

EVOLUTION OF NATIONAL AUTHORITY FOR CONSUMER PROTECTION CONTROLS IN BIHOR COUNTY - NON FOOD PRODUCTS

Bura Giani*, Timar Adrian*

*University of Oradea, Faculty of Environmental Protection, 26 Gen. Magheru St., 410048 Oradea, Romania, e-mail: atimar@uoradea.ro

Abstract

Increasing the deliveries from Asia were the labor and workers are not very qualified drive to decreasing the general quality of the goods in the world, Europe also in Romania and Bihor county as well. The products that come from European Union are at the highest levels but there is a strong decrease of the percentage on the Bihor county market. The products that come from uncertain sources are not 100% according with our regulation and in this way must be very strictly monitorized. 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: non - food products, controls, Bihor county, complains, reports, fines.

INTRODUCTION

The non food products start to have an high incidence regarding the quality during the last years. The reasons are: increasing the volume of commerce, increasing the online marketed products, imports from outside of European Union, increasing the costs of raw materials and energy, etc.

There was recorded a significant increasing of the consumers demands that drive to the complains and as a consequence penalties and withdraws.

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 non food products:

- 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:
 - Non-food products,
 - Financial products,
 - Services nonfood,
 - Financial services,
 - Other segments.
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
 - Non-food products,
 - Financial products,
 - Services nonfood,
 - Financial services,
 - Other segments.
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:
 - Non-food products,
 - Financial products,
 - Services nonfood,

- Financial services,
 - Other segments.
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 during of programmed actions but mostly in case of complains.

RESULTS AND DISSIONS

All the controls were conducting according with regulations. There were .

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 for:	3760	3424
• Non-food products	1280	1203
• Financial products	15	13
• Services nonfood	397	456
• Financial services	20	8
• Other segments	2	0

The was a small decreasing of the controls because of ANPC Bihor staff decreasing by 4 persons. Despite of this the controls in the Services nonfood sector increase. There was also recorded a quality increase of the

non food products shown by significant decreasing of the controls in the Financial services sector.

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,	1150	997
Total Number of Official reports fine levied,	1043	934
Fines applied, lei	5286629	4369734
Fines collected, lei	578335	480012

The number of controls decrease in 2014. There is a small decrease considering the decreasing of ANPC Bihor branch staff. Therefore this is in real terms an increasing because ratio reports fine and fine/number of staff recorded is higher in 2014.

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

Type of actions	2013	2014
Total Number of Official reports concluded, of which:	3031	2517
• Non-food products	1128	594
• Financial products	15	4
• Services nonfood	226	320
• Financial services	17	9
• Other segments	2	840

The Number of Official reports concluded for non food products decrease significant. The official reports concluded increase very significant for Other segments due to new approach of ANPC policy that start to cover in 2014 also the other segments of the Bihor county market.

Table 4. Number of collected samples for 2013 and 2014

Type of actions	2013	2014
Total number of samples,	0	0
Total number of non-compliant samples,	0	0

The number of samples collected in non food sector was zero because the infrastructure for nonfood sector quality control in Bihor county is absent.

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	21509,05	6554,1528
The value of non-conforming goods from outside of European Community definitively stopped from trading, lei	27671,63	10505,9776

As a consequence of the controls the goods quality increase significant, facts that are shown by the significant decreasing of the Value

of the goods withdrawn from the markets. There is also a remark regarding the increasing of the goods withdrawn from the markets from outside of European Community in the Bihor county market.

Table 6. Number of registered notifications and complaints

Type of actions	2013	2014
Total number of registered notifications and complaints, of which:	1141	1262
• Non-food products	373	416
• Financial products	6	0
• Services nonfood	485	536
• Financial services	124	123
• Other segments	0	0

The number of notifications and complains increase significant during 2013 - 2014 period, especially in the services nonfood sector. Financial services remain at the same level due to severe regulations of the Romania in this field.

