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Second report

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FOREWORD

The activities of the Commission since January 1977 in association with those of other institutions of the European Communities, of the Consumers' Consultative Committee and of the Governments of the Member States, marked a further important step in bringing to realization the policies and priorities set out in the preliminary programme for consumer protection and information adopted by Resolution of the Council on 14 April 1975.

The commitment of the new Commission to that end was affirmed in many ways in the course of its first year in office, from the early declaration before Parliament by President Jenkins that the Community is designed to protect and advance the interests of all its citizens, so necessitating that greater weight be given to the protection of the consumer, as a balance to policies safeguarding the producer. It has been my constant concern, as the member responsible for consumer affairs, to propose means of giving practical effect to that declaration and so to promote, and not merely defend, the rightful interests of consumers.

This second report of the Commission on the consumer protection and information policy gives evidence of important practical developments in a number of directions in the course of the year 1977, through proposals for, and enactments of, legislation of specific benefit to consumers both at Community level and in the Member States; through improvements in consultative and advisory structures and procedures; through the reorganization of the Commission's consumer protection service and the assignment to it of additional areas of responsibility; and in other ways described in the pages which follow. Such satisfaction, however, as may be derived from progress thus far is tempered by the realization of how much remains to be achieved before comprehensive consumer protection is accomplished throughout the Community.

The key to that ultimate accomplishment lies in the recognition by all interests of the consumer dimension as a natural and indispensable one in the achievement of balanced development of the Common Market. A truly egalitarian Community will also be truly participative, reflecting the rights of the consumer no less than those of other social partners. In exercising those rights, the consumer, in turn, will recognize the responsibility which they entrain to be fully-informed of, and sensitive to, the interdependence of consumer welfare with that of other economic interests.

I believe that the difficulties which Member States have experienced in their economies in recent years have increased the recognition of that interdependence by all such interests. If that belief is justified, it augurs well for the further realization of Community policy in the consumer field as part of the harmonious and balanced development to which the European Communities have been committed since their inception.

The reorganization and expansion of the service, to which I referred earlier, has been a matter of particular priority for the Commission. The recruitment and conduction of new staff has not however been achieved without administrative consequences. Amongst these has been the late publication of this report, which of its nature involves the assembly, collation and analysis of a large volume of information from many sources as well as the translation of the final text into all Community languages.

The next report will be published in 1980 and will cover the period 1978/79.

Richard BURKE
Member of the Commission

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Chapter I

INTRODUCTION AND SUMMARY OF ACTIVITIES

Viewed from the point of view of time, the year 1977 had particular significance for two reasons. Firstly, it constituted the middle phase of the first, or preliminary, programme of the European Economic Community for a consumer protection and information policy, which had been formally inaugurated by the adoption on 14 April 1975 of a Council Resolution under that title (OJ C 92/1 of 25.4.75). The final paragraph (49) of the programme annexed to that Resolution set out as its aim that this first stage of a more comprehensive programme, which might need to be developed at a later date, should be completed within four years.

Secondly, the beginning of 1977 also marked the appointment of a new Commission of the European Communities, during whose term of office this preliminary programme should run its full course and to whom it would therefore fall to evaluate its outcome and to chart the way ahead for the succeeding stage.

It was therefore natural that 1977 should be not only a time for continuing evolution of this pluriannual programme of action in the consumer field but also one for interim appraisal of its development and for consolidation of the resources to be devoted to its realization.

The first annual report traced in historical outline the passage of events in regard to consumer affairs at Community level from its beginnings in the creation of a contact committee for consumer questions in 1962 up to the end of 1976. During that period, the elaboration of the preliminary programme and the first phase of its implementation were paralleled by the foundation of the requisite organizational structures. The small administrative unit formed in 1968 within the Directorate-General for Competition was succeeded by a Division for Consumer Protection and Information within the Environment and Consumer Protection Service newly established early in 1973. Shortly thereafter the Consumers' Consultative Committee was created by a Commission Decision of 25 September 1973 (Decision 73/306/EEC, OJ L 283 of 10.10.73) replacing the former contact committee. A group of national experts on consumer questions from the nine Member States of the enlarged Community was also called together for

the first time in that year. Then, in 1974, the Scientific Committee for Foodstuffs was set up as a high level independent advisory body on safety in food constituents. Later, in 1975, the Consultative Committee on Foodstuffs came into being, representing the relevant interests, including consumers, for purposes of advising on Commission proposals for legislation in that area. In the same year, the Commission's own administrative structure was strengthened by the creation of a specialized service for consumer information and education within the Environment and Consumer Protection Service. Through these several interrelated actions, the Commission had laid the basis for coordinated progress in the consumer policy sector, one of potentially major significance for the every day lives of the citizens of the Member States.

Right at the beginning of the term of office of the new Commission, its President, Mr. Roy Jenkins, in his first address on 11 January 1977 to the European Parliament, gave his perspective on how the Commission's mandate should be fulfilled, bearing in mind the public impact of its proposals and 'the theme running through all Commission responsibilities' whereby 'the Community is designed to protect and advance the interests of all its citizens'. Whatever the technicalities of particular proposals coming before it, the Commission's concern would be 'with the hearts of men and women and not merely with the management of packages'. This approach was reiterated by the President in presenting the Commission's first programme to Parliament on 8 February 1977 when he spoke of the need to act in such a way that the Community would be 'on everyday reality in the lives of its citizens'.

Shortly afterwards, on 30 March 1977, the Commission discussed consumer policy on the basis of a communication of the responsible Commissioner, Mr Richard Burke, which emphasized the positive approach of promoting consumer interests rather than just protecting them. Promotion in this context connoted an active approach to consumer welfare whereby instead of seeking merely to counteract practices prejudicial to the consumer interest by corrective legislation or other regulatory measures, one should take the initiative, as far as possible, in ensuring that the rights of consumers were brought into the reckoning from the beginning when decisions were being made on matters which affected their well-being.

On the occasion of that first debate on the orientation of consumer policy, the Commission agreed in principle to a proposal for a high-level conference under its auspices. It was envisaged that this conference should bring together personalities from a wide range of interest and expertise in consumer questions to review the major influences exercised by industrial and technological development, monetary inflation and growth in the public sector of the economy on the lifestyle and welfare of European consumers.

In affirmation of its commitment to the pursuit of an active consumer policy, the new Commission also decided to expand the

personnel resources in this sector by creating, within the Environment and Consumer Protection Service, a Directorate for the promotion of consumer interests, composed of three administrative units, namely:

- a Division for physical protection of consumers,
- a Division for economic and legal protection,
- a specialized Service for information and education.

It was also agreed to assign to that Service primary responsibility for the administration of certain matters previously falling within the competence of other Directorates-General. These matters included safety of toys, labelling of foodstuffs and textiles, household maintenance products, cosmetics, consumer credit, misleading advertising and unfair terms in contracts.

The Commission adopted and sent to the Council a number of directives deriving from the action programme annexed to the Council Resolution of 14 April 1975. It also organized two colloquia, the first on consumer information, the second on the provision of consumer education, especially for young people at school.

In pursuance of Community action in regard to cosmetic products which had been the subject of a directive adopted by the Council in 1976 (OJ L 262 of 27.9.76), the Commission decided at the end of the year to establish a Scientific Committee for Cosmetology (OJ L 13 of 17.1.78) to advise on the use and control of constituent substances in such products.

Following the expiry of the first three-year term of office of the Consumers' Consultative Committee, its mandate was renewed for a further such term, in accordance with its governing statute, with effect from 1 January 1977. Under the chairmanship of Mr Dary (COFACE), who succeeded Mr Dumont (BEUC) in that office, the new Committee prepared and adopted a work programme to run over the following two years; elaborated and submitted to the Commission a number of opinions on consumer questions; carried out a number of studies in particular sectors of policy; participated through nominated representatives in a number of ongoing advisory committees appointed by the Commission in respect of other policy areas of relevance to consumers, and contributed to the deliberations of a number of conferences and debates organized under Commission auspices and otherwise.

