



GENERAL INSPECTION GUIDE for Standards & Inspectorate Divisions



MINISTRY OF COMMERCE & INDUSTRY

REPUBLIC OF LIBERIA

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1.0 ACRONYMS AND DEFINITIONS

1.1 Acronyms

| | |
|------|---------------------------------------|
| GCSI | General Commodity Standard Inspection |
| GMI | General Market Inspection |
| LRE | Liquor Regulation |
| ICE | Investment Code Enforcement |
| BRE | Business Registration Enforcement |
| PTE | Price Tag Enforcement |
| MSP | Market Surveillance on Prices |

1.2 Definitions

- a. **General Inspection:** is a routine process to access and ensure compliance of an approved standard, and it's carry out by technicians who are high school graduates and above.
- b. **General Market Inspection (GMI):** Is an inspection that involved the inspection of retail products for the process of labeling, packaging, unwholesome and dented cans, price-tagging, etc.
- c. **Liquor Regulation:** An MoCI Regulation for the prevention of the sales of alcohol/liquor beverages to minors (children under the age of eighteen) by licensed/unlicensed vendors.
- d. **Investment Code Enforcement (ICE):** It is an exercise carried out by General Market Inspectors to protect the businesses set-aside exclusively for Liberian by the Investment Act, 2010 and other Liberianization related regulation.
- e. **Business Registration Enforcement (BRE):** Is a means by which General Market Inspectors ensure that Businesses operating in the Commerce of Liberia are legally registered with valid Registration Certificates or Petty Registration Receipt with Flag Receipt Number in full display to the public.
- f. **Price Tag Enforcement (PTE):** Is a means by which General Market Inspectors ensure that all goods placed on the market for sale are price-tagged as a means of monitoring prices.
- g. **Market Surveillance on Price (MSP):** Is meant to avoid price hiking, smuggling, hoarding, dumping of unsafe and substandard products and it is implemented through a monitoring process utilizing the approved price margin guidelines.

- h. **General Commodity Standard Inspection:** An inspection of commodity standard to ensure compliance with published standards and regulations.

2.0 INTRODUCTIONS

General inspections are conducted at facilities, such as general market places, stores, supermarkets, slaughter houses, etc to ensure basic regulatory compliance with the laws of Liberia including the General Business Law.

In order to determine the compliance of a particular facility, general inspector needs to collect information about the facility practices and impact stemming from those practices. Where necessary, the general results support compliance and enforcement actions to ensure full compliance of regulated facilities.

3.0 THE PURPOSE OF THIS GUIDE

The purpose of this document is to guide the formal inspection process for the inspection of general products. This process will ensure that each check is reviewed in sequence and the results are documented.

4.0 GENERAL MARKET INSPECTION

A General Market inspection of the Ministry of Commerce and Industry is a joint inspection exercise comprising of the Divisions of Inspectorate and Standards in collaboration with the National Standards Lab in accordance with the 1978 General Business Law, Chapter 1, Inspections.

General Market inspection includes:

- Liquor Regulation Enforcement;
- General Market Standard Training;
- Investment Code Enforcement;
- Business Registration Enforcement;
- Price Tag Enforcement; and
- Market Surveillances and Price Monitoring
- General Commodity Standard Inspection

5.0 REQUIREMENTS OF A GENERAL INSPECTION OF BUSINESSES

A General Market inspection of Businesses is a joint announced or unannounced inspection exercise comprising the Divisions of Inspectorate and Standards in collaboration with the National Standards Lab. This type of inspection requires the following:

- Approved Team Quarterly Inspection Work Plan
- Signed Authorization Order
- Concurrence Memo from Chair of Senior Management Team
- Approved Team Composition Memo Completed by Supervisors and Submitted to Assistant Minister and copied to DMA
- Approved Inspection Letter Comprising of Names and ID Numbers of Team Members, Purpose of Inspection and Inspection Checklist Provided to Senior management Team (**SMT**)
- Notification Letter to Ministry of Justice Solicitor General for the Issuance of Warrant
- Approved Warrant from Ministry of Justice/Commercial Court to Shut Down Gross Violators

6.0 GENERAL MARKET INSPECTION TOOLS YOU WILL NEED

A General Market inspection of Businesses is a joint announced/unannounced inspection exercise comprising the Divisions of Inspectorate and Standards in collaboration with the National Standards Lab with supervision of Assistant Ministers and team supervisors. This type of inspection (**GMI**) requires the following tools:

a. MATERIALS AND TOOLS

- MoCI Official ID
- Numbered MOCI Inspection Jacket
- Blue Jeans
- Green T-Shirt
- Sneakers/Boots
- Hand Gloves
- Nose Mask
- Permanent Marker
- Paper Tape
- Clip Boards
- Yellow Pads
- Green Pens
- Pencils
- Calculator (Team Lead)
- Digital Camera (Team Lead to Leave with Electronic Processing Division)
- Hand Set Radio (Walkie Talkie)
- Voice Recorder (Team Lead)
- Flashlight/Battery (Team Lead)

