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QEVERIA E KOSOVËS - GOVERNMENT OF KOSOVO - VLADA KOSOVA

**MINISTRIA E TREGTISË DHE INDUSTRIË
MINISTRY OF TRADE AND INDUSTRY
MINISTARSTVO TRGOVINE I INDUSTRIJE**

Based on UNMIK Regulation No. 2001/19, dated 13 September 2001 for the Department of Executive of Provisional Self-Government Institutions in Kosovo, article 1, paragraph 3, point (ç). The Law for Internal Trade, article 14, article 38, paragraph 38.1, point (a and b). Due to determining minimal technical sanitary and health conditions, this should be fulfilled by sale objects. The Minister of Ministry of Trade and Industry

Approves:

ADMINISTRATIVE INSTRUCTIONS-PROJECT NO. 2005/12

**ON FULFILLMENT OF MINIMAL TECHNICAL CONDITIONS FOR
BUSINESS OBJECTS OF GROSS AND RETAIL SALE AND FOR TRADE
INTERCESSION**

I. GENERAL DISPOSITIONS

Article 1

By this manual are determined minimal technical conditions, which should be fulfilled by business objects (further: objects), equipment in objects of retail and gross sale, practice of intercession in trade as well as conditions of sale outside sale objects.

Article 2

2.1 Sale objects as to this Manual are:

- Objects where practices the retail sale (stores with different manners of sale including self-service, departments stores, trade centers and depots for retail sale)
- Objects where the gross sale is conducted
- Objects where trade intercession is carried out

2.2 Sale outside sale objects means: retail sale, kiosks, stands, and consumer's space, through television, ambulant salesmen, machines, post as well as fair and expositions.

Article 3

3.1. Dispositions of this Manual predict conditions to practice trade activities for registered physical and juridical persons who practice trade activities or trade intercession as well as physical and juridical persons by article 2 of the Law for internal trade.

3.2. Dispositions of this manual are applied also for physical and juridical persons who manage retail and gross market and for the fair organizers as well.

Article 4

4.1. Objects must fulfill foreseen constructional, urban, technical, sanitary conditions and preventive conditions against fire foreseen by other legal acts.

4.2. Premises must be built in places that enable the practice of trade or services without obstructions as well as rational manipulations with goods.

Article 5

5.1 Objects with surface of and more than 1.200 m² must have appropriate parking spot.

5.2 Objects from paragraph 1 of this article must possess items and appropriate equipment for loading and unloading of goods as well as other necessary equipment to manipulate with goods. .

Article 6

6.1 Premises must be built, equipped and connected into objects and equipment of municipal infrastructure: water supply, sewage and energy in conformity to technical regulations.

6.2 Exception, from paragraph 1 of this article, make premises located in the zones where not established objects of municipal infrastructure, which must be built and equipped in conformity to technical regulations.

6.3 Solid waste must be collected (gathered) into certain places securing health-technical conditions as well as their removal in the manner determined by local administration. .

Article 7

Premises must be built, arranged and equipped in conformity to technical regulations by which is obstructed the harmful impact of environment or animals in the quality and health regularity of goods in the premises.

II. BUSINESS PREMISES WHERE PRACTICED RETAIL TRADE

STORES

Common dispositions

Article 8

The store in this Manual is a space where is practiced retail trade with goods for wider consumption, the sale is organized in a way that the worker serves the buyer in a usual (traditional) way or sale by a buyers choice respectively self-service as well as through machines within the store or by a combination of mentioned manners of sale.

The outer look

Article 9

9.1. The space before the entrance to the store must be arranged and prepared so it would enable easy cleaning and maintenance as well as no difficulty entering and exiting the store.

9.2. If there is no terrace in front of the store, the part in front of the store and store window must be asphalted or fixed with stone tiles or in some other way so it would secure free movement of persons and to enable the tidiness.

Article 10

The space in front of the store must be luminous.

Article 11

In the part of the entrance to the store must in visible manner be put the firm of a juridical and physical person, who practices the trade as well as distinctive marks for the certain store (name and number of the store, place of business etc.)

Article 12

12.1 Entering door must be wide at least 0.90 m.

12.2 If the door has separate entrance and exit, in the door must be put signs “entrance” and “exit”.

12.3 Entrance doors respectively exit must be wide enough taking into consideration the type of goods and manner of usage that enables easy manipulation.