In the course of 1977, the European Parliament and the Economic and Social Committee maintained their close and active support for the development of actions resulting from the 1975 preliminary programme for consumer protection and information. That support was manifested not only in opinions delivered by these two Community institutions on Commission proposals for directives in this field but also in the reports made on their own separate initiatives by these two bodies in the middle of the year, by way of interim re-appraisal of the objectives of the preliminary programme, and of its priorities for its implementation. Further evidence of Parliamentary commitment to the promotion of consum-

er interests was shown in the numerous questions formally posed in this regard by its members during the year.

These several activities within the framework of the Community programme for consumer protection and information are described in detail in the chapters which follow.

In parallel with the actions undertaken at Community level, Member States carried out a diverse range of legislative measures, information campaigns and administrative activities in the consumer field, as described in the concluding chapter of this Report. These actions gave particular emphasis to energy conservation and to the curbing of inflation through price control, reflecting continuing concern with the persistent and major problems at national as well as at Community level. There were also, however, many measures taken in other areas of consumer interest including notably on the physical protection side, the composition, packaging and labelling of foodstuffs, the control of chemical products and the safety of domestic appliances. In the economic and legal protection area, particular attention was focused on the elimination of abuses caused by unfair clauses in contracts. In the field of consumer information, new requirements regarding price display featured prominently.

Chapter II

PROTECTION OF HEALTH AND SAFETY

The assignment of additional areas of responsibility and the creation of a division for physical protection of consumers within the overall restructuring of the Environment and Consumer Protection Service, as outlined in Chapter I, led to an expansion during 1977 of the activities in the health and security field. In the description of these activities which follows, distinction is made between (a) the measures adopted by or at an advanced stage of examination in the Council, (b) the proposals submitted by the Commission to the Council, and (c) the preparatory work undertaken by the Commission's services.

A. DIRECTIVES ADOPTED BY THE COUNCIL

(1) Foodstuffs

Two directives of significance to consumers were adopted in this sector.

The first of these proposed a common definition of foodstuffs having particular usage, e.g. diabetic products, so as to protect consumers against misleading descriptions of the nature of the products concerned. The directive laid down rules to be followed in labelling such products (OJ L 26 of 31.1.77). The second, established regulations for the composition of coffee and chicory extracts and for the substances whose use is permitted in their manufacture, conditioning and labelling. (OJ L 172 of 12.7.77).

A major draft directive on foodstuffs labelling, presentation and advertising for sale, having the dual purpose of protecting consumer health and of providing information relative to origin, composition and quality of foods, was in an advanced stage of discussion in the Council, having been submitted by the Commission early in 1976 (OJ C 91 of 22.4.76). Main features of this draft proposal include:

- the general prohibition of fraud and fraudulent claims in respect of foods to ensure the protection of consumers;
- the specification of minimum information necessary to the consumer, e.g. list of ingredients, date of minimum durability;
- the provision of flexibility in labelling requirements to suit particular circumstances arising from the nature of the food and, therefore, affecting the consumer's information needs.

(2) Dangerous substances

The Council adopted a directive for the classification, packaging and labelling of paints, varnishes, printing inks, adhesives and related products (OJ L 303 of 28.11.77).

(3) Veterinary requirements

Three directives were adopted in this sphere. The first concerned health safeguards in the movement of cattle and pigs within the Community.

The second stipulated conditions to be observed in extra-Community trade in meat products. It provided in particular that processing establishments should have state approval and be certified by the competent national authorities as having the necessary hygiene standards.

The third made provision for systematic examination according to specified standards of fresh pork so as to eliminate that containing worms.

(4) Measuring instruments

A directive on instruments used for measuring the flow of liquids other than water (OJ L 105 of 28.4.77) and another on taximeters (OJ L 26 of 31.1.77) were adopted.

(5) Motor vehicles

Measures adopted in this regard included one on anti-pollution of air by exhaust gases from positive ignition engines, a second on towing attachments and a third one designed to ensure a sufficient field of vision for drivers.

B. DRAFT DIRECTIVES APPROVED BY THE COMMISSION AND SENT TO THE COUNCIL

(1) Foodstuffs

A number of proposals were transmitted with a view to bringing up-to-date existing directives on colourants, preservatives and antioxidants used as food additives. Most of the amendments concerned resulted essentially from the expiration at the end of 1977 of transitional arrangements made for the benefit of Denmark, Ireland and the United Kingdom following accession to the European Communities.

At present four main categories of additives are covered by Community directives; in addition to those mentioned in the previous paragraph, there is the fourth group which relates to the mechanical properties of foodstuffs and includes emulsifiers, stabilizing agents, thickeners and gelling agents. In general, the use of additives is subject to two essential conditions:

- they should be harmless to health;
- there should be a technological necessity for their use.

Proposals of the Commission in other areas of food legislation included those related to cocoa and chocolate products for human consumption, to substances containing vinyl chloride monomer (a gas used in making plastic materials) which may enter into contact with foodstuffs, and to certain preserved milk products which are partially or totally dehydrated.

(2) Animal nutrition

The directives proposed concerned additives in animal foodstuffs, fixing the maximum levels of content for certain undesirable substances.

(3) Measuring instruments

Proposals were sent to the Council on hot water meters and on the making-up by volume of certain prepacked liquids.

(4) Motor vehicles

Ten directives were adopted by the Commission, of which a number had significant safety aspects for the consumer.

C. PREPARATORY WORK IN THE COMMISSION'S SERVICES

(1) Specification and labelling of household maintenance products

This activity falls within the general framework of the directive on dangerous substances. Special attention will be given to technical aspects of packaging and to warning signs on packages having regard to their possible handling by children. The prohibition or limitation of sale of certain products is also envisaged.

(2) Safety of children's toys

The directives in preparation relate to various characteristics of potential danger in toys, including toxicity, flammability, electrical insulation and mechanical construction.

(3) Survey system for home accidents

The proposal in preparation envisages the setting-up by each member state of a network of monitoring centres, particularly hospitals and clinics, in which detailed records of cases of accidents occurring in the home would be kept in a prescribed standard form, then collated nationally and registered on tape for computer processing at Community level. The analysis resulting would bring to light major risks to safety in the home caused by particular product categories or individual products and would so enable preventive action to be taken collectively by Member States.

(4) Textile labelling

Work was in progress on the revision of the basic directive on the denomination of textiles and on updating related existing measures concerning binary and ternary fibres.

(5) Cosmetics

Following the adoption of the basic directive of 27 July 1976, a number of consequential activities fall to be undertaken by the Commission, including:

- the revision of Annex IV on substances provisionally permitted for use;
- the establishment of positive lists;
- the definition of criteria of chemical and microbiological purity and the methods of controlling these;
- the putting into operation of methods of analysis which are necessary for the control of composition of cosmetic products.

D. ACTIVITIES OF SCIENTIFIC AND ADVISORY COMMITTEES

(1) The Scientific Committee on Cosmetology was established by statute of 19 December 1977. It comprises twenty highly qualified scientists in the medical, biological, chemical and toxicological fields and will be consulted by the Commission on all matters of a scientific or technical nature arising in regard to cosmetic products, notably the use of particular substances in their manufacture, the conditions of such use and the microbiological purity of ingredients.

(2) The Commission also established at the end of 1977 a Consultative Committee for Animal Nutrition, on which consumers are represented along with other socio-economic interest groups. The Committee will be consulted on all aspects of production, marketing and consumption of animal foods.

