

EVOLUTION OF NATIONAL AUTHORITY FOR CONSUMER PROTECTION CONTROLS IN BIHOR COUNTY - FOODSTUFF

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Abstract

Foodstuff are the most exposed products for degradation. This is a fact that today is due to people immunity decreasing start to be a serious issue. In this way the products that come from European Union are under the severe regulation of the European laws and from this point of view it suppose to be safe for consumers but there are a critical points during shelf life of products that can affect them. The foodstuff that come from outside of European Union have issues regarding the compatibility of monitoring methods and maximum amounts allowed for different risks. This study present the evolution of National Authority for Consumer Protection controls in Bihor county in the last three years. The study was conducted in the frame project TASTE OF LIFE, REGIONAL HEALTHY FOOD IN SCHOOLS, project number 2014-1-NL01-KA202-1225 .

Key words: foodstuff, controls, Bihor county, programed actions, complains.

INTRODUCTION

Foodstuff the last years because of extending their shelf life and distribution networks length are under severe pressure from risk factors. There are also another reasons with high impact: increasing the volume of foodstuff commerce, increasing the online marketed products, increasing the costs of raw materials and energy, etc.

The role of state in ensuring the food safety and respecting the consumers rights is nowadays more important. There are also important issues regarding the increasing of the people sensibility to the foodstuff.

Methods used for controls are according with romanian standards and are quottation in latest studys.

MATERIAL AND METHOD

The methodology of controls was according to Romanian regulations that are similar with European regulations.

The following documents are the base of the state control in the field of foodstuff:

- Government Decision no. 700/2012 on the organization and functioning of the National Authority for Consumer Protection, as amended,
- Law no. 245/2004 (r1) on general product safety,

- Government Ordinance no. 21/1992 (r2) on consumer protection, as amended and supplemented,
- Law no. 608/2001 (r2) on product conformity assessment,
- Government Ordinance no. 2/2001 regarding the legal regime of contraventions, as amended and supplemented,
- Law no. 363/2007 on combating unfair practices of traders with customers and harmonization of regulations with European legislation on consumer protection, as amended and supplemented,
- Law no. 449/2003 (r1) for the sale of goods and associated guarantees, as amended and supplemented,
- Law no. 7/2004 (r1) on the code of conduct for civil servants,
- Government Ordinance no. 27/2002 on regulating the resolution of petitions, as amended and supplemented.

The research was covered years 2013 and 2014. There were taken in to study the following items:

1. Total number of control actions undertaken for:
 - Food,
 - Food Services.
2. Total Number of Official reports fine imposed,
3. Total Number of Official reports fine levied,
4. Fines applied,
5. Fines collected,
6. Total Number of Official reports concluded, of which
 - Food,
 - Food Services.
7. Total number of samples,
8. Total number of non-compliant samples,
9. European Community goods definitively shut down non-compliant value of sales,
10. The value of non-conforming goods extra definitively stopped from trading,
11. Total number of registered notifications and complaints, of which:
 - Food,
 - Food Services.
12. Total number of complaints closed, of which:
 - The amicable settlement,
 - Enclosed with positive solution,
 - Withdrawn,
 - Closed as unresolved,
 - Forwarded,
 - Unfounded,

- Classed,
- 13. The compensation value,
- 14. Number of articles in print media,
- 15. Number of appearances in TV shows,
- 16. Number of press conference,
- 17. Number of shares counseling tripartite PPP media coverage,
- 18. Number of shares tripartite advisory PPP without media coverage,
- 19. Number of shares advice with companies in an organized publicized event in the press
- 20. Number of shares advice with companies in an organized event without media coverage.

The controls were undertaken in the frame of programmed actions and also in case of complains. There were at least one action/day.

RESULTS AND DISSIONS

All the controls were conducting according with ANPC regulations. The controls were also recorded in internal databases and from this point of view there were indications that Bihor county branch of ANPC is ranked in the first fifth of them.

Results of the controls were as following.

Table 1. Number of controls for 2013 and 2014

Type of actions	2013	2014
Total number of control actions undertaken	3760	3424
• Food,	1554	1398
• Food Services	492	346

The results shown an slow decreasing of the number of controls. In this way it is noticeable that the staff number decreasing by 4. As a result there is a higher efficiency of the structure ans ANPC Bihor staff.

