



# INFO-C

Information from the Consumer Policy Service of the European Commission - n° 3

## THE COMMISSION OF THE EUROPEAN COMMUNITIES AT THE SERVICE OF CONSUMERS

With the opening of intra-Community frontiers getting closer every day, the Consumer Policy Service is making every effort to improve conditions for consumers in the European Community. As 1992 is the final year of preparation for the "Great Event", the work of Commission officials handling dossiers of particular importance for the well-being of European citizens has considerably intensified. Moreover, special attention is being paid to those subjects which are of critical importance to trans-frontier consumer transactions.

Those dossiers which only involve a modification in order to cater for technical progress, for example, can progress relatively quickly. This is the case with the fourteenth Commission Directive on cosmetics.

Other legislative measures take longer to navigate the various stages in the Community's institutional process prior to their adoption as Directive. A case in point is the draft Directive on general product safety on which the Council arrived at a common position in December 1991. In July 1991, the Commission adopted the proposal for a Directive on unfair contract terms. This proposal, the subject of an article in INFO-C n° 1, underwent a change on 4 March 1992, following

opinions from the European Parliament and the Economic and Social Committee (ECOSOC). A "common position" should be the next step at Council level.

Still more recently, the Commission adopted a proposal for a Council Directive on contracts negotiated at a distance as well as a complementary Recommendation on codes of practice for use by professionals (see page 5 of this issue).

In addition a proposal to deal with Time Share has been adopted on 20 May 1992.

Other consumer subjects on which proposals are still being negotiated within the various bodies concerned include comparative advertising (on which the CES has just given its opinion) and the liability of suppliers of services.

The Consumer Policy Service draws your attention to the fact that some of these dossiers will be discussed at the next **Council of Ministers on consumer affairs which is scheduled for 29 June 1992**. A report of that meeting will appear in the next issue of this bulletin so that you are kept informed of the progress achieved in consumer affairs at Community level.

### INFO-C

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### OF SPECIAL INTEREST

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# CONSUMER EUROGUICHETS : TEN CENTRES FOR 1992

In its first two numbers, INFO-C gave information on the opening of various consumer information and advice centres in the transfrontier regions of the Community. By the end of April, six centres had either been opened or were in course of being set up.

With a view to studying the effectiveness of such centres, the Consumer Policy Service of the European Commission envisages ten centres in all being inaugurated in the form of pilot projects, between now and the end of 1992.

This article gives a summary of the thinking behind their creation and the purpose they will serve. It also contains a short description of the progress to date in their establishment.

## The Concept

Consumers have to deal with a great variety of commercial transactions ranging from the routine purchase of food to investment in property. No single consumer possesses the vast knowledge and expertise required to deal satisfactorily with such transactions, and virtually all consumers seek expert information, advice and assistance at some time in their lives.

It is for these reasons that certain Member-States (e.g.. The United Kingdom, Germany) have established systems of local information offices for their citizens and that other countries, such as Spain and Portugal, have started to introduce similar offices.

The responsibilities of such offices are essentially two-fold:

- they provide the consumer with information on all sorts of areas of interest (from public administration and health to travel brochures);
- they act as a primary source of advice for the consumer on everyday problems, and can usually direct the consumer to specialised advice for more serious difficulties.

## The Community Dimension

Given the presence of such information and advice offices in several Member-States, the questions arise of why action is needed at Community level and what such action should be (apart from stimulating the provision of a network of such bureaux in those countries where they do not yet exist).

In order for the consumer to benefit from all the opportunities which the completion of the Internal Market will offer, he must feel confident that his interests will be safeguard no matter in which Member-State he chooses to pursue his activities. This implies that the consumer must be provided with sufficient information and advice about issues of concern to him, and have access to assistance in resolving any difficulties which may arise. It is only under such conditions that the consumer will feel at ease in this Single Internal Market.

Consequently, it appeared necessary to define the principal tasks of the information and advice centres at Community level. They must be concerned with:

- providing **information** on:
  - EC legislation affecting consumers;
  - Cross-frontier studies of price;
  - Comparative tests of products on a Community basis;
- giving **advice** on:
  - Methods available to resolve disputes between consumers and their suppliers in a different Member-State;
  - Compliance with various national formalities.

## Current situation

Four centres are already open :

- Lille (with Mons and La Louvière)
- Luxembourg
- Barcelona (with Montpellier)
- Gronau.

The official opening of a fifth centre covering the region around Aachen (Germany), Eupen (Belgium) and Heerlen (The Netherlands) is planned for 5 June 1992. Agreement in principle has been given to establish a sixth centre in the transfrontier region between the North of Portugal and Galicia (Spain).