A number of existing Consultative and Scientific Committees continued their work during the year.

(3) The Scientific Committee on Human Nutrition sent a number of opinions to the Commission, including those on saccharin, ethylene diamine, tetra-acetate of calcium disodide, colouring materials and formic aldehydes in cheese.

(4) The Consultative Committee on Foodstuffs was consulted on the following:

- 6th modification of the directive of 23 October 1962 on colouring materials;
- 2nd modification of the directive of 13 September 1970 on anti-oxidants;
- 13th modification of the directive of 5 November 1963 on preservatives;
- draft directive on plastic materials and objects coming into contact with foodstuffs;
- proposed directive on frozen foods;
- 6th modification of the directive of 24 July 1973 on cocoa and chocolate products;
- proposal for a directive on cosein and coseinates.

Chapter III

ECONOMIC AND LEGAL PROTECTION

The development during 1977 of the Community programme in the economic and legal sphere of consumer protection was strongly influenced by the transitional factors already outlined in Chapter I, namely on one hand the transfer of prime responsibility for particular policy areas, such as consumer credit and unfair contract terms, to the Environment and Consumer Protection Service; on the other, the initial stages of internal restructuration of that Service. Every effort was made however not only to maintain the rate of progress in the areas under transfer but also to bring to fruition the preparatory work of the previous year in respect of other parts of the 1975 preliminary programme, such as contracts negotiated away from business premises ('doorstep sales').

The following paragraphs recount firstly the developments in respect of proposals adopted by the Commission and transmitted to the Council in 1977 and closely adjoining periods. The latter part of this chapter deals with work in progress in the Commission in the economic and legal sector of the programme.

A. PROPOSALS ADOPTED BY THE COMMISSION

(1) Product liability

The proposed directive in this regard was adopted by the Commission and sent to the Council in September 1976 (OJ C 241 of 14.10.76). Consideration of this major proposal by the European Parliament and by the Economic and Social Committee had still not been completed at the end of 1977. There was however a favourable opinion on the part of the ESC Section for the Environment, Public Health and Consumer Protection.

The Commission proposal is based on the principle that the producer - or exceptionally the distributor or importer - of a product sustains responsibility for damage caused by defects therein, whether such damages are physical or economic in nature, and

without the necessity to establish conscious default on the part of the producer. The responsibility would however be limited in time and in overall monetary value as respects damages due to any specific defect.

(2) Contracts negotiated away from business premises

The proposed directive of the Commission was sent to the Council in January 1977 (OJ C 22 of 29.1.77). The opinions of the European Parliament and of the Economic and Social Committee were favourable, although they contained certain proposals for amendment. Both expressed their wish for early adoption of the measure by the Council, where discussion is still in progress.

The Commission proposals relate to contracts resulting from negotiations which are not undertaken at the initiative of the consumer and which do not occur on business premises, provided that their value exceeds 25 UCE. Such contracts should be established in writing and should specify certain essential information concerning the goods or services to be furnished. To take account of the surprise element, inherent in such negotiations, the consumer should have a 'cooling-off' period of seven days, dating from his signature of the contract, in which to exercise a right of cancellation. Further provisions are included so as to ensure that this right is not prejudiced by the insertion of other clauses in the contract.

(3) Courses of education by correspondence

By resolution of 17 February 1975 (OJ C 208, 31.8.77), the European Parliament called on the Commission to prepare a proposal for a directive regarding correspondence education. The Commission accordingly adopted proposals which were sent to the Council in August 1977 (OJ C 208 of 31.8.77).

The proposed directive envisages that those who provide correspondence courses should be approved for that purpose by the relevant public authority in the Member State concerned. Where, however, for reasons of constitutional freedom, such approval cannot be mandatory, Member States could decide on facultative rather than mandatory approval. Contracts for such courses would have to be concluded in writing and could not be made away from business premises.

Prospective students would have to be given certain essential information about such courses, including specifications in the contract documents of particulars of course content and organization. Students would also have the right of cancellation within seven days of receiving the first dispatch of teaching materials, and should not be required to pay in advance more than 25% of the contract price.

(4) Misleading and unfair advertising

The directive adopted by the Commission (OJ C 70 of 21.3.78) was sent to the Council in March 1978. Discussion continues in the European Parliament and in the Economic and Social Committee.

The Commission proposals define 'misleading' and 'unfair' advertising and set down certain criteria for determining when they occur. Comparative advertising is admissible subject to adherence to verifiable matters of fact. The burden of proof would rest with the advertiser.

The proposals for redress against misleading or unfair advertising provide that individual consumers or organizations representing them may seek injunctions through the courts against particular advertisements. Such injunctions, if allowed, would have the effect of stopping further publication of the advertisement complained of, and, where judged appropriate, would require corrective publicity in terms to be specified by the judge. The proposed directive does not however seek to eliminate self-regulatory systems where these exist in particular Member States; it rather envisages that these should also be available to the consumer as an option which could be exercised prior to legal recourse.

B. PREPARATORY WORK IN PROGRESS IN THE COMMISSION

(1) Consumer credit

Proposals contained in a draft directive are intended to ensure that consumers are fully informed of interest rates and all other charges resulting from credit supplied to them and that certain minimum details are set down in writing in consumer credit contracts. Credit contracts negotiated away from business premises would be subject to a 'cooling-off period'. Where credits relate to the supply of goods or services, the supplier of credit would be jointly responsible with the supplier of the goods for their delivery in accordance with specification.

These proposals are in course of elaboration and further study in the Commission's services.

(2) Unfair contract terms

Studies were in progress at the end of the year with a view to preparing proposals for a directive whose purpose would be to eliminate abusive practices in the drawing-up of consumer contracts. The practices in question are those which seek to remove the rights of consumers under existing legislation to protection against non-fulfilment by suppliers of goods or services, of their normal liabilities under consumer contracts.

Discussions in this area of consumer protection took place with government experts and this topic was also the subject of a report by the Consumers' Consultative Committee.

(3) Other topics

Amongst the matters in course of examination and discussion during the year were techniques of sales promotion by premium offers', 'doorstep' sales of securities, the advertising of pharmaceutical products, insurance contracts of various kinds (legal aid, automobile, and general).

The execution of the work programme in economic and legal affairs, as described above, placed an extremely heavy burden on the limited staff resources available, not only because of the intrinsic complexity of the many matters involved, but because, in addition to interservice consultations and interinstitutional procedures, it was necessary to receive representations of a very wide range of business interests at European level to whose activities the Commission's proposals related closely.

Chapter IV

CONSUMER INFORMATION AND EDUCATION

The activities undertaken in this sector of consumer affairs comprised the organization of two major colloquia, on consumer information and education respectively; the elaboration of a draft directive on unit pricing of foodstuffs, which was adopted by the Commission and sent to the Council in mid-year; the revision of existing directives in the fields of textile labelling and the analysis of fibres; the preparation of proposals for comparative studies of price formation; the publication of brochures for the information of consumers and of the proceedings of colloquia.

These activities are discussed in more detail in the following paragraphs.

A. COLLOQUIA

(1) Colloquium on Consumer Information

The large and representative gathering of consumer interests which participated in this meeting reached the following main conclusions with regard to the purposes and characteristics of consumer information:

- it should be simple, clear, cheap and readily accessible;
- it should, above all, be available before the act of purchase of the goods or services to which it relates;
- it should not only describe the product but give details of its performance in ordinary use;
- there should be a variety of sources of information about any product, in the interests of objectivity;
- consumer information should be adaptable in character so as to take account of the differential needs of users and of changes in the technique of application over time;
- it should not be excessive in volume, nor regarded as an end in itself;

- it should aim to promote a responsible attitude on the part of the consumer.