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,	124	211
• Enclosed with positive solution,	255	263
• Withdrawn,	0	10
• Closed as unresolved,	70	27
• Forwarded,	59	42
• Unfounded,	251	246
• Classed,	0	41
The compensation value,	85064,23	19231,87

The results shown the significant increasing of the classed reports and amicable settlements that reveal a good mediator quality role of the ANPC Bihor branch staff and also the increasing of consumer education in the field of complains. Also by assuming the responsibilities ANPC Bihor branch is shown by significant reducing of the forwarded cases. The amicable settlements increase almost 100%.

ANPC Bihor county branch shown high concerns in the field of in the market from the consumers right protection and acting as mediator.

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

The increasing was not very impressive but the results of the controls - fines and reports - show the high impact of them in the consumer behavior and the companies fair practice.

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

Type of actions	2013	2014
Number of articles in print media,	101	134
Number of appearances in TV shows,	14	16
Number of press conference,	0	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.	18	14

There were consequences of the controls that allow us to draw some conclusions regarding the quality of goods, attitude of consumers and companies and role of the ANPC Bihor county branch.

CONCLUSIONS

The conclusions that were drawn by this study allow us to find the trend of the control effects.

In this way it was recorded an increasing of the controls ratio/staff. In this way the number of controls and penalties remain at comparable levels despite the staff number decrease with 4 persons.

The cases way of resolving shown an important evolution in the direction of amicable settlements that avoid further unpleasant evolutions.

The increasing presence in media of ANPC Bihor county branch in 2013 - 2014 was an important tool that rise the consumers confidence in their fair decisions and advices regarding the complains and notices.

Acknowledgments

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

REFERENCES

1. National Association of Social Workers. (2000). Code of ethics of the National Association of Social Workers. Washington, DC:
2. Steen, J. A. (2006). The roots of human rights advocacy and a call to action. *Social Work*, 51, 101–105.

3. Brownlie, I., & Goodwin-Gill, G. S. (2006). Basic documents on human rights (5th ed.). New York: Oxford University Press.
4. Farmer, P. (2003). Pathologies of power: Health, human rights, and the new war on the poor. Los Angeles: University of California Press.
5. Mason, L. K., & Laurie, G. T. (2006). Law and medical ethics (7th ed.). New York: Oxford University Press.
6. McClean, S. A. (2006). First do no harm: Law, ethics, and healthcare. Burlington, VT: Ashgate.
7. Reichert, E. (2003). Social work and human rights: A foundation for policy and practice. New York: Columbia University Press.
8. ***Hotărârea Guvernului nr. 700/2012 privind organizarea și funcționarea Autorității Naționale pentru Protecția Consumatorilor, cu modificările ulterioare ,
9. ***Legea nr. 245/2004(r1) privind securitatea generală a produselor,
10. ***Ordonanța Guvernului nr. 21/1992 (r2) privind protecția consumatorilor, cu modificările și completările ulterioare,
11. ***Legea nr. 608/2001 (r2) privind evaluarea conformității produselor
12. ***Ordonanța Guvernului nr. 2/2001 privind regimul juridic al contravențiilor, cu modificările și completările ulterioare,
13. ***Legea nr. 363/2007 privind combaterea practicilor incorecte ale comercianților în relația cu consumatorii și armonizarea reglementărilor cu legislația europeană privind protecția consumatorilor, cu modificările și completările ulterioare,
14. ***Legea nr. 449/2003 (r1) privind vânzarea produselor și garanțiile asociate acestora, cu modificările și completările ulterioare,
15. ***Legea nr. 7/2004 (r1) privind codul de conduită a funcționarilor publici,
16. ***Ordonanța Guvernului nr. 27/2002 privind reglementarea activității de soluționare a petițiilor, cu modificările și completările ulterioare,
17. ***Legea nr. 296/2004 privind Codul consumului, cu modificările și completările ulterioare,
18. ***O.U.G. nr. 97/2001 privind reglementarea producției, circulației și comercializării alimentelor, cu modificările și completările ulterioare.