These centres have the following characteristics in common:

a) **geographical coverage**: the offices would be situated in areas where a considerable amount of cross-frontier movement of consumers exists already and would, therefore, provide a microcosm of the Single Internal Market.

b) **rôle** : such Centres would act as a source of specialist knowledge at the Community level for consumers associations and for other "relay" organisations dealing with the same subjects.

c) **information provided**: they would be able to provide information and advice on EC Directives, case-law and other decisions affecting consumer interests, the results of comparative tests of consumer goods and services (including cross-border price comparisons) as well as other interesting studies. They dispense advice on resolving consumers' problems (e.g.. disputes with suppliers, official formalities);

d) **infrastructure**; the offices of the Centres would, at least initially, be located in the premises of existing organisations and would thus benefit from access to existing libraries and databases.

## Future plans

Four new information centres should open between now and the end of 1992. Several expressions of interest from a certain number of organisations have been received to date by the Consumer Policy Service and the necessary decisions should be taken before the summer holidays. INFO-C will keep you informed of progress with these pilot schemes.

## For additional information:

### Lille:

Agence Européenne d'Information sur la Consommation

CRC - Région Nord-pas-de-Calais.

Rue Barthélémy Delespaul, 47 bis

F - 59000 Lille

Tel. : +33/20606919 - Fax : +33/20420931

### Offices at Mons (B) and La Louvière (B):

Agence locale transfrontalière de la Consommation.

Temporary address:

Rue du Onze Novembre, 11

B - 7000 Mons

Tel. (prov): +32/2/284.55.95

Fax (prov): +32/2/284.94.91

### Luxembourg:

Euroguichet Consommateurs

Union Luxembourgeoise des Consommateurs

Rue des Bruyères, 55

L - 1274 Howald

Tel.: +352/496022 - Fax : +352/494957

### Barcelona:

Agencia Europea de Información sobre el Consumo

Instituto Catalá del Consum

Gran Via Carles III, 105 lletra 1

E - 08028 Barcelona

Tel.: +34/1/3309812 - Fax : +34/1/3309311

### Montpellier office:

Centre Technique Régional de la Consommation

CTRC Languedoc-Roussillon

Rue Marceau, 18 BP 2123

F-34026 Montpellier Cedex 1

Tel.: +33/67926340 - Fax : +33/67926467

### Gronau :

European Centre of Consumer Information

Euregio

Eschederstr. 362


D - 4432 Gronau

Tel.: +49/2562/25062 - Fax : +49/2562/1639

## CONSUMER INFORMATION AND ADVICE CENTRES IN TRANS-FRONTIER REGIONS

*Current Situation*



 Consumer Policy Service  
April 1992

# ROAD SAFETY

## Driving Licences...

With a view to improving road safety and to facilitating the movement of persons who wish to settle in another Member State, the Council adopted, on 29 July 1991, a Directive on driving licences.

A first step relating to driving licences had already been taken in 1980 with the adoption of a Directive, still in force, which created a Community model for national licences. This document is mutually recognized by all the Member States but must be exchanged within one year if the holder moves to a different Member State than that which issued the licence.

The new Directive, for its part, no longer obliges holders of national licences to exchange their document. Thus another step has been taken towards the completion of the Citizen's Europe. The Articles of the Directive fix the minimum conditions for the issue of the licence, harmonize the categories of vehicles and make it easier for a handicapped person to become a driver.

As concerns the categories of licence, the Directive provides for their possible subdivision to make it possible for a driver to progress from one type of vehicle to another, which is both in the interests of safety and enables account to be taken of existing national situations.

Two annexes, one setting out the knowledge, aptitudes and behaviour involved in driving and the other the minimum standards of physical and mental fitness required, form an integral part of the Directive. A third annex describes the new model Community licence ; the main difference from the current model being the use of pictogrammes, instead of definitions, to indicate the various categories.

Finally, the Directive allows Member States, in the interests of road safety, to apply national regulations for questions of withdrawal, suspension and cancellation of a licence in the case of a holder who resides in the country concerned.

These provisions also apply to matters concerning validity, medical checks, taxation and registration matters which are necessary for managing the licensing procedures.

Member States must adopt, after consulting the Commission, the necessary legal, regulatory and administrative measures by 1 July 1994 in order that the new Directive can come into force from 1 July 1996.

References: O.J. N° L237, 24.08.91, p.1 - 24

## ...and Safety Belts

Safety belts have already been the subject of two Directives, dated 18 December 1975 and 28 June 1977 respectively, but these concerned technical standards and not their use.

