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**NRCS declares war on sale of  
online substandard products**

## Baby seats in the spotlight

The NRCS has conducted its investigation on the issue and can confirm that the Wonder Women baby car seats are currently being sold via online platforms like Facebook and Gumtree directly to consumers, however, it is not in a position to comment on issues of compliance with the safety requirements as they have not been subjected to the organisational homologation (Pre-approval) process.

The homologation process entails reviewing application forms on receipt, inspect samples of products and the evaluation of technical documentations as required by VC 8033 – compulsory specification for child restraints systems.

This product and many others that are covered by various NRCS Compulsory Specifications, should be submitted by the manufacturer or importer to the NRCS for the pre-approval process before they enter the South African market. Once this process is concluded and depending on the outcome, manufacturers or importers are granted homologation certificates (Letter of Authority) if applications conform to safety requirements as an approval to sell their products or their applications are rejected and products are prohibited from being sold. In this case, the organisation can confirm that the online trader, HSG has not submitted any application and/or product for verification against compliancy.

While investigating the matter, the NRCS discovered that HSG offers these products only online and does not keep stock to allow for a thorough inspection. A meeting

was arranged with the owner of the company in an attempt to deal with the non-compliance to the compulsory specification but he refused to cooperate and immediately abandoned the meeting. The matter is now with the NRCS Legal Team who will explore possible prosecution as it is unlawful to sell products that are not homologated and posing danger to consumers.

The NRCS would also want to reiterate that rooting out non-compliant products from the market is placed high on its agenda and remains a key priority for the organisation. Its pre-market approval process is augmented by various other regulatory activities of ensuring on-going compliance of products that are offered for sale to protect consumers. This is done in congruence with the mandate of the organisation of ensuring the protection of public health, safety and the environment and to promote fair trade. Where a commodity is found to be non-compliant with certain compulsory specifications, the company is informed both verbally and in writing to correct or come up with a corrective action to address the non-compliant product and failure to do so results in products being confiscated and destroyed.

During this financial year alone, the NRCS Automotive Unit stopped the sale of about 4 592 units of baby seats to the value of R7.5 million – this in line with its mandate of protecting consumers against unsafe products that are harmful. It is therefore incorrect to suggest that the NRCS is not doing anything to deal with non-compliant products.



# NRCS, a decade in consumer protection through development and enforcement of compulsory specifications

The 1<sup>st</sup> September 2018 marked a decade since the NRCS was established as an independent entity, reporting to the Minister of Trade and Industry. Its mandate is to promote public health, safety and environmental protection through the development and enforcement of technical regulations/compulsory specifications.

The NRCS is also charged with the administration of the Legal Metrology Act (2014) and regulations as well as the National Building Regulations and Standards Act (1977). For operational expediency the NRCS has compartmentalized itself into six main industries which it regulates, namely: Automotive, Chemical Materials and Mechanicals, Electro- technical, Foods, Legal Metrology and National Building Regulations and Research Development Units.

The NRCS plays a pivotal role in the economy by ensuring that businesses produce, import or sell products or services that comply with minimum mandatory safety and environmental requirements and do not fall short of the declared measurements. As part of the technical infrastructure entities, the NRCS remains an integral part of the implementing agency of the government's Industrial Policy Action Plan.

In order to perform its work efficiently and effectively and achieve its strategic objectives, the NRCS conducts pre-market approval of products covered by compulsory specifications and issues various forms of approval certificates to manufactures, importers and exporters. NRCS also conduct market surveillance inspection to rid the market of sub-standard goods.

In recognition of the fact that the NRCS like many other government entities operates within fiscal constraints, the organisation in past few years adopted the Border Management Strategy in order to intercept products before they come into the country.

Due to the effectiveness of this strategy, the NRCS has seen an increasing number of companies that seeks to comply with the set compulsory standards. Conversely, a number of products stoppage and confiscation has also increased as the number of unscrupulous traders and importers' products brought into the country without necessary approval certificates are intercepted. This also resulted in a number of approval applications and complaints by the industry trying to push for expedited approval of their products, which can be avoided by simply applying for approval certificates prior to importation of the products. On average, the NRCS receives 2500 applications a month that have to be processed within 120 calendar days.

In past ten years, NRCS has had a huge impact in the economy, which can be supported by the fact that a total of 506 614 inspections were conducted across the regulated industries and 134 593 approval certificate were processed and issued. The value of non-compliant products removed and/or prevented from entering the market was approximately R2.2 billion.

