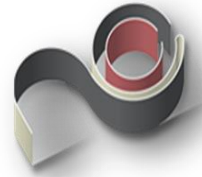




the dti

Department:
Trade and Industry
REPUBLIC OF SOUTH AFRICA



NATIONAL CONSUMER COMMISSION

a member of **the dti** group

COMPLIANCE MONITORING (INSPECTIONS) & INVESTIGATION

**NATIONAL CONSUMER COMMISSION
12 September 2018**

WHY DO WE PRODUCE/ SELL GOODS?



OVERVIEW: CPA

Consumer's rights to safe, good quality goods

Section 55.

Every consumer has a right to receive goods that—

- ✓ (b) are of good quality, in good working order and free of any defects;
- ✓ (c) will be useable and durable for a reasonable period of time, having regard to the use to which they would normally be put and to all the surrounding circumstances of their supply;
- ✓ (d) comply with any applicable standards set under the Standards Act, 1993 (Act 5 No. 29 of 1993), or any other public regulation.



ROLE

- ✓ **Seek assurance** that goods and services comply with health, safety and environmental regulations
- ✓ **S99(c) Monitoring** the consumer market to **ensure that prohibited conduct and offences** are prevented, or detected and prosecuted
- ✓ **S 60 - Safety monitoring and recalls**
- ✓ unsafe, **must recall those goods for repair replacement or refund.**



COORDINATION & COOPERATION

- ✓ S55- applicable standards as set out in any public regulation - **Quality infrastructure agencies**
- ✓ Reasonable suspicion- tests conducted- Supplier/retailers, SABS, DAFF, NRCS
- ✓ Monitor- Inspections
- ✓ Investigations
- ✓ Power to search & seize



THE ROLE OF THE NCC IN FOOD SAFETY AND INSPECTIONS

► S (60)(2) which states that:

*“ if the Commission has **reasonable grounds to believe that any goods may be unsafe**, or that there is potential risk to the public from the continues use of or exposure to the goods, and the producer or importer of those goods has not taken any steps required by an applicable code contemplated in subsection one(1), the Commission, by written notice, may require that producer to;*

(a) Conduct an investigation contemplated in subsection (1);

Or

(b) Carry out a recall programme on any terms required by the Commission.



STANDARDIZATION OF FOOD TESTING

- Food- core to wellbeing- needs proper handling in the entire value chain
- Testing has to be standardized
- Clear standards/ compulsory for handling
- Inspection has to be regular (suppliers and regulators) (National/ local)



TRENDS

- ✓ Labelling that is not clear- country of origin and components.
- ✓ Date markings (use-by or expiry dates)
- ✓ Defacing of labels
- ✓ Non-compliance with “standards of acceptability”



CHALLENGES

- Resistance due to lack of understanding of the role of the Commission
- Gate-keeping by Head Office staff
- Lack of corrective action by management when compliance notices/ inspection findings have been issued
- Lack of delegated authority to store managers to implement corrective action
- Lack of regular review of store policies to ensure compliance with the provisions of the CPA (other legislations)

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