On 16 December 1991 the Council adopted the Directive "on the approximation of the laws of the Member States relating to compulsory use of safety belts in vehicles of less than 3.5 tonnes".

The Directive establishes the general principle that the driver and passengers of a vehicle of less than 3.5 tonnes are obliged to wear a seat-belt. The Directive also applies to children for it introduces the mandatory use of specially adapted child-restraints on seats provided with safety-belts. Such restraints must be approved by Member States pending harmonized Community standards.

The Directive is also applicable to rear-seat passengers in vehicles designed to carry persons and having a maximum of nine seats. Studies have shown that not only do rear seats present almost as much risk as those in front, but also that rear passengers who are not wearing belts increase the risk of injury for those in front.

The Directive sets out the categories of vehicles concerned and defines the various terms used. It fixes the conditions for Member States to depart from certain principles. Moreover an exemption is possible for serious medical reasons. For this a Community symbol indicating approval has been created. This should appear on the medical certificate.

Implementation by Member States must be completed by 1 January 1993.

It is interesting to note that the need to comply with the Directive does not only apply to Community vehicles but also to all vehicles using the roads in Member States even though they may be registered in a third country.

References : O.J. N° L373, 31.12.1991, p.26

Contact person for the two texts on road safety:

Mr. J. DIAZ  
DG VII.  
Tel. : + 32/2/236.82.68  
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### **DISTANCE SELLING: Rules for the protection of consumers**

On 7 April 1992, the Commission of the European Communities adopted a proposal for a Directive on contracts negotiated at a distance as well as on a Commission Recommendation intended to complement its effects.

These two proposals have their origin in the fact that, at present, about 5% of sales of articles in Germany, France and the United Kingdom, are made via distance selling.

These sales contracts, made without the physical presence of the seller, are concluded via various media, many of which derive from new information technology. This facility to order goods from home can only increase the number of cross-border purchases once the Community frontiers open in 1993. It will also be one of the more concrete aspects of the existence of the Single Market.

The problem is the disparity of laws between one Member State and another. Consumers thus find themselves faced with difficulties such as: insufficient information on products or services, the absence of any time to reconsider before making the contract, unwanted solicitations to purchase, etc.

It was in order to find a solution to these problems that Commissioner Karel VAN MIERT, responsible for consumer policy, recommended the adoption of these two documents.

The proposal for a Directive is intended to fix minimum rules for the benefit of consumers as well as to guarantee their legal protection when acquiring goods or services via this type of contract.

It includes, in addition, procedures for legal redress in the case of cross-border disputes. Briefly the proposal centres on two main points:

- information for the consumer to assure transparency in transactions;
- the introduction of a "cooling-off period" of a minimum of 7 days starting from the day the article is received.

The text also provides for the defence of distributors' and advertisers' interests by certain provisions which will encourage greater consumer confidence in sellers.

The Recommendation for its part, sets out codes of conduct for professional sellers so that they take more care not to exploit the consumer.

This self-regulation completes the basic set of minimum technical rules in the draft Directive. It is intended to allow this rapidly-developing sector to adapt to changing circumstances.

The professionals have to inform the Commission of the contents of these codes of conduct, at the latest one year after the entry into force of the Directive.

The proposal for a Recommendation also lays down the points which should preferably be included in the codes.

**References:** COM(92) 11 final - syn 411

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### **THE USE OF BIOTECHNOLOGY IN MILK PRODUCTION**

Bovine somatotropin (BST) is a synthetic hormone obtain by biotechnological methods<sup>(1)</sup>. It resembles a hormone which is naturally present in a cow and is responsible for its production of milk, the quantity of which can be increased through artificial additions of the hormone. The use of BST has given rise to discussions concerning how far consumer can have confidence in such innovations (opinion in December 1989 of the Consumer Consultative Committee) and the Commission's authorisation of its use has been postponed many times.

Given this situation, the European Commission has asked for a study to be carried out on the effects of BST use on animal health, on agriculture (increase in Community stocks) and on consumers (in particular, providing information to consumers via labelling).

A report by the Commission to the Council and the Parliament should have initiated a discussion based on the authorisation of BST by December 1991. However, the report presented by the Commission (SEC (91) 2521) made it clear that the studies concerning the health and well-being of animals needed to be pursued further.

As a consequence, and while awaiting the results of the studies, the Commission has proposed a modification to Decision 90/218, which prohibits the use of this hormone, until 31 December 1993.

A report must be submitted to the Council and the Parliament by June 1993.

