



INFO-C

INFORMATION FROM DG XXIV 'CONSUMER POLICY' OF THE EUROPEAN COMMISSION - VOL. VI, No 1 - 1996

Some time ago the Economic and Social Committee adopted an own-initiative opinion on Consumer Protection in the Single Market, while subsequently the European Parliament passed a resolution on the proposal for a directive on distance selling. Detailed particulars are to be found in our 'Consumer Protection' and 'Euro-Info' sections. This issue of **INFO-C** also focuses on a subject which is very much in the headlines - sustainable consumption. Aware that one of the Commission's consumer policy objectives is to encourage consumer behaviour that respects the planet's human and environmental balance, we report on a

certain number of initiatives and position statements in this domain. We also discuss the often dubious quality of fish sold in Europe, the call for a reinforcement of consumer policy launched by BEUC and the Comitato Difesa Consumatori under the Italian Presidency, the somewhat disturbing findings of a study on charges for banking services in France, shortcomings in package inserts accompanying medicinal products sold in Belgium, the publication in Great Britain of three noteworthy books devoted to EC law, and much more besides.

Have a good read!

INFO-C

European Commission
DG XXIV 'Consumer Policy'
rue de la Loi 200
B-1049 Bruxelles
Tel. : +32 2 296 55 37
Fax : +32 2 299 18 57

Editor:

Nicolas Genevay

Date :

Texts finalized 11.01.96
ISSN N°1018 - 5755

February 96
Bureau de dépôt : Antwerpen X
Imprimé à taxe réduite

Summary

Consumer Protection	2
Euro-Infos	4
Countries	12
Case Law	23
Publications	24
Diary	35



EUROPEAN COMMISSION

DIRECTORATE-GENERAL XXIV
Consumer Policy

Unit 5: Consumer Information and Education

Brussels, 11 January 1996

Dear Reader,

For a number of years the Commission worked actively towards the adoption of a European Directive on the protection of personal data.

The Directive (95/46/EEC) was finally adopted by the Council on 24 July 1995.

Since the Commission is itself bound by the provisions of the Directive, I must inform you that the data at our disposal relating to your address, position and interests and, where appropriate, those relating to your company or association:

- will not be divulged to anybody outside the Commission without your explicit authorization;
- will be used by DG XXIV to send you documentation about our activities;
- will be used by DG XXIV to inform you of any initiatives in which we wish you to take part; and
- will be used by DG XXIV to make contact with you whenever necessary.

You are entitled to consult, correct or delete this information at any time by writing to the following address:

Sheila Reynolds
DG XXIV
J70 4/2
rue de la Loi 200
B - 1049 Bruxelles
Fax: +32 299 18 57
Email: Sheila.Reynolds@dg24.cec.be

Yours faithfully,

K. I. ROBERTS
Head of Unit



ECOSOC scrutinizes European consumer policy

At its plenary session of 22-23 November 1995, the **Economic and Social Committee** (ECOSOC) adopted an Opinion on the state of consumer protection within the Single Market¹.

The report sets out by underlining the fact that although the Maastricht Treaty was full of good intentions, since its Article 129A elevated consumer protection to the rank of a Community policy, concrete effects have been very slow to follow. Indeed, no more than... *ONE* decision - on the EHLASS system - has been taken on the basis of Article 129A since the Treaty was signed on 7 February 1992! Moreover, it is to be feared that the application of the subsidiarity principle might make it increasingly difficult for the Commission to propose, and the Council to adopt, new legislation protecting consumers.

The report then goes on to identify the main problems that remain unresolved in the field of consumer protection and suggest improvements.

ECOSOC denounces the following as being detrimental to the interests of consumers²:

- high cost of and lack of transparency in cross-border payments;
- insufficient information on basic rights and how to assert them;
- enormous differences in interpretation and application of EC consumer legislation among the Member States;
- excessive use of non-binding instruments (resolutions or recommendations) by the Commission³;
- lack of transparency in the EC decision-making process, especially in the case of the Council;
- fragmentary, unsystematic and excessively technical nature of EC law, including in the field of consumer protection;
- miserly budget for EC consumer policy;
- insufficient integration of consumer policy in other EC policies;
- lack of specific programmes on consumer protection in schools;
- lack of consumer protection standards for public services;
- denial of a general power of representation for consumer organizations in Community-level legal disputes.

Here are some of the solutions proposed by ECOSOC:

- the subsidiarity and proportionality principles should not be used to systematically block the adoption of useful legislation. In any case, it should be made possible to ask the Court of Justice to pronounce itself on the validity of their application in relation to any legislative measure proposed;
- all consumers' rights should be incorporated in a single comprehensive text drawing together all the existing Directives;
- the EC consumer policy budget should be increased and a specific line for supporting legal action by consumer associations in test cases created. In addition, the 50% co-financing rule for consumer organizations should be scrapped and the labyrinthine accounting procedures that they must follow streamlined;
- the process of drawing up and interpreting Community law at Council and monitoring-committee level should be made more transparent;
- the Commission should put forward incentives aimed at preparing specific school training programmes on consumer rights;
- consumer interests should be taken into account in all EU policy decisions, especially in the areas of trade and competition policy;
- labelling and other schemes should be developed to provide consumers with information on ethical issues related to their purchases (working conditions in third countries, environmental impact, animal welfare, etc.).

Contact:

Catherine Vieilledent-Monfort
Economic and Social Committee
rue Ravenstein 2
B - 1000 Brussels
Tel.: +32 2 546 90 11
Fax: +32 2 513 48 93

¹ Title: **OPINION of the Economic and Social Committee on the Single Market and Consumer protection: opportunities and obstacles (Own-initiative)** - CES 1309/95.

² This is only a summary. For an exhaustive list, please read the report published by ECOSOC.

³ With the notable and commendable exception of the transformation of a recommendation on the transparency of banking services into a proposal for a directive.

Italian government urged to strengthen consumer protection during Council Presidency

In early December 1995, a delegation from **BEUC** and its Italian member **Comitato Difesa Consumatori** met with senior representatives of the Italian government to put forward proposals for action to bolster EU consumer policy during the Italian presidency of the Council of Ministers in the first semester of 1996. In particular, Italy was asked to promote concrete progress on the Commission's 1996-1998 priorities for consumer policy, speed the adoption of the Directive on distance selling, improve public services, push for early agreement on the Green Papers on access to justice and guarantees and after-sales services, support the institutional strengthening of EU consumer policy in the Intergovernmental Conference and, last but not least, reinforce its own consumer protection.

BEUC also told the Italian government of its concerns on the application of subsidiarity. It complained that the principle was increasingly misused to prevent EU-wide action, whilst not giving Member States any more powers to introduce higher standards of consumer protection at their level.

Consequently, BEUC called on Italy to seek clarification about the application of the principle of subsidiarity with a view to reconciling it with the EU's commitment to pursue a high level of consumer protection as inscribed in Article 129A of the Maastricht Treaty.

Contact:

BEUC
avenue de Tervuren 36
B - 1040 Brussels
Tel.: +32 2 735 31 10
Fax: +32 2 735 74 55

Liliana Cantone
Press Office
Comitato Difesa Consumatori
Viale della Liberazione 18
I - 20124 Milan
Tel.: +39 2 66 72 01
Fax: +39 2 670 63 80

Distance selling: BEUC castigates the European institutions

On 13 December last the **European Parliament** voted in plenary session on the proposal for a 'distance selling' Directive¹. If some consumer-friendly amendments have been adopted, such as those stipulating that clients who cancel a contract will be liable only for the direct return shipping costs, while the amounts already paid will be reimbursed within 15 days, the same does not apply to the proposal to include financial services within the scope of the Directive, despite the fact that this proposal had been backed by the Committee on the Environment, Public Health and Consumer Protection.

BEUC immediately lambasted this choice, which it argues is dictated by the desire to molycoddle the powerful financial services industry to the detriment of consumers. BEUC emphasises that a growing number of financial services (insurance policies, saving plans, loans, etc.) are sold over

the phone and that consumer organizations have been handling a growing number of complaints from individuals who have been dragged into various transactions without being properly told what they were letting themselves in for. BEUC adds that the growing number of complaints concerning cross-border transactions can only reduce consumer confidence in the single market - a mindset which is diametrically opposed to the one the European institutions claim they want to foster.

According to BEUC's Director, Jim Murray, it is not a question of imposing undue costs on the providers of financial services, but simply of obliging them to provide consumers with basic written details on the nature, price and identity of the supplier, and of each service in question, and of granting buyers the same seven-day cooling-off period that applies to other products.

In this connection, BEUC has turned its fire on the Council, Parliament and Commission - the Council and Parliament for having voted against including financial services within the scope of the Directive, and the Commission for having played turncoat by first supporting and later opposing this inclusion.

However, Commissioner Emma Bonino, who did her utmost to ensure that buyers of all types of products and services, without exception, are protected by the Directive, has said she is willing to refer the financial services question back to the Commission again. A communication on the state of play will be prepared by the end of February, with a view to the possible preparation of a specific Directive.

Contact:

Jim Murray / Caroline Kerstiens / Valerie Thompson
 BEUC
 avenue de Tervuren 36
 B - 1040 Brussels
 Tel.: +32 2 735 31 10
 Fax: +32 2 735 74 55

¹ Co-decision - second reading - amendment of the Council's common position (COM(93) 396 final). The Commission will now trigger the conciliation procedure designed to establish a compromise between Parliament and Council.

Genetically engineered foods: will consumers be the winners or losers?

Genetically engineered foods range from new types of herbicide-resistant wheat to tomatoes with fish genes. In the UK alone, increasing numbers of products are being cleared for marketing by the Government Advisory Committee on Novel Foods and Processes. Cheese containing chymosin produced by genetically engineered bacteria (instead of rennet from calves' stomachs) is already on the shelves. Early in 1996 Sainsbury's and Safeway are due to launch a tomato paste made from genetically engineered tomatoes...

If these products are rigorously monitored, consumers could see real benefits from them. If not, they could face great health and environmental risks.

That is the conclusion of a meeting of 30 consumer groups from 22 countries who gathered at the first ever international food biotechnology conference for consumers organized by **Consumers International** and held during the week of 16-17 November 1995 in the Netherlands.

In particular, the consumer groups agreed that:

- consumers have the right to know which foods have been genetically engineered. This should be indicated on the label;
- all genetically engineered foods should be required to undergo mandatory, independent safety assessments,

according to internationally set standards. All such foods should be proven safe before they are put on the market;

- environmental concerns must be addressed. There is an urgent need for an international Biosafety Protocol (as proposed during the UN Convention on Biological Diversity in Rio de Janeiro in 1992) to ensure that the impact of genetic engineering does not threaten the environment.

Consumers International is urging the United Nation's World Health Organization (WHO) and Food and Agricultural Organization (FAO) as well as the European Union, to take these demands into account, as the UN is drawing up international safety standards for genetically engineered foods and the EU is working on legislation on these products.

Contact:

Lucy Harris / Michael O'Connor
 Consumers International
 24 Highbury Crescent
 UK - London N5 1RX
 Tel.: +44 171 226 6663
 Fax: +44 171 354 0607
 Email: prodec@consint.dircon.co.uk

Sustainable consumption, or how to do away with 'keeping up with the Joneses'

Whenever Emma Bonino emphasises the need to help consumers bring their shopping behaviour into line with the sustainable development of the planet, or when she launches the 1996 European Young Consumer Competition on 'The impact of consumer behaviour on the environment' she is demonstrating her concern with what is increasingly being called 'sustainable' consumption'. This concern is shared by a growing number of consumers, so much so that some observers are predicting the inevitable decline of the traditional consumer movement, which in their view is too exclusively concerned merely with bargain shopping².

