

**IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT
ON TECHNICAL BARRIERS TO TRADE**

Communication from Moldova

Supplement

The following statement under Article 15.2 of the Agreement on Technical Barriers to Trade has been received from the delegation of Moldova.

I. LAW ON CONSUMER PROTECTION

1. No. 105-XV din 13.03.2003 ensures that the rights of every consumer will be protected by the Government, the protection against the risk to purchase a product that could affect health, life or security or to prejudice his legitimate rights and interests. It also stipulates that the consumer has the right to compensation or repair of caused damage, he has to get complete, true and precise information on products, be instructed on his rights, organise associations for consumer protection. The producer has to place on market only safe products, to stop the supply and remove from market the products found to be harmful for life, health or security of consumers. He has to conform to the hygienic and sanitary requirements; also the producer is responsible for the prejudice caused by the deficient product during the period of guarantee or use.

II. LAW ON CONFORMITY ASSESSMENT OF PRODUCTS

2. No. 186-XV from 24 April 2003 sets the legal framework for the conformity assessment of products, equipment, processes, technologies, production systems and potentially dangerous works, software, quality systems and services, as well as the supervision of products on the market and/or used in the Republic of Moldova in order to ensure national security, avoid frauds, protect the rights, life and health of consumers, preserve the environment. In order to ensure the conformity assessment of products the Accreditation System and National System of Ensuring Conformity of Products have been created. These are two separate organisational structures with their own rules and procedures that are meant to ensure the co-operation of all participants and the co-ordination of the conformity assessment. Accreditation is an instrument to assess the competitiveness, impartiality and integrity of conformity assessment bodies. The conformity assessment bodies are accredited within the accreditation system that is composed of (a) the Accreditation Council, (b) accreditation body, (c) appeal Commission, (d) technical committees. The structure of the National System of Ensuring Conformity of Products is formed of (a) the National Body for Conformity Insurance of Products, (b) bodies of the central public administration, (c) bodies of conformity assessment.

III. GOVERNMENTAL DECISION ON VOLUNTARY STANDARDISATION

3. No. 702 from 4 June 2002 has been adopted to comply with the commitment of the Republic of Moldova towards WTO to convert the system of mandatory standardisation into technical regulations and voluntary standards. It sets the rules and functions of institutions involved in the process of converting mandatory standards into voluntary ones and technical regulations. The decision establishes the Interdepartmental Commission for supervision of the process of conversion of mandatory standards into technical regulations and voluntary standards setting its nominal composition and functions of monitoring, assisting and control of this process.

IV. GOVERNMENTAL DECISION ON THE APPROVAL OF THE NATIONAL PROGRAM FOR DRAFTING TECHNICAL REGULATIONS

4. No. 873 from 30 July 2004 covers almost all sectors of domestic economy, responsible authorities and the period of drafting and adoption of technical regulations. The priority subjects for which the drafting of technical regulations needs to be approved in the next years have been included in the Program. Technical regulations will cover essential requirements, such as human life, animal and plant health protection, security, environment protection, preventing frauds. Also, in order to update and harmonise with international and European standards and to increase the competitiveness of domestic products, references to the EU directives, international standards have been indicated on which responsible authorities will be guided in drafting technical regulations.