**Contact :**

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(1) Biotechnology is an interdisciplinary science which uses micro-organisms, such as those in plants, animals or human cells, in the production of certain substances for industrial use.

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### **INDIRECT TAXATION: VAT and excise duties.**

The Council adopted two directives in December 1991 and February 1992 which will have a profound impact on the way in which indirect taxes related to intra-Community trade are collected. The texts in question provide for the ending of existing import/export formalities when goods and persons cross borders between Member States.

For the consumer these changes will mean the removal of customs checks at borders and will make life much easier for people travelling within the Community.

Individual travellers will no longer be subject, when they return home, to restrictions on the purchases they make in other Member States provided such purchases are for their personal use. This means the end of the existing travellers' allowances limits and the removal of the obligation to declare goods which do not currently fall within such limits and to pay VAT and excise duties on them. Travellers will be free to make purchases in other Member States on the basis that tax is paid once and for all in the country of origin.

In addition, other customs formalities and checks that currently apply when individuals cross borders within the Community will also disappear.

In the case of tobacco products and alcoholic drinks, individuals may be asked to justify that there is no commercial intent where they carry large quantities of such products.

Purchases of new motor cars and other means of transport will not benefit from this regime. In such cases, VAT will have to be paid in the country of residence of the user generally at the time of registration of the vehicle(s) and not as at present at importation.

Duty-free sales will continue at ports and airports for travellers moving within the Community until 30 June 1999. However, these sales will be controlled at the point of sale and individuals will only be allowed the same duty-free amounts as those which apply to people coming into the Community from non-EEC countries.

Where a consumer orders goods from a business in another Member State and those goods are delivered to the consumer by the supplier, the purchase price will be VAT inclusive. The rate of VAT charged will, however, depend on the level of the sales of the supplier in the consumer's Member State. Basically where the seller does not make many sales he will charge the VAT rate of his own Member State. Otherwise he will charge the rate of VAT applying in the purchaser's country.

In the case of goods liable to excise duties (that is tobacco products, alcoholic drinks and mineral oils) VAT and excise duty will be charged at the rate in force in the purchaser's country.

Further work is continuing in the Council on the approximation of VAT and excise duty rates based on a number of Commission proposals. The adoption of those proposals, which it is anticipated will take place by the end of June 1992, will have further implications for consumers in the Member States.

**References:** O.J. N° L376, 31.12.1991, p.1  
and O.J. N° L76, 23.03.1992, p.1.

**Contact:**

Mr. P. KERMODE  
DG XXI  
Fax: +32/2/235.65.01

# SANTANDER Film Festival

The second International Festival of TV and cinema films on the theme "Consumers and the Quality of Life" will be held in SANTANDER, Northern Spain, in October next. The opening ceremony will take place on Sunday, 4 October 1992, and Commissioner Karel VAN MIERT, responsible for consumer policy in the European Community, has indicated his intention to be present. The prize-giving ceremony, which marks the end of the Festival, will be on Friday, 9 October 1992.

This Festival, which is held every two years, is sponsored jointly by the Municipality of Santander, the National Institute of Consumer Affairs of Spain and the Commission of the European Communities.

## Aims of the Festival

In organising this Festival, the three institutions concerned wish to promote, through the audio-visual media, the ideals of a society where relations between suppliers and consumers will be established on an equitable basis. The organisers hope to achieve this by stimulating television and cinema producers to take more account of issues of consumer concern in their productions.

The Festival will also provide a unique forum where people from the private or public sector, who are working or are interested in consumer affairs, can meet representatives of the audio-visual media to exchange experiences and ideas.

## Success of the 1990 Festival

The second Santander Festival will build on the experience gained from the first Festival which was held in November 1990 and which was widely judged to be a success. Indeed, this Festival was notable for :

- the projection of 287 audio-visual productions representing 18 different countries;
- a daily audience of more than 400 people;
- attendance of more than 1800 people at the prize-giving ceremony which was honoured by the presence of Gina Lollobrigida and Francesco Nero.

## The 1992 Festival

The second Festival will comprise three principal groups of activities:

1. the official film competition, which has five sections:

- Normal length films;
- Short films;
- Television programmes;
- Advertisements;
- Videos.

2. the "hors concours" section, which will comprise:

- a series of films in commemoration of a famous personality : this year, it is proposed to honour Fernandez Aguayo, a well-known Spanish Director of Photography in the world of cinema;

- a series of cinè-fora, at which a film will introduce a discussion on a topic of current interest to consumers: amongst the topics which have been proposed for discussion :

- Problems facing Senior citizens;
- Tourism and travel;
- Consumer health;
- Public services.

