in this project is acting as testing facility for surveillance of fuel products.

5. Detailed budget (EUR)

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* State budget

6. Implementation Arrangements

6.1. Contractual and Financial Implementation:
PAO - V.Andrejeva, State Secretary of the Ministry of Finance.
1, Smiļšu str., LV-1919, Riga, Latvia
Ph. 371-7212726;
Fax. 371-7095413.

Central Finance and Contracting Unit - A.Eberhards, Director,
1, Smiļšu str., LV-1919
Ph. 371-7094342;
Fax. 371-7094348.

SPO – I.Preimate, Deputy State Secretary of the Ministry of Economy.
Technical Implementation will be a responsibility of the Ministry of Economy, Internal Market and Quality Policy Department. In order to achieve maximum effect, implementation of each component of the project will involve the beneficiaries mostly engaged in the respective field. Steering committee will carry out supervision on the correct project implementation.

6.2. Twinning:

Contact person for the PAA will be Anrijs Matiss, Director of Department of Quality Structure Policy and Internal Market
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Brivibas str. 55, Riga, LV1519
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Contact persons for twinning experts regarding from their field will be:

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6.3. Non-standard aspects

Tendering and contracting procedures will be carried out in accordance with the provisions of Phare DIS Manual and Practical Guide to PHARE, ISPA and SAPARD contract procedures. Ratio: if during project implementation the project cost for some reasons will decrease, the Phare financing will also decrease proportionally.

6.4. Contracts

It is foreseen to implement the project under one Service contract (731000 EUR), one Twinning contract (460 800 EUR) and one Supply contract (610 000 EUR).

7. Implementation Schedule

<table>
<thead>
<tr>
<th>Contract 1 (Services)</th>
<th>Contract 2 (Twinning)</th>
<th>Contract 3 (Supplies)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start of project activity</td>
<td>September 2003</td>
<td>June 2003</td>
</tr>
<tr>
<td>Project Completion</td>
<td>October 2004</td>
<td>October 2004</td>
</tr>
</tbody>
</table>

8. Equal Opportunity

Participation in the project will require professional qualifications and competence in the particular area and will allow an equal opportunity for women and men to participate in implementation of the project.

9. Environment

Upon the adoption and implementation of project activities, especially concerning GMO and construction, it is expected to gain additional environmental protection results.

10. Rates of return

Not applicable

11. Investment criteria

11.1 Catalytic effect:
The PHARE financing will increase administrative, as well as testing capacity of the present market surveillance institutional structure.

11.2 Co-financing:
The Government of Latvia has foreseen funds in the state budget for further development of market surveillance system and strengthening of the market surveillance institutions. In total, Latvian co-financing to the project is three hundred one thousand eight hundred Euro (301800).
11.3 Additionality
All financing which covers the investment support can be granted by state budget (minimum 25%) and PHARE means (75%).

11.4 Project readiness and Size
The project is ready to be started upon the conditionality will be resolved and tendering can be started after technical specifications, Terms of Reference and Twinning covenant are prepared. The project will be implemented on the three contract bases. The PHARE rules and procedures to be followed.

12. Conditionally and sequencing
The following activities should be completed before the project should begin:
• Legislation relevant to the project must be transposed before the investment can start
• Clear organisational/functional separation between pre-market conformity assessment and market surveillance has to be ensured
• Annual plan of the Market surveillance sub-programme approved by the Coordination Council of the Quality Assurance National Programme
• Necessary resources for market surveillance institutions provided by the state budget before the start of the project
• Analysis performed and annual plan of market surveillance activities in respective fields and appropriate methodology elaborated by the Market Surveillance Council and the Ministry of Economy
• The project components must be closely co-ordinated with other programmes and projects funded from the state budget and other donor organisations

13. List of Annexes:
1. Annex 1 – Logframe Planning matrix for Phare 2002 project Market Surveillance System in Non-Food Area –
2. Annex 2 – Cumulative contracting and disbursement schedule
3. Annex 3 – Time schedule
4. Annex 4 – Market surveillance system (scheme) in Latvia
5. Annex 5 List of related national legislation –
Annex 1