In spite of all these achievements, the NRCS recognises that there is room for continuous improvement to ensure that the regulator remains relevant and effective within the context of the current socio-economic climate. The evolution of the technological advances such as e-commerce and artificial intelligence present a particular challenge to regulators like the NRCS.

The methods of trading have changed and so is the manner in which goods are moved from one place to another. Recognising that the NRCS is not immune to these challenges, the organisation is embarking on a Modernization Project to improve its work and enable collaboration with other relevant entities and government departments at large.



# NRCS joined forces with North West government to rid the province of unsafe products

The NRCS in partnership with the North West Department of Economy and Enterprise Development embarked on an enforcement and awareness campaign in Lichtenburg and surrounding areas.

The purpose of the campaign was to eradicate substandard products and educate consumers about the role of the regulator and its regulatory activities. Several stores were visited in the sprawling township of Lichtenburg to ensure that business were compliant with set compulsory standards and other municipal bylaws in as far as product manufacturing is concerned.

The campaign will also be rolled out to other parts of the North West province in the near future.



## NRCS educated thousands of consumers during World Consumer Rights Month

As part of the World Consumer Month (March), the NRCS joined many other consumer protecting bodies in the country to educate consumers about its mandate and regulatory activities.

The regulator visited more than nine (9) communities in various provinces conducting awareness sessions and interacting with consumers and assisting them with their problems.

Some of the visited communities include Umlazi, Pine Town, Askham and Zeerust to mention just a few.



## NRCS EDUCATED Northern Cape communities

With a confirmed population of 800 over 150 community members from Askham have been educated by the NRCS through an invitation from the Department of Trade and Industry.

Askham is a village 175 km north of Upington with Upington as the nearest town. This emphasises the NRCS' mandate on consumer protection. NRCS protecting health, safety the environment and ensuring fair trade.





# NRCS declares war on sale of online substandard products

The National Regulator for Compulsory Specifications (NRCS) would like to alert South African consumers about the risk associated with the purchase of products through online trading in particular from international sources.

With the advent of the fourth industrial revolution, studies have revealed that online shopping is on the rise globally and international syndicates are utilising it to trade unsafe products hence the call by the NRCS for consumers to exercise absolute caution.

There are regulatory and risk issues involved because most of the products that are available through online markets are highly regulated and require certification and/or approval before the sale or distribution thereof.

The NRCS is the custodian of compulsory specifications ensuring that minimum safety requirements are enforced on regulated products that are either manufactured or imported to ensure safety of consumers. This also applies on products that are traded online that falls within the scope of regulation by the regulator.

The NRCS's scope of regulation span across various industries such as automotive, chemicals and materials, electrical products and appliances fishery products to measuring instruments to mention just a few.

In recent times, automotive, electrical products and appliances as well as chemicals were the most affected by this new online trend. Examples of such products are Cellphone chargers,

child-restraints (baby seats), surface cleaning chemicals, blenders, kettles, tyres and IT equipment.

NRCS regulated products require a Letter of Authority (LOA) or certification before distribution or sale to the South African public hence the regulator conduct regular market surveillance inspections to ensure safety of products that enters the South African market.

The NRCS urge all consumers to be vigilant and report any sale of substandard products to ensure that we rid the country of all unsafe products in line with our mandate of protecting health, safety, the environment and ensuring fair trade.



## State of consumer protection critically assessed on World Consumer Rights Day

The activities formed part of a World Consumer Rights Day build-up programme that culminated into a discussion round table by government and key stakeholders to critically assess the state of consumer protection in South Africa, 10 years after the promulgation and implementation of the Consumer Protection Act.

The National Consumer Commission (NCC) in partnership with the KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs and the eThekweni Metropolitan Municipality led a multidisciplinary team of national government departments and regulators, recently.

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On this day, each year, the global consumer movement unite around a common theme to deliver an exciting array of campaigning activities. South Africa's consumer protection forum – a network of regulators, provincial consumer protection authorities as well as statutory and voluntary sector specific ombud schemes, have because of identified consumer exploitation trends elected to deviate from the global theme this year.

Participants in the programme included among others, law enforcement officers, officials from the Departments of Labour and Home Affairs, officials from SARS (customs), ICASA, CIPC (Counterfeit Goods), the Financial Services Conduct Authority, the National Regulator for Compulsory Specifications, as well as the National Credit Regulator.

In addition to inspections, the team hosted various education and awareness workshops, as well as exhibitions in community halls.



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