(2) Colloquium on Consumer Education

While acknowledging the importance of consumer education at all levels, this meeting attached the highest priority to the incorporation of consumer education into the normal curriculum of young students, from the later years of primary schooling onwards. The participants addressed a special recommendation to Commissioner Burke that he should take the appropriate steps to help bring this about.

In response to this exhortation, the Commission has taken preliminary measures to:

- establish a network of pilot schools covering all Member States, through which initial experience will be gained and exchanged, in teaching a course of elementary consumer education to students in the final years of primary, and the early years of secondary education;
- set up a group of teachers who will develop resource material and appropriate pedagogy for such courses.

B. REGULATORY ASPECTS OF CONSUMER INFORMATION

(1) Unit pricing of foodstuffs

The Commission adopted and sent to the Council in May 1977, a proposal for a directive in regard to the unit pricing of foodstuffs (CJ C 167 of 14.7.77). This had been declared, in the April 1975 preliminary programme as an area for priority action in the information field.

The purpose of the directive is to facilitate price comparisons at the point of sale between competing food products sold by weight or volume. It proposes that the statement of price per unit of weight or volume, as appropriate (the 'unit price'), be made obligatory for products wrapped or packaged in variable quantities, as well as the actual price of the item itself as offered for sale to the final consumer. This would also apply to sales publicity away from the point of sale, in so far as prices are mentioned at all.

Exceptions would be made for foodstuffs which have been prepackaged in standard quantities conforming to Community norms or, in their absence, to national norms of Member States. Likewise, unwrapped products need only show the unit price and goods sold by the piece would be excluded provided they figured in a list of such goods specified by the appropriate authorities in Member States.

Subject to minor amendments, the Commission's proposals have received the support of the European Parliament and of the Economic and Social Committee.

(2) Textiles

The Commission continued its management of existing directives on the denomination and labelling of textiles (OJ L 185 of 16.8.71) as well as on methods of analysis of binary (OJ L 173 of 31.7.72) and ternary (OJ L 83 of 30.3.73) fibre mixtures. As mentioned in Chapter I, responsibility for these matters was transferred in 1977 to the Environment and Consumer Protection Service.

A general revision of the main directive on textile denomination is in progress. Work is also in hand on the updating of the other directives mentioned above.

The Commission also continued its activities relative to the 'Methods of analysis of textile fibre mixtures having the same chemical nature' in order to be able to control the conformity of certain mixtures in this category (wool-mohair and other animal hairs) with the main directive on textile denominations.

C. OTHER ACTIVITIES

(1) Preparatory discussions took place at interservice level on the establishment of a programme of price surveys with a view to informing consumers of the factors which determine prices and price differences within the Community and more particularly within limited regions; this activity is in pursuance of paragraphs 40 and 41 of the preliminary programme of April 1975.

(2) Two information brochures were published:

- one giving a reference bibliography, in two parts, firstly of published books on consumer affairs and secondly of Community legislation and publications together with selected articles from other journals;
- another setting out the names and addresses of organizations in the Member States which are engaged in consumer affairs, including those of public authorities and state-sponsored bodies.

(3) On the more general plane of information, the Community's weekly publication Euroforum continued to feature matters of consumer concern and so to disseminate widely knowledge of these matters, through its major circulation network in the Member States.

Chapter V

CONSUMER REPRESENTATION

(1) RENEWAL OF MANDATE

The Consumers' Consultative Committee was reappointed for a further term of three years dating from 1 January 1977, with membership as indicated in Appendix II. In his first address to the new Committee, on 4 February 1977, the member of the Commission responsible for Consumer affairs, Mr. Burke, noting that the Committee's renewed mandate under the relevant governing statute, commenced at the same time as his own, affirmed the importance attached by the Commission to the work of the Committee and in particular to the opinions it submitted on legislative proposals.

(2) WORK PROGRAMME

For the first time since its establishment in 1973 the Committee developed and adopted a work programme to run over the period of its mandate up to the end of 1979. The programme confirmed as priorities:

- the primary task of preparing opinions for the Commission;
- taking appropriate initiatives contributory both to the realization of the objectives of the 1975 preliminary programme and to the further development of Community policy in the consumer field.

The Committee emphasized the necessity to improve its working methods and to adapt available means to the objectives pursued.

The Committee declared its intention to devote particular attention to the study of the following matters:

- the formation of prices from the production stage to the point of sale to the final consumer,
- the education and information of consumers,

- the common agricultural policy (prices, subventions, storage),
- the legal protection of consumers,
- advertising in general as well as in relation to particular market sectors,
- the protection of health,
- the quality of consumer products,
- competition policy.

(3) OPINIONS DELIVERED

Six plenary meetings of the Committee were held in 1977. There were in addition meetings of the Steering Committee and meetings of working groups on particular topics.

The Committee discussed and adopted six draft opinions for submission to the Commission. These dealt with the following matters:

- unfair clauses in contracts,
- the 1968 Convention on judicial competence,
- insurance contracts,
- harmful effects of tobacco,
- consumer credit,
- the annual proposals of the Commission for the support of agricultural prices.

(4) OTHER ACTIVITIES

The Committee also prepared a paper on problems posed for consumers by the Community's common agricultural policy, entitled 'Surpluses, world prices, compensatory amounts', which was presented to Vice-President Gundelach on the occasion of his address to the Committee on 7 October 1977.

In further pursuit of dialogue with interests on the supply side of agriculture, the Committee also sent delegations to meet separately with representatives of the Committee for Agricultural and Food Industries (CIAA) and of the Committee of Agricultural Producer Organizations (COPA).

It should also be noted here that nominees of the Consumers' Consultative Committee were appointed to a large number of other consultative committees within the Community framework, including:

- advisory committees for particular agricultural sectors (20),
- the Consultative Committee on Foodstuffs,

- the Consultative Committee on Customs,
- the veterinary Consultative Committee,
- the Consultative Committee on Animal Foodstuffs (established in 1977).

Representatives were also nominated by the constituent organizations through the Consumers' Consultative Committee as participants in a number of conferences organized or supported by the Commission during the year. These included:

- the public debate on nuclear energy,
- the conference of the British Air Transport Users' Association,
- a meeting of the European league of economics,
- a colloquium organized by the Customs Unions' administration.

Chapter VI

ACTIVITIES OF THE EUROPEAN PARLIAMENT AND OF THE ECONOMIC AND SOCIAL COMMITTEE

A. GENERAL REVIEW OF THE COMMUNITY CONSUMER POLICY

Both institutions prepared and published, on their own initiatives, reports dealing broadly with consumer policy at Community level, though differing considerably in the emphasis placed by each on particular aspects of policy. The two reports appeared, within a few weeks of each other, towards the middle of the year, so constituting together a timely mid-term review of the first pluriannual programme scheduled to run over four years from the Council Resolution of 14 April 1975.

(1) European Parliament Report

The report of the European Parliament (Document 114/77 of 2 June 1977) was drawn up on behalf of the Committee on the Environment, Public Health and Consumer Protection by the rapporteur, Mr M. Brégégère. It had regard particularly to the matter of judicial and quasi-judicial means of consumer protection, arising from the summary report of the Commission on the symposium it had organized at Montpellier on that topic in December 1975, but dealt also with a wide variety of other questions of consumer interest. The report incorporated the opinion of the Legal Affairs Committee of the Parliament on the Commission report of the Montpellier symposium.

Dealing with the general orientation of Community consumer policy, the Parliament called on the Commission to take the positive promotional approach of 'furthering the consumers' interests' rather than of 'defending and protecting the consumer'. In their view, consumer policy must not be limited to a list of largely protective measures designed to give the consumer a retrospective means of correcting the course of a system which otherwise would continue to be controlled by and for the producers. The consumer must be recognized as an equal partner in the determination of matters affecting his interests. This necessarily implied a horizontal function as respects other areas of Community policy,

including industry, energy, agriculture, the environment, transport, commerce and medium-term economic policy. The Parliament therefore requested the Commission to consider how it could strengthen consumer participation in the preparation and enactment of Community legislation more generally.