Article 13

13.1. Entrance and approach to the store, which is located in the yard or next to a building wall must be arranged in conformity to article 9 and 12 of the manual.

13.2. Approach to the store from point 1 of this article must be arranged so it would have physical separation and not disturb other users in the building (object) in the common use of the surface. .

Store interior

Article 14

14.1. The store must have the distance from the light/bulb (from the floor to the ceiling) at least 2.8 m.

14.2. Exception, from paragraph 1 of this article, the height may be smaller than 2.8 m, but no less than 2.2 m, if in conformity to special regulations.

Article 15

During work schedule the store must be luminous with natural light or artificial light whose power is in conformity to established regulations.

Article 16

16.1 The store that is built in two or more floors must have the width of steps 1.1 m or equipment lift goods in case there is being sold big and heavy products.

16.2 The store with useful space bigger than 1200 m² into two or more floors must possess elevator for more than 4 persons or moving steps.

Article 17

17.1. The store floor must be built of material that enable easy cleaning (ceramic tiles, rubber or similar) and must be flat, smooth and not slippery.

17.2. In a place where workers conduct their duties, the floor of the store must be in conformity to regulations established for work protection.

17.3. Walls and ceilings must be arranged, whitewashed and must not be damaged and must be moisture isolated.

17.4. Parts of the store that are more exposed to impurity (where meat is sold and similar), walls must be covered with ceramic tiles or appropriate material in the height not less than 1.80 m from the floor.

Article 18

Stores with useful space of more than 600 m², must have enough space for health/sanitary needs of buyers, which should be separated into two groups, for men (the same group should have at least one WC), with hot and cold water and a group for women (with same conditions). Equipment should be in conformity to technical regulations.

Article 19

Store with sale space of more than 1.200 m² must possess a generator to produce electricity for needs of cooling equipment, safe register and for necessary lights.

Article 20

Store must have good natural or artificial ventilation. If the natural ventilation is not enough, the store must possess equipment for artificial ventilation.

Article 21

Store must possess appropriate equipment for heating if climatic conditions ask for such a thing. If the workers stay longer during the schedule or more than two hours without a brake, while the type of goods located in that space can endure the heating of the space.

Store equipment

Article 22

22.1. Store must be equipped with shelves, stands, sale desks, cooling window and other similar equipment depending on the work organization of the store and type of goods being sold.

22.2. Store equipment from paragraph 1 of this article must be placed, respectively built in a way so they can be easily maintained while the content of the material for the equipment must be in conformity to dispositions of special regulations that regulate protection and life preservation of people.

22.3. Store where sold bred, meat, fish and meat products as well as milk products that are not in their original package, the store must have a washstand with cold and hot water.

Article 23

Shelves, sale desks and similar equipment must be placed in a way so the space in between can enable free movement of buyers and workers.

Article 24

The goods are exposed in the stores and windows, but it can be exposed in moving windows or into the permanent exposing windows placed inside the store.

Article 25

25.1. Goods in the store must be exposed as to the type and to be queued in the proper manner.

25.2. Food must not be placed directly on the floor ore near the goods, whose character can damage other articles.

25.3 A store must be equipped with measure instruments (scale) that must be accurate and placed in a way so the buyers can see the measuring.

Auxiliary space

Article 26

26.1. By auxiliary space we mean: premises and space for manual depots, spaces for placing damaged waste respectively for hygiene-sanitary needs of buyers.

26.2. If the store has accompanying depot, the goods in the depot should be placed in a manner so they would be secured from damage, impurity and mixing of goods with different character.

Article 27

27.1. The package must not be placed and kept in sale objects or in front of the store but only in depots or other appropriate places.

27.2. Damaged articles and other waste should be placed in a container or other certain tanks with proper hygiene protection.

Article 28

28.1. The store must have auxiliary space for health-sanitary needs of the workers. The size of that space and their equipment must respond to the number of workers in the store, in conformity to work protection regulations.

28.2. The use of space, sanitary items for needs of workers must be secured not further than 100 m from the store.

Article 29

Floors and walls of accompanying space from article 28, paragraph 1 of this Manual must be covered with ceramic tiles or appropriate material, in the height not less than 1,50 m from the floor. .

