

## A COMPARISON OF FOODSTUFF - NON FOOD PRODUCTS CONTROLS RESULTS IN BIHOR COUNTY BETWEEN 2013 - 2015

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### **Abstract**

*Globalisation of foodstuff production is a fact that today is obvious. In this way a lot of products come in Romania and Bihor county as well from all over the world. 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. 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 of the project Increasing competitiveness of the didactical station of the University of Oradea, project number CNFIS-FDI-2016-0036.*

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

### **INTRODUCTION**

Foodstuff and non food products issues recorded an increasing of the incidence regarding the quality during the last years. The reasons are: increasing the volume of foodstuff comerce, increasing the online marketed products, imports from outside of European Union, increasing the costs of raw materials and energy, etc.

Is important to have an overview of the state controls in the sector of foodstuff in order to have a feedback of the foodstuff market. There are also important indications about the effects of those controls and the changes that starts to appears after that.

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

### **MATERIAL AND METHOD**

The methodology of controls was selected in accordance with the Romanian regulations that are similar with European regulations.

Below are presented the documents and regultions that are at 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 conducted for the years 2013, 2014 and 2015. There following items were taken in to study:

1. Total number of control actions undertaken for: Food, Non-food products, Financial products, Food Services, 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: Food, Non-food products, Financial products, Food Services, 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: Food, Food Services.
12. Total number of complaints closed: 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.

All the controls were undertaken during all of the years in the frame of programmed actions and also in case of complains.

## RESULTS AND DISSIONS

The controls that were conducting were according with national regulations and the procedures listed above.

Table 1. Number of controls for 2013 - 2015

<b>Type of actions</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Total number of control actions undertaken for:	3760	3424	3604
• Food,	1554	1398	1102
• Non-food products	1280	1203	1276
• Financial products	15	13	2
• Food Services	492	346	440
• Services nonfood	397	456	766
• Financial services	20	8	18
• Other segments	2	0	0

The results shown an variable dynamic of the number of controls. In this way it is noticeable that there is a come back almost to the 2013 level. The main concern of thecontrols in 2015 was the services sector food and non food as well. As a result there is a higher efficiency of the structure of ANPC Bihor staff.

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

<b>Type of actions</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Total Number of Official reports fine imposed,	1735	1503	1578
Total Number of Official reports fine levied,	1572	1408	1532
Fines applied, lei	7973800	6590850	6112450
Fines collected, lei	872300	724000	840050

It was shown after the study that because of good results in 2013 the activity in 2014 and 2015 increase the penalties ratio.

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

<b>Type of actions</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Total Number of Official reports concluded, of which:	3031	2517	2505
• Food,	1342	750	736
• Non-food products	1128	594	887
• Financial products	15	4	2

• Food Services	301	0	306
• Services nonfood	226	320	566
• Financial services	17	9	8
• Other segments	2	840	0

The Number of Official reports concluded that decrease in 2014 was recover in 2015. Also is relevant that reports from 2014 shown a significant improvement in the food sector.

Table 4. Number of collected samples for 2013 - 2015

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

The number of samples collected were basically 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 - 2015

<b>Type of actions</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
European Community goods definitively withdrawn non-compliant value of sales, lei	32442	9885,60	58100
The value of non-conforming goods from outside of European Community definitively stopped from trading, lei	41737	15846,12	361003

There were in 2014 a significant quality increase, facts that are shown by the significant decreasing of the Value of the goods withdrawn from the markets, but in 2015 the situation shown a very significant increasing. There is also a remark regarding the decreasing of the goods from outside of European Community ratio in the Bihor county market.

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

<b>Type of actions</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Total number of registered notifications and complaints, of which:	1141	1262	1219
• Food,	87	82	78
• Non-food products	373	416	465
• Financial products	6	0	15
• Food Services	66	105	71
• Services nonfood	485	536	513
• Financial services	124	123	77
• Other segments	0	0	0

The number of notifications and complains increase significant during 2013 - 2014 period and slowly decrease in 2015, especially in the food services sector. In this way the biggest increasing was recorded in Financial products sector.

Table 7. Number of registered notifications and complaints solved in 2013 - 2015

<b>Type of actions</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Total number of complaints solved, of which:	1141	1262	1219
• The amicable settlement,	186	318	345
• Enclosed with positive solution,	384	396	371
• Withdrawn,	0	15	19
• Closed as unresolved,	105	40	42
• Forwarded,	88	62	54
• Unfounded,	378	370	346
• Classed,	0	61	42
The compensation value,	128302	29007,35	145031

The results shown that the amicable settlement was the trend. Despite that the Enclosed with positive solution increase there were also increase the unsolved cases. Unfounded complains slightly reduce their level.

The results were possible by a implication of the ANPC Bihor county branch in the market as a mediator and consumers right defender, but in a ferm way as is shown in the compensation value that increase almost 9 times than in 2014, at a higher level than in 2014.

Table 7. Disseminations of the ANPC Bihor county branch in 2013 - 2015

<b>Type of actions</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Number of articles in print media,	152	202	187
Number of appearances in TV shows,	21	23	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.	27	21	38

There was recorded an very significant increase of ANPS Bihor county branch in the actions regarding the activity and procedures for controls.

Also the Number of shares advice with companies in an organized event without media coverage almost doubled in 2015, in this way it was shown that informal discussions increase the efficiency and the fair practices in the market.

According with the results the controls there were a lot of consequences that can be observed. The general trend that was identify 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.

## **CONCLUSIONS**

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

In this way it was recorded an increasing of the controls and also an important evolution of the cases way of resolving.

The increasing presence in media of ANPC Bihor county branch in 2013 - 2015 was one of the most important tool that enhanced the fair trade practice and the equilibrium on the market.

The amicable settlements become important but even in this situation the penalties and compensations increase significantly in 2015. The most important effects were recorded in the food and food services sector were the complains and reports were strongly corelated in the consumers benefits.

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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,
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