**Market surveillance system in non-food area**

**Phare log frame**

<table>
<thead>
<tr>
<th>LOGFRAME PLANNING MATRIX FOR PROJECT</th>
<th>Programme name and number</th>
<th>Contracting period expires</th>
<th>Disbursement period expires</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Market surveillance system in non-food area</strong></td>
<td>Total Budget: 1 853 000 EUR</td>
<td>PHARE budget: 1 551 200 EUR</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Overall objective</th>
<th>Indicators of Achievement</th>
<th>Sources of Information</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Free movement of goods in the non-food sector except for products for medical purposes</td>
<td>• strengthened market surveillance system</td>
<td>• Reports by the Ministry of Economy</td>
<td>• Change in the structure and functions of the institutions involved</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• annual reports of MS institutions</td>
<td>• Government support to the market surveillance institutions</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project purpose</th>
<th>Indicators of Achievement</th>
<th>Sources of Information</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Strengthening capacity of market surveillance institutions in areas other than food, pharmaceuticals and medical devices</td>
<td>• Conformed market surveillance system’s structure</td>
<td>• Reports of the Ministry of Economy</td>
<td>• Change in the structure and functions of the institutions involved</td>
</tr>
<tr>
<td></td>
<td>• Nominated institutions for the market surveillance in related areas</td>
<td></td>
<td>• Government support to the market surveillance institutions</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Results</th>
<th>Indicators of Achievement</th>
<th>Sources of Information</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>- deep analysis of current market surveillance system in Latvia, institutions, functions, and human resources performed, further steps to be taken ascertained</td>
<td>• Performed analysis and evaluation of current market surveillance system</td>
<td>• Periodical project reports</td>
<td>• Change in the structure and functions of the institutions involved</td>
</tr>
<tr>
<td>- elaborated and approved by the Market Surveillance Council Strategy for the improvement of market surveillance system in Latvia</td>
<td>• Approved market surveillance strategy</td>
<td>• Reports of the Ministry of Economy</td>
<td>• Change of personnel in the market surveillance institutions because of lack of competitive pay</td>
</tr>
<tr>
<td>- annual plans of the market surveillance authorities elaborated and adopted;</td>
<td>• Approved annual plans</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- evaluation of existing and necessary equipment based on the general needs of market surveillance institutions performed and necessary upgrading proposed</td>
<td>• Approved strategy for information exchange system in market surveillance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- information exchange system between market surveillance institutions and relevant bodies introduced</td>
<td>• Introduced information exchange system between competent authorities in market surveillance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- professional skills of staff of MS authorities, consumer NGO’s on general matters of the market surveillance organisation improved</td>
<td>• Improved professional skills of staff of MS authorities on general matters of the market surveillance organisation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- improved professional qualification of staff of MS authorities, consumer NGOs, economic operators and others concerning general and specific market surveillance issues</td>
<td>• Number of trained staff of MS authorities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- management of market surveillance of consumer goods in MS authorities improved</td>
<td>• Number of informed MS professionals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- informed MS professionals concerning their responsibilities</td>
<td>• Published informative materials</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- established effective control systems in specific fields</td>
<td>• Developed databases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- preparation for certified quality management system in CRPC thus enabling to strengthen it’s administrative capacity and quality</td>
<td>• Preparation for certified quality system in the CRPC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- improved professional qualification of economic operators</td>
<td>• Upgraded equipment of consumer products laboratories and MS authorities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- published informative materials and manuals on market surveillance issues</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- developed databases in CRPC and SSI</td>
<td></td>
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</tr>
<tr>
<td>- upgraded IT and testing equipment of MS authorities for strengthening of information exchange system and carrying out market surveillance activities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- upgraded testing equipment for consumer products and fuel laboratories</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activities</td>
<td>Means</td>
<td>Assumptions</td>
<td></td>
</tr>
<tr>
<td>------------</td>
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<td>-------------</td>
<td></td>
</tr>
</tbody>
</table>
| - performance of deep analysis of current market surveillance system in Latvia, institutions including Market surveillance Council, functions, as well as analysis of existing and necessary equipment based on the general needs of market surveillance institutions and human resources;  
- elaboration and introduction of the strategy on improvement of market surveillance system in Latvia and specification of necessary technical upgrading of market surveillance institutions equipment as a result of the analysis;  
- elaboration and adoption of annual plans for MS authorities;  
- evaluation of coordination of current market surveillance system;  
- elaboration and introduction of the strategy of information exchange system between MS authorities, consumer NGOs and relevant bodies;  
- EU and local expertise on different MS issues;  
- training for MS authorities, consumer NGOs and economic operators.  
- participation in International events, expert groups and meetings for implementation of EU directives  
- design and organization of the study visits  
- implementation and certification of quality system in the CRPC  
- elaboration of the databases for MS authorities  
- preparation of guidelines and manuals on the implementation of New approach directives for economic operators, information campaigns  
- production of informative materials, information campaigns  
- investments to develop and improve the testing basis and testing equipment of consumer products laboratories  
- investments to equipment in MS authorities | • Twinning:  
1 PAA 16 m/m  
4 short term experts 1 m/m  
1 short term expert 4 m/m  
Training 10 seminars  
6 EU short term experts 1 m/m  
2 EU short term experts 3 m/m  
1 EU short term expert 2 m/m  
1 local short term expert 10 m/m  
1 local short term expert 2 m/m  
1 local short term expert 1 m/m  
4 local long term experts 6 m/m  
1 local long term expert 5 m/m  
Production of informative materials  
Certification of quality system  
Training 16 seminars  
Study visit  
• Supply:  
upgrading the information technology equipment in MS institutions  
upgrading the equipment of the testing laboratories | • Reports of the Ministry of Economy  
• Project reports  
• Inadequate expert support  
• Change in the structure and functions of the institutions involved |