2. Special dispositions for Stores in Certain Manners of Sale

a) Self-service

Article 30

30.1. A store on retail sale is organized in a self-service manner to buyers, must be equipped with baskets to carry goods and if the space of the store is bigger than 400 m² carriages must be provided to carry the goods.

30.2. In the store from paragraph 1 of this article, the width between shelves with exposed goods must be at least 1 m and if the buyers use carriages to carry goods, the width must be at least 1.20 m.

b) Department store

Article 31

A store on retail sale with greater selection for wider consumption and organized as to regulations that for certain types of goods exist special sale spaces and the sale is done in the self-service manner, classic service or through the machine, the store must have sale space not less than 600 m².

Article 32

A store where practiced sale as to article 31 and that deals with sale of goods in greater quantity, it must be equipped with carriages to carry goods to the transporting vehicles of buyers. .

3. Depots with retail trade

Article 33

Depots with retail trade must fulfill conditions foreseen by this manual for depots with retail trade.

III WORK SPACE WITH GROSS SALE

1 Depot

Article 34

34.1. Depots with gross sale must be closed, exclusion is made, if the type of goods or climatic conditions allow; the depot may be closed or opened.

34.2. Inside the depot must be secured pertinent paths for undisturbed movement of persons and items.

34.3. The land where the depot is built must be protected by a fence in the height of 2 m. The fence must not be barbed-wire except if the depot is outside living area.

34.4. The closed or opened depot may be built only in the dry land where selected the water flow or drainage is placed.

Article 35

In the depot content must be secured:

- Certain space to place return package and waste,
- Auxiliary space for health-sanitary needs of workers in conformity to article 28 of this manual.

Article 36

36.1. The depot during work schedule must be luminous by natural or artificial light and must have natural or artificial ventilation and if the content of goods require there must be certain climatic equipment.

36.2. The floor must be built of material that is easily cleaned (ceramic, stones, rubber).

36.3. Walls and pillars must be whitewashed and not damaged.

36.4. The depot surface that is more exposed to impurity must be covered with ceramics or other appropriate material in the height not less than 1.80 m.

36.5. The floor of closed and also opened depots must be built of material that will enable good stand conditions and to have sloping that enables the flow of the water gathered in the floor. .

Article 37

37.1. The depot must have installed equipment for placing and keeping goods by which the quality of the goods will be preserved.

37.2. The depot must have equipment for internal transport, tools and items by which is enabled easy manipulation of goods. If the depot is built in two or more floors, it must have lifting equipment and steps of proper width for goods delivery.

37.3. The goods in the depot must be placed so it will secure enough free space for free movement of workers and buyers as well as for equipment for goods manipulation.

37.4. The depot must have space for transporting vehicles, other items destined for loading and unloading and telephone.

2. The space where practiced gross sale based on exemplars and transit

Article 38

- . Spaces where practices gross sale as to exemplars or in similar manner in their content must have,
- Spaces to carry out administrative work for acceptance of business parties,
- Spaces for exemplary exposure
- Auxiliary space for hygiene-sanitary needs of personnel for whose conditions are valid dispositions for article 29 of this Manual
- Spaces from paragraph 1 of this article must be equipped with the telephone.

Article 39

To practice gross sale on transit it is necessary with at least one space to carry out administrative work and a telephone respectively fax as well as auxiliary space for hygiene-sanitary needs of workers.

3. SPACES WHERE ACCUMULATED AGRICULTURAL PRODUCTS AND OTHER PRODUCTS (ACCUMULATING STATIONS))

Article 40

40.1 Accumulating station means the object where are accumulated agricultural products, animal, leather, forest products and other products.

40.2 The floor of accumulating stations must be arranged as to conditions and technical regulations for that kind of building in a way so it would secure the floor washing. .

40.3 The opened part of the accumulating station must enable easy cleaning and maintenance.

Article 41

Accumulating Station depending on the type of goods accumulated in it, must at least have a business space closed in the height not less than 2.80 m while the whole space must not be smaller than 10m².

Article 42

42.1 The object (premise) of accumulating station must be built, arranged, equipped and linked into objects and equipment of municipal infrastructure: water supply, sewage as well as power supply in conformity to technical regulations.

