

ANALYSIS OF THE CJPC BIHOR ACTIVITY REGARDING FINES APPLIED AND COLLECTED IN BIHOR COUNTY DURING THE PERIOD 2020-2022

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RESEARCH ARTICLE

Abstract

Food production has increased over the past decade to meet the greater demands of world population growth and the use of agro-food products for energy purposes. Due to globalization, the increase in production of emerging economies and the variation of domestic production, agro-food products are supplied in Romania and Bihor County from all over the world. From the European Union, where there are strict regulations on the production of agro-food products, imports are quite safe for consumers, but there are quality issues with non-EU imports. Products that come from uncertain sources are not 100% compliant with our regulation and in this way must be monitored very strictly and corrective measures must be taken. This study presents the evolution of the controls of the National Authority for Consumer Protection in Bihor County from 2020 to 2022 to provide safe products for the local market.

Keywords: fines, applies, collected, controls.

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Agro-food is the most important aspect of consumer welfare. The last decade has seen a shift in the supply of global and local markets. Online sourcing, increasing volumes of food trade, imports from outside the European Union, rising raw material and energy costs, longer trade routes and longer transport and storage times are becoming issues and critical points in today's supply chains.

It is therefore important to have an overview of state controls in the agro-food sector in order to have feedback on the agro-food market. It is also important to have an overview of the effectiveness of the measures that control entities apply through the state.

The methods used for controls are in line with Romanian standards and are cited in the most recent studies. This study presents the analysis of the activity of the National Authority for Consumer Protection in Bihor County regarding the value of fines applied and collected during the period 2020-2022.

INTRODUCTION

The control activity of the specialised staff of the A.N.P.C. exercising powers in this field aims to protect consumer rights by:

- prevention of breaches in the field of consumer protection;
- highlighting and bringing to the attention of the staff representing the professional being audited the misconduct and the facts which led to the breach of the legal regulations in the field of consumer protection and the consequences of this breach;
- persuading staff in senior professional positions to understand and comply with the legal rules on consumer protection;
- understanding the dynamics and the degree of repetition of the same acts that contravene legal rules, in order to determine the frequency of interventions to remove non-compliance;
- ordering appropriate measures to restore legality and assessing the impact and effectiveness of previous measures;
- presentation of risks related to non-compliance with the provisions of the applicable regulations.

The procedure lays down general rules and operating procedures for verifying compliance by professionals of products with the general safety requirements, including risk assessment and measures to prevent the marketing and withdrawal of non-compliant products from the market and, where

appropriate, from consumers (Brownlie & Goodwin-Gill, 2006; Farmer, 2003; Mason & Laurie, 2006).

At the same time, the procedure lays down rules for verifying compliance by professionals with the qualitative, technical and safety characteristics of products and services, with consumer protection regulations, with those declared and/or with the regulations in force (McClean, 2006; Farmer, 2003; Mason & Laurie, 2006; Reichert, 2003).

The procedure is applied by the National Authority for Consumer Protection and its territorial structures that carry out market controls on producers, importers, distributors in warehouses, service providers, at customs points of entry, having access to places where products are produced, stored, transported or marketed and services are provided.

MATERIAL AND METHOD

Setting the objectives of the control activity is an important phase in the work on verifying the conformity of consumer products and services through the effective and uniform application of legislation and the achievement of a high level of consumer protection.

Information from consumers, consumer associations, the media, other authorities, any other sources (social media, etc.) and own findings will be taken into account when setting targets.

The control activity must be mainly directed towards the following objectives:

- the possession and legality of the documents on the basis of which the trader carries out his activity;
- identifying non-conformities of products and services with an impact on consumers and taking corrective measures to prevent/end infringements of consumer protection laws and limit their consequences;
- evaluation of the results of the verification of complaints and inquiries which reveal violations of legal rules or regulations specific to consumer protection;
- addressing consumer enquiries and complaints about non-conformity of products and services;
- taking samples for laboratory analysis as part of control actions or following consumer complaints/submissions and preventive actions;
- limiting the consequences for consumers, including by sealing premises, goods or other measures as required by law.

RESULTS AND DISCUSSIONS

The research ran from January to September 2020-2022. The following elements were taken into account in the study:

1. Total number of control actions for food and non-food goods, provision of services, and Total number of reports registered for food and non-food goods, provision of services,

2. Total number of warnings, total number of fines for food and non-food goods, provision of services.

The following results were recorded for the total number of control actions for food and non-food goods and services during the period January - September 2020 - 2022 (Table I). The controls carried out were in accordance with the national regulations and procedures listed above. The results showed a variable dynamic in the number of controls. This shows that there is a return almost to the 2022 level. The main focus of controls in 2021 was also the food and non-food service sector. As a result, a more efficient ANPC Bihor staff structure is observed. The number of total fines (Table 2) increases significantly between 2020 and 2022 and decreases slowly in 2021, especially in the financial services sector. In this way, the largest increase was recorded in the food sector. According to the results of the controls there were a lot of consequences that can be observed. The general trend that was identified was an upward one, increasing the quality of goods, the attitude of consumers and companies and strengthening the role and efficiency of the ANPC Bihor county branch.

Table 1

The total number of control actions for food and non-food goods, services during the period January - September 2020 – 2022

Type of actions	January - September 2020	January - September 2021	January - September 2022
Total number of control actions	1614	1854	1700
Foodstuffs	125	122	110
Nonfood	1420	1645	1533
Services	69	87	57
Financial	0	0	0

Table 2

Numărul total de procese verbale, avertismente, numărul total de amenzi pentru bunuri alimentare și nealimentare, prestări servicii în perioada ianuarie - septembrie 2020 – 2022

Type of actions	January - September 2020	January - September 2021	January - September 2022
Total number of minutes of ascertainment	1304	1190	1244
Foodstuffs	473	367	446
Nonfood	387	352	422
Services	437	468	373
Financial	7	3	3
Total number of warnings	758	678	655
Foodstuffs	263	185	254
Nonfood	193	166	196
Services	301	327	203
Financial	1	0	2
Total number of fines	793	740	1007
Foodstuffs	318	275	380
Nonfood	270	248	357
Services	198	214	263
Financial	7	3	7

CONCLUSIONS

The conclusions that can be drawn from this study are encouraging.

There has been an increase in controls and also a significant development in the way cases are dealt with.

The increasing presence in the media of the ANPC Bihor county branch in the period 2020 - 2021 has been one of the most important tools that have increased the practice of fair trade and market balance.

Out-of-court settlements are becoming important, but even then penalties and damages increase significantly in 2022. The most important effects have been in the food and food service sector where complaints and referrals have correlated strongly to the benefit of consumers.

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