3. parallel activities, such as discussions between specialists in certain aspects of consumer affairs (eg. consumer education).

## Permanent Secretariat

A Permanent Secretariat has been established, and is headed by Ms. Reyes Llata FERNANDEZ, an official of Santander Municipality responsible for the coordination of consumer affairs. All enquiries about the Festival, including requests for information about special tariffs on transport and in certain hotels, should be addressed to:

Ms. Reyes Llata FERNANDEZ,  
International Festival of TV & Cinema,  
C./ Cisneros, 2 - 3  
E - 39007, SANTANDER.  
Tel.: +34/42/ 22.89.60  
Fax : +34/42/36.23.84



## CASE LAW

### **JUDGMENT ELISABETH HACKER/EURO RELAIS GmbH OF 26.02.92 - CASE C280/90**

This dispute involved a German consumer and a professional tour organizer, also German, on the subject of a contract for renting a holiday home in The Netherlands for two weeks, as well as the reservation for the boat-crossing to get to the holiday place, even though the cost of the crossing itself had been paid separately by the client. The surface area of the rented house being smaller than publicized, the client had taken legal proceedings against the travel agent.

This cross-frontier dispute called for an interpretation, by the European Court of Justice, on the Brussels Convention of 27 September 1968 and, in particular, on Article 16 which lays down the competent jurisdiction for this type of dispute. Was it the Dutch Courts, competent in matters of property situated within its jurisdiction or should it be the German Court responsible for travel contracts ?

The European Court considered that the case revolved around the travel contract. This decision has the effect of making it easier for injured consumers to obtain redress, since they would otherwise have to incur extra expense to appear before a foreign Court.

### **JUDGMENT RICHARD NISSAN S.A. OF 16.01.92 - CASE NC.373/90**

The question to be decided was whether the following advertisement :

"Buy your new vehicle more cheaply.  
1 year manufacturer's guarantee"

should be regarded as misleading when the vehicles in question are imported into France from Belgium, are registered for the purposes of importation even though they have never been on the road and are being sold in France at prices below those quoted by dealers there, by virtue of a different level of equipment in the model.

In interpreting Directive 84/450/EEC of 10.9.1984, the Court of Justice considered that such advertising was not misleading, contrary to French legal precedents.

This decision can be regarded as a victory for parallel importers, faced with many difficulties created by exclusive dealers and the administrative authorities of the Member State to which the imported car is going.

### **JUDGMENT FRANCOVICH-BONIFACI OF 19.11.1991 - CASE C 6/90 & C 9/90**

The question to be decided concerned social law. The employees of a bankrupt Italian firm had not been able to obtain payment of the salaries due to them, more than five years after the bankruptcy.

These employees took legal action against the State (Italy in this case), citing Directive 80/987/CEE which provided for the payment of debts in such a situation. In fact, the Italian State had not transposed this Directive and the Court of Justice had already condemned this omission in 1989.

The question now to be decided was to know whether the defaulting State had to compensate the employees for the damage suffered by them.

In its judgment, the Court stated clearly that the direct effect of the provisions of the Directive is to give national courts the possibility of indirectly sanctioning the omissions of national authorities which neglect or refuse to carry out the transposition in due time, by substituting the requirements of the Directives themselves for the missing national rules.

But, in its judgment, the Court did not limit itself to guaranteeing the direct effect but also guaranteed the right to compensation which flows from the State's responsibility for the damage resulting from its failure to act.

Indeed the Court took care to develop its reasoning after having verified that the Directive in question conferred personal rights on the individuals concerned, but it confirmed in very general terms the principle of the injured persons' right to compensation.

Such a wording leaves no ambiguity as to the applicability of this reasoning to consumer policy matters.

This judgment thus appears to be one of the most important Community Court cases.





**JUDGMENT PIAGEME & C° ASBL c/ PEETERS  
BVBA OF 18.06.91 - CASE C369/89**

A dispute arose between Piageme a.s.b.l., a group of mineral water producers, importers and general agents for foreign mineral waters (the plaintiff), and the firm Peeters, which sells mineral water labelled only in French or German in the Flemish-speaking region of Belgium.

The plaintiff considered its interests to be adversely affected, relying on the Belgian law transposing Directive 79/112/EEC concerning the labelling and the presentation of foodstuffs for sale to the final consumer and the advertising thereof.

According to Article 30 of the EEC Treaty and Article 14 of the Directive, trade in a food product is prohibited if the labelling is not, "in a language easily understood by the purchasers, unless other measures have been taken to ensure that the purchaser is informed".