The Parliament also advocated a progressive approach to proposals for consumer legislation at Community level, which would involve not simply the harmonization of current national provisions but also a process of modernization and improvement of such provisions in favour of the consumer. Particular attention should also be paid to the enforcement of national legislation based on Community directives, with the imposition of severe penalties for non-compliance.

The report stressed the need to develop better means of consumer information and education, inter alia through introductory courses on consumer affairs in schools and teacher training programmes for purposes of making such courses effective, through more intensive use of the mass-media and through consumer advice centres, including legal advice bureaux.

In further regard to legal protection, the Parliament recommended measures to improve and simplify judicial procedures in relation to consumer matters, by means such as the establishment of conciliation bodies to resolve disputes. There should also be provision for collective legal action by consumer organizations.

Prominent amongst other issues raised were:

- the elimination of waste through recycling and improvement of life-span of certain products,
- the shaping of the agricultural market system more in accordance with consumer interests than hitherto,
- the installation of a Community system for notification and withdrawal of dangerous products.

(2) Economic and Social Committee Report

This report, prepared by Mr Ramaekers on behalf of the Section for the Protection of the Environment, Public Health and Consumer Affairs and dated 13 May 1977 (Document CES 802/76 fin) was primarily oriented towards broad considerations of consumer policy, beginning with the fundamental issue of personal choice vis-à-vis general public policy for consumption, with particular regard to the actions of government both in its legislative role and in that of a major collective consumer of resources and provider of services. It stressed the necessity to consult consumer representations on an equal basis with other economic and social groups, so as to establish a proper balance between producer and consumer interests. In this regard, the report also affirmed the essential role of the user in ensuring proper scrutiny of the distribution of public services. It also attached importance to establishing clearly defined responsibilities for consumer affairs in the public administrations of Member States.

In considering the factors affecting consumer demand, the report emphasized the control role of consumer education and information and advocated improvements including teacher training for the promotion and implementation of courses in schools, as well as continuous education through the mass-media. Particular attention should be given to the training needs of those working in consumer organizations.

Various options were considered for consumer representation in the public and private enterprise sectors of the economies of Member States and at Community level. Conflicts of interest were identified, though without prejudice to the legitimate role of consumer organizations in matters of legislation designed to protect the consumer.

B. OPINIONS AND STATEMENTS ON SPECIFIC ISSUES

(1) European Parliament

In delivering its opinion on the Commission's proposal for a directive on the protection of consumers with regard to sales negotiated away from business premises ('doorstep' sales), the Parliament, while supporting the right of the consumer to a period of reflection ('cooling-off' period) during which he could revoke his commitment to purchase the goods or services offered, nevertheless expressed the view that this right should be without prejudice to the right of the supplier to require payment to cover any damage caused by the consumer. The Parliament was also of the opinion that firms selling goods by correspondence (mail-order traders) should be the subject of separate provisions.

In another report on the Commission's proposal for a directive on the display of prices for foodstuffs, the Parliament proposed that the Commission should introduce quickly proposals of a similar kind for household articles generally. It also emphasized the importance of informing the consumer of the precise periods during which particular prices would apply.

(2) Economic and Social Committee

In giving its full support to the Commission's proposal for a directive on 'doorstep' sales, the Committee expressed its wish that mail-order sales should be the subject of a special directive.

In its opinion on the Commission's proposals for a directive on the display of foodstuff prices, it called for the early extension of the unit-pricing principle to household goods in general. Dealing with the exemption of prepackaged foods, the Committee strongly urged that the number of standard quantities be kept small and that the submultiples used should facilitate price/quantity comparisons by the consumer.

With regard to the proposed directive on materials containing vinyl chloride monomer which were likely to enter into contact with foodstuffs, the Committee considered that the limiting values of content specified were acceptable only as a temporary safeguard subject to review in the light of the evolution of scientific knowledge in this field.

On the more general question of packaging, the Committee was conscious of the need to make assessments of many factors including toxicity of component substances, hygiene, costs of manufacture, use of primary or recycled materials. The Commission should look at this question globally rather than case by case.

C. OTHER ACTIVITIES

Members of Parliament tabled many questions to the Commission during the year covering a very wide range of issues in regard to legislative proposals and administrative actions, including foodstuff labelling, product liability, unit pricing, legal protection of consumers, price surveys, means of consumer representation, cosmetic substances, the common agricultural policy in relation to consumer interests. Matters of particular current concern were also the subject of questions including, inter alia, the potentially harmful effects of saccharin, of particular food preservatives and of tablets for skin pigmentation, and also the increases in coffee prices throughout the Community.

A number of political groups within the Parliament, particularly the European Progressive Democrats, the Conservatives and the Socialists, prepared and published during the year their policy programmes for consumer protection and information.

Chapter VII

EXTERNAL ACTIVITIES OF THE COMMISSION

A. INTERNATIONAL ORGANIZATIONS

As in preceding years, cooperation with OECD and with the Council of Europe was maintained, both through the participation of members of the staff of the Commission's consumer protection service in plenary meetings, sub-committees and working parties of the consumer policy committees of these organizations and through bilateral exchanges of information on particular issues between services.

On the OECD side, cooperative activity took place mainly at the working party level, including:

- the comparison of planned programmes within the general framework of established policy;
- the examination of systems of voluntary informative labelling;
- the development of systems of data collection and processing with regard to accidents in the home environment caused through the use of particular products. In this particular regard, the documentation prepared by OECD proved most valuable in the elaboration of the Commission's own proposals for a survey system at Community level.

Commission officials participated in a number of Council of Europe groups of experts on particular themes. These included:

- the forms of judicial and quasi-judicial procedures and their simplification in the interests of consumer protection;
- the provision of after-sales service in respect of durable consumer goods;
- certain measures of health protection required in respect of cosmetic products.

There was also cooperation with the Council of Europe consumer service in regard to comparative policy review and through exchanges of information on particular topics. Both services

envisage the extension of these activities in future years to include particularly questions of consumer education.

B. BILATERAL COOPERATION WITH NON-MEMBER STATES

Exchanges of documentary education with the United States and with Sweden were the main activities in this regard in 1977. The Commission attaches importance to the expansion of activities in regard to third countries and will undertake appropriate measures for this purpose on a broader scale in future years.

Chapter VIII

DEVELOPMENT OF CONSUMER PROTECTION AND INFORMATION POLICY IN THE MEMBER STATES

Since Member States generally continued to experience, in varying degrees, an economic climate unfavourable to growth, characterized by persistently high rates of unemployment and inflation, it was natural that particular emphasis should be placed by governments again in 1977 on moderating the underlying causes and effects through actions in the fields of energy saving and price control. Although such actions have substantial short-term consequences for consumer welfare, they can be viewed also as having a wider significance in the consumer context because their effectiveness depends on the responses they evoke over the longer term, at both individual and collective levels, from citizens acting not only as consumers of resources but as generators and conservers of economic wealth. This concept of interdependence and interaction between consumers and their economic environment is one which should become increasingly important to the future development of the Community.

The following sections outline the specific measures in consumer policy taken during the year, as reported by Member States. They deal firstly with developments in institutional structures and then in turn with the other major facets of consumer health and safety, economic and legal protection, information and education.