### Preconditions

- Annual plan of the Market surveillance sub-programme approved by the Coordination Council of the Quality Assurance National Programme  
- Necessary resources for market surveillance institutions provided by the state budget before the start of the project  
- Analysis performed and annual plan of market surveillance activities in respective fields and appropriate methodology elaborated by the Market Surveillance Council and the Ministry of Economy  
- The project components must be closely co-ordinated with other programmes and projects funded from the state budget and other donor organisations
## MARKET SURVEILLANCE SYSTEM IN NON-FOOD AREA

### CUMULATIVE CONTRACTING and DISBURSEMENT SCHEDULE (1.853 million EURO)

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td><strong>Service Contract</strong></td>
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<td></td>
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<tr>
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<td></td>
<td></td>
<td>0.731</td>
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<tr>
<td><strong>Twinning Contract</strong></td>
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<td>0.4608</td>
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<td>0.4608</td>
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<tr>
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<td>0.414</td>
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<td>0.4608</td>
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<tr>
<td><strong>Supply Contract</strong></td>
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<tr>
<td>Contracted</td>
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<tr>
<td>Disbursed</td>
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<td></td>
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<td>0.360</td>
<td>0.550</td>
<td>0.610</td>
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<td>0.610</td>
</tr>
</tbody>
</table>

NB: 1. all contracting should normally be completed within 6-12 months and **must** be completed within 24 months of signature of FM
2. all disbursements **must** be completed within 36 months of signature of the FM
## MARKET SURVEILLANCE PROJECT IN NON-FOOD AREA
### TIMESCHEDULE

<table>
<thead>
<tr>
<th></th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
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</thead>
<tbody>
<tr>
<td><strong>Tendering</strong></td>
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<td></td>
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</tr>
<tr>
<td><strong>Inception report</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td><strong>Institution</strong></td>
<td></td>
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</tr>
<tr>
<td><strong>Building/Contract 1</strong></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td><strong>Establishment of</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>coordinated system</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Strengthening of</strong></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>the institutions</strong></td>
<td></td>
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</tr>
<tr>
<td><strong>Institution</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Building/Contract 2</strong></td>
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</tr>
<tr>
<td><strong>Establishment of</strong></td>
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<td></td>
</tr>
<tr>
<td><strong>coordinated system</strong></td>
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</tr>
<tr>
<td><strong>Strengthening of</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>the institutions</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Investment / Contract 3</strong></td>
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</tr>
<tr>
<td><strong>Tendering</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Establishment of</strong></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>coordinated system</strong></td>
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</tr>
<tr>
<td><strong>Strengthening of</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td><strong>the institutions</strong></td>
<td></td>
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</tr>
<tr>
<td><strong>Reporting</strong></td>
<td></td>
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</tr>
</tbody>
</table>
Annex 4

Market surveillance system in non-food area in Latvia

Ministry of Welfare

Ministry of Environment and Regional Development

Ministry of Economy

Ministry of Transport

Ministry of Finance

State Sanitary Inspection

State Construction Inspectorate

Consumer Rights Protection Centre

State revenue service

Laboratory for testing of fuel products of Riga Technical University

Customs

Sanitary Border inspection

LABORATORIES AND CONFORMITY ASSESSMENT BODIES
## Existing and planned institutions for the market surveillance in different fields in Latvia