42.2 Exclusion from paragraph 1 of this article are objects located in places where are not built objects and municipal infrastructure, while the same ones must be built, arranged and prepared in conformity to technical regulations.

42.3 Solid waste must be collected on the certain place and previously set be securing necessary hygiene-sanitary conditions and their removal as established by municipal competent organ.

Article 43

43.1 Taking into consideration the type of goods being accumulated, the accumulating place must be equipped with proper items to manipulate with goods and keeping the regular health condition of the products. .

43.2 Accumulating station must possess measure items (scale etc.).

Article 44

44.1 Accumulating place must have sanitary joints, with space equipped with washstand, water supply and hygiene items (soap, paper, garbage bin etc.)

44.2 A use of sanitary joints must be secured to goods salesmen.

Article 45

Accumulating Station where accumulated animals must be surrounded, built of proper material with sufficient number of entrances and exits that can be closed, places to tie animals, load-unload place as well as equipment for supply with drinking water for animals.

4. *Gross sale markets*

Article 46

Gross sale markets are places organized and arranged in special manner where conducted the gross purchase and sale of agricultural products and goods storage.

Article 47

47.1 Gross sale markets must have:

- Spaces to expose and sale of agricultural products
- One or more special spaces to store agricultural products equipped with proper transportation and goods manipulation,
- A parking spot for transporting vehicles
- Auxiliary space for hygiene-sanitary needs for the personnel and parties,
Spaces must be built and equipped in conformity to articles 28 and 29 of this manual
- Special space destined for placing waste if not secured daily removal of garbage
- Generator to produce current if into storages are placed goods that need cooling equipment

47.2. Gross sale markets must have certain space for administrative and professional business related to providing service to clients.

Article 48

Special objects to store agricultural products must be equipped with cooling and heating equipment respectively for air ventilation by which is secured the preservation of products for longer periods destined for gross sale markets that enable maturity process of products depending on this process.

IV .OBJECTS WHERE PRACTICED TRADE INTERCESSION

Article 49

49.1 For the objects where practices trade intercession are valid dispositions of this manual depending on the type and manner of intercession practice.

49.2 A part of the space where trade intercession is practiced must be foreseen for acceptance of parties if for that a special space has not been secured.

Article 50

Spaces where storage service is provided must fulfill conditions established by this Manual foreseen for depots where gross sale is carried out.

V SALE OUTSIDE THE STORE

1General dispositions

Article 51

Sale outside the store may be done in the retail markets, kiosks, stands, through mobile salesman, machines and fairs if these types of sale are foreseen by legal acts of Municipal Assembly.

Article 52

52.1. Juridical and physical persons who sell outside stores are obliged to keep evidence for the registration of goods in conformity to dispositions of the regulation for the manner of book management and evidence of retail goods and for every sale an invoice should be released to the buyer.

52.2 Exclusion from paragraph 1 of this article are physical persons who deal with production of agricultural products and the invoice is not released for the sale of daily press, tobacco products, lottery, sport prognosis, stamps and postal letters.

2. Retail markets

Article 53

53.1. Retail market (further: market) is a space built and arranged, where the sale of food articles and other goods is carried out in conformity to market regulations and in conformity to this Manual.

53.2. In the market can not be sold goods whose sale in the market is prohibited by special laws.

Article 54

54.1. In the market is carried out the sale of agricultural products:

- Fruits and vegetables
- eggs
- flowers

54.2. Exclusion from paragraph 1 of this article and can be sold in the market and other goods if the conditions for sale of certain goods on retail are fulfilled and defined by this Manual and other legal acts.

Article 55

55.1. Sale market space can be opened and closed.

55.2. The height of the closed space must be at least 6 m while in special occasions may be lower than 6 m, but not less than 4 m if the ventilation conditions are secured.

55.3. Sale stands in the market must have the use surface at least 6 m².

Article 56

Premises located in the market that as to dispositions of this manual present stores respectively kiosks must consider what is being sold in them and must fulfill conditions set by this manual.