Indeed, these concerns have given birth to a new type of consumer activist, and also to a new class of consumers (as well as producers and sellers). Examples abound. Suffice to mention three: a coffee manufacturer who undertakes to pay fair prices to the planters, a chain of 'exotic' craft shops which certifies that their products are manufactured in decent working conditions, or again livestock farmers who pledge to supply meat produced in conditions consonant both with consumer health and animal well-being. Let us take a closer look at the third example which, in the light of the current debate on the use of hormones (legal or illegal) in cattle farming, is clearly an important matter.

GAIA (Groupe d'Action dans l'Intérêt des Animaux - animal welfare action group) and **Eurogroup for Animal Welfare** recently conducted information campaigns denouncing calf-rearing methods. Hence they brought home the message that these animals, from the age of one week to five months, are sequestered in individual stalls measuring approximately 160 cm x 60 cm, in which they can neither turn, stand up, nor lie down without difficulty. Their food consists of little other than powdered milk, with hardly any iron or solid fodder. As a result they suffer from chronic diarrhoea and anaemia - and this anaemia is exactly what the cattle farmers want because it gives the meat its unique whiteness and leads consumers to believe that they are buying a premium product. It goes without saying that the bad general health of these animals renders them susceptible to all kinds of infectious diseases. But the remedy is at hand: cocktails of antibiotics and injections - not to mention the administration of hormones and other growth stimulators. At the end of five months, the

calvary is over. With their stomachs and intestines stuffed with tufts of hair which they tear off with their teeth in the hope of getting a bit of solid food, their muscles and skeleton atrophied through forced immobility, and unable to walk normally, the calves are literally dragged to the slaughterhouse. And a little later this meat lands on your plate...

Enjoy your meal!

Stalls have been banned in the United Kingdom since 1990. But the ban's impact is more apparent than real, since each year half a million calves are transported from the United Kingdom to other European countries (in atrocious conditions which got headline coverage some months ago) where this type of rearing is still permitted. This is why the Commission intends to propose to the Council of Agriculture Ministers an amendment to Directive 91/629/EEC which authorizes rearing in stalls, with an eye to banning the practice progressively throughout the Union.

Contact:

Michel Vandenbosch
GAIA
 avenue Princesse Elisabeth 169
 B - 1030 Brussels
 Tel.: +32 2 245 29 50
 Fax: +32 2 215 09 43

Eurogroup for Animal Welfare
 rue Boduognat 13
 B - 1040 Brussels
 Tel.: +32 2 231 13 88
 Fax: +32 2 230 17 00

Pending the adoption of legal provisions at European level, friends of sustainable consumption may want to purchase 'bovine meat from grass and hay'. In Belgium, the **Coalition pour une agriculture de qualité** (CPAQ - coalition for quality agriculture) has defined the production conditions: no hormones or other growth stimulators, food consisting of fodder and cereals, grazing or open housing on small agricultural holdings, selection of landraces which are more resistant to disease, etc. The results: premium meat, animal welfare, maximum number of agricultural jobs, respect for the environment and landscape conservation...

For more details and useful addresses, contact:

Nanou Carels
Coalition pour une agriculture de qualité
quai du Commerce 9
B - 1000 Brussels
Tel.: +32 2 218 47 27
Fax: +32 2 217 6078

Again, in early December 1995 the Commission organized a conference of experts called on to express their views on the health hazards associated with hormones. The experts concluded that five natural and artificial hormones banned in Europe since 1989 are, after all, harmless. But they warned against using Beta-agonists as growth stimulators, emphasized the problem of the illegal use of these banned products and hormones, and called for stronger and better coordinated national monitoring systems³. It is now up to the European Union to draw the political, legal and commercial consequences from these conclusions. This is a real minefield because the rules of the World Trade Organization stipulate that restrictions on imports may be based only on justified public health considerations. The problem is that some of these products are banned in Europe but permitted in the United States⁴ - in both cases of course on the strength

of expert reports with impeccable scientific credentials. This means that certain American meat products may not be imported into Europe. And to top it all - as already reported in **INFO-C**⁵ - the Codex Alimentarius (the UN body responsible for drafting international food standards) has joined the fray by legalizing the use of certain hormones, despite protests from the European Union. In a nutshell, a number of Cassandras are predicting yet another political, legal and trade war between Europe and the United States, the latter denouncing as disguised protectionism the prohibition of certain hormones in meat marketed in the European Union.

¹ Or 'durable'.

² Cf. *The Unmanageable Consumer - Contemporary Consumption and its Fragmentations*, presented in the 'Publications' section of the December 1995 issue of **INFO-C**.

³ Agriculture Commissioner Franz Fischler has already pointed out that the European Union cannot create its own monitoring networks for want of a legal basis to do so.

⁴ This is the case of the five hormones which have just been declared safe.

⁵ Cf. 'Consumers International delivers statement before the Codex Alimentarius Commission' in the 'Euro-Infos' section of our October 1995 issue.

Say no to hormones in meat!

As mentioned in the preceding article, certain obscure forces have been threatening blue murder if the EU ban on the use of hormones in meat production is extended. But on 29 November last, the first day of the Scientific Conference on Growth Hormones in Meat Production, **BEUC** came out vehemently against any suggestion that the ban be lifted.

BEUC argues that nothing justifies authorizing producers to use substances of this kind. On the contrary, because their use does not benefit consumers in any way, the principle of safety dictates that the ban be maintained.

BEUC also points out that even if the Codex Alimentarius Commission recently claimed that the use of five growth hormones (three natural and two artificial ones) was safe, this opinion is binding neither on national governments nor

on the European Union. The organization also considers that even if the three natural hormones concerned are not dangerous, their mere presence might interfere with the detection of other illegal and dangerous substances, which would make it even more difficult to combat this repulsive trade.

Contact:

BEUC
avenue de Tervuren 36
B - 1040 Brussels
Tel.: +32 2 735 31 10
Fax: +32 2 735 74 55

¹ A veterinary inspector was murdered in Belgium by the hormone mafia at the beginning of 1995. Again, on 12 December the press agency *Europe* reported that five other inspectors had received death threats.

Consumer policy: a lot remains to be done, says EURO COOP

At year's end **EURO COOP** published a brochure called **Decisive Years for European Consumer Protection** setting out its views on the measures to be taken in the area of consumer policy in the years to come.

Deploring the gap which still separates the needs (and promises) from the rights effectively granted to consumers, and the threats hanging over these rights, EURO COOP first invites those responsible for revising the Maastricht Treaty to:

- retain, in the revised Treaty, an article mandating the Community to guarantee consumers a high level of protection;
- take steps to prevent setbacks to consumers' interests resulting from possible deregulatory measures, such as those proposed in the Molitor report in the context of food hygiene;
- restrict the scope of the subsidiarity principle, which is sometimes invoked by certain Member States as a pretext for weakening consumer policy both at European level and at home.

This is followed by proposals concerning specific policies.

As regards the Common Agricultural Policy (CAP), EURO COOP urges that:

- the ban on the use of hormones in meat production should be retained;
- the use of antibiotics and tranquillizers in meat production should be banned;
- laws should be adopted to ensure the well-being of animals during raising, transport and slaughter;
- the use of proven toxic pesticides should be banned;
- a standard should be adopted defining so-called 'organic' products according to strict criteria;
- an integrated approach should be adopted to European water policy, and the principle of the 'polluter-payer' should be applied;

- consumer policy should be integrated into the CAP, notably by putting an end to the predominance of producer representatives in the advisory committees on agricultural products governed by a common market organization; moreover, the chairs of these committees should not be held by producer representatives, but by the Commission.

As regards consumer policy as such, EURO COOP urges that while continuing to work towards the drafting and adoption of any legislation that is still indispensable, the Commission and the EU as a whole should focus on information measures targeted at the general public. To this end EURO COOP suggests that:

- directives should contain provisions obliging national governments to inform the population about these new measures;
- consumer organizations should be authorized to attend Commission and Council press conferences and DG XXIV should organize information meetings with them;
- public television channels should be obliged to broadcast programmes on consumer protection;
- the Commission should financially support and/or subsidize the production of such programmes;
- information and educational material on consumer affairs should be created for schools.

Contact:

EURO COOP
rue Archimède 17
B - 1040 Brussels
Tel.: +32 2 285 00 70
Fax: +32 2 231 07 57
Email: Eurocoop@geo2.poptel.org.uk

What role should Europe's regional consumer organizations play?

With the completion of the European internal market, Europe's regional consumer organizations see themselves facing new and wider challenges. For some years now the European Consumer Infocentres have been liaising with European consumer organizations. Regional consumer organizations - whether linked to the infocentres or not - are increasingly becoming aware of the need for intensive professional exchanges with their European colleagues.

To initiate such exchanges - and to intensify them where they already exist - guest training periods at European regional consumer organizations are just what is needed. The purpose of such exchanges is to make possible, or facilitate, the pooling of on-site job experience. At the same time guests will have the opportunity to learn more about consumer affairs in the host country. During their stay they can also brush up their knowledge of the local language and expand their general vision of living and working conditions in another European country.

To get things moving in this direction, the **Verbraucher-Zentrale Nordrhein-Westfalen** (the central consumer

protection office of Nordrhein-Westfalen) developed a blueprint for such exchanges in 1994/95, with the financial support of the European Commission's DG XXIV. Aids for preparing and implementing a project of this nature are now at hand in the form of a 'handbook' containing practical hints and a 'curriculum' for fleshing out the plans. The regional organizations say they are very keen to arrange such exchanges.

But it remains unclear as to whether, and if so, how, such exchange programmes can be realised in practice. What is certain, however, is that more intensive professional contacts between the personnel of regional consumer organizations in the 'Europe of the Regions' will lead to more cooperation at practical level and greater dynamism.

Contact:

Heide Naderer
Verbraucher-Zentrale Nordrhein-Westfalen
Mintropstr. 27
D - 40215 Düsseldorf
Tel.: +49 21 1 3809 156
Fax: +49 21 1 3809 172

The EIICA goes from 20 to 22 members

The **European Interregional Institute for Consumer Affairs** (EIICA) recently welcomed two new regions: Aragon and the Balearic Islands. Aragon has 1.2 million inhabitants. Thanks to the EIICA, its Directorate General for Consumer Affairs hopes to learn more about consumer protection at Community level and to obtain easier access to consumer information in Europe. The Balearic Islands have 778 000 inhabitants, but each year host 7 million visitors and naturally enough, there are a good number of consumer disputes, notably in the tourist sector.

Readers should also note that the EIICA at its last general assembly in Glasgow on 20 November 1995 amended its articles of association to allow consumer protection bodies from central and eastern Europe to become members, and that it is working out a specific programme of institutional initiatives that go beyond the current framework of mere friendly exchanges.

Contact:

European Interregional Institute for Consumer Affairs (EIICA)
79 rue Gantois
F - 59000 Lille
Tel.: +33 20 21 92 50
Fax: +33 20 54 18 45

Bartolome Segui Prat
Direcció General del Consumo
c/San Gaieta n° 3
E - 07012 Palma de Mallorca
Tel.: +34 71 17 62 62
Fax: +34 71 17 62 52

Angel Val Pradilla
Direcció General del Consumo
Pº Maria Agustin 36
E - 50071 Saragossa
Tel.: +34 76 71 50 02
Fax: +34 76 71 47 30

Too many disparities between national product safety standards?

Is world trade handicapped by differences between safety standards and consumer product certification conditions imposed by individual countries?

To answer this question the **OECD** Consumer Policy Committee conducted a questionnaire-based survey sent to representatives of industry, standardization organizations and consumer associations throughout the world. The questions concerned safety standards and certification conditions for toys, microwave ovens, lawnmowers and bicycle helmets. The results were presented at the OECD conference on safety standards held in Paris on 7 and 8 December 1995.