<table>
<thead>
<tr>
<th>Areas</th>
<th>Institutions responsible (already designated)</th>
<th>Planned institutions responsible</th>
</tr>
</thead>
<tbody>
<tr>
<td>General product safety</td>
<td>Consumer Rights Protection Centre</td>
<td></td>
</tr>
<tr>
<td>Foodstuffs</td>
<td>State Sanitary Inspection</td>
<td>State Veterinary Inspection</td>
</tr>
<tr>
<td>Pharmaceuticals</td>
<td>Food and Veterinary Service Medicines’ Pricing and Reimbursement Agency</td>
<td></td>
</tr>
<tr>
<td>Drug precursors</td>
<td>State Pharmaceutical Inspectorate</td>
<td>Drug Enforcement Bureau</td>
</tr>
<tr>
<td>Cosmetics</td>
<td>State Sanitary Inspection</td>
<td></td>
</tr>
<tr>
<td>Chemicals</td>
<td>State Sanitary Inspection</td>
<td>State Environment Inspection</td>
</tr>
<tr>
<td>Toys</td>
<td>Consumer Rights Protection Centre</td>
<td></td>
</tr>
<tr>
<td>Electromagnetic compatibility and low voltage</td>
<td>Consumer Rights Protection Centre</td>
<td></td>
</tr>
<tr>
<td>Personal Protective equipment</td>
<td>Consumer Rights Protection Centre</td>
<td>State Labour Inspection</td>
</tr>
<tr>
<td>Gas appliances</td>
<td>Consumer Rights Protection Centre</td>
<td></td>
</tr>
<tr>
<td>Simple pressure vessels</td>
<td>Consumer Rights Protection Centre</td>
<td>State Labour Inspection</td>
</tr>
<tr>
<td></td>
<td>State Labour Inspection</td>
<td>Road Traffic Safety Directorate</td>
</tr>
<tr>
<td>Pressure equipment</td>
<td>Consumer Rights Protection Centre</td>
<td>State Labour Inspection</td>
</tr>
<tr>
<td>Gas cylinders</td>
<td></td>
<td>State Labour Inspection</td>
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<tr>
<td></td>
<td></td>
<td>Road Traffic Safety Directorate</td>
</tr>
<tr>
<td>Category</td>
<td>Responsible Authority</td>
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</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Machinery</td>
<td>Consumer Rights Protection Centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>State Labour Inspection</td>
<td></td>
</tr>
<tr>
<td>Equipment and protective systems in potentially explosive atmospheres</td>
<td>Consumer Rights Protection Centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>State Labour Inspection</td>
<td></td>
</tr>
<tr>
<td>Lifts</td>
<td>State Labour Inspection</td>
<td></td>
</tr>
<tr>
<td>Construction products</td>
<td>Consumer Rights Protection Centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>State Construction Inspectorate</td>
<td></td>
</tr>
<tr>
<td>Medical devices</td>
<td>Health Statistics and Medical Technology Agency</td>
<td></td>
</tr>
<tr>
<td>Active implantable medical devices</td>
<td>Health Statistics and Medical Technology Agency</td>
<td></td>
</tr>
<tr>
<td>Non-automatic weighing instruments</td>
<td>State Metrology Inspection</td>
<td></td>
</tr>
<tr>
<td>Hot-water boilers fired with liquid or gaseous fluids</td>
<td>Under consideration</td>
<td></td>
</tr>
<tr>
<td>Explosives for civil use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreational craft</td>
<td>Marine Environment Inspection</td>
<td></td>
</tr>
<tr>
<td>Motor vehicles</td>
<td>Consumer Rights Protection Centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Road Traffic Safety Directorate</td>
<td></td>
</tr>
<tr>
<td>Textiles, glass, footwear</td>
<td>Consumer Rights Protection Centre</td>
<td></td>
</tr>
<tr>
<td>Telecommunication and satellite equipment</td>
<td>Consumer Rights Protection Centre</td>
<td></td>
</tr>
<tr>
<td>Border control in all areas</td>
<td>Sanitary Border Inspection</td>
<td></td>
</tr>
</tbody>
</table>
Annex 5

List of related national legislation

Latvian laws:
- Product and Services Safety Law of 20th June 2000 implementing the EU directive 92/59/EC on general product safety
- Law On Chemical Substances and Chemical Products of 1st April 1998
- Law on Construction of 10th August 1995

Regulations of the Cabinet of Ministers already adopted:
- Regulations of the Cabinet of Ministers on toys safety implementing EU directive 88/378/EEC adopted on 4th April 2000 (in force since 1st January 2001)
- Regulations of the Cabinet of Ministers concerning indication in the labelling of the textile fibre content adopted on 21st July 1998
- Regulations of the Cabinet of Ministers on labelling of footwear adopted on 3rd August 1999
- Regulations of the Cabinet of Ministers concerning safety of machinery implementing EU directive 89/392/EEC adopted on 30th May 2000 (in force since 1st January 2001)
- Regulations of the Cabinet of Ministers concerning simple pressure vessels implementing EU directive 87/404/EEC adopted on 18th July 2000 (in force since 22nd July 2000)
- Regulations of the Cabinet of Ministers concerning pressure equipment and their accessories implementing EU directive 97/23/EC adopted on 2nd May 2000 (in force since 1st January 2001)
- Regulations of the Cabinet of Ministers on classification, labelling and packaging of chemical substances adopted on 29th June 1999
- Regulations of the Cabinet of Ministers Nr.226 on safety and procedure of surveillance of cosmetic products adopted on 5th June 2001 (implementing EU directive 76/768/EEC)
- Regulations of the Cabinet of Ministers of the Republic of Latvia on Conformity attestation of construction products in regulated area implementing EU directive 89/106/EEC adopted on April the 30th, 2001 (in force since May the 5th, 2001)