A. INSTITUTIONAL DEVELOPMENTS

A number of measures were taken in Member States to improve consumer representation in matters affecting their interests. In particular:

(1) The German Federal Republic set up three organizations to which consumer representatives were nominated, including (a) a committee on trade in medical products responsible for improving transparency in their pharmaceutical and therapeutic effects and in pricing (b) two other committees charged, respectively, with the establishment of technical standards and with advisory func-

tions regarding the exemption of products from medical prescription or from the requirement of sale exclusively through chemists' shops.

(2) Even more significant in the consumer interest was the decision of the German parliament to create a Consumers' Institute, comprising members from AGV (the national consumer union) and from Stiftung Warentest in Berlin (product-testing organization), which was assigned the functions of devising principles, structures and teaching materials for consumer education and information aimed at promoting actions by consumer associations on their own initiative.

(3) In France, the 'Post Box 5000' system was extended to all departments in the State, having been introduced experimentally in six departments the previous year. This system enables consumers to seek information and guidance as well as providing them with suggestions for conciliation in cases of dispute between consumers and business interests.

(4) The French law of 18 July 1977 set up a Competition Commission to replace the former technical commission on trading agreements and dominant positions. Approved consumer organizations are free to make submissions to this new body on cases of infringement of competition law.

(5) An interdepartmental group on consumer policy was also set up in France, marking the implementation of one of the priority items contained in the action programme of the seventh national plan. This group comprised representatives of the ten departments mainly concerned with consumer issues. Its task was to assist the State Secretary in the promotion and coordination of consumer policy.

(6) The Dutch government made a decision in principle to create a foundation for research in consumer policy.

(7) A consumer council for electricity was established by the UK government in respect of England and Wales. Corresponding councils previously existed for gas, for railways, for postal services and for domestic coal.

B. PROTECTION OF HEALTH AND SAFETY

A wide variety of new measures relative to food and chemical products, motor vehicle accessories, security of buildings, electrical equipment, toys and heating apparatus were reported. Other matters of note in this sector included investigations into fatal accidents in the home, and strengthening of inspection procedures for ensuring conformity with safety norms. The following are specific instances of action in the health and safety field.

- (1) The German Federal Republic issued a decree on the approval of food additives and their marketing, which provided (a) for the redesignation of certain substances as additives coming within the domain of control legislation where formerly they were outside its scope, (b) for the rationalization of certain provisions formerly dispersed over a large number of separate decrees into a more coherent structure covering criteria of purity of additives, their packaging and labelling.
- (2) The use in the Federal Republic of Germany of certain substances in feedingstuffs for animals, including certain meat-tenderizing agents and chlorinated hydrocarbons, was forbidden or subjected to controls.
- (3) In conformity with the relevant EEC Council Directive, an upper limit of 5% was imposed in West Germany on the erucic acid content of edible oils and fats and mixtures thereof.
- (4) The exercise of control functions relative to foodstuffs was limited in the Federal Republic to those who qualified from a specialized course of training over two years.
- (5) France adopted a law of 12 July 1977 on the control of chemical products, which provided that all producers or importers should make certain declarations and furnish prescribed technical data relative to such products as a condition of permitting their admission to the market.
- (6) A number of other decrees in application of the law of 10 July 1975 were made in respect of cosmetics and corporal hygiene products. There were in addition other French measures of physical protection for consumers covering detergents and measuring instruments.
- (7) The Irish Ministry for Industry, Commerce and Energy made provisions for inspection of low-tension electrical equipment, toys, ventilation of caravans and children's nightwear to ensure compliance with official standards.
- (8) The Netherlands authorities implemented rules for the fixing of seats for young children in motor vehicles.
- (9) All three Benelux countries reported a number of food safety measures, arising both from decisions of their Committee of Ministers and from Community legislation.
- (10) The United Kingdom reinforced its provisions for safety of oil-heaters and for colour coding of electric cables. Chloroethylene was banned from use as an aerosol propellant.
- (11) The provisions of the 1976 consolidated building regulations came into operation in the UK. These included a number of changes of substance in regard to structural stability and fire precautions.

(12) The UK also reported on data collected over the first six months of operation of its home accident survey system. The study in which this data was contained highlighted the influence of illness, physical disability and drunkenness on the occurrence of fatalities, of which there are about 5 500 in homes in England and Wales each year.

(13) A number of amendments to the regulations for construction and use of motor vehicles were also published including measures in implementation of EEC directives on rear view mirrors and statutory plates. The fitness conditions for minibuses were also brought into alignment with those of service buses.

C. ECONOMIC AND LEGAL PROTECTION

A major aspect of new actions taken by Member States in this area was that of unfair clauses in consumer contracts. Other measures dealt with a diverse range of issues including misleading advertising, interest rates for credits, insurance agencies, licensing of finance companies and voluntary codes of conduct in particular business sectors. Looking at these in detail:

(1) The German Federal Republic brought into effect a law which improved the situation of a contracting party who submitted to general conditions of sale established by the other party. The law stipulated cases where general conditions could be integrated into specific contracts and had as principal objective the annulment of certain types of clause.

(2) In the United Kingdom, the Unfair Contract Terms Act 1977 received the Royal Assent in October and came into effect in February 1978. This law is comprehensive in dealing notably with liability for negligence, contractual obligations, quality of goods and indemnity clauses.

(3) The Netherlands also reported active study of improvements to the consumers' position relative to standard conditions of contract imposed by suppliers of goods and services.

(4) By order under the Fair Trading Act 1973, the Secretary of State in the UK required all persons seeking to sell goods in the course of business to declare that fact.

(5) The UK Director-General for Fair Trading also concluded a code of practice with the mail-order publishers, and increased substantially the monitoring activities of his office in regard to existing codes which now total 12.

(6) In application of the UK law of 1974 relative to consumer credit, all business enterprises dealing in this area were required to apply for licences from the Office of Fair Trading. From 1 July 1978, credit-brokers will also be subject to licensing.

(7) In Denmark, the consumer ombudsman's office dealt with 2 112 claims and 11 000 telephone requests for information. The great majority of matters reported to him were settled amicably. The Complaints Board dealt with 7 800 claims through various means of negotiation, including referral of about 15% to one of the voluntary private arbitration boards recognized by the Board.

(8) In Belgium, a number of royal decrees were made under the Act of July 1971 regarding commercial practices, dealing in this instance with bread and other bakery products.

(9) The Dutch authorities engaged in studies on uniform means of indicating effective interest rates for all forms of consumer credit.

(10) Maximum price orders were made in Belgium and Luxembourg covering certain foods and housing rental increases, which later were also subjected to control in France. The Netherlands set a limit of 5% on increases for public service charges and took measures to limit the repercussion of salary increases on price changes.

(11) It is appropriate to mention here an Italian measure taken at the end of 1976 which it was not possible to include in the first report of the Commission. It concerns the prevention of hoarding of goods which are of major consumer importance as well as of other speculative practices. The relevant decree introduced a new article into the Italian penal code which related to such practices.

(12) The powers of the UK Prices Commission were augmented. In making enquiries into price increase applications, the Commission was empowered to freeze prices pending their outcome, subject to legal guarantees ensuring a minimum level of profit.