It seems that manufacturers and the bodies responsible for product safety view the issue from very different angles.

While the latter hold that for these four product categories the national or regional standards are almost equivalent to

international or quasi-international standards, the former highlight the disparities, which they consider intolerable, and argue that apparently minor divergences lead to additional costs¹ and marketing delays, while at the same time being to a large extent unjustifiable. Consequently they consider it necessary to define a single international standard for each product as well as a single international test.

Contact:

OECD
 Division de la Communication
 2 rue André Pascal
 F - 75775 Paris Cédex 16
 Tel.: +33 1 45 24 80 88 / 89
 Fax: +33 1 45 24 80 03

¹ For the manufacturer, but also and mainly for the consumer, because obviously it is he who ultimately foots the bill.

10

Fish: what are consumers being expected to swallow?

In our December 1995 issue, we reported the rather poor results of a study conducted by the Italian consumer organization Comitato Difesa Consumatori on the freshness of fish sold in Italy¹. In fact, the study was conducted by several consumer organizations, members of **International Consumer Research and Testing** (IT) and **BEUC** in most of the EU Member States and the findings were generally disappointing, albeit to degrees varying greatly from country to country.

At EU level, more than 40% of the fish was classified as 'acceptable', meaning that it was still fit for consumption but had lost all particular taste and flavour. The rest was rated either 'good' or 'bad'. At national level, the only countries where the proportion of fresh fish of 'good' quality was high were France (94%) and Portugal (78%). At the other extreme, the Netherlands and Spain had a high proportion of fish rated 'bad', i.e. unfit for consumption, with respectively 19 and 11%. Greece had serious problems with contamination levels, as 83% of the samples tested were infested with a pathogenic bacteria - clearly the sign of disastrous hygiene during handling and packing.

Qualitative tests were also conducted on pre-packaged frozen fish fillets and coated fish in nine EU Member States.

In the case of frozen fish, they revealed defects such as deterioration of taste, contamination by bacteria in some samples, the substitution of cheaper species for more expensive ones and the presence of skin, membrane and bones resulting from substandard mechanical filleting.

As far as coated fish was concerned, the question arises whether it should still be called fish, since the fish content was found, in one case, to be as low as 37.1%! Although that was an extreme result, the majority fell no higher than between 50-65%, and 15% of the tested products contained less than 50% fish. In addition, 40% of the samples contained bones, and high bacterial levels were found in several samples tested in Denmark and the Netherlands.

Several conclusions can be drawn:

- Member States should better enforce the EU legislation on health and hygiene with regard to fish products, especially Council Directive 91/493/EEC, which lays down detailed provisions covering health and hygiene during fish production and marketing (in particular that fresh fish should be kept continuously at 0-1°C), and Commission Decision 94/356/EEC, which lays down special rules for the inspection of premises dealing with fish products;

- for frozen fish, the recommended shelf life of two years should be reduced to six months, and pressure should be put on the industry to ensure that a temperature of -18°C is maintained continuously throughout the production and distribution chain;
- for coated fish, the term 'fish' should be reserved for those products containing at least 65% fish and the fat content should be indicated on the label;
- these technical improvements having been made, an 'intelligent' campaign promoting the consumption of fish should be launched either at EU or Member State level. It could, for instance, make consumers aware of the improvements achieved, emphasize the nutritional advantages of eating fresh or frozen, instead of coated fish, give consumers tips on how to judge the freshness of fish at the point of sale, inform them about the value of less popular species, etc.

More details on the results and recommendations can be had from:

BEUC
 avenue de Tervuren 36
 B - 1040 Brussels
 Tel.: +32 2 735 31 10
 Fax: +32 2 735 74 55

IT
 65 New Cavendish Street
 UK - London W1M 8AX
 Tel.: +44 171 436 0657
 Fax: +44 171 436 0944

or the national organizations which participated in the study:

- Consumers' Association (London, UK),
- Consumentenbond (The Hague, Netherlands),
- Comitato Difesa Consumatori (Milan, Italy)
- Stiftung Warentest (Berlin, Germany),
- Test-Achats (Brussels, Belgium),
- Union Fédérale des Consommateurs (Paris, France),
- Consumers' Association of Ireland (Dublin, Ireland),
- Edocusa (Madrid, Spain),
- Forbrugerrådet (Copenhagen, Denmark),
- E.K.PI.ZO (Athens, Greece),
- Edideco - Editores (Lisbon, Portugal),
- Forbrukerrådet (Oslo, Norway).

Addresses and phone numbers can easily be obtained from directory enquiries in your country.

¹ Article entitled 'How come my fish isn't fresh???' in the 'Countries - Italy' section.

CJD most probably not caused by BSE

As a result of numerous stories in the media concerning the possible linkage of Bovine Spongiform Encephalopathy (BSE), better known as mad cow disease, to Creutzfeldt-Jakob Disease (CJD) and following many calls to its free Foodline telephone service for consumers, the **Food Safety Advisory Centre** issued a press statement on 27 October last, which we have summarized below.

There is no scientific proof of a link between BSE and CJD - its human equivalent. Epidemiological surveillance of CJD, since 1990, in the UK, where there have been quite a few cases of BSE in the last few years, has shown no differences from parallel studies in other countries in the European Union with little or no reported cases of BSE. The increased reporting of cases in the UK is broadly in proportion to demographic changes.

Nevertheless, although the evidence for linkage is not present, there is a case for the European Union to fund some further serious and detailed study to shed more light on how CJD is caused and what can be done to check it.

Contact:
 Michael Young / Nicola Harrison
 Food Safety Advisory Centre
 72 Rochester Row
 UK - London SW1P 1JU
 Tel.: +44 171 828 3431
 Fax: +44 171 828 3435

Free Foodline Information Service: 0800 282 407 (from the UK)

GERMANY • CONSUMER ORGANIZATIONS - LEADERS IN THE CONFIDENCE HIT PARADE

No social or political institutions in German society enjoy as much public confidence as the consumer organizations. This was revealed by the weekly *Focus* which, in its issue of 27 November 1995, published the results of a comparative study on ten institutions. Even such eminent institutions as the Federal Presidency or the Federal Constitutional Court do not inspire as much public confidence as organizations whose mission is to protect citizens as consumers.

According to this survey 40% of the population (aged 14 and over) in Western Germany and 43% in Eastern Germany have 'great confidence' in consumer organizations, while the corresponding figures for the Federal Presidency are 37% and 31% and, for the Federal Constitutional Court, 31% and 27%. The other percentages are as follows: 33% and 19% for the police, 29% and 21% for justice, 22% and 23% for the public television channels, 21% and 13% for the churches, 14% and 14% for the Federal Parliament, 11% and 8% for the press and only 7% and 5% for the political parties.

Consumer organizations have every reason to take pride in these figures, both because they demonstrate the success and confirm the relevance of their work, and because they provide encouragement to continue - despite persistent and obdurate resistance from certain economic and political circles - on the road they have followed up to now. As to the politicians, they would be well advised to humbly examine their miserable rating and provide sufficient support to consumer organizations to enable them to continue to work effectively for the public good. This is because the country's stability and social peace can only be maintained with the aid of the institution in which citizens have greatest confidence.

Contact:

Dirk Klasen
Arbeitsgemeinschaft der Verbraucherverbände (AgV)
Heilsbachstr. 20
D - 53123 Bonn
Tel.: +49 228 64 89 0
Fax: +49 228 64 42 58

FRANCE • YOUR BANK MANAGER ISN'T MOTHER THERESA!

Well, you probably had your doubts... Three recent studies by the **Centre Régional de la Consommation** (CRC) of the Nord - Pas-de-Calais region provide ample evidence that banks aren't charity personified.

- **La tarification des services bancaires** (Charges for banking services)¹ castigates the prohibitive - and constantly rising - cost of banking services, which are up 84%, on average, since 1986². But this average is greatly exceeded in certain cases. Hence the charge for an international bank card has increased by... 160%, whereas the costs of freezing a bank card have risen by... 318% and the fees for stopping a cheque by 369%³. It is as though in one case 'luxury' clients are being held over a barrel, while in the two other cases it is the culprit (or the victim) who carries the can. At any rate it is not surprising that with such figures the 'banking services' budget has risen most as a proportion of overall consumption.

The CRC correctly notes that such a series of price hikes would be difficult to pass off in the traditional retail sector, where price-conscious consumers scrutinize the smallest price differentials and where a few pennies can make all the difference. Therefore, it looks as though it is

the public's ignorance of the particulars pertaining to bank charges that allows this inflationary spiral to continue unabated. Alas, this assumption is confirmed by a survey of bank customers. While it reveals that most clients have the praiseworthy habit of checking their bank statements, it also shows that they are surprisingly negligent in all other respects. Hence 47% of those interviewed said that they never looked at the price list and more than 90% of them had no idea of the price of eight out of 12 normal banking services! The way (future) clients choose their bank also reveals how little attention they pay to the financial dimension, their main criteria being proximity, the bank's reputation and the choice their... parents(!) made in their time.

On these grounds the CRC has drafted recommendations which it addresses both to the banks and to their clients. It urges banks to send their clients a new banking guide whenever charges are altered, and to display copies prominently in their branches. And it begs clients to be as attentive and responsible in dealing with their banks as they are in other sectors. To this end, they must become accustomed to learning more about charges, if possible, before choosing their bank, and to demanding

explanations of increases they consider unjustified (for example: 'Mr Bank Manager, this increase of 318% in the charges for freezing my bank card - does it reflect an increase in 318% of the cost of this operation for you?').

- **La segmentation bancaire** (Classification of clients) describes how banks classify their clients into different categories in order to propose targeted services. We won't enter into the details of this study, but we can't resist telling you the names certain establishments give these different categories: some classify their clients as 'goodies', 'basket cases' and 'rogues'⁴, whilst others speak of 'ants', 'leaking jars' and 'fruitcakes'... But don't get us wrong... The CRC does not condemn categorization as such; it simply wants those who practice it to respect a minimum of ethical rules, first and foremost by outlawing insulting sobriquets, as well as by ensuring the client's right to access to personal data the bank has kept about him and the way they are analyzed⁵.

- **L'usage d'une carte bancaire à l'étranger** (Using a bank card abroad) describes the following experiment. The CRC tried to establish the real cost of buying foreign currency and goods in Great Britain, Belgium and Germany, using six cards from different French banks. We will spare you the details of the calculations and give you the upshot: *nuls points* for the banks.

Ideally, by surveying the bank's commissions, an identical rate of exchange should apply to foreign currency withdrawals from the same agency at the same time. But this is by no means the case, all the rates being different and, moreover, *different from the official exchange rate at the time!* Obscure charges (which, according to the CRC, may be used to cover internal costs) seem to be added to the official commissions.

To add insult to injury, in the case of purchases there is the problem of the date used to calculate the rate of exchange. While the user naively believes that the rate of exchange used is that of the day of purchase, in reality, it is the one on which the invoice is processed by the bank.

In these circumstances, how can a traveller manage his budget, especially when he is in a country with 'funny money'?

To cap it all, the marvellous invention of 'value dates' means that the money a client withdraws from an ATM on a given date is in fact subtracted from his account several days *beforehand* (but one would have to be somewhat paranoid to look on this as a scandal, because it is simply a remarkable example of the theory of relativity: you are still stuck in the Lille traffic jam while your account has already been debited for the French-franc equivalent of the rupees you will spend three days later under the coconut trees).

This brief summary surveys just some of the more general issues discussed in the study. Readers interested in the subject will therefore be keen to peruse the entire report, which also discusses the differences between the six bank cards used and the three countries in which the test was conducted.