Article 57

57.1. The market must have:

- a space destined for depot and cooling equipment with adequate size for goods preservation
- appropriate space for preparation and preservation of scales, sun umbrellas and other items used by salesmen
- special space for placing garbage

- Sufficient number of auxiliary space for health-sanitary needs of salesmen and buyers

57.2. In the auxiliary space for hygiene-sanitary needs from paragraph 1, point 3 and 4 of this article, are valid dispositions of article 29 of this Manual.

Article 58

58.1. The market objects must be linked to water supply, sewage and public electric net.

58.2. Opened space for sale must have public lights.

58.3. For closed market spaces concerning to lights are applied dispositions of article 15 of this Manual.

58.4. Closed sale space must be arranged and equipped with equipment so that during summer the temperature would not exceed + 20 C.

Article 59

59.1 For building and looks of the floor, walls and pillars of the closed market place, are applied dispositions of article 17 of this Manual.

59.2 For the floor of the opened market place are applied in the same manner dispositions or article 36, point 2 of this manual.

Article 60

60.1. The market must be equipped with sufficient number of sale stands and scales so that every stand is provided with at least one scale.

60.2. The upper surface of sale stands from paragraph 1 of this article must be of arable material without cracks that is easily washed.

60.3. Sale stands must be placed so that in between them should remain enough width for undisturbed movement of salesmen and buyers.

60.4. The space between stands must be wide at least 2 m.

Article 61

61.1 The spaces in the market must be separated and marked for the sale of certain types of goods as to groups.

61.2 In the sale stands where fruits and vegetables, milk products and eggs are sold, can not be sold other products.

Article 62

62.1 Articles in the original package may be sold only in the closed market space in conformity to regulations for the preservation manner, placement and sale of articles as well as regulations for health insurance of food articles.

62.2 For the sale of special types of articles (articles easily damaged) must be secured equipment of lower temperature for their preservation.

Article 63

63.1 Items of general use (items of personal hygiene, make-up, cleanliness maintenance) may be sold in the market only if a part of market is arranged for the sale of those articles so that those items are secured from harmful atmospheric impact or other influence.

63.2 Different house utensils: food dishes, products of sticks and straw, wood products, ceramics, textile, glass, plastic and similar may be sold in the market only in separated places arranged for the sale of such products.

63.3 Clothing articles may be sold in the market in separated places arranged for the sale of those products if those products are personal products.

Article 64

Electric equipment, radio and television, machines and their parts can not be sold in the market.

3. *Kiosks*

Article 65

65.1. Kiosk, as to dispositions of this Manual, is a space where retail sale is carried out through a window, with no possibility of the buyer going inside the kiosk.

65.2 The height of the kiosk can not be smaller than 2.20 m while the free floor space can not be smaller than 2 m² if the kiosk space is secured with micro-climatic conditions. .

65.3 The kiosk construction must be so that the salesmen are protected from atmospheric impact. The floor must be of a material that secures heat.

65.4 If a salesman stays long during work schedule in the kiosk or more than two hours, in cold weather, a heating must be secured in the kiosk.

Article 66

66.1 Kiosk where bread, croissant, meat, fish and meat and milk products are sold that are not in their original package, it must be equipped with a washstand with warm and cold water.

66.2 The kiosk must have auxiliary space for sanitary and health needs of workers in the distance not longer than 100 m.

4 .OTHER SALES OUTSIDE THE STORE

a) Sale on desks

Article 67

67.1. On desks (outside the market) may be sold only the goods that according to its qualities can be sold outside the store.

67.2. Sale of goods on desks may be done only in places where local governing organs have issued license.

67.3. For the sale of articles, apart from license from point 2 of this article, it is necessary the approval from sanitary inspection, in conformity to dispositions of Administrative Order for sanitary inspection in Kosovo.

67.4. In the sale desk must be put the firm of a juridical or physical person who practices trade activity. .

Article 68

68.1 The sale of articles on the desk may be done only if following conditions are secured:

- the protection of the desk from harmful impact of the environment (dust, vehicle gas, sun, wind etc.)
- cleaning and washing of sale places
- daily removal of garbage.

68.2 For the sale of certain articles (articles easily damaged) must secure equipment for lower temperature for their preservation.

68.3 For the sale of watermelons, melons, pepper, cabbage, potatoes and other kind of fruits and vegetables must secure a place to put the goods, which should be lifted from the ground.

