ROMANIAN LEGISLATION ON CONSUMER PROTECTION OF AGRICULTURAL PRODUCTS

LEGISLATIA ROMANESCA PRIVIND PROTECTIA CONSUMATORILOR DE PRODUSE AGROALIMENTARE

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Abstract: *The improvement of products quality in our country represents an objective of Commissioner for Consumer Protection. In order to achieve the objectives, the National Authority for Consumer Protection has developed and made available to the commissioners a set of laws that catered to the needs of consumers and the smooth unfolding of activities of economic operators. These laws are divided by category of products for better individualization. In this work the author presents a few of these categories of agricultural foodstuffs mentioning the specific legislation. To strengthen market surveillance system, the National Authority for Consumer Protection participate in the transitional system of rapid exchange of information TRAPEX with Central and Eastern European countries on dangerous consumer products.*

Key words: *consumer protection, agricultural products, legislation*

INTRODUCTION

Consumer protection was introduced in the Treaty on European Community by the Treaty of Maastricht. It aims to promote health, safety, economic and legal interests and rights of consumers to information. Codecision procedure is required for all measures that appear and consumer protection issues involving the alignment of legislation of Member States to achieve the internal market.

Any system of consumer protection should be based on an appropriate legislative framework to this important problem. This, especially in a market economy, where consumers know that economic

actors, producers or traders, the law gives you certain rights and protect against abuses that could endanger her life and her health or harm its interests, economic or patrimonial. In such a context, and from the provisions of resolution no. 39/248 The 1985 United Nations General Assembly, which approved the guidelines on consumer protection in Romania after 1990 was adopted a uniform system of regulation in this area, but starting from the concrete conditions of society and Romanian economy in the period they go through. It will further look into some aspects of legal regulations related to consumer food products in Romania, the structure of legislation, as well as liability or sanction failure to comply.

MATERIALS AND METHODS

The main law applied for consumer protection is GO 21/ 1992 which is also the base for the next 90 following laws regarding agricultural products. These are also used to identify the main deficiencies of traders' activities. In this present paper I mentioned some of these laws which are the working tool for commissioners in Consumer Protection.

RESULTS AND DISCUSSIONS

The adoption of the legislation on consumer protection, the Romanian legislator has considered the system of regulations in this field to be a unified and flexible, responsive to changes in the structure of society and the economy and harmonize with other system components Our legislation and the EU legislation. In this respect, since the first article, the Government Ordinance no. 21 of 21 August 1992 consumer - updated - which became, by adoption in Parliament, Law nr.11/1994, states that "the state, by means provided by law, protect citizens, in their capacity as consumers, providing the necessary access to products and services, full information about their essential characteristics, defend the rights and interests of individuals against abusive practices, participation in decision-making foundation and its interest as consumers ". Apparent from the consumer in Romania said that mainly consist of the following:

- consumer information on the essential characteristics of products;

• ensuring and safeguarding the rights and interests of individuals against abuse;

• participation in foundation and individual decisions that concern them as consumers.

Pursuant to Ordinance No. 21 of 1992 were adopted and other regulations, which confers complete the appropriate legal consumer food products, legislation governing the work of standardization, metrology activity, quality of goods, sanitary rules and veterinary activities catering, marketing consumer goods and services, domestic competition, as follows:

GENERAL CARECATER LEGISLATION:

- Law. 363/2007 on combating unfair practices of traders with customers and regulatory harmonization with European legislation on consumer protection, as amended;
- GD nr.947 / 2000 on how to indicate the consumer prices of products offered for sale, republished;
- GD . 530/2001 approving the legal metrology Instructions IML 8-01 "making of products by weight or volume" published;
- REGULATION (EC) NO. 882/2004 on official controls performed to ensure verification of compliance with feed and food law, animal health and welfare;
- GEO. 97/2001 on regulating the production, circulation and marketing of food, republished;
- Ordinance no. 42/1995 on the production of foodstuffs for sale, republished;
- Order no. 772/856/68/442/2005 for approving the Norms on the Rapid Alert System for Food and Feed;
- Regulation (EC) no. 853/2004 laying down specific hygiene rules for food of animal origin;
- GO. 2/2001 on the legal regime of contraventions, as amended and supplemented.