These three studies can be had from:

Centre Régional de la Consommation
47 bis rue Barthélémy Delespaul
F - 59000 Lille
Tel.: +33 20 60 69 12
Fax: +33 20 60 69 97

¹ This study found a very wide echo in France, where it was even discussed on the eight o'clock news on 18 December 1995.

² Whereas inflation during this period was 24%.

³ The other increases observed were as follows:

- research fees:	+46%
- national banking card:	+59%
- occasional transfer:	+87%
- stopping a cheque:	+96%
- bank cheque:	+96%
- placing a permanent order:	+103%
- regular statements of account:	+136%.

⁴ This is the case of a Belgian insurance company.

⁵ For reasons of competition, banks have up to now refused to introduce transparency.

• SOFTWARE FOR BETTER CREDIT MANAGEMENT

Whether you want to calculate the cost of a loan, plan a loan refinancing operation, or carry out credit simulation, the new software **LOGI-CREDIT** from the **Centre Régional de la Consommation** is just what you need.

The programme consists of three modules:

- 'OPTI-CREDIT' instantaneously calculates the cost of credit, both for mortgage and consumer loans;
- 'REFI-CREDIT' analyses the costs of a loan refinancing operation, including extras which may add to the bill (penalties, compensatory interest, etc.);
- 'MODUL-CREDIT' compares the various repayment options offered by the new loans with adaptable schedules.

LOGI-CREDIT is intended both for consumer professionals, notably those responsible for consumer information, and for private individuals. It costs FF 400 and requires a 386 PC or higher with at least 4 MB RAM and 4 MB free hard disk space. Mouse recommended. The disks come with an illustrated user guide explaining all the options with the aid of examples.

Contact:

Centre Régional de la Consommation
47 bis rue Barthélémy Delespaul
F - 59000 Lille
Tel.: +33 20 60 69 12
Fax: +33 20 60 69 97
Minitel: 3615 CRC

UNITED KINGDOM • WANT TO EAT HEALTHILY? THEN BE READY TO COUGH UP (AND CHOOSE VERY CAREFULLY)!

In a press release sent out on 19 October last, but which is certainly still topical, **The Food Commission** pointed out that a healthy basket of food can cost up to 41% more than a less healthy one.

The survey, comparing 15 healthier alternatives to commonly eaten foods - such as low-fat mince compared with regular mince, wholemeal bread with white bread, etc. - found that it was in the less affluent areas that the less healthy foods were the cheapest, but also the healthier options the most expensive. Thus, the premium on healthy choices is greatest for those who can least afford it!

Tim Lobstein of The Food Commission pointed out that with the premium on healthy foods having risen dramatically in the last seven years - from 20% in 1988 to 41% now, many families on a tight budget were now forced to opt constantly for the less healthy alternatives.

Be that as it may, The Food Commission warned the same day against foods which appear healthy, but in fact are not.

In a survey of 21 popular brands of veggie sausages and burgers bought from supermarkets and health food stores, it found that swapping meat for meat-free sausages and

burgers by no means guarantees a lower level of fat or a cheaper meal. Indeed, 17 of the samples derived more than 50% of their calories from fat. The fattiest, Granovita, had 80% of calories from fat - that's fatter than a pork sausage, and cost £9.00 a kilo - more expensive than prime steak! Furthermore, the fat used is most often hydrogenated fat¹, i.e. the most unhealthy type!

'The high selling price of these products, combined with the cheap ingredients they contain, indicate that manufacturers are just trying to cash in on consumers' growing interest in healthy food', said Sue Dibb of The Food Commission.

Contact:

Tim Lobstein / Sue Dibb
The Food Commission
5-11 Worship Street
3rd floor, Viking House
UK - London EC2A 2BH
Tel.: +44 171 628 7774
Fax: +44 171 628 0817

¹ Although not in the case of Granovita.

• THE OFT TARGETS UNFAIR CONTRACT TERMS

Since the **Office of Fair Trading** (OFT) gained new powers to challenge unfair standard terms in consumer contracts, thanks to regulations¹ which came into force on 1 July 1995, it has given advice to many businesses and trade associations to improve their contracts as well as taken action in more than 150 cases.

About half of the 300 complaints received by the OFT since July 1995 were found to have some potential for unfairness. These were dealt with by asking businesses to withdraw or amend the offending terms. None of the cases required the OFT to obtain a court injunction.

'The positive and cooperative attitude of traders contacted by the OFT encourages me to believe that many unfair terms are due to the lack of informed advice rather than a wish to deny the consumer a fair deal', John Bridgeman, Director General of Fair Trading, declared.

He praised the following companies for their prompt response to the OFT's concerns:

- All Star Soccer Schools (of Stockton-on-Tees) removed a term in a booking form for a soccer course which purported to exclude all liability for personal injury, loss, or damage;
- Goodalls Caravans (of Sheffield) agreed to redraft its contracts to remove terms with potential for unfairness such as: exclusion clauses (including exclusion of liability for defects and delays), terms binding consumers to other terms which they had not seen (for instance manufacturers' conditions), terms excluding statements made by agents and unequal cancellation rights;
- Harry Shaw Travel (of Coventry) agreed to stop using a widely drawn disclaimer which appeared to exclude liability for breaches of contract and negligence;

- Rover Group acted positively in agreeing to alter the term of the 'Rover Commitment' under which they agree to take back cars from dissatisfied consumers within a certain period. This type of arrangement is generally of benefit to consumers, but one term excluded vehicles that had suffered damage which, in the opinion of the Rover dealer, would cost more than £150 to repair. This seemed to give the dealer too much power to interpret a potentially important contract term. Rover now allows for an independent assessment to be made by an RAC expert;
- Savacentres Limited (a J. Sainsbury group company) promised to remove notices saying 'This car wash used entirely at owner's risk'. Such notices can exclude liability for breaches of contract and negligence and are therefore open to challenge under the regulations as unfair.

British consumers or their representatives should address their complaints about unfair standard contract terms to:

The Unfair Contract Terms Unit
The Office of Fair Trading
53 Chancery Lane, Room 500
UK - London WC2A 1SP

For general enquiries, contact:

Office of Fair Trading
Field House
Brems Building
UK - London EC4A 1PR
Tel.: +44 171 242 2858
Fax: +44 171 269 8961

¹ The Unfair Terms in Consumer Contracts Regulations 1994 (SI 1994/3159), which implemented EC Directive 93/13.

• HOME MAINTENANCE - A CALL FOR FEWER PITFALLS FOR CONSUMERS

The National Consumer Week organized by the **Institute of Trading Standards Administration (ITSA)** took place from 6 to 10 November last, focusing this time on improvements and safety in the home, a sector which accounts for nearly 20 percent of consumer complaints. The purpose was to show that by careful selection of contractors and with the use of safeguards supporting transactions, whether by law or through trade associations, many of the problems can be avoided. Events included major displays on home safety and free checks on the whole range of household appliances and DIY power tools - all backed by information and advice factsheets; a BT phone-in which enabled thousands of consumers from all over the country to expose their complaints and seek advice from dozens of volunteers from Trading Standards Departments; and the handing-out of an excellent brochure entitled **Home Improvement**, published by the Office of Fair Trading in February 1995,

with a view to helping readers limit the probable causes for complaints by adopting a systematic approach to contracting building work. To this end, it covers the following topics: planning what needs - and does not need - to be done, obtaining the necessary approvals, short-listing potential contractors, getting quotations, agreeing a written contract, finding out about guarantee schemes, paying in stages, and handling a dispute.

Contact:

Institute of Trading Standards Administration
4/5 Hadleigh Business Centre
351 London Road
Hadleigh
UK - Essex SS7 2BT
Tel.: +44 170 255 9922
Fax: +44 170 255 9902

DENMARK • MINIMIZING THE SALMONELLOSIS RISK

On 3 November 1995 the **Forbrugerstyrelsen** (Danish consumer institute) issued a press release containing information on a health scourge associated mainly, but not exclusively, with hot summers - salmonellosis.

Salmonellae cannot survive temperatures above 75°C. So it is quite safe to eat eggs in any form in meals that have been well cooked.

However, there is a risk in preparing puddings or other dishes containing raw eggs, such as cheeses, chocolate mousse, crème fraîche, ice cream or mayonnaise. Marie Hummeluhr, home economics counsellor at the Forbrugerstyrelsen, points out that this risk can be greatly reduced if the following six tips are taken to heart:

1. Always use fresh eggs.
Buy fresh eggs - check the date on the packaging - when you want to prepare a dish containing raw eggs. Never buy more eggs than you can consume in one or two weeks.
2. Keep eggs in the fridge until use.
The temperature in the middle of the fridge should not exceed 5°C. It is better to keep eggs in the main compartment of the fridge, as the temperature in the

door, where they are usually stored, is often higher.

3. Blanch the eggs just before using them.
Plunge the eggs into boiling water for five seconds. Any salmonellae on the shell will therefore be killed and will not fall into the dish when you break the eggs into it.
4. Wash your hands.
To avoid contaminating other foodstuffs, wash your hands after touching eggs or other raw foodstuffs.
5. Immediately place the meal in the refrigerator.
The salmonellae will continue to multiply, but far more slowly, at fridge temperature.
6. Prepare the dish just before the meal and discard any leftovers.
Most food poisonings occur because dishes are prepared long before being eaten and are kept at too high a temperature in the meantime.

But since you can never be 100% certain, avoid serving dishes containing raw eggs to young children, pregnant women, the elderly and the infirm.

On the other hand, eggs that have been *pasteurized*, i.e. treated thermally, are safe. Always use pasteurized eggs in collective meals which are neither cooked nor fried - e.g. in

nurseries, schools, nursing homes, restaurants, catering establishments, etc.

Ideally, pasteurized eggs should also be available for home use, but unfortunately today they are marketed only by wholesalers, and although retailers have already tried to launch products based on pasteurized eggs as refrigerated foodstuffs, consumers haven't taken to them. However, these products are now available in deep-frozen form and can be kept for one year. One can only hope that this will give consumers time to become familiar with them and appreciate them.

• 'ETHICAL DIALOGUE': A QUESTION OF CORPORATE SURVIVAL

Many of the regulatory provisions governing relations between different economic players could well become superfluous if firms adopted an ethical approach in their relations with their employees, their clients and society in general, says the Consumer Ombudsman in his new brochure *Etik dialog ansvar* (ethical dialogue) published by the **Forbrugerstyrelsen** and targeted at firms who wish to put ethics on their agenda.

This means much more than just obeying the law. Consumers are increasingly making moral demands with regard to the products they buy, and are taking into

consideration manufacturers' respect for the environment, human rights, animal well-being, decent working conditions, and so forth.

Marie Hummeluhr
Forbrugerstyrelsen
Amagerfaelledvej 56
DK - 2300 Copenhagen
Tel.: +45 32 96 06 32 ♪ 318
Fax: +45 32 96 02 32

Etik dialog ansvar costs DKR 30 and may be ordered from the 24-hour hotline +45 32 96 07 11.

Contact:
Forbrugerstyrelsen
Amagerfaelledvej 56
DK - 2300 Copenhagen
Tel.: +45 32 96 06 32 ♪ 281
Fax: +45 32 96 06 32 ♪ 390

AUSTRIA • SMALL CARS: TIGHTWADS OR SPENDTHRIFTS?

In the November 1995 issue of its periodical *Konsument*, the **Verein für Konsumenteninformation** (VKI - Austrian consumer information association) published a comparative test on fuel consumption in small cars.

What with all the talk of 'three litres to 100' one might expect small cars to go easy on petrol. But in reality things are quite different, and indeed average consumption may be as high as 7.6 litres per 100 km!