The Belgian legislation referred to above prescribes at least the use of the language or languages of the linguistic region where the foodstuffs are put on sale. This case was submitted to the Court of Justice of the European Communities under Article 177 of the EEC Treaty, by the "Rechtbank van Koophandel" of Leuven (the commercial court for this Flemish region).

The Court of Justice of the European Communities accepted that the language used in a linguistic region is, indeed, the language which seems the most easily understood by purchasers.

In spite of this, to interpret the Belgian law by the sole use for the language of the linguistic region would be stricter than the Directive and would mean ignoring the possibility of informing the consumer by other means, which would have an effect equivalent to a quantitative restriction on imports, prohibited by Article 30 of the EEC Treaty.

The Court thus came to the conclusion that the obligation in the Belgian legislation to use one determined language, without taking into account that another language, easily understood by the purchasers, be used or that the purchaser be informed by other means, constitutes an infringement of Article 30 of the Treaty and Article 14 of the European Directive.

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\* The Commission's office in Bonn (Germany) has recently issued a publication which covers all the sources of information on European subjects (especially within Germany). The "EG Almanach" is a book of 402 pages, well laid-out and easy to consult. It contains both a list of European-level organisations and a list of computer networks able to supply Community information.

The "EG Almanach" exists only in German. The first copy is free but subsequent copies can be purchased for 39.80 Dm each from :

**Kommission der Europäischen Gemeinschaften**  
Vertretung in der Bundesrepublik Deutschland  
Zitelmannstrasse 22  
D-5300 Bonn  
Tel. : + 49-228-53-00-90  
Fax. : + 49-228-530-09-50

\* The final text of the "Treaty on European Union" signed at Maastricht on 7 February 1992 is available in the nine official community languages and costs 9 ECU. For information on where it may be obtained apply to :

**Office des Publications Officielles des  
Communautés Européennes**  
L-2985 Luxembourg  
Tel. : + 352-49-92-81  
Fax. : + 352-48-85-73

\* "Everyday accidents" ("Les accidents du quotidien") and "Money for health" ("De l'argent pour la santé") are two publications by the "Association d'Education et d'Information du Consommateur" of the "Fédération de l'Education Nationale" (ADEIC-FEN) in France.

The first publication concentrates on the prevention of domestic accidents and is particularly concerned with those most affected : children.

It will contribute to the understanding of the phenomenon of home accidents and their prevention. "Les accidents du quotidien" also contains information on first aid, descriptions of teaching materials, etc...

It is distributed only in French, at 148 FF.

The second work is a study, following a European colloquium held at Nîmes (France), by the ADEIC-FEN in March 1990. It is a survey among young Europeans aged between 10 and 18, based on the theme of the

connection between money and health (health expenditure, product development, sickness insurance...).

Its aim is to better understand the daily lives of young people and thus to have available certain data which will be of use when trying to meet their expectations in the area of preventive medicine and health education.

Price : 70 FF

Details from :

**ADEIC-FEN**

Bd. du Montparnasse, 43

F-75006 Paris

Tel. : + 33/1/40.49.03.04

Fax. : + 33/1/45.48.18.58

\* LACOTS, (Local Authorities Co-ordinating Body on Trading Standards) in the United Kingdom has also published two interesting books.

"Consumer Product Safety" is a European Directory which lists all the offices which work in the field of surveillance of *product safety* in each Member State. Based on the fact that the process of consumer protection in this area is complex and varies from one country to another in the European Community, its aim is to stimulate contact and cooperation between those working in this field, in view of the opening of the Single Market.

Price : £ 20.

"Consumer Protection Control Bodies" is another book published by LACOTS and concerns the search of solutions to transfrontier consumer problems. This directory is divided into six important areas concerning both consumers and trading laws.

The names and addresses of the offices responsible for protecting and helping the consumer, as well as for the correct application of legislation to consumer problems, are to be found in this book.

Price : £ 15

These two directories are available only in English.

Details from :

**LACOTS**

PO Box 6, Token House

1a Robert Street

UK-Croydon, CR9 1LG

Tel. : + 44/81/688.19.96

Fax. : +44/81/680.15.09

\* A public opinion survey entitled "Young Europeans in 1990" has been carried out recently by EUROBAROMETER at the request of the Commission's Task Force "Human resources, education, training and youth". This survey was done simultaneously in the twelve Member countries. The same set of questions was put to a representative sample of the population between the ages of 15 and 24 years (7600 persons).

The idea behind this survey is to get a picture of young people : their daily life, their attitude to society, their trips abroad, their contact with and knowledge of foreign languages, their opinions on Europe, their studies and their first employment.