- Vehicle

7.0 HOW YOU ARE EXPECTED TO ACT AS A GENERAL MARKET INSPECTOR

A General Market Inspector is expected to commit to the following:

Internal

- Always in uniform in the prescribed Inspector Jacket and green T- shirt,
- Always have your ID in Full Display
- Always ensure that you have all tools and materials you need for inspection
- Always submit copy of Approved Team Composition to DMA
- Always have Inspection Authorization Order to present to business entity being inspected

External

- Always present your ID to the business
- Always present your Inspection Authorization Order
- Inform the business entity on the inspection procedure and the time the inspection will last
- Inform the business entity on what is expected from them

8.0 PROCEDURES OF A GENERAL MARKET INSPECTION OF BUSINESS ESTABLISHMENTS

8.1 What Starts a General Market Inspection?

A General Market inspection typically is a routine process to assess and ensure compliance to the General Business Law of Liberia. The **GMI** is started with an **Inspection Authorization Order** completed and signed by the supervisor and submitted for approval to both the Assistant Minister of Industry and the Assistant Minister of Commerce and Trade with concurrence of the Chair of the Senior Management Team (**SMT**) for the Period of the Inspection.

8.2 The Steps of the General Market Inspection

| # | DESCRIPTION |
|----|--|
| 1 | <input type="checkbox"/> Team Review Meeting (Review of Inspection Routes, Deliverables) |
| 2 | <input type="checkbox"/> Inspection of Dress Code |
| 3 | <input type="checkbox"/> Inspection of Tools and Equipment |
| 4 | <input type="checkbox"/> Review of Inspection Route and Time |
| 5 | <input type="checkbox"/> Assign Tasks to Team Members |
| 6 | <input type="checkbox"/> Proceed to Inspection Site |
| 7 | <input type="checkbox"/> Present Inspection Authorization Order and Provide any Additional Information to Authorized Personnel of the Entity |
| 8 | <input type="checkbox"/> Commence Inspection at the Entity |
| 9 | <input type="checkbox"/> Conduct Exit Conference to share initial findings with Authorized Personnel of the Entity and Sign Out of General Market Inspection |
| 10 | <input type="checkbox"/> Inspection Team to Present a Draft Report to the Immediate Supervisor for Review |
| 11 | <input type="checkbox"/> Supervisor to Forward the Final Draft to the Assistant Ministers for Review |
| 12 | <input type="checkbox"/> Assistant Ministers to Forward the Final Report to the SMT for ACTION |
| 13 | <input type="checkbox"/> SMT to Take Action Based on Recommendations |
| 14 | <input type="checkbox"/> Recommended Actions from SMT to be Communicated to the Supervisors via the Assistant Ministers for Implementation |