The comparative test studied the average consumption of eight models over a stretch of 10 000 km. The stragglers were two models in the Volkswagen group - the Polo and its Spanish cousin the Seat Ibiza, both of which consume 7.57 litres - and this although VW claims that the Polo's average consumption is 6.5 litres! Top of the class was the Nissan

Micra at 6.44 litres per 100 km. And hats off to this carmaker for providing an accurate figure of 6.5 litres, which even slightly overstates consumption by comparison with the 6.44 litres recorded in the test.

Two conclusions can be drawn: firstly, small cars are not always as economical as they are reputed to be and, secondly, fuel consumption claims made by carmakers sometimes have to be taken with a big pinch of salt.

Contact:
Redaktion *Konsument*
Verein für Konsumenteninformation
Mariahilferstr. 81
A - 1060 Vienna
Tel.: +43 1 588 77 232
Fax: +43 1 587 85 65

SPAIN • CIUDADANO AWARDS ITS 'QUALITY LABEL' TO THE MOST DESERVING CANDIDATES

The foundation **Ciudadano** (citizen), which celebrated last November the 250th issue of its magazine **Ciudadano**, has created a 'quality label' which it hopes will encourage manufacturers and professionals to offer quality products and service to consumers - quality monitored from now on by a non-profit-making, specialized and independent body. This label, awarded on the basis of *Ciudadano's* monthly comparative tests, will serve as a signal for people who are keen on quality but don't want to have to read the magazine in detail.

In its comparative analyses, *Ciudadano* wholeheartedly supports 'total quality', because this is the best way to protect the consumer. This means that it is not enough for

manufacturers to supply a good product - they must also provide such features as good information on the product, clear operating instructions, a sufficiently long-term and comprehensive warranty, satisfactory after-sales service, etc.

Contact:

Paz Escorihuela
 Ciudadano
 Calle Atocha 26, 3^o/izda
 E - 28012 Madrid
 Tel.: +34 369 12 85
 Fax: +34 369 08 27

PORTUGAL • PUTTING A STOP TO ILLEGAL ADVERTISING!

The **Instituto do consumidor** (Portuguese consumer institute) has recently noted the persistence of illegal advertising practices, notably on television.

These activities continue unabated despite the entry into force of Decree-Law No 6/95 of 17 January 1995, whose objectives include strengthening the effectiveness of the standards on the separation and identification of advertising and reforming the commission responsible for fining infringers.

This commission was overhauled in June 1995 and is now operating at full steam, but unfortunately its measures have not had sufficient bite.

The persistence of these infringements is largely due to intensified competition in the advertising sector (mainly because broadcasting licences have been issued to new television channels), and the fact that, for almost four years, there was no authority with the right to punish infringers.

Against this background the chairman of the Instituto do Consumidor published on 29 November 1995 Public Recommendation No 6/95, which urges RTP (national TV and radio stations), SIC (independent communications firm) and TVI (independent television) to abstain notably from:

- inserting advertising without separating it from the rest of the programme;

- allowing their own announcers or other TV professionals to advertise product brands, services or firms, without using the separators mandated in Article 8(2) and (3) of the Advertising Code;
- using covert techniques so that the viewers remain unaware that what they are watching is actually advertising;
- referring to sponsors over and above mentioning (as authorized by law) their name or logo at the beginning or end of the broadcast;
- placing products, posters or other visual devices making it possible to identify corporate brands or logos in the studios or 'on show' with a view to drawing the public's attention to them;
- providing information on for-profit telecommunications services during broadcasts unless these services are part of the broadcasts in question;
- advertising immediately after the news, without inserting the mandatory separators, together with information on the time;
- advertising just after close-down of the programme, hence subverting the principle according to which advertising slots must be inserted between broadcasts;
- inserting advertising in political information programmes, current affairs programmes, or religious or children's programmes lasting less than 30 minutes;

- carrying advertisements of a religious nature.

Contact:

Manuel Lucas Estevão
 Chairman
 Instituto do Consumidor
 Praça duque de Saldanha 31,3°
 P - 1000 Lisbon
 Tel.: +351 1 54 40 25
 Fax: +351 1 52 24 10

BELGIUM • CANTEEN MENUS: 'GREEN SALAD AND FRESH CARROTS' OR 'STEAK WITH HORMONES AND FATTY CHIPS'?

The **Association contre le Cancer** (cancer association) has always emphasized the importance of a healthy diet in cancer prevention. On 13 December last, in the context of this permanent awareness-raising campaign, it awarded its fourth 'Trophée Santé' (health trophy) to the firms that did most to encourage good eating habits in the workplace.

In the 'under 1 000 employees' category, with 150 entrants, the winner was A.P. Assurances, while in the 'over 1 000 employees' category, with 70 entrants, the first prize went to De Vossemereen.

In 1994 the theme of the Trophée Santé was also that of the workplace diet. This allowed the Association contre le Cancer to identify a number of trends. Some of them are positive:

- fewer meat-and-sauce dishes;
- fewer sweetened desserts;
- somewhat fewer chips and somewhat more boiled and mashed potatoes;
- more vegetables;

- somewhat less wine and somewhat more water;
- a wider choice of main courses.

Others were negative:

- less wholemeal bread;
- fewer vegetarian dishes.

Finally, the percentage of firms that organized nutrition information campaigns remained the same at 30%. But 91% said they would welcome campaigns conducted by the Association contre le Cancer which could be presented in various forms - posters, folders, conferences, a day with special meals or articles in house magazines.

For the full results of the survey contact:

Anne Van Boxel (responsible for the Trophée Santé)
 Caroline Danhier (press officer)
 Association contre le cancer
 place du Samedi 13
 B - 1000 Brussels
 Tel.: +32 2 219 19 20
 Fax: +32 2 218 53 27

• **DRUGS PACKAGE LEAFLETS: IMPROVEMENTS NEEDED!**

At the initiative of the coordination unit on the good use of medicaments at the **Centre coopératif de la consommation**, a study on leaflets accompanying medicinal products used by Belgian patients was conducted some months ago under the management of Luk Joossens from the Centre de Recherche et d'Information des Organisations de Consommateurs (CRIOC - consumer organizations' research and information centre).

The study concerns the leaflets accompanying the 20 best-selling drugs in Belgium in 1994 and the ten with the largest turnover. The goal was to identify possible readability and comprehension problems and, if necessary, to propose remedies to the Federal Ministry of Public Health and DG III 'Industry' at the European Commission (a Belgian Royal Decree of 9 July 1984 and a European Directive¹ provide that patients shall be supplied with clearly-worded leaflets). The study's findings are mixed.

Certainly, package leaflets are better than they used to be. Hence, in many cases particulars of interest to the patient (on steps to be taken in case of overdose, for example) have replaced the arcane jargon intended for the medical community.

However, a number of major shortcomings still persist:

- certain drugs do not have any accompanying leaflet at all;
- despite the general progress noted above, certain leaflets still contain too many unexplained technical terms;
- microscopically small print is used on all leaflets;
- the drug's impact on the course of the disease is not adequately explained. Many leaflets fail to mention that, even if the symptoms disappear after a certain time, the treatment should be continued well beyond for the therapy to work;
- the sequence in which the particulars are presented (mandated by Directive 92/27/EEC) does not encourage the patient to read the leaflet. The problem is that before

getting to the information on the drug as such, the patient must sometimes wade through half a page of details on its different presentations, its manufacturer and the person responsible for registering it.

To remedy these ills the coordination unit proposes that:

- the Ministry of Health and the Drugs Registration Commission should do their utmost to enforce the law applicable since 1988 (!) that mandates the inclusion of a leaflet for patients in drugs packages;
- linguists should be appointed to the registration commission to see that the leaflets are clearly worded;
- the use of excessively small print should be outlawed;
- each leaflet should explain clearly how the drug affects the course of the disease;
- the European Commission should propose to the Council an amendment to Directive 92/27/EEC with a view to changing the sequence in which the particulars are presented.

By supplementing the information provided by the doctor and pharmacist, leaflets that are both informative and understood by the patient can work wonders to encourage the rational use of drugs. What matters is to ensure that everybody respects the rules in this domain!

Contact:

Josiane De Ridder
 Press officer
 Centre coopératif de la consommation
 rue Haute 28
 B - 1000 Brussels
 Tel.: +32 2 218 43 65
 Fax: +32 2 218 62 31

¹ Council Directive 92/27/EEC of 31 March 1992 on the labelling of medicinal products for human use and on package leaflets.

• **RENTS: NOT ALL THE PROBLEMS HAVE BEEN SOLVED**

On 16 October last, the **Centre de Recherche et d'Information des Organisations de Consommateurs** (CRIOC) and the **Rassemblement pour le Droit à l'Habitat** (RDH) organized a press conference on the subject of leases and rents. They first of all denounced the inadequacy of the law extending for one year (i.e. to the end of 1996) leases covered by Article 16 of the Law of 20 February 1991, which were supposed to expire at the end of 1995 following a notice to quit given by the lessor (generally in order to increase the rent as a result of bringing in a new tenant). Stressing the fact that this type of lease mainly concerns elderly people, the CRIOC and RDH expressed the fear that in a year's time these tenants would end up accepting the new, higher rent imposed by their landlord in order to be able to stay in their home... provided the landlord agreed to withdraw the notice. Otherwise, the unfortunate people would find themselves on the street. This law is therefore not a solution, since it merely defers the problem. That is why CRIOC and RDH advocated an overall approach to the issue.

The main measures they recommend to protect tenants are as follows:

- the list of valid grounds for notice must be shortened;
- the use of short-term leases must be made more difficult;

- the dwelling must be regularly maintained by the landlord;
- rents must be set on the basis of objective criteria relating to the quality of the dwelling;
- increases must be strictly controlled (the increase in rents is higher than the rate of inflation);
- it must be forbidden to increase the rent after a change of tenant (unless major works have been carried out);
- access to justice must be made easier for tenants, and tenants' associations must be able to go to law.

Contact:

José Garcia
 Rassemblement pour le Droit à l'Habitat
 square Albert I 32
 B - 1070 Brussels
 Tel.: +32 2 522 98 69
 Fax: +32 2 524 18 16

Jean-Philippe Ducart
 Centre de Recherche et d'Information des Organisations de Consommateurs
 rue des Chevaliers 18
 B - 1050 Brussels
 Tel.: +32 2 547 06 62
 Fax: +32 2 547 06 01

• **CABLE TELEVISION - CONSUMERS ARE TOO OFTEN NEGLECTED**

On 20 December 1995 **Test-Achats** presented to the press the results of its survey on the services offered by 36 cable television companies in Belgium, which was also the subject of a long article in the January 1996 issue of **Test-Achats Magazine**. Here are the main problems identified:

1. The number of channels varies enormously from one firm to another (between 19 and 37) and the same goes for sound and image quality (which in two cases - Brutélé and Interest - is frankly inadequate).
2. Link-up and subscription prices vary in similar proportions, but... these charges in no way correlate with the number of channels received or quality of reception!
3. The indifference to subscribers' requirements is striking. For obscure commercial¹, administrative or bluntly political² reasons, certain channels are sometimes excluded from certain distribution networks, although it

is common knowledge that a large percentage of television viewers would like to watch them.

Notwithstanding the above-mentioned political considerations, the underlying problem is clearly the monopoly position of each cable firm on its territory. However, Test-Achats provides some consolation for frustrated subscribers by emphasizing that this sinecure is under threat from a variety of technological innovations which will increasingly be competing with classical cable television (digital compression, video on demand, near video on demand, pay per view, 'bouquets' of channels, etc.) - not to mention the proliferation of proven reception devices, such as satellite dishes and decoders for encrypted channels. In the meantime Test-Achats recommends that people protest - if possible collectively - against distributors who are not up to scratch, to get them to pull their socks up.

