

FOODSTUFF AND FOOD SERVICES CONTROLS IN BIHOR COUNTY IN 2013 - 2015

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Abstract

There are a lot of products available on the markets that have quality issues. Foodstuff are the most exposed products for those kind of issues. Those issues lead people to have complains even at legal level. In this way the products that come from European Union are under monitoring and suppose to be in accordance with high standards. The foodstuff that come from outside of European Union sometimes have issues regarding to the quality. 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 of the project Increasing competitiveness of the didactical station of the University of Oradea, project number CNFIS-FDI-2016-0036.

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

INTRODUCTION

Foodstuff in this period are under severe pressure from risk factors because of increasing the processing, decreasing the use of additives and extending their shelf life.. There are also another reasons with high impact: increasing the volume of trade and distribution networks length. The increasing of the online marketed products, increasing the costs of raw materials and energy, etc. lead to quality issues that are nowadays connected with national controls authorities.

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 at the base of the state control in the field of foodstuff and :

- 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 - 2015. There were taken in to study the following items:

1. Total number of control actions undertaken for: Food and 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: Food and 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: Food and Food Services,
12. Total number of complaints closed: The amiable settlement, Enclosed with positive solution, Withdrawn, Closed as unresolved, Forwarded, Unfounded and 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 well ranked.

Results of the controls were as following.

Table 1. Number of controls for 2013 - 2015

Type of actions	2013	2014	2015
Total number of control actions undertaken	3760	3424	3604
• Food	1554	1398	1102
• Food Services	492	346	440

The results shown an slow increasing of the number of controls in 2015 comparing with 2014 but the control number is lower that in 2013. The number of food controls decrease significant in 2015

Table 2. Number of reports and results of reports for 2013 - 2015

Type of actions	2013	2014	2015
Total Number of Official reports fine imposed,	585	506	1578
Total Number of Official reports fine levied,	529	474	1532
Fines applied, lei	2687171	2221116	6112450
Fines collected, lei	293965	243988	840050

It was shown that because of good results in 2013 the activity in 2014 despite that was at lower level increase the penalties ratio. In 2015 the results shown that it was an 300% increase. The efficiency of the staff of ANPC Bihor branch increase espeacily from Fines collected point of view that is bigger with 400%.

Table 3. Number of Official reports concluded for 2013 - 2015

Type of actions	2013	2014	2015
Total Number of Official reports concluded, of which:	3031	2517	2505
• Food,	1342	750	736
• Food Services	301	0	306

The Number of Official reports concluded slightly decrease yearly especialy in the field of food controls. Also is relevant that reports from 2015 shown a huge improvement in the food services sector.

Table 4. Number of collected samples for 2013 - 2015

Type of actions	2013	2014	2015
Total number of samples,	68	68	69
Total number of non-compliant samples,	5	17	10

The number of samples collected was constant during the studied years. There were issues regarding sampling procedures, due to transportation of samples and temporary storage of them but after a high percentage in 2014 the ratio evolve, the level is just twice bigger than in 2013.

Table 5. Value of the goods withdrawn for 2013 - 2015

Type of actions	2013	2014	2015
European Community goods definitively withdrawn non-compliant value of sales, lei	10932,95	3331,4472	58100,00
The value of non-conforming goods from outside of European Community definitively stopped from trading, lei	14065,37	5340,14244	361003,00

There was an important decrease of the Value of the goods withdrawn from the markets in 2014, but 2015 recorded a huge increasing by 1700%. Controls frequency and confidentiality of the controls in this period lead to high level of the withdrawn. There is also a remark regarding the increasing of withdrawn the goods from outside of European Community by 6700% in 2015. Despite that the withdrawn goods were at high level it was recorded an significant difference between UE and non UE foodstuff.

Table 6. Number of registered notifications and complaints for 2013 - 2015

Type of actions	2013	2014	2015
Total number of registered notifications and complaints, of which:	1141	1262	1219
• Food,	87	82	78
• Food Services	66	105	71

The number of notifications and complains increase during 2013 - 2014 period, especially in the food services sector, but the trend for 2015 was different.

Table 7. Number of registered notifications and complaints solved

Type of actions	2013	2014	2015
Total number of complaints solved, of which:	1141	1262	1219
• The amicable settlement,	62	107	133
• Enclosed with positive solution,	129	133	117
• Withdrawn,	0	5	4

• Closed as unresolved,	35	13	16
• Forwarded,	29	20	32
• Unfounded,	127	124	119
• Classed,	0	20	17
The compensation value,	43237,77	9775,477	145031,00

The results shown the increasing of the amicable settlements and this is due to the ANPC Bihor branch policy that encourage this.

Because the number of notifications and complains increase there were also slightly increasing unsolved cases in 2015 in comparison with 2014.

The unfounded complains decrease also because of the consumers education conducted by ANPC Bihor branch.

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

Type of actions	2013	2014	2015
Number of articles in print media,	51	68	187
Number of appearances in TV shows,	7	7	23
Number of press conference,	1	0	3
Number of shares counseling tripartite PPP media coverage,	0	0	1
Number of shares tripartite advisory PPP without media coverage,	0	0	5
Number of shares advice with companies in an organized publicized event in the press	0	0	2
Number of shares advice with companies in an organized event without media coverage.	9	7	38

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

Also the Number of shares advice with companies in an organized event without media coverage that in 2013 - 2014 remain almost the same, was increase by five times.

CONCLUSIONS

The conclusions of this study are very important and reveal the increasing of 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 extremely high - some parameters like withdrawn the goods from outside of European Community by 6700% in 2015.

The amicable settlements keep the ascendent trend also in 2015, become important and that decrease the fines for companies and

compensations for consumers, as a result general relations between retailers and consumers was better in 2015.

The increasing presence in media of ANPC Bihor county branch in 2013 - 2015 was the crucial tool in the education of food bussines operators and also consumers of foodstuff and food services on the market. This raise the awareness of the consumers about their rights but also the concerns of the companies about their fair trade practice.

The general conclusion is that the trend started in 2013 and continued in 2014 was speedup in 2015.

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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.