D. CONSUMER INFORMATION

Dominant issues in this sphere, as indicated in the introduction to this chapter, were campaigns on energy-saving and regulations for food price display. Another important area of action was in product labelling (including particularly consumer durables, food-stuffs and medicines) as regards constituents and nutritive quantities. Specifically:

- (1) Energy economy initiatives included
 - (a) a 3 million Kroner information campaign in Denmark,
 - (b) a television series prepared under the auspices of the Energy Economy Agency in France covering particularly the use of motor cars, consumer durables and home heating,
 - (c) a general campaign was launched by the Luxembourg consumer union,

- (d) the UK 'Save It' campaign begun in 1975 was maintained, while the government devoted other funds to persuading motorists to drive economically. The scope for increasing awareness of energy consumption by labelling consumer durables was also under study.
- (2) Price display measures adopted included
 - (a) a Danish requirement that all prices stated by VAT inclusive and that hire purchase goods should have both the direct sale and hire-purchase prices listed,
 - (b) France similarly required the total consumer price to be stated for goods and services, and that prices quoted in advertising campaigns should correspond to those actually charged throughout the campaign. The terms of display of price reductions were also regulated.
 - (c) unit prices were made mandatory for certain products on sale in the UK.
- (3) The German Federal Republic made a decree requiring that certain data on nutritional values of foodstuffs be given in cases where products were being labelled with indications of calorie content or of particular nutrients contained in them, the object being to counteract nutritional deficiencies caused by the use of low-energy foods by diet-conscious consumers.
- (4) By common agreement of German consumers, traders and manufacturers, under a government action programme on 'product information', data required to be given in sales brochures for consumer durables (refrigerators, cookers, washing machines) were specified.
- (5) Preparations were made to coordinate, from 1 January 1978, the responsibilities of the Agriculture and Home Economies Evaluating and Information Service with those of the Contact Bureau for Consumer Information to form a central evaluating and informative body for food, agriculture and forestry, responding to the special demands of consumers and producers of foodstuffs in the Federal Republic.
- (6) A French law of 21 July 1977 stipulated that prepackaged food products should have the additives they contain specified on the label, either by name or by their standard EEC code numbers.
- (7) The Consumer Information Act passed in Ireland made it mandatory to give certain information on the nature of products, enabled regulations to be made regarding information content of advertising, and defining certain terms or expressions used in marketing goods, services and residential accommodation.
- (8) The Netherlands authorities prepared a law governing foodstuff labelling in anticipation of the implementation of an EEC Commission proposal in this regard now under consideration by the Council. It is also envisaged to introduce, on a voluntary basis, other informative labelling, notably on nutritional values.

(9) The UK launched a new series of brochures on security of consumer goods, aimed at informing local authorities responsible for implementing legislation in this area.

E. CONSUMER EDUCATION

(1) In France, an introductory programme of consumer education was specified for the sixth year of grade school in the session 1977/78.

(2) A consumer education committee was set up in Ireland to advise on the introduction of consumer education at various levels, including adult education.

ANNEXES TO THE REPORT ON CONSUMER PROTECTION AND
INFORMATION POLICY, 1977

Annex I

COUNCIL DIRECTIVES OF INTEREST TO CONSUMERS ADOPTED DURING THE PERIOD 1 JANUARY 1977 to 1 JANUARY 1978

Foodstuffs

1. Approximation of laws relating to foodstuffs for particular nutritional uses:
Directive 77/94/EEC of 21 December 1976 (OJ L 26 of 1977, p. 55).
2. Approximation of laws relating to coffee extracts and chicory extracts:
Directive 77/436/EEC of 27 June 1977 (OJ L 172 of 1977, p.20).

Animal Nutrition

1. Additives in feedingstuffs
Directive 70/524/EEC of 23 November 1970 (OJ L 270 of 1979, p.1) was amended by Directives:
 - 77/179/EEC of 5 November 1977 (OJ L 60 of 1977, p.15),
 - 77/471/EEC of 11 July 1977 (OJ L 180 of 1977, p.27),
 - 77/512/EEC of 26 July 1977 (OJ L 207 of 1977, p.53).

Health Protection

1. Approximation of laws relating to the classification, packaging and labelling of paints, varnishes, printing inks, adhesives and similar products:
Directive 77/728/EEC of 7 November 1977 (OJ L 303 of 1977, p. 23).

Industrial Products

1. Measuring instruments:
 - Meters for liquids other than water:

Directive 71/319/EEC of 26 July 1971 (OJ L 202 of 1971, p. 32) was supplemented by Directive 77/313 of 5 April 1977 (OJ L 105 of 1977, p.18).

2. Approximation of laws relating to taximeters:

Directive 77/95/EEC of 21 December 1976 (OJ L 26 of 1977, p. 59).

Motor Vehicles and their Use

1. Approximation of laws relating to measures taken against air pollution by gases from positive-ignition engines of motor vehicles:

Directive 70/220/EEC of 20 March 1970 (OJ L 76 of 1970, p.1) was amended to adapt it to technical progress by Directive 77/102/EEC of 3 February 1977 (OJ L 32 of 1977, p.32).

2. Approximation of laws relating to motor vehicle towing devices:

Directive 77/389/EEC of 17 May 1977 (OJ L 145 of 13 June 1977, p.41).

3. Approximation of laws relating to the field of vision of motor vehicle drivers:

Directive 77/649/EEC of 27 September 1977 (OJ L 267 of 19 October 1977, p.1).

4. Approximation of laws relating to parking lamps for motor vehicles:

Directive 77/540/EEC of 28 June 1977 (OJ L 220 of 29 August 1977, p.83).

5. Reversing lamps for motor vehicles and their trailers:

Directive 77/539/EEC of 28 June 1977 (OJ L 220 of 29 August 1977, p.72).

6. Safety belts and restraint systems of motor vehicles:

Directive 77/541/EEC of 28 June 1977 (OJ L 220 of 29 August 1977, p.95).

7. Rear fog lamps for motor vehicles and their trailers:

(OJ L 220 of 29 August 1977, p.60).

8. Wiper and washer systems of motor vehicles:

Directive 78/318 of 21 December 1977 (OJ L 81 of 28 March 1978, p.49).

9. Defrosting and demisting systems of glazed surfaces of motor vehicles:

Directive 78/317/EEC of 21 December 1977, (OJ L 81 of 28 March 1978, p.27).

Veterinary Directives

1. Directive on animal health problems affecting intra-Community trade in bovine animals and swine:
Directive 64/432/EEC of 26 June 1964 (OJ L 121 of 1964, p. 1977/64) was amended by Directive 77/98/EEC of 21 December 1976 (OJ L 26 of 1977, p.81).
2. Health problems affecting intra-Community trade in fresh meat:
Directive 64/433/EEC of 26 June 1964 (OJ L 121 of 1964, p. 2012/64) was amended by Directive 77/97/EEC of 21 December 1976 (OJ L 26 of 1977, p.81).
3. Examination for trichinae (*trichinella spiralis*) upon importation from third countries of fresh meat derived from domestic swine:
Directive 77/96/EEC of 21 December 1976 (OJ L 26 of 1977, p. 67).

Annex II

MEMBERS OF THE CONSUMERS' CONSULTATIVE COMMITTEE AT
1 NOVEMBER 1978

BEUC	Mr Castelain Mr Dumont, Vice-Chairman Mrs Fransen
COFACE	Mr Dary, Chairman Mr Estgen Mr Hilkens
EUROCOOP	Mr Spallone, Vice-Chairman Mr Wilkinson Mr Christensen
ETUC	Mrs Wolfring Mr Lazzeri Mr Meis, Vice-Chairman Mr Tarnaud Mr Van den Biggelaar Mr Staedelin

Experts proposed by the consumers' organizations:

Mr Mac Mahon (BEUC)
Mrs Stommel (COFACE)
Mr Semler-Collery (EUROCOOP)
Mr Totems (ETUC)

Experts directly appointed by the Commission:

Mrs Waterhouse
Mr Estingoy
Mrs Lulling

Mrs Federspiel

Mr de Grave

Mr Bruschi.

Members of the Steering Committee of the Consumers' Consultative Committee (at 1 November 1978):

Mr Dary (COFACE)

Mr Dumont (BEUC)

Mr Meis (ETUC)

Mr Spallone (EUROCOOP)

Mrs Federspiel (Expert).