Article 69

The sale of articles for general use, especially those of personal hygiene, decoration (for the face and body) that are exposed to damage may be sold on desks only if secured protection from environment impact and if for their exposure is secured equipment for regulation of temperature appropriate for those articles.

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Article 70

70.1 On desks can not be sold electric and electronic equipment, radio and television, machines and their parts.

70.2 Apart from products from paragraph 1 of this article, on desks can not be sold goods that according to certain legal dispositions are prohibited to be sold outside the stores.

b) Mobile salesmen

Article 71

71.1 According to this Manual, mobile salesman would mean the sale without permanent sale place. The sale is done on vehicles arranged and equipped especially for the sale of goods, respectively on carriages that are mobile from place to place or on sailing object that is prepared for the retail sale of certain products.

71.2 Mobile salesman can carry out the sale only in places where local governing organs have issued license.

71.3 For mobile salesmen are applied dispositions from article 53 of this Manual.

Article 72

Mobile sale of frozen and packed industrial products as well as the sale of unpacked ice-cream may be done only in the manner determined by the regulation for protection of products according to Administrative Order for sanitary supervision.

c) Machines

Article 73

73.1 Sale through machines outside stores may be done only in places for which the permission is issued by competent local governing organs respectively the owner or the user of the space where the machine is placed.

73.2 The firm of the machine's owner should be placed on the machine.

Article 74

74.1 The sale assisted by the machines is done in conformity to technical conditions and the arrangement of the machine depending on the type of product being sold.

74.2 The salesman who carries out the sale of goods through the machine is obliged to follow-up and secures regular functioning of the machine.

Article 75

The sale of ice cream and non-alcoholic drinks on machines may be done only if regulated by health dispositions and the control of articles.

Articles 76

76.1. For the sale of goods in the market, kiosks, stands through mobile salesman, machines as well as the sale of goods through postal services and in buyers' space, the salesman must secure conditions for proper placing of goods he sells outside the store and to manipulate with goods so that he can secure the preservation of the quality of products.

76.2. For the sale of goods in the manner described in paragraph 1 of this article, the salesman is obliged to act in conformity to dispositions for consumer's protection.

5. FAIR

Article 77

77.1 The fair organizer should be announced as to exemplars respectively organizers of fairs for business producers should have closed and opened objects appropriate for their organizing as well as the approval from Municipal Assembly.

77.2. Opened fair must be surrounded with strong fence.

77.3. To those who expose goods must be secured the use of telephone and fax and if conditions allow the internet connection as well, while for their stay must be secured within the fair space a certain part destined for business as well as auxiliary space for hygiene-sanitary needs.

77.4 Auxiliary spaces from point 3 and 4 of this article must be arranged and equipped in conformity to articles 29 and 30 of this Manual.

ANIMAL FAIR

Article 78

For the animal fair are valid minimal technical conditions established with this Manual for accumulating stations if it is not differently defined by special regulations.

IV. TRANSITORY AND FINAL DISPOSITIONS

Article 79

79.1. Salesmen who on the day when this Manual is established fulfill conditions determined by this Manual related to minimal technical conditions for work premises where conducted trade of goods and services, continue the work as to conditions foreseen by this manual.

79.2. Salesmen from paragraph 1 of this article to practice trade activities are obliged to adapt to conditions determined by this Manual at least 1 year from the day when this Manual is established.

Article 80

80.1 Retail salesmen will regulate work objects and markets and relations to buyers of market space by the dispositions of this Manual in the term of 3 months from the day of establishment of this manual, while salesmen who sell goods on the market at the same time should harmonize their business activities according to this Manual.

80.2. If salesmen from point 1 of this article do not regulate their business activity, the markets are obliged to terminate their purchase contracts with buyers.

80.3 In the term from point 1 of this article the salesmen who sell goods outside the market must regulate their business activities.

Article 81

By establishing this Manual, will seize to be valid all relevant regulations for determination of minimal conditions for business spaces where conducted retail, gross trade and services apart from salesmen who have started to deal with trade activities before establishing this Manual and the latest until the term set by article 82 of this Manual.

Article 82

This Manual will be valid from the day when signed by the Minister of Trade and Industry.

Date _____
Prishtina

MTI Minister

Mr. Bujar Dugolli