It repeats a similar study made in 1987 which itself took over certain parts of the very first study carried out in 1982.

The 1982 and 1987 analyses, together with the one done in 1990, can be obtained, free of charge (in French or English), by applying to :

Ms. C. VIOLLIER-MOGENSEN

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Or,

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## BELGIUM: TWO LAWS TO PROTECT THE CONSUMER

Two new laws to protect the consumer have just been published in Belgium : a law on commercial practices and a law on consumer credit.

The law of 14 July 1991 on "Commercial practices and consumer information" came into force on 29 February 1992. The law on consumer credit is coming into effect progressively, and should be totally in force on 1 July 1992, according to the Ministry of Economic Affairs.

These laws are intended to either prohibit "a certain number of practices likely to prejudice consumer interests" or to subject them to more strict regulation<sup>(1)</sup>. In order to inform more fully those affected by these laws, the Ministry of Economic Affairs has had brochures published giving information about the main changes occurring in these two areas. These brochures are available, free of charge, in post-offices. A TV campaign has, in addition, given consumers advance notice of the existence of this "Consumers Guide".

The brochure also tells how one can obtain the full text of these laws. Below is a summary of the main areas covered:

### Commercial practices

- Product labelling
- Price labelling
- Misleading advertising
- Justification of data given in advertising
- Consumer information concerning products, services or conditions of sale
- Linked sales
- Inertia selling
- Distance selling
- Philanthropy : prohibition of false claims
- Sales away from business premises

### Consumer credit

- Hire-purchase
- Instalment loans
- Open-ended credit
- Duties of a consumer
- Contract terms considered to be unfair
- Data banks and privacy
- Advertising
- Credit offers
- Cooling-off period
- Unsolicited offers
- Rate and cost of credit
- Interest-free credit

This law does not cover mortgage loans, which will be the subject of specific legislation, according to the Belgian Ministry.

(1) "Loi du 14 juillet 1991 sur les pratiques du commerce et sur le crédit à la consommation" - Ministère des Affaires Economiques, Administration du Commerce - Bruxelles 1991.

For further information apply to :

Ministère des Affaires Economiques  
24-26, rue de Mot  
1040 Bruxelles  
Tel. : + 32/2/233.61.11  
Fax. : + 32/2/230.83.00

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### "CAREFUL, IT'S HOT !"

Educational material produced by the "Foundation national d'aide aux grands brûlés" (National Foundation for Help to the Badly Burned) Belgium, and intended to prevent child burns, has been available to Belgian teachers over the last eighteen months and has met with great success .

Called, "Careful, it's hot !" ("Attention, ça chauffe!") and created in the country where strip cartoons rule, it has come under the benign influence of this type of publication. Thus, presented in the form of a strip cartoon, it is particularly aimed at children in the 4th Primary classes (9-10 years old) and is available in French and Dutch.

This initiative derives from the realisation that, of the thousand or so serious burns which need treatment each year in burns units, more than a third involve children of under ten years. These children are almost always the victims of an accident in the home. Fifteen of the illustrations show the dangers of fire, fireworks, hot liquids as well as the risks connected with electricity, etc. First aid advice and what to do to treat burns have not been overlooked either.

Readers interested in this initiative can obtain information from:

Fondation nationale d'aide aux grands brûlés (FNAGB)  
Chaussée de Vleurgat, 221  
B- 1050 Bruxelles  
Tel. +32/2/649.65.89

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## New Telephone Service For French Consumers

The French National Consumer Institute which produces the monthly magazine "50 millions de Consommateurs", has just introduced a new telephone service. Called "50 REpond" (50 replies), it is intended to help French citizens with the consumer problems they meet in their daily life.

To take advantage of this service, consumers must be subscribers to the magazine. A card, valid for the period of their membership, is then sent to them. To use the service, they have only to ring the reception telephone number on the card and briefly specify the problem area. The consumer will then be put into contact with the appropriate counsellor. If the question

does not require any special research, the member will get a reply straightaway, otherwise he/she will be rung back later.

The card-holder is not the only person to benefit because the spouse or partner also has the right to use it. "50 REpond" lines are open from Monday to Friday (except public holidays) 9am-6pm and the service covers Metropolitan France, Andorra and Monaco.

To receive full details and conditions, telephone :  
"50 REpond"  
Service Accueil  
Tel. : +33/1/40.26.99.50

# STOP-PRESS

## THE EC SAFETY MARK FOR TOYS

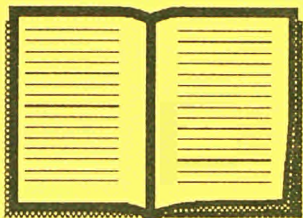
On 3 May 1988 the Council of the Ministers of the European Communities adopted a directive on safety for toys. All the Member States have now transposed this Community directive into national legislation.