Annex III

CONSUMER MEMBERS OF THE COMMISSION'S ADVISORY COMMITTEES¹

(a) Agricultural Advisory Committees for individual products

(1) Cereals:

Mr Hansen
Mr Schöne
Mr Vandenabeele
Mrs Frogett
Mr Natalini
Mr Dijckman

(2) Live plants:

Mrs der Katchadourian
Mr Eicks
Mr Beauchamp

(3) Rice:

Mrs Rudinger
Mr Schöne

(4) Oils and fats:

- oil seeds:
Mr Crowney
Mr Schöne

¹This list is subject to amendment.

Mrs Brouckaert

Mrs Galazzo

Mr Weber

Mrs Staiger

- Olives and derived products:

Mr Bertini

Mr Remy

(5) Milk and milk products:

Mr Busoli

Mr Chapon

Mr Totems

Mr Raffin

Mr Ravn

Mr McMichael-Phillips

(6) Eggs:

Mr Costanzo

Mr Wilson

Mr Totems

Mrs Ackroyd

(7) Beef and veal:

Mrs Blondy

Mr Plummer

Mr Lelen

Mr Quintens

Mr Varena

Mrs Grose

(8) Fisheries

Mr Sacerdoti

Mr Lory

Mr Meyer

Mr Raffin

Mr Staadt

(9) Wine:

Mr Campi
Mr Hilst
Mr Salter
Mr Milbert
Mr de Grave

(10) Flax and hemp:

Mrs Galazzo
Mr Baeck
Mr La Henaff

(11) Sugar:

Mr Groves
Mrs Stommel
Mr Possener
Mr Kelly
Mr de Grave

(12) Hops:

Mr Bicheron
Mr Clausse
Mr Wurster

(13) Raw tobacco:

Mr Bicheron
Mr Mischel
Mr Quintens

(14) Pigmeat:

Mr Marguin
Mr Granborg
Mr Pesci
Mr Vincent
Mr Raffin
Mrs Staiger

(15) Poultrymeat:

Mr Koschella
Mr Bayard
Mr Totems
Mr Raffin

(16) Fruit and vegetables:

Mr Hilkens
Mr Quantin
Mr Rønsløv
Mrs Upward
Mrs Galazzo

(17) Seed:

Mr Landoyer

(b) Other Advisory Committees

(1) Foodstuffs:

Mr Custot
Mr Richely
Mr de Grave (Observer)

(2) Animal nutrition

Mrs Brouckaert
Mr Foulounoux
Mr Meyer

Specialized section (Harmonization of legislation):

Mr Remy
Mrs Galazzo

(3) Veterinary matters:

Mr Darricaud
Mr Wenzel

(4) Customs matters:

Mr Delagardelle

Mr Ravn

Annex IV

COMMISSION DECISION OF 19 DECEMBER 1977 ESTABLISHING A SCIENTIFIC
COMMITTEE ON COSMETOLOGY (78/45/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community,

Whereas the drawing up and amendment of the Community rules governing the composition, manufacturing characteristics, packaging and labelling of cosmetic products involve the examination of scientific and technical problems of considerable complexity;

Whereas the search for solutions for these problems requires the assistance of scientists highly qualified in the fields relating to medicine, toxicology, biology, chemistry or other similar disciplines;

Whereas the relations with these groups must be of a permanent nature, within an advisory committee to be attached to the Commission,

HAS DECIDED AS FOLLOWS

Article 1

There is hereby attached to the Commission a Scientific Committee on Cosmetology, hereinafter called 'the Committee'.

Article 2

1. The Committee may be consulted by the Commission on any problem of a scientific or technical nature in the field of cosmetic products and particularly on substances used in the preparation of cosmetic products and on the composition and conditions of use of these products.

2. The Chairman of the Committee may draw the attention of the Commission to the advisability of consulting the Committee on any matter falling within the competence of the latter on which an opinion has not been sought.

Article 3

The Committee shall consist of not more than 15 members.

Article 4

The members of the Committee shall be appointed by the Commission from among highly qualified leading scientific figures with competence in the fields referred to Article 2.

Article 5

1. The term of office of a member of the Committee shall be three years. A member's appointment may be renewed. Upon the expiry of the period of three years, the members of the Committee shall remain in office until they are replaced or their appointments are renewed.

2. Where a member is unable to carry out his duties, or in the event of his death or resignation, he shall be replaced for the remainder of his term of office in accordance with the procedure laid down in Article 4.

3. Members shall not be remunerated for their services.

Article 6

The Committee shall elect from among its members for a term of three years a chairman and two vice-chairmen, who shall be eligible for re-election, save in respect of a period immediately following two successive three-year terms of office completed by them.

Article 7

1. The Committee may form working parties from among its members.

2. The task of the working parties shall be to report to the Committee on subjects determined by the latter.

Article 8

1. The Committee and the working parties shall meet when convened by the Commission.

2. Representatives of the Commission departments concerned shall attend the meetings of the Committee and of the working parties.
3. The Commission may invite leading figures with special qualifications in the subjects under study to attend these meetings.
4. The Commission shall provide secretarial services for the Committee and the working parties.

Article 9

1. The proceedings of the Committee shall relate to requests by the Commission for opinions.

When requesting the opinion of the Committee, the Commission may specify a period within which such opinion must be delivered.

2. Where the opinion requested is the subject of unanimous agreement by the members of the Committee, they shall establish their joint conclusions. Failing unanimity, the various positions adopted during the proceedings shall be entered in a report drawn up under the responsibility of the Commission.

Article 10

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs members of the Committee that the opinion requested relates to a subject of a confidential nature such members shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee.

In such cases, only the members of the Committee and the representatives of the competent Commission departments shall attend the meetings.

Article 11

This Decision shall come into force on 19 December 1977.

Done at Brussels, 19 December 1977.

For the Commission
Richard BURKE
Member of the Commission

Appointment of the member to the Scientific Committee on Cosme-
tology

The Commission has decided to appoint the following members as of 19 September 1978 for a period of three years:

<u>Name</u>	<u>Title and office</u>
P. Agache	Professeur de médecine, dermatologie, centre hospitalier régional de Besançon
P. Aureli	Ricercatore Istituto superiore di sanità, Roma
C. Dorlet	Docteur en sciences pharmaceutiques chargée de cours à l'institut de pharmacie de l'université libre de Bruxelles, laboratoire de bromatologie
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Annex V

STUDIES CARRIED OUT BY CONSUMER ORGANIZATIONS

1976 appropriations

- The professional image of an instructor for adult consumers (EUROCOOP)
- Consumers and purchases of pharmaceutical products (BEUC)
- Children and advertising (COFACE)
- Monitoring of the application of Directives on consumer protection (ETUC)
- Price legislation and its consequences for the consumer (CGT)

1977 appropriations

- The drafting of new legislation on the organization of the market in sugar and its consequences for the consumer (ETUC)
- Radio and television advertising: Legislation in the Member States and consumer consultation (COFACE)
- The presentation of household products (colour and type of packaging, safety closing devices, informative labelling (EUROCOOP)
- The European consumer vis-à-vis the multinational undertakings (BEUC)
- The consumer and energy (BEUC)
- The role of advertising (ETUC)
- Toys (COFACE)
- The enlargement of the European Communities to include Greece, Spain and Portugal; its effects in the agricultural sector and their consequences for the European consumer.

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Consumer protection and information policy

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It describes the activities as respects the following aspects of policy:

- (a) protection of consumer health and safety,
- (b) protection of consumer economic and legal interests,
- (c) consumer information and education,
- (d) consumer representation,

with due reference to the work of the Consumers' Consultative Committee, the European Parliament and the Economic and Social Committee, as well as that of the Council, the Member States and the Commission itself. Finally, it takes account of external activities of the Commission relative to OECD, the Council of Europe and non-member States.