9.0 INSPECTION FORMS AND NOTICES

9.1 General Market Inspection Form

| 1.0 GENERAL INFORMATION | | | | | |
|---|--|---|--------------------------------|--|--------------------------------------|
| TYPE OF INSPECTION: | | <input type="checkbox"/> ANNOUNCED <input type="checkbox"/> UNANNOUNCED | | AO NO.: | FORM NO.: |
| START DATE OF INSPECTION: | | | | END DATE OF INSPECTION: | |
| 2.0 BUSINESS ENTITY INFORMATION | | | | | |
| 1. | NAME OF ENTITY: | | | | |
| 2. | OWNER OF ENTITY/MANAGER: | | | | |
| 3. | TYPE OF BUSINESS: | | | | |
| 4. | PHONE NUMBER: | | | | |
| 5. | ENTERPRISE CODE: | 6. | YEAR ESTABLISHED: | 7. | YEAR ESTABLISHED: |
| 8. | NUMBER OF YEARS IN BUSINESS: | 9. | NUMBER OF FULL TIME EMPLOYEES: | 8. <input type="checkbox"/> WHOLESALER | 9. <input type="checkbox"/> RETAILER |
| 3.0 COMPLIANCE INSPECTION – ADHERENCE TO THE LAW/REGULATION | | | | | |
| DESCRIPTION | STANDARD REFERENCE | Y | N | COMMENTS | |
| 1. | BUSINESS REGISTRATION VALID AND DISPLAYED? | General Business Law § 4.2 Business registration | | | |
| 2. | NAME OF PROPRIETOR ON REGISTRATION? | General Business Law § 4.2 Business registration | | | |
| 3. | NATURE OF BUSINESS MATCHES THE BUSINESS REGISTRATION CERTIFICATE CLASSIFICATION? | General Business Law § 4.2 Business registration | | | |
| 4. | ADDRESS ON CERTIFICATE IS ACTUAL ADDRESS? | General Business Law § 4.2 Business registration | | | |
| 5. | PRICE OF PRODUCTS DISPLAYED? | General Business Law § 1.19. Posting of price of commodities. | | | |
| 6. | BUSINESS CATEGORY OF OPERATIONS IN COMPLIANCE WITH INVESTMENT CODE? | Investment Act of 2010 | | | |
| 4.0 BASIC QUALITY ASSESSMENT (VISUAL OBSERVATIONS) | | | | | |
| DESCRIPTION | STANDARD REFERENCE | Y | N | COMMENT | |
| 1. | PRODUCT (S) LABEL IN ENGLISH? | General Business Law §1.12 False Labels | | | |
| 2. | PRODUCT (S) EXPIRY DATE CURRENT? | General Business Law §1.12 False Labels | | | |
| 3. | PRODUCT (S) APPEARS IN GOOD CONDITION? | General Business Law §1.12 False Labels | | | |
| 4. | PRODUCT (S) STORAGE IN GOOD CONDITION? | General Business Law §1.12 False Labels | | | |
| 5.0 FOLLOW-UP ACTION | | | | | |
| 1. <input type="checkbox"/> NO FURTHER ACTION | | 2. <input type="checkbox"/> WARNING NOTICE | | 3. <input type="checkbox"/> CITATION TO APPEAR AT MOCI | |
| | | | | 4. <input type="checkbox"/> CLOSURE NOTICE | |
| 6.0 COMMENTS/RECOMMENDATIONS | | | | | |
| | | | | | |



| 7.0 GENERAL INSPECTION INFORMATION | |
|------------------------------------|-------|
| 1. INSPECTION ZONE: | |
| 2. ZONE SUPERVISOR: | |
| 3. PHONE NUMBER: | |
| 4. NAME OF INSPECTOR: | |
| 5. INSPECTOR ID NUMBER: | |
| 6. PHONE NUMBER: | |
| 7. SIGNATURE: | DATE: |

9.2 Inspection Script

**MINISTRY OF COMMERCE
INSPECTION SCRIPT**

Good morning, my name is _____.
**I am with the Ministry of Commerce and Industry Technical
Inspection Team. We are here to conduct an inspection of your facility.
May I please see your Manager or your most senior person in charge?**

Good morning Sir/ Madam – My name is

_____. I am with the Ministry of
**Commerce and Industry Inspection Team. We are here to conduct an
inspection.**

**This is my inspection Authorization Order, a Copy of the Inspection
Announcement and Please see my ID. Please also have this Business
Owner Bill of Rights.**

**Today we will be conducting an inspection of your facility. It will take
no more than 1 hour because this is a technical inspection. I ask for
your fullest cooperation as we complete the inspection form. I will
leave a COPY of our findings with you when we conclude.**

Thank you in advance for your cooperation.

9.3 Inspection Authorization Order (AO)

| NOTIFICATION | | | |
|---|--|---|---|
| The Senior Management Team (SMT) of the Ministry of Commerce and Industry, in keeping with its mandate, hereby authorize the inspection of the below reference sector as described in this document in accordance with the laws and regulations of the Republic of Liberia. | | | |
| 1. ORDER NUMBER | | 2. DATE ISSUED | |
| | | | |
| 3. SECTOR CATEGORIES: | | a. <input type="checkbox"/> Fresh/Frozen Foods b. <input type="checkbox"/> Dairy Products | e. <input type="checkbox"/> Second Hand Products f. <input type="checkbox"/> Chemicals/Fertilizers |
| | | c. <input type="checkbox"/> Beverages (Drinks) d. <input type="checkbox"/> Rice/Flour/Starches | g. <input type="checkbox"/> Pharmaceuticals h. <input type="checkbox"/> Petroleum Products |
| | | i. <input type="checkbox"/> Electronics j. <input type="checkbox"/> Electricals | k. <input type="checkbox"/> Building Material l. <input type="checkbox"/> Automotives |
| 4. NAME OF APPROVED INSPECTORS | | | |
| NAME | | ID NUMBER | MALE/FEMALE |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 5. SPECIFICATIONS | | | |
| 5.1 INSPECTION NO. (BOOK NUMBER) | | 5.2 INSPECTION TYPE (CATEGORY) | |
| | | | |
| 5.3 INSPECTION TIMEFRAME (TIME IT WILL TAKE) | | 5.4 SCOPE OF INSPECTION (WHAT IS INSPECTED) | |
| | | | |
| 5.5 ZONE LEAD NAME | | 5.6 ZONE LEAD CONTACT INFO | |
| 5.7 ZONE | | 5.8 AREA OF COVERAGE | |
| 6. APPROVAL | | | |
| 6.1 PREPARED BY (NAME): <i>AMI/DIGE</i> | | 6.2 SIGNATURE | 6.3 DATE |
| | | | |
| 6.4 REVIEWED BY (NAME): <i>DMIG/DIGE</i> | | 6.5 SIGNATURE | 6.6 DATE |
| | | | |
| 6.7 APPROVED BY (NAME): <i>SMT CHAIR/LEGAL</i> | | 6.8 SIGNATURE | 6.9 DATE |
| | | | |