GENERAL FOOD LABELLING

- GD. 106/2002 on food labeling, as amended and supplemented;

- Regulation (EC) no. 1924/2006 on nutrition and food related health;
- Regulation (EC) nr.1925/2006 on adding vitamins and minerals and other substances in food;
- Order no. 851/1.505/271/300/2006 the repeal of legislation to direct application of Community regulations and decisions;
- Regulation. 608/2004/CE Commission on food labeling and food ingredients with added phytosterols, phytosterol esters, phytostanols and / or phytostanol esters;
- Regulation (EC) no. 1333/2008 on food additives;
- Order 438/295/2002 for approval of food additives for use in food for human consumption, as amended and supplemented;
- Regulation (EC) no. 1332/2008 on food enzymes;
- Regulation (EC) no. 1334/2008 on flavorings.

MEAT, MEAT PRODUCTS, FISH, EGGS

- Regulation (EEC) NO. 1234/2007 establishing a common organization of agricultural markets and on specific provisions for certain agricultural products ("Single CMO");
- Order no. 560/1271/339 / 210/2006 for the approval of the marketing of meat products, with additions;
- Order no. 333/2002 by producing, marketing and use of mechanically separated meat, as amended;
- Order nr.510/944/147/2002 for approving the marketing of fish and other aquatic creatures;
- Regulation (EC) no. 2406/96 laying down common marketing standards for fishery products;
- Regulation. 2136/89 the Council laying down common marketing standards for preserved sardines;
- Regulation 104/2000 on the common organization of markets in fishery and aquaculture;
- Regulation (EC) no. 2065/2001 laying down the information for consumers of fish and aquaculture sector;
- Regulation (EC) 589/2008 laying down rules for implementing;

- Regulation (EC) 1234/2007 on marketing standards for eggs;
- Directive 2002/4/EC of the registration of establishments keeping laying hens, covered by Directive 1999/74/EC;
- Regulation (EC) 543/2008 laying down rules for implementing;
- Regulation (EC) 1234/2007 in regards marketing standards for poultrymeat;
- Order 206/447/86/2002 approval of the the marketing of poultry meat, as amended (except for the provisions covered by the R 1234/2007);
- Order 494/859/138/2002 for the approval of the sale of pork (except for the provisions covered by the R 1234 / 2007).

MILK, PRESERVED MILK, BUTTER

- Regulation (EEC) 1234/2007 establishing a common organization of agricultural markets and on specific provisions for certain agricultural products ("Single CMO");
- Regulation (EC) 1153/2007 amending Regulation (EC) no. 2597/97 laying down additional rules on the common market in milk and milk products as regards drinking milk;
- Communication Commission (2008 / C 27/05) for inclusion in Regulation (EC) no. 1234/2007 the Council (Single CMO Regulation) recent policy reforms in milk and dairy products and sugar;
- Order 230/457/76/2002 for approving the Norms on the name under which sells milk quality conditions consumption (except for the provisions covered by the R 1234/2007);
- Order no. 521/832/321/2003 approving the rules on the definition, the name under which selling, labeling and quality conditions of certain kinds of preserved milk, partly or wholly dehydrated human consumption, as amended;
- Order 524/958 / 8/2003 for approving the Norms on the name under which sell quality and conditions of sale for spreadable fats (except for the provisions covered by the R 1234/2007).

CONCLUSION

For effective and standard application of relevant legislation, the National Authority for Consumer Protection has developed over 90 specific control procedures on groups of products and services. In order to create the necessary legal instruments to protect rights and interests of consumers, the National Authority for Consumer Protection was concerned to develop the legal framework of consumer protection, based on European directives in the field. In addition to advisory councils mention the existence of institutional framework for consumer protection, which brings together representatives of state authorities, industry and consumer groups, both locally and nationally, organized in accordance with Government Decision no. 251/1994. Also, the National Authority for Consumer Protection supported the creation and development of consumer protection associations and participating with them in informing and educating consumers. In each of the 42 counties were created associations and other NGOs in consumer protection, currently being recorded a total of 127 associations, structured at the county level in 16 federations and a confederation.

Government Ordinance no.88/2000 to the legal framework for establishing the Centre for Consultancy and consumer information, which currently operates besides Association for Consumer Protection in Romania - Bucharest. To strengthen market surveillance system, the National Authority for Consumer Protection participate in the transitional system of rapid exchange of information TRAPEX with Central and Eastern European countries on dangerous consumer products. From April 1999, the National Authority for Consumer Protection was designated as National Contact Point System TRAPEX.

REFERENCES

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2. *** present legislation.