**Contact:**

Test-Achats

rue de Hollande 13

B - 1060 Brussels

Tel.: +32 2 542 35 35 (Marie Tack - Press service)

+32 2 542 32 01 (Jean-Marie Mortier - Technical Director)

+32 2 542 34 93 (Serge Maucq - Responsible for external contacts)

+32 2 542 32 12 (Alain Wettach - Editorial board *Test-Achats Magazine*)

Fax: +32 2 542 32 50

¹ Overpriced retransmission rights or royalties.

² Linguistic conflicts - a major political issue in Belgium - prevent the broadcasting of certain Flemish channels in Wallonia and of certain francophone channels in Flanders.



— Austria —

Eurocheques and handbags

Mrs Schmidt went to a café with a friend. She hung her handbag over the back of her friend's chair, where she was sure she could keep a close eye on it. After all, the bag was just 30 centimetres or so in front of her. Alas! The place was crowded and suddenly Mrs Schmidt realized that her bag was gone. First they searched the café, then Mrs Schmidt notified the police and, first thing next day, her bank. For not only had her cash been stolen, but also her Eurocheque card and 10 cheques. Unfortunately, the thieves had already cashed all 10 cheques for the maximum guaranteed sum of 2 500 schillings each. Mrs Schmidt was 25 000 schillings out of pocket. When she complained to her bank that the signatures on the cheques bore very little resemblance to her own, the bank agreed to pay half the sum. The Verein für Konsumenteninformation (VKI - Austrian consumer information association), however, disagreed that Mrs Schmidt had acted negligently and that she should have to pay anything at all. So it sued the bank for reimbursement of the remaining 12 500 schillings.

The Handelsgericht Wien (Vienna commercial court) rejected the claim. It argued, in regard to Mrs Schmidt's, and all

Eurocheque users', obligation to take due care, that it is not asking too much for women to carry the Eurocheque card separate from the cheques themselves. Nor should a handbag be hung over a chair: it should be kept on one's lap in all circumstances. This way at least the theft would be immediately obvious.

The VKI again raises the question: are Eurocheques a practical means of payment if women always have to carry two *closely-clutched* handbags on their person - one for the card and one for the cheques?

[Handelsgericht Wien, 11/8/95, IR 397/94 Volltextservice].

Contact:

Peter Kolba
Verein für Konsumenteninformation
Mariahilferstr. 81
A - 1060 Vienna
Tel.: +43 1 586 15 32
Fax: +43 1 587 85 65



We are pleased to be given the opportunity to review three excellent books recently published by John Wiley & Sons, which will give plenty of food for thought to all those interested in EC law.

- 736-page ***Free Movement of Persons in the EU***, by John Handoll, provides a timely overview of how this ideal is currently being put into practice. Pulling together the different strands of the EC and Maastricht Treaties, it examines the various rules in the context of the constitutional structure of the Union, the internal market and the Union citizenship. As regards the latter, it notes that although the Maastricht Treaty has given *all* Union citizens the right to move and reside freely within the territory of the Member States, *concrete* rights of free movement do not yet attach to Union citizenship as such but continue to depend on belonging to one of the following economically-functional categories: workers, self-employed persons, students, etc. It also offers an insight into the position of third-country nationals within theoretically 'border free' Europe, considering in turn: free movement under international agreements; EU immigration policy; visas, external frontiers and asylum; and the question of a 'Fortress Europe'.

Those looking forward - be it with hope, fear or doubt that it will result in greater European integration - to the 1996 Intergovernmental Conference which is to propose modifications to the Maastricht Treaty, will read with the keenest interest the pages where the author analyses the contradictions inherent in the expression 'citizenship of the Union'. For if this phrase, as well as the very logic of the single market, suggest that the Community is akin to a State and the relationships between the Community and the 'European citizens' are destined to supplant those between the individual Member States and their nationals, this reading is not supported by the structure of the Union as defined by the Maastricht Treaty, whose so-called 'third pillar' has instituted mere intergovernmental cooperation in the fields of justice and home affairs - a far cry from transferring Member States' powers in these areas to the Community. Not to mention subsidiarity, areas of retained national competence and derogations on grounds of public policy, public security or public health.

John Handoll has practised and taught EC law since 1981. He is currently a partner with Paisier & Co and is based in Brussels.

- 664-page ***Intellectual Property Laws of Europe***, edited by George Metaxas-Maranghidis, provides practical comparative analysis of the IP laws of all 18 EU and EFTA Member States on a country by country basis (following a first chapter dealing with 'The European Dimension'). Each section is contributed by a local practising lawyer or IP specialist and is structured as follows:

- (1) Copyright;
- (2) Patents;
- (3) Trade marks;
- (4) Utility models;
- (5) Designs.

In addition, the book includes a bibliography on each topic for each national section, lists of useful names and addresses, and the full texts of the various pieces of Community legislation in the field of IP.

As technological innovation, mass entertainment, global marketing and the movement of businesses across borders lead to increased exploitation and enforcement of IP rights and as, despite a number of harmonizing measures at EU level, substantive differences remain in the national treatment of IP laws, *Intellectual Property Laws of Europe* will be an invaluable research tool for the IP specialist seeking first step local information, the academic lawyer, as well as the in-house lawyer in the multinational undertaking.

George Metaxas-Maranghidis is a practising solicitor with the international law firm of Stanbrook and Hooper and is based in Brussels.

- As the EC relies on the Member States both to implement and enforce its laws, which sometimes even conflict with existing national legislation, 402-page ***Implementing EC Law in the United Kingdom - Structures for Indirect Rule***, edited by Terence Daintith, scrutinizes the process of adjustment and cooperation by which EC law is grafted onto the UK national legal system, focusing on the practical problems of implementation for those who are the object of Community regulation and those who are required to administer it. It is divided into three parts.

Part 1: 'National Implementation of EC law: Structure and Context', deals with the legal and administrative structures of direct rule and implementation, in the UK and at Community level.



Part 2: 'Implementation in the United Kingdom: Case Studies', illustrates how these structures work in practice by examining the implementation of specific EC directives in cases ranging from food and toy safety through audio-visual media to free movement of persons¹.

Part 3: 'Effects of Implementation', considers what administrative, governmental and even constitutional changes the implementation of EC law has introduced at national level.

Implementing EC Law in the United Kingdom is an essential resource for practitioners of European, public or constitutional law, as well as lawyers working with pan-European businesses or trade associations.

Terence Daintith is Professor of Law at the Institute of Advanced Legal Studies, and Dean of the School of Advanced Study at the University of London.

Contact:

Julia Lampam
John Wiley & Sons
Baffins Lane
Chichester
UK - West Sussex PO19 1UD
Tel.: +44 124 377 0216
Fax: +44 124 377 5878
Email: gbjwsj1@ibmmail.com

¹ Chapter 7, wittily entitled: 'Welcoming the Well and the Wealthy: Implementing Free Movement Rights in the United Kingdom', perfectly illustrates some of the considerations developed in *Free Movement of Persons in the EU...*

Public Welfare Services and Social Exclusion - The development of consumer-oriented initiatives in the European Union summarizes the results of a research project conducted by the **European Foundation for the Improvement of Living and Working Conditions** between 1991 and 1994, whose main objectives were to:

- document and assess new initiatives in public welfare services designed to improve quality for their users/consumers;
- analyse the implications of these initiatives for users, staff, administrators and policy makers;
- consider the role of women who are disproportionately represented among users in need, and among service delivery workers;
- examine the potential for development and transfer of good practice and contribute to policy and practice improvements at European Union and Member State level.

The research was conducted in eight Member States (Denmark, France, Germany, Greece, Ireland, Italy, Portugal and the United Kingdom) and consisted of national reviews of relevant policy and practice developments, together with case studies of two consumer-oriented initiatives in each country.

The report is divided into eight chapters.

Chapter One reviews the economic, social and demographic changes which have recently affected the public welfare sector in the EU, establishes their impact on future social cohesion, and identifies three issues which should be central to any future public discussion on the subject: the need for welfare services to make provisions for the socially excluded, the need to involve all the interested parties - policy-makers, users/consumers, staff, managers, citizens, taxpayers, etc. - in the process of change, and the need to take account of the situation of women who are the main users and providers of welfare services, but are under-represented at policy-making and management level.

Chapter Two summarizes the main characteristics of the welfare services of the eight EU countries selected for study and the recent changes that have taken place within them: privatization, decentralization, pluralism in service delivery, the introduction of new technology and of new management methods, with a focus on value for money, equal opportunity policies and the recognition of consumer rights.

Chapter Three puts forward proposals for increasing users'/consumers' involvement in, and responsiveness to, the planning and delivery of welfare services.



Chapter Four draws upon 16 case studies to show concretely how access to services can be improved, and how the involvement of users/consumers can be increased.

Chapter Five focuses on the positive contribution that the changes in the welfare services have brought to the fight against the social exclusion of disadvantaged people. Yet it purposefully leaves the following essential question open: can improved welfare services be more closely linked to ways of combating unemployment?

Chapter Six gathers experiences from the case studies already mentioned to identify the directions in which welfare services need to develop their equal opportunity agendas so as to benefit both staff and users/consumers.

Chapter Seven lists the key actors behind the changes described in Chapter One (staff, trade unions and users/consumers). It also emphasizes the need to develop networks (i.e. coalitions of interests such as, for instance, the European Anti-Poverty Network) at both national and European level so that the voice of those in need of help can be better heard, and to reinforce - or, in many cases, introduce - the democratic accountability of public service providers in order to avoid politically or personally biased decisions, clientelism or even corruption¹.

Chapter Eight draws some general conclusions from the preceding chapters and makes a series of recommendations. Firstly, action to address the problem of social exclusion should be taken at both EU, Member State and region/city/neighbourhood level, and should involve a whole range of actors: EU institutions and organizations; national, regional and local governments; politicians, employers and trade unions; NGOs, voluntary associations and community groups; and informal networks, families and individual citizens. Secondly, deficiencies that still exist in welfare services, such as bureaucratic structures, complex and opaque procedures, inefficient management, untrained staff and lack of democratic control and accountability,

should be remedied. Thirdly, greater involvement and empowerment of users/consumers (especially women) should be achieved. Fourthly, the needs and aspirations of staff (especially women, who often occupy the front line jobs most in contact with the public) in terms of training, career development, working conditions, etc., should be better taken into account. Finally, greater attention should be paid to the suggestions of trade unions concerning possible changes in public services which respond to genuine concerns of the public and can win its support.

This report, along with the research on which it is based and the proposals it puts forward in its conclusion, will undoubtedly fuel any future debates on the role of welfare services in the fight against social exclusion and stimulate action at the appropriate levels.

Contact:

Teresa Renehan
Information Liaison Officer
European Foundation for the Improvement of Living and Working Conditions
Loughlinstown House
Shankill
IRL - Co. Dublin
Tel.: +353 1 282 6888
Fax: +353 1 282 6456
+353 1 282 4209
Email: postmaster@eurofound.ie

¹ For more - extreme - details on this, cf. *Private Corruption of Public Services* published in December 1994 by the Public Services Privatization Research Unit (PSPRU), which exposes cases of corruption in the contracting out of public services in the NHS, local government and civil service in the UK.

Contact:

Public Services Privatization Research Unit
1 Mabledon Place
UK - London WC1H 9AJ
Tel.: +44 171 388 2366
Fax: +44 171 388 3646
Email: pspru@geo2.poptel.org.uk



What do ordinary people know about European policies, which they are always being told are becoming an increasingly important part of their lives? Not a lot, to tell the truth, besides the hoary old prejudices about myriads of Eurocrat would-be dictators working round the clock drafting ukases on the curvature of cucumbers or the size of condoms.