The Directive stipulates that all toys placed on the Community market must bear the EC mark. This can be placed on the toy itself or its packaging or, if the toys are small, on a label or note.

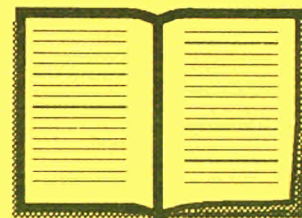
Although this mark is mainly for the benefit of the national inspection authorities, the Commission would like consumers to know what it means. The mark provides evidence of the manufacturer's declaration that he has designed and manufactured the toy in accordance with the requirements of the Community directive on safety for toys of 3 May 1988 (see Press Release n 267 of 3 May 1988). For the consumer the EC mark on toys sold in the Community signifies that they must conform with high safety standards.

A proposal for a general regulation to establish the precise conditions for affixing and using an EC mark for industrial products has now been put before the Council of Ministers of the Communities.

**Sources :** Press release from the Spokesman's Service of the Commission.



# Agenda



## - 17 to 20/05/92:

"Safe Kids 2000", a conference organized within the framework of the national campaign on child safety at Washington. It is particularly aimed at public policy makers, childhood injury prevention experts, children's advocates and grassroots practitioners.

### Information :

Conference Information  
SAFE KIDS 2000  
National SAFE KIDS campaign  
Children's National Medical Center  
111 Michigan Avenue, NW  
Washington, DC 20010 - 2970  
United States  
Tel.: +1/202/939.4993

## - 19 & 20/05/92:

The European LPG Association (AEGPL) is holding a conference in London, on the theme, "1992, Community year for health and safety". Among the various subjects to be explored, there is one of particular interest: "The Consumer, Health and Safety".

### Information:

AEGPL  
Rue Galilée, 6  
F - 75782 Paris Cedex 16  
Tel.: +33/1/47.23.52.74  
Fax.: +33/1/47.23.52.79

## - 21, 22 & 23/05/92:

European Conference on Consumers' Access to Justice. Held under the auspices of the Commission of the European Communities, it will take place at Lisbon and is organized by the Portuguese National Institute for the Defence of Consumers.

### Information:

Instituto Nacional de Defesa do Consumidor  
Praça Duque de Saldanha, 31  
P - 1000 Lisboa  
Tel.: + 351/1/54.40.25  
Fax.: +351/1/52.20.10

## - 1, 2 & 3/07/92:

"European meeting on consumers and the Single Market" at Vitoria (Basque Country, Spain). During these three conference days, several subjects of concern to consumers will be explored. The speakers will include officials from the Consumer Policy Service of the Commission of the European Communities and professionals working in consumer affairs at national level.

### Information :

European meeting on "Consumers and the Single Market"  
Secretariat  
Urbanización Arco Iris, 25  
E - Santa Cruz de Bezana (Cantabria)  
Tel. +34/9/42.58.10.11 ou 58.13.34  
Fax. +34/9/42.58.10.67

## - 16 to 28/07/92:

Summer course on Consumer Law in the EC. This course is organized by the law faculty of the Catholic University of Louvain (UCL-Belgium) with the support of the Commission of the European Communities.

### Information:

Centre de Droit de la Consommation  
Place des Doyens, 1  
B- 1348 Louvain-la-Neuve  
Tel.: +32/10/47.85.31  
Fax.: +32/10/47.85.32

## - 15 & 16/06/92:

Plenary session of the Consumers Consultative Council (CCC).

## - 4 to 9/10/92:

Second International Cinema and TV Festival - "Quality of Life in a Consumer Society", at Santander (North Spain). This festival, which takes place every two years, is promoted by Santander Town Council, The National Institute of Consumer Affairs of Spain and the Commission of the European Communities.

For more details see article on page 7.

## Diary for the Community Institutions

### - Economic & Social Committee :

on the first Tuesday of each month (except August) there is a meeting of the Environment, Public Health and Consumer Affairs Section of the ECOSOC. These meetings are not open to the public. However, within limits, the ECOSOC can receive visitors. These visitors cannot speak in the debates.

### For further information :

Mr. N. MOONEY (ECOSOC)  
Tel. : +32/2/519.95.10  
Fax. : +32/2/513.48.93



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Commission of the European Communities  
Mr K.I. ROBERTS  
Consumer Policy Service  
Rue de la Loi, 200  
B- 1049 Brussels



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