

COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

7607/84 (Presse 100)

934th meeting of the Council

- Consumer Protection -

Luxembourg, 5 June 1984

President: Mrs Catherine LALUMIERE,  
State Secretary  
at the Ministry of Economic Affairs,  
Finance and the Budget,  
with responsibility for Consumer Affairs  
of the French Republic

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Marc LEPOIVRE  
Deputy Permanent Representative

Denmark:

Mr Ib STETTER  
Minister for Industry

Germany:

Mr Walter KITTEL  
Deputy Permanent Representative

Greece:

Mr Andréas KAZAZIS  
State Secretary  
Ministry for Trade

France:

Mrs Catherine LALUMIERE  
State Secretary at the Ministry  
of Economic Affairs, Finance and  
the Budget, with responsibility  
for Consumer Affairs

Ireland:

Mr Michael MOYNIHAN  
Minister of State at the  
Department of Trade, Commerce  
and Tourism

Italy:

Mr Nicola Maria SANESE  
State Secretary,  
Minister of Industry, Trade and  
Craft Trades

Luxembourg:

Miss Colette FLESCH  
Vice-President of the Government,  
Minister for Foreign Trade and  
Co-operation

Netherlands:

Mr P.H. van ZEIL  
State Secretary,  
Ministry of Economic Affairs

United Kingdom:

Mr Alexander FLETCHER  
Parliamentary Under-Secretary  
of State for Corporate and  
Consumer Affairs

Commission:

Mr Karl-Heinz NARJES  
Member

### MISLEADING ADVERTISING

The Council continued examining the draft Directive on the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading advertising.

Following this examination there were only a very limited number of problems outstanding, including in particular the question of the scope of the powers of the administrative body which would give rulings on complaints.

The Council asked the Permanent Representatives Committee to complete its examination of these problems very rapidly with a view to submitting them to the Council at one of its next meetings, if possible by the end of the month.

### LIABILITY IN RESPECT OF DEFECTIVE PRODUCTS

The Council continued its proceedings on the amended proposal for a Directive on liability in respect of defective products, concentrating its discussions on the basic issues still outstanding, particularly that of producer liability.

Following these discussions, the Council instructed the Permanent Representatives Committee to examine in detail the two alternative overall solutions which seemed to offer the best chances of leading to an agreement, and to report back to a forthcoming meeting of the Council.

DOORSTEP SELLING

Since one delegation still upheld a general reservation on this proposal, the Council agreed to resume its examination of this matter at its next meeting on General Affairs planned for 18 and 19 June.

PRICES DISPLAYED ON CONSUMER PRODUCTS

The Council took note of two interim progress reports on proposals relating to consumer protection in the display of prices on (a) foodstuffs and (b) non-food products.

The Council instructed the Permanent Representatives Committee to continue its discussions on this subject and report to it at a later meeting.

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Bruxelles, le 6 juin 1984

Note BIO (84) 205 (suite 1 et fin) aux Bureaux Nationaux  
cc. aux Membres du Groupe du Porte-Parole

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CONSEIL CONSOMMATEUR (O. von Schwerin)  
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Le troisieme Conseil de protection des Consommateurs s'est termine apres 10 heures de discussions vers 20h30 sans aboutir a aucun resultat concret.

1. Au centre du debat, la directive sur la PUBLICITE TROMPEUSE, proposition devant le Conseil depuis 1978 et deja allgee substantiellement par l'exclusion du volet " publicite deloyale et comparative". La proposition paraissait mure pour adoption, son urgence etant renforcee par le developpement de la nouvelle technologie audiovisuelle (TV par satellite et cable, voir P-42). Neanmoins, la discussion s'est heurtee notamment a l'opposition de la delegation britannique contre l'etablissement d'un droit nouveau d'appel a la Cour et qui veut limiter les procedures a un strict minimum de cas serieux. En fin de compte, la discussion largement semantique etait le reflet des divergences de conception du droit entre le Royaume-Uni et certains pays continentaux. La question sera renvoyee au prochain Conseil Affaires generales.

2. La discussion sur la RESPONSABILITE DU FAIT DES PRODUITS etait centree sur les principes du plafonnement de la responsabilite d'une part et celui de l'inclusion des risques de developpement d'autre part. Bien qu'un compromis avec la delegation allemande sur la premiere question se soit finalement dessine (fixation d'un montant de 50 Mio ECU, periode de transition) d'autres delegations ont rouvert la discussion sur l'ensemble des principes, ce qui a conduit finalement au renvoi du dossier au COREPER.

3. La discussion sur la DIRECTIVE VENTE A DOMICILE n'a pas non plus fait l'objet d'un accord, la delegation allemande maintenant sa reserve, sans y apporter un element nouveau.

A la fin des travaux, Monsieur NARJES a explique les projets de la Commission dans le domaine consommateurs d'ici a la fin de l'annee.

Bien que la reunion se soit deroulee dans une atmosphere constructive et amicale, le President en exercice, Madame LALUMIERE, a fait un appel vigoureux aux delegations, a l'occasion de la transmission de la presidence, en deplorant le manque d'efficacite de ce Conseil. Si cette nouvelle institution, creee par le souci de repondre aux aspirations de 270 millions de consommateurs europeens avant les elections au Parlement Europeen, devait avoir une raison d'etre a l'avenir elle devrait changer radicalement son style de travail ainsi que sa volonte politique d'aboutir a des resultats concrets, a dit Madame Lalumiere.

Amities,  
Paul CERF,

Comeur////  