It was the need to raise the level of debate a little, and above all to give it the substance it so badly lacks, that prompted Fabrice Fries, member of Jacques Delors' Cabinet from 1990 to 1995, to write *Les grands débats européens* (the great European debates).

After explaining how the EU decision-making process works, and presenting the institutional perspectives, the author reviews the whole gamut of European policies - competition, trade, agriculture, industry, health, defence, social affairs, foreign affairs, to mention but a few. He also spotlights the most urgent dossiers: financing of the EU, Economic and Monetary Union, expansion towards the East, aid to developing countries, the free movement of persons, domestic affairs and justice. For each of these themes, he presents concrete and objective data, highlights the attendant problems, presents conflicting views on possible solutions, and finally puts forward his own proposals. Thus he provides readers with all the information they need to shape their own responses to such crucial questions as: is a new reform of the common agricultural policy inevitable? How can we effectively prepare for the accession of the Eastern European countries? What are the major trade challenges facing Europe in the wake of the Uruguay Round? Can we develop a genuine common foreign and safety policy¹? Can we create a Europe of police and of justice? Can we establish a credible Economic and Monetary Union? Finally, in his conclusions, the author presents the two opposing forms which tomorrow's Europe may assume. The first option is a Europe 'à la carte'. This is the dream of the British² Eurosceptics,

practised by John Major in the form of the Maastricht Treaty opt-out clauses that apply to the United Kingdom in the domains of Social Europe and Economic and Monetary Union³. It is a Europe in which each country may choose whether or not to participate in a given policy as the fancy takes it and where the common institutions will be as weak as possible. The other option is that of a 'variable geometry' Europe, i.e. one built on a sufficiently broad base of policies common to all the members, notably in all domains in which divergences might give rise to distortions to competition but where, in other areas, any Member States that felt so inclined could unite without others. Naturally, one still has to define precisely what domains would belong to one or other of these two categories, how many States would be necessary to form a 'restricted' common policy, under what conditions the others could join them, etc. Enormous issues to discuss over Sunday lunch!

At any rate, whether or not one hopes to see the EU strengthened or not, *Les grands débats européens* provides readers with the information they need to consolidate their standpoints.

Contact:

Colombe Warin
Service de presse
Éditions du Seuil
27 rue Jacob
F - 75261 Paris Cédex 06
Tel.: +33 1 40 46 50 50
Fax: +33 1 40 51 83 55

¹ After possible extension of the French 'nuclear umbrella' to the rest of Europe... This is no longer a 'great European debate', but a colossal world debate!

² And likewise the Danish, French and Swedish...

³ There are also similar exemption clauses for Denmark in the domains of Economic and Monetary Union and Foreign Policy.



Looking for a new camera or camcorder that suits your needs and takes the kind of pictures you want for the right price? Then use the new guide to cameras and camcorders published jointly by **International Consumer Research and Testing Ltd** (IT) and national consumer organizations.

The guide pools the expertise of 14 consumer organizations in Europe to provide you with independent advice based on comprehensive research and unbiased testing. It contains a price survey of over 150 products on sale in 15 European countries, pinpointing the cheapest place to buy cameras, lenses and camcorders; advice on how to distinguish between features really worth having and mere gimmicks; recommendations on what to do if your equipment does not come up to scratch or your photos do not come out as expected; and a section on making better videos that will rejuvenate your interest in that old camcorder of yours gathering dust somewhere.

The guide has been published in nearly all the countries of the EU (and in Australia) in nine languages.

For more information, please contact any of the following consumer organizations:

- Consumers' Association (London, UK),
- Consumentenbond (The Hague, Netherlands),
- Stiftung Warentest (Berlin, Germany),
- Verbruikersunie (Brussels, Belgium),
- Konsumentverket (Vällingby, Sweden),
- Union Fédérale des Consommateurs (Paris, France),
- Verein für Konsumenteninformation (Vienna, Austria),
- Consumers' Association of Ireland (Dublin, Ireland),
- Editoriale Altro Consumo (Milan, Italy),
- Edocusa (Madrid, Spain),
- Forbrugerrådet (Copenhagen, Denmark),
- Fédération romande des consommatrices (Lausanne, Switzerland),
- Konsumentinnenforum Schweiz KF (Zürich, Switzerland),
- E.K.PI.ZO (Athens, Greece),
- Australian Consumers' Association (Marrickville, Australia).

Addresses and phone numbers can easily be obtained from directory enquiries in your country.

Although the report from the **Organisation for Economic Cooperation and Development** (OECD) entitled *Our children at risk* addresses what is more a socio-educational problem than a consumer one, it should be of interest to many of our readers. The report focuses on the dramatic socio-economic consequences of school failure as experienced by between 15 and 30% of children in OECD countries. These children - generally the product of a disadvantaged environment - drop out of school (sometimes at a very tender age), and hence abandon all hope of vocational integration, rapidly becoming easy prey to drug addiction, crime or teenage pregnancy.

The report is divided into five chapters.

The introductory **Chapter I** first defines the notion of a child at risk and identifies a number of possible causes of the phenomenon. It provides some estimates as to prevalence in the OECD countries. It then discusses general policies in individual countries and the targeted strategies they adopt at each stage of the child's development (pre-school age, school-age and age of transition to active life) to combat this scourge. Finally, the chapter examines the way certain

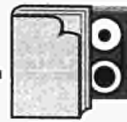
countries organize mutual cooperation between the different bodies that deal with children at risk.

Chapter II first discusses recent social trends that make some children more vulnerable than others. It then scrutinizes prevention programmes targeted at pre-school children at risk operating in certain countries, highlighting the broad strategies they have to follow to achieve their objective.

Chapter III discusses concrete examples which show how schools can help prevent risks in the case of school-age children.

Chapter IV addresses the transition from school to active life. Here too, case studies are described that present the problems and some of the potential solutions.

Finally, **Chapter V** argues that the public authorities must adopt a systematic approach to resolve the problem of children at risk. In other words governments must take the necessary measures to ensure that the burden does not fall solely on the school system, but, rather, is shared by the



schools, families, local authorities, firms, foundations and the government departments involved.

The report is available in French and English from the distributors of OECD publications, a list of which can be had by contacting:

OCDE

Press Service

2 rue André Pascal

F - 75775 Paris Cédex 16

Tel.: +33 1 45 24 80 88 / 89

Fax: +33 1 45 24 80 03

The **Verbraucherzentrale Baden-Württemberg** (the central consumer protection office of Baden-Württemberg) has published four guides which can be ordered from the following address:

Verbraucherzentrale Baden-Württemberg

Paulinenstr. 47

D - 70178 Stuttgart

Tel.: +49 7 11 66 91 0

Fax: +49 7 11 66 91 50

- **Richtig versichert - viel Geld gespart** (get proper insurance and save a lot of money) is an 'old faithful'. This 70-page brochure, which has just been updated and re-issued, tells people all they need to know about systematically covering different hazards, or checking whether certain existing policies are really necessary. These particulars are accompanied by standard-form letters so as to make it easier for consumers to compare offers, along with the addresses of insurance companies, associations and administrative bodies.
- **Arzneimittel ohne Arzt?** (drugs without doctors?) is a new guide on self-medication. It describes when self-medication is appropriate, how one should deal with 'generic drugs' and 'imported drugs' and explains what is meant by the 'positive list'. It also describes more than 40 disorders, from headaches to athlete's foot, indicating suitable drugs for each case.

- **Richtiges Bett - gesunder Schlaf** (the right bed for a good night's sleep) recently updated and reissued, contains 60 pages of replies to a host of questions such as: what are the pros and cons of different types of mattresses? What is a futon? A water bed? Which featherbeds are warmest and where do the feathers in duvets come from?...

- **Bestrahlte Lebensmittel - Muß das sein?** (irradiated foods - are they really necessary?) addresses questions frequently asked by consumers. Is food irradiation a real step forward for consumers? Or is it merely a 'cosmetic' procedure designed to make products look fresher for longer? Is there absolutely no risk in consuming irradiated foodstuffs? What foodstuffs are irradiated? Do they have to be labelled?...

The subject is a very hot potato, because in many countries throughout the world food is irradiated in order to destroy possible pathogens or to prevent germination. In the European Union this is the case in the Netherlands, Belgium and France, whereas in Germany, Austria and Luxembourg irradiation is at present outlawed. Now there is talk of authorizing it under a Directive, applicable throughout Europe - and hence also to Germany.

Konsumentenschutz is the quarterly newsletter of the Consumer Affairs Unit at the Austrian Federal Ministry of Health and Consumer Protection (BMGK). Its target public are multipliers, i.e. consumer affairs professionals. It documents current trends and debates in consumer protection both in Austria and abroad. The third issue of 1995 contained articles on the need for price marking, Ehllass Austria, the future Austrian Building Sponsor Contract Act (Bauträgervertragsgesetz), the results of the Consumer Affairs

Council of 9 November, dangerous ladders, etc.

To subscribe to *Konsumentenschutz*, write or fax to:

Büro für Konsumentenfragen

Bundesministerium für Gesundheit und Konsumentenschutz

Radetzkystr. 2

A - 1031 Wien

Fax: +43 1 222 715 58 31



A textbook example of the concrete application of the Commission's surveys on motor vehicle price disparities in the European Union is provided by the Montpellier-based **Centre d'Information et d'Accueil des Consommateurs européens** (CIAC Europe - European consumer information and guidance centre), which has just launched the following publications targeted at French consumers:

- a booklet with the title ***Le prix des automobiles en Espagne, France et Italie*** (motor car prices in Spain, France and Italy). This booklet presents the results of the May 1995 survey for these three countries. French drivers will be thrilled to learn that if they have purchased their Citroen ZX Aura 1.9 TD (what a mouthful!) in France, they have paid 39% more than in Italy (37% more for a Ford Fiesta 1.1 CLX, 31% for a Peugeot 106 XR 1124 cc, 29% for a Fiat Punto 55S 1108 cc... the list is endless)!
- a brochure with the title ***L'achat d'un véhicule neuf en Espagne et en Italie - démarches et formalités*** (buying a new car in Spain or Italy - procedures and formalities). In a few pages this brochure informs French consumers keen to strike a bargain and who want to buy a car on their own bat, i.e. without resorting to a parallel importer, on the red tape and contractual issues involved. It consists of four parts: (1) before signing the order form, (2) signing the order form (or contract) and delivery of the vehicle, (3) administrative and tax formalities, (4) list of consumer organizations attached to the CIAC. The brochure draws on the experience of the CIAC, which has helped many a consumer settle disputes arising from the purchase of a motor car abroad, in order to help future buyers avoid the traps which may give rise to such disputes.

In this connection the CIAC points out that 30% of its legal consultations concern cars bought abroad and that, unfortunately, many cases go to court. The CIAC castigates in particular the machinations of certain manufacturers who (orally, of course) forbid their Spanish or Italian concessionaires to sell their cars to any purchaser resident abroad¹; the machinations of certain regional directorates of industry, research and the environment in France which are sometimes in no hurry to approve cars purchased abroad; the doings of certain French concessionaires who refuse (orally, of course) to recognize warranties for vehicles purchased outside France; the ploys of French representatives of certain carmakers (French or foreign) who create difficulties in supplying vehicles purchased abroad with the national or community type certificate; finally, the schemes of certain parallel importers who use all sorts of scams to swindle consumers.