Table 2. Number of reports and results of reports for 2013 and 2014

Type of actions	2013	2014
Total Number of Official reports fine imposed,	585	506
Total Number of Official reports fine levied,	529	474
Fines applied, lei	2687171	2221116
Fines collected, lei	293965	243988

It was shown that because of good results in 2013 the activity in 2014 despite that was at lower level increase the penalties ratio. The efficiency of the staff of ANPC Bihor branch increase compared with staff number.

Table 3. Number of Official reports concluded for 2013 and 2014

Type of actions	2013	2014
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Total Number of Official reports concluded, of which:	3031	2517
• Food,	1342	750
• Food Services	301	0

The Number of Official reports concluded also decrease but the ratio reports/staff increase significant. Also is relevant that reports from 2014 shown a huge improvement in the food sector.

Table 4. Number of collected samples for 2013 and 2014

Type of actions	2013	2014
Total number of samples,	68	68
Total number of non-compliant samples,	5	17

The number of samples collected were the same. There were issues regarding sampling procedures, due to transportation of samples and temporary storage of them.

Table 5. Value of the goods withdrawn for 2013 and 2014

Type of actions	2013	2014
European Community goods definitively withdrawn non-compliant value of sales, lei	10932,95	3331,4472
The value of non-conforming goods from outside of European Community definitively stopped from trading, lei	14065,37	5340,14244

There was an important decrease of the Value of the goods withdrawn from the markets. Controls frequency and confidentiality of the period of the controls decrease significant the incidents. There is also a remark regarding the decreasing of withdrawn the goods from outside of European Community by three times.

Table 6. Number of registered notifications and complaints

Type of actions	2013	2014
Total number of registered notifications and complaints, of which:	1141	1262
• Food,	87	82
• Food Services	66	105

The number of notifications and complains increase significant during 2013 - 2014 period, especially in the food services sector. The controls in the food market remains at the same level and ensure superior quality for foodstuff.

Table 7. Number of registered notifications and complaints solved

Type of actions	2013	2014
Total number of complaints solved, of which:	1141	1262
• The amicable settlement,	62	107
• Enclosed with positive solution,	129	133
• Withdrawn,	0	5
• Closed as unresolved,	35	13
• Forwarded,	29	20
• Unfounded,	127	124
• Classed,	0	20
The compensation value,	43237,77	9775,477

The results shown the increasing of the amicable settlements because of the concerns of the companies regarding the name of the brands and because of the increasing severity of the controls and penalties. Despite that the number of notifications and complaints increase there were reduced unsolved cases, unfounded complaints and by assuming the responsibilities the forwarded cases.

There was recorded an important increase of articles in printed media regarding the activity and procedures for controls.

Also the Number of shares advice with companies in an organized event without media coverage remain almost the same, in this way it was shown that informal discussions increase the efficiency and the fair practices in the market. The interest of the community in common actions with ANPC Bihor Branch is shown as well by the increasing of the articles in printed media that is the most important source of information in Romania, especially in rural areas.

Table 7. Disseminations of the ANPC Bihor county branch in 2013 - 2014

Type of actions	2013	2014
Number of articles in print media,	51	68
Number of appearances in TV shows,	7	7
Number of press conference,	1	0
Number of shares counseling tripartite PPP media coverage,	0	0
Number of shares tripartite advisory PPP without media coverage,	0	0
Number of shares advice with companies in an organized publicized event in the press	0	0
Number of shares advice with companies in an organized event without media coverage.	9	7

The general trend of the controls effects was an ascendent one, increasing the quality of goods, attitude of consumers and companies and consolidating of the role and efficiency of the ANPC Bihor county branch in the foodstuff sector.

CONCLUSIONS

The conclusions of this study are very important and reveal the increasing the importance of the controls in the foodstuff and food services sector.

In this way there was shown that even a smaller structure can increase the number of controls/staff and results can be enhanced.

The amicable settlements become important and that decrease the penalties and compensations, as a result general sales environment become more friendly.

The increasing presence in media of ANPC Bihor county branch in 2013 - 2014 was one of the most important tool in the prevention of the unappropriate foodstuff and food services on the market. This also enhanced the awareness of the consumers about their rights and as a side effect the concerns of the companies about their fair trade practice.

Those conduct to the increasing of the consumers benefits.

Acknowledgments

The researches were carried out in the project: TASTE OF LIFE, REGIONAL HEALTHY FOOD IN SCHOOLS, project number 2014-1-NL01-KA202-1225.

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