**SAFETY OF NON-FOOD PRODUCTS**

**Control procedures carried out by customs authorities**

**Detailed description**

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1. GENERAL

During their regular controls, customs authorities perform checks of products or ranges of products to establish if these products display characteristics which give cause to suspect that they, when properly used, present a serious risk to health and safety of consumers. Furthermore, customs authorities check whether the product is accompanied by the required documentation, whether the CE marking has been affixed to the product and whether the product is entitled to the CE marking and the supporting documentation.

Customs authorities suspend the release of a product for free circulation, when they establish that the product displays characteristics which give cause to believe that the product, when properly installed, maintained and used, presents a serious risk to health, safety, the environment or any other public interest, or that the product is not accompanied by the prescribed declaration of conformity or that the CE marking has not been affixed to the product or has been affixed in a false or misleading manner. In any of the above situations, customs authorities immediately notify the market surveillance authority and suspend the release of such a product for three working days.

Customs authorities inform the regional office of the Market Inspectorate of the Republic of Slovenia in cases in which the release of any of the below mentioned products has been suspended:

* electrical and electronic equipment;
* machines;
* gas appliances;
* personal protective equipment;
* radio and telecommunication terminal equipment;
* construction products;
* recreational crafts.

With regard to the above mentioned products, harmonisation legislation has been adopted according to which the CE marking must be affixed to all the above products. Customs authorities inform the regional office of the Market Inspectorate also in cases in which they perform controls of cigarette lighters and baby equipment. The legislation in force does not provide for the CE marking and declarations of conformity regarding these two categories of products, which must, nevertheless, be produced in compliance with the general safety requirements.

In cases in which customs authorities temporarily suspend the release of toys for free circulation, they inform the regional unit of the Health Inspectorate of the Republic of Slovenia (hereinafter referred to as: the ZIRS). Baby soothers do not belong to the category of toys, but they are, nevertheless, inspected by the ZIRS who also check the content of various chemicals in plastic materials used in the production of toys, such as dolls.

When customs authorities temporarily suspend the release for free circulation of other products due to their content of a prohibited or controlled chemical substance, they inform the Chemical Office of the Republic of Slovenia.

In cases in which customs authorities temporarily suspend the release of medical devices for free circulation, they inform the Agency of the Republic of Slovenia for Medical Products and Medical Devices. However, when the release of transportable pressure equipment and simple pressure vessels is suspended, customs authorities cooperate with the Inspectorate for Infrastructure of the Republic of Slovenia and inform their regional office.

If customs authorities have not been notified of any action taken by the market surveillance authorities, they release a product for free circulation within three working days of the suspension of release, provided that all other requirements regarding such release have been fulfilled. A product is released for free circulation also in cases in which the market surveillance authorities find that the product in question does not present a serious risk to health and safety of consumers or protection of the environment and is not in breach of Community harmonisation legislation.

Where the market surveillance authorities find that a product presents a serious risk to consumers or the environment or that it is in breach of harmonisation legislation, they take appropriate measures to prohibit that product from being placed on the market. In such cases, customs authorities refuse the release of the product for free circulation and include the following endorsement on the accompanying documents: “Dangerous product — release for free circulation not authorised — Regulation (EC) No 765/2008”.