9.4 Inspection Press Briefing Checklist for Inspection Report



PRESS BRIEFING

CHECKLIST FOR INSPECTION REPORT

1. Press Release Prepared and Approved for Distribution (10 copies for media)
2. 1 Set of All supporting documents for turn over to Media
 - Inspection Guide
 - Inspection Forms
 - Previously published press release
3. Speech Drafted
4. Pre-Press Briefing Meeting Conducted
5. All MoCI Staff to appear on Press Briefing in MoCI Inspection Gear and ID Displayed
including the presence of the IG
6. Letters to Companies Inspected Prepared and a copy of inspection form along with Press
Release Attached to letter to companies.
7. Press Honorarium of \$200USD in LD Processed from Petty Cash

9.5 Business Owner's Bill of Rights

PREAMBLE

All business enterprises operating within the Republic of Liberia are entitled to all rights and privileges afforded to them under the laws of the state. As result of this privilege, business entities are equally obligated to ensure the preservation of the health and safety of the public consumer as well as guaranteeing viable and sustainable economic growth in Liberia.

RIGHTS & OBLIGATIONS

- I. All businesses must observe all necessary laws pertaining to the private sector and their operation according to all rules and regulations of the Republic of Liberia.
- II. All businesses must receive a validly executed Inspection Order prior to consenting to any inspection of their business operations.
- III. All businesses have a right to prior notification that a government entity will be conducting an inspection of that business's operations.
- IV. Businesses are permitted to inquire from the relevant government ministries or agencies as to whether the inspection being conducted was lawfully authorized.
- V. All businesses must properly display their business registration certificate in a visible location.
- VI. All businesses are prohibited from paying any form of bribes to any government official, regardless of the circumstances.
- VII. All business operators have a right to appeal any sanction levied against the business.
- VIII. Businesses have must maintain their business premises in a safe and secure manner to ensure public safety.
- IX. All businesses operating within the Republic of Liberia shall register their business with the relevant authorities.
- X. All businesses have a responsibility to cooperate fully with all government ministries and agencies in regards to the promotion and improvement of the national economy.

9.6 Inspection Appeals Procedure

The Inspection appeals process is intended to provide an avenue for appeals to inspection procedures. Business houses have the right to contest inspection findings and request the activation of the appeal process at the Ministry of Commerce and Industry. Below are the steps to the appeal process.

4.3 INTERMEDIATE APPEAL

4.3.1 If the business owner/proprietor is dissatisfied with the decision reach by the Review Panel, the proprietor, as a matter of right, may appeal the decision in writing, written thirty (30) business days, to the Inspector-General of the Ministry of Commerce & Industry.

4.3.2 Failure to initiate appeal process within the schedule time, bars the appealing business entity from seeking recourse through administrative process.

4.3.3 The Inspector-General, based on documentation from the Review Panel as well as the testimony of the business proprietor or his/her authorized agent may independently make determination as to whether the Review Panel's decision was with or without merit.

4.3.4 The Inspector-General shall provide a final written determination of the appeal which shall be communicated to the Business Proprietor or his/her authorized agent within 24 hours of the decisions.

4.4 FINAL ADMINISTRATIVE PEAL

4.4.1 The Business proprietor, who received an unfavorable decision by the Inspector-General regarding Sanction, made on written application appeal to the Office of the Legal Counsel at the Ministry of Commerce and Industry on the previous Ruling.

4.4.2 Business proprietor must appeal the decision in writing within thirty (30) business days from the Previous ruling.

4.4.3 Failure to initiate appeal process within the scheduled time, bars the appealing business entity from Seeking recourse through administrative process.

4.4.4 The Legal Counsel shall take into consideration all documentations provided by the previous Reviewers as well as written statements provided by the business proprietor or an authorized agent, as it relates to the sanction against the particular business operations.

4.4.5 Upon final review, the Assistant minister shall provide a written determination within seven (7) businesses days regarding the business proprietor's appeal.

4.5 APPEALS TO THE COMMERCIAL COURT

4.5.1 As a matter of Law, a business owner may seek to resolve the issue of his/her administrative fine in the Formal judicial system if he/she determines that particular form is best to decide on the particular Sanction.