To obtain the booklet and the brochure as well as additional information, contact:

Geneviève Trautmann
CIAC Europe
18 rue Marceau
F - 34000 Montpellier
Tel.: +33 67 92 63 40
Fax: +33 67 92 64 67

¹ Which is utterly illegal - need we say it again?

In the north of France it is very tempting to cross the border for the bargains that can sometimes be found in Belgian furniture stores. But beware: the law is by no means the same on both banks of the Quiévrain! The brochure ***Achat de meubles en France et en Belgique*** (purchasing furniture in France and Belgium) from the **Agence européenne d'Information sur la Consommation** (AEIC - European consumer information agency) seeks to inform cross-border consumers of their basic rights and obligations in both countries, and highlights the major differences between the two.

It addresses the following points:

- the specific case of sale following a solicitation;
- the order form: what terms must it include? In what circumstances may the buyer back out?;
- possible unfair terms (of the type 'No liability shall be assumed in the event of delays in delivery...');
- delivery: what to do if the goods arrive late or in bad condition?;
- statutory rights and commercial warranties;
- dispute resolution.



The brochure can be obtained from:

AEIC
CRC Consommation
47 bis rue Barthélémy Delespaul
F - 59000 Lille
Tel.: +33 20 60 69 70
Fax: +33 20 42 09 31
Minitel: 3615 AEIC then COM

The study entitled *L'achat d'une véranda* (buying a veranda) by the **Centre Régional de la Consommation** of the Nord - Pas-de-Calais Region published at end 1995 supplements the one published in 1994 under the title *L'achat d'une véranda en Belgique* (buying a veranda in Belgium)¹.

The study deals with the following points:

- things to do before signing the contract (checking the credentials of the firm, getting an estimate, seeking a building permit, insurance, etc.);
- signing the contract and the different rules that apply depending on where the contract is concluded (client's home, seller's premises, at a trade fair, etc.);
- the elements of the contract (the estimate, possible unfair terms, etc.);
- payment;
- warranties;

- acceptance of the work, with possible provisos specified by the client;
- potential problems and disputes (unfair terms, price in excess of quotation, failure to complete the job on time, construction defects, bankruptcy of the firm, etc.) and the various ways of resolving them.

L'achat d'une véranda can be ordered from:

Centre Régional de la Consommation
47 bis rue Barthélémy Delespaul
F - 59000 Lille
Tel.: +33 20 60 69 61
Fax: +33 20 60 69 97
Minitel: 3615 CRC

And *L'achat d'une véranda en Belgique* is still available.

¹ See the 'Publications' section of the April 1995 issue of **INFO-C**.

So you've purchased the suite, TV set or car of your dreams... But after a while, defects crop up or you have a breakdown, so you want to invoke the guarantee. But which one? The manufacturer's warranty or the legal guarantee, i.e. your statutory rights? How long does the guarantee last? How do you make a claim? Who do you approach? What do you do if the trader has gone out of business? What do you do if you bought the product abroad?...

The brochure entitled *La garantie*, just been published by the **Union luxembourgeoise des consommateurs** (ULC), answers all these questions in the context of Luxembourg, French, Belgian and German legislations¹.

The ULC emphasizes the very timely nature of this brochure, since the European Commission will soon be launching an exploratory debate on a draft Directive on the legal guarantee and after-sales services, designed to reduce the disparities between national legislations². The ULC - which daily assists consumers who are particularly keen cross-border shoppers, but whose enthusiasm is dampened by the uncertainty engendered by the sometimes considerable differences between the laws of four countries - strongly urges the adoption of a Directive of this kind, as the only way of boosting Europeans' faith in the single market.

La garantie can be had from:



Union luxembourgeoise des consommateurs
rue des Bruyères 55
L - 1274 Howald
Tel.: +352 49 60 22 1
Fax: +352 49 49 57

- ¹ This reflects the Luxembourgers' very praiseworthy propensity to shop abroad.
- ² These disparities relate both to the legal basis of the statutory guarantee, the acceptance of the notion of defect, the beneficiaries of the guarantee and also the means of redress open to consumers.

Konsumentverket (Sweden's Consumer Board) has published *Späda barn & lite större ungar* (the tender age - babies and 'slightly older' children) primarily addressed to parents of pre-school children. The idea is to promote the health and safety of young children by answering such questions as: What vaccinations are needed and at what age? What should one do in the event of stomach upsets or diarrhoea? What are the weak points of children's toy cars? What cover do different types of insurance policies offer?...

Späda barn & lite större ungar consists of 144 pages, richly illustrated with drawings and photographs. It is based on Konsumentverket's thorough knowledge of health and safety

issues and on consultations with paediatricians and child-care professionals. The book is in the form of a two-part inventory, one dealing with babies, the other with 'slightly older' children.

The book costs SKR 195 and can be ordered from:

Konsumentverkets kundtjänst
Box 503
S - 162 15 Vällingby
Tel.: +46 8 759 83 00
Fax: +46 8 38 22 15

Editions TF1 have just published *Le guide des urgences à la maison* (home emergencies guide), authored by doctors Bruno Chaumont and Loïc Etienne, both of whom have 15 years experience in 'SOS médecins' (emergency doctors). As this tome of over 400 pages is intended for the general public, it does not use complicated jargon, but simply describes symptoms in plain language, and proposes

practical solutions to typical home health emergencies. Thus, for each symptom, it provides advice on first-aid, on how to save lives and on the mistakes to be avoided. The focus is on children, who account for 40% of medical emergencies.

The guide is on sale in bookstores.



To draw public attention to the virtues of the NF mark (Norme française), **AFNOR** (the French standards institute) published some months ago a set of brochures explaining what the NF seal means for various products and appliances.

The NF mark guarantees that the product possesses certain characteristics (as to size, safety, resistance to wear and tear, etc.) laid down in French and European standards (where the latter exist). Monitoring is done by the manufacturer and AFNOR, with the following division of labour: the manufacturer verifies on an ongoing basis the certified characteristics of his products, while AFNOR regularly conducts sample checks.

Very many products and appliances bear the NF mark. AFNOR has prepared a set of brochures describing some of them, with the following titles:

- **NF et la cuisine** (NF and the kitchen);
- **NF et la décoration** (NF and interior decorating);
- **NF et la salle de bains** (NF and the bathroom);

- **NF et le chauffage** (NF and heating);
- **NF et le gros oeuvre** (NF and construction work);
- **NF et le jardin** (NF and the garden);
- **NF et l'électricité** (NF and electricity);
- **NF et l'équipement du bricoleur** (NF and DIY tools).

More general information will be found in the brochures **Achetez en toute confiance avec la marque NF** (buy in full confidence with the NF mark) and **Pour un choix écologique: la marque NF Environnement** (for an ecological choice: the NF environment mark). The latter brochure will be of interest to all those who are keen to use products which are as environment-friendly as possible without compromising on performance.

Contact:

AFNOR
Service communication
Tour Europe
F - 92049 Paris La Défense Cédex
Tel.: +33 1 42 91 55 55
Fax: +33 1 42 91 56 56
Minitel: 3616 marque NF

How are red, white and rosé wines, champagne, sherry and port manufactured? What are the major wine-growing regions in Europe and the world? How are labels to be read and interpreted? How should wine be kept? What wines go best with different meals? The answers to all these questions and many others are to be found in the 812-page 1996 edition of **Test-Achats' Guide des vins**, which once again constitutes a genuine treasure store of information for wine buffs.

The volume contains:

- general information on wine, with two novelties this year: the results of a test of recreational wine software programs and a comparative study of the wine lists of 40 large Belgian restaurants;
- a description of the major wine-growing regions;
- a special section on Alsatian white wines (varieties of vine used, wine-making techniques, designations of origin and tests of 59 wines);

- the findings of an analysis and tasting of approximately 300 wines sold for under BFR 500, with a number of very pleasant surprises as regards the quality/price ratio;
- a list of wine dealers in Belgium.

Le Guide des vins 1996 is on sale in the bookstores or can be ordered directly from Test-Achats:

Tests-Achats
rue de Hollande 13
B - 1060 Brussels
Tel.: +32 2 542 32 00
Fax: +32 2 542 32 50

For more information, contact:

Tests-Achats
rue de Hollande 13
B - 1060 Brussels
Tel.: +32 2 542 35 35 (Marie Tack - Press office)
+32 2 542 32 03 (Robert Remy)
Fax: +32 2 542 32 50



COFACE (confederation of family organizations in the European community) has published a brochure for environmentally-aware consumers entitled ***Sustainable Consumption: Packaging, Cleaning Agents and Washing Products***, designed to help them make more informed choices than is currently possible, thanks to the plethora of labels, logos and racy slogans so often bandied about by manufacturers and advertising agencies, whose imagination outstrips their honesty. The objective is to show that environmentally-aware consumption is something for everyone, and does not have to mean a reduction in the quality of life. The explanations are clear and the advice is straightforward. For each of the three types of products dealt with, the brochure presents the different options open to the consumer, describes their effects on the environment and singles out the most ecological ones.

Here are some examples of the choices environmentally conscious consumers could make. As regards packaging: buy concentrated products, re-usable packaging, glass jars or bottles rather than bubble packs or canned products, loose rather than pre-packaged fruit and vegetables, etc. As regards

cleaning agents: use soap and water, vinegar, linseed oil and biodegradable washing-up liquid rather than specialized cleaning agents (for window panes, sinks, ovens, toilets, etc.) which are costly, harmful and useless. Worst of all is bleach¹. As regards washing products: use washing powder rather than washing liquid, 'ecological' water softeners rather than fabric softeners, concentrated washing products, etc.

To obtain this brochure, available in French, English, German, Spanish, Greek and Dutch, contact:

Leen Petré
Health and Safety Officer
COFACE
rue de Londres 17
B - 1050 Brussels
Tel.: +32 2 511 41 79
Fax: +32 2 514 47 73

¹ Now the rage among cleaning agent manufacturers... until the trend changes and non-bleach containing products become the fashion.



30 and 31 May 1996

'Recent trends in Community consumer law'

The Luxembourg branch of the **European Institute for Public Administration** (EIPA)¹ will be hosting a seminar on recent trends in Community consumer law on 30 and 31 May next.

The participants will examine measures recently taken or proposed by Community institutions in the domain of consumer protection. Experts from the Commission, the Court of Justice and national administrations will prepare the debate with reports on the following subjects:

- comparative advertising;
- contracts negotiated at a distance;
- the future of consumer credit;
- cross-border transfers;
- guarantees and after-sales services;

- harmonization of conditions of access to national justice;
- access to Community jurisdictions;
- alternative consumer dispute resolution.

The working languages will be French and English, with simultaneous translation.

Contact:

Mireille Lacour
Institut européen d'Administration Publique
2 circuit de la Foire Internationale
L - 1347 Luxembourg
Tel.: +352 42 62 30
Fax: +352 42 62 37

¹ EIPA's former Director General, Spyros Pappas, was recently appointed Director General of DG XXIV.

To obtain your (free) subscription to **INFO-C**
simply fill in the reply coupon below and return it to the following address :

Sheila Reynolds

DG XXIV 'Consumer Policy'
European Commission
rue de la Loi 200
J70 4/2
B-1049 Bruxelles
Fax : +32 2 299 18 57
Email: Sheila.Reynolds@dg24.cec.be



Name and forename :

Organization :

Profession :

Street :

Town :

Postcode :

Country :

Phone and fax :

Email :

Wishes to receive **INFO-C** in EN / FR / DE * * Delete as applicable

N.B. Don't forget to inform us of any change of address !



Name and forename :

Organization :

Profession :

Street :

Town :

Postcode :

Country :

Phone and fax :

Email :

Wishes to receive **INFO-C** in EN / FR / DE * * Delete as applicable

N.B. Don't forget to inform us of any change of address !