



INFO-C

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For two hours on 5 November consumers had the chance to speak directly with Emma Bonino on the Internet. Frank questions were met with frank answers, ranging over subjects such as access to justice, financial services, distance selling, the information society, transition to the euro, and of course food safety in the light of mad cow disease and genetic engineering. More details can be found in the section 'Points of view and debates' and on DG XXIV's Internet site.

In the 'Institutions' section we cover the latest 'Consumer affairs'

Council of 3 November, during which Member States discussed food safety, the future of EHLASS,

Emma Bonino meets consumers on the Internet

the draft Directive on guarantees for consumer goods, and the Commission Communication on financial services.

Other institutional topics covered in this issue include the European Parliament's position on the Commission's Green Paper on

commerce, the Commission's final report to Parliament on the action to be taken on the BSE crisis, the entry into force of a Commission Regulation for the specific labelling of foodstuffs produced from genetically modified maize or soya beans, the

Commission proposal to extend liability for defective products to primary agricultural products, and the Commission Communication on the practical aspects of transition to the euro.

See you next year!

INFO-C

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'Consumer Affairs' Council of 3 November 1997¹

Summary record

Sales of consumer goods and associated guarantees

The Council held a first exploratory debate on the proposal for a Directive on the sale of consumer goods and associated guarantees, whose purpose is to approximate the laws, regulations and administrative provisions of the Member States in this area with a view to ensuring a minimum standard of consumer protection in the framework of the internal market².

The Commission's proposal has two strands: all consumers, no matter where they shop, will have a two-year legal guarantee starting from the date of delivery of the good, while commercial guarantees (warranties) must comply with the principles of transparency and information.

As regards the legal guarantee - the consumer's statutory rights - consumers may choose between having the good repaired, a reduction in price, rescission of the contract of sale (during the first year) and replacement of the good (also during the first year).

Commercial guarantees must provide added value over and above the consumer's statutory rights and they must respect certain transparency rules. Hence, all commercial guarantees must be in the form of a written document indicating clearly how they are to be relied on.

The national delegations expressed their misgivings with regard to the following points: the Directive's scope

(i.e. what types of goods it should or should not cover), the ranking of the four rights vested in the consumer by the legal guarantee, the limitation periods for these different rights, the moment from which the different periods should begin to run, as well as the question as to whether the guarantee period should be stayed or interrupted in the event of repair or replacement of the good.

In conclusion, the Council invited the Committee of Permanent Representatives to continue work on the dossier with an eye to a new debate during the next Presidency (British).

Food safety

On the basis of the Commission's Communication on consumer health and food safety and its Green Paper on food law, the Council held an open debate on what has become the paramount concern of European consumers in the wake of the mad cow crisis. Following the debate, the Presidency drew the following oral conclusions:

- the delegations take the consumers' concerns very seriously and are resolved to do their utmost at national and Community level to restore consumer confidence in food safety;
- the delegations support the Commission's new approach as regards the separation of legislative responsibilities from those of scientific consultation and control, and the need for greater transparency and wider dissemination of information;
- the delegations approve the principle of the Scientific Committees' independence (many of the delegates said that the food risk should be better evaluated in future on the basis of the Scientific Committee's opinions, and that in the framework of good risk management the precautionary principle should prevail, and that only safe products should be placed on the market);
- since it is a question of 'controlling the controllers', some delegations insisted that the Commission be given the resources it needs to fulfil this mission;
- as regards Community food law, the delegations broadly supported the principles identified by the Commission in its Green Paper (in this context they emphasize the need for simplification and greater transparency of the law, notably in the form of consistent codification, as well as the need to effectively implement this legislation at national level);
- the delegations broadly supported the Commission's recent proposal to extend liability for defective products³ to primary agricultural products (indeed, certain Ministers pointed out that in their countries primary agricultural products were already covered);
- the delegations also recognized the crucial importance of consumer information and education, emphasizing that the consumer associations played a key role in this



area and adding that product labelling was a fundamental source of information and should facilitate consumer choice by being clear and comprehensive, while avoiding information overload.

EHLASS

The Council had an exchange of views on the future of the Community system of information on home and leisure accidents (EHLASS), whose purpose is to prevent such accidents, to improve the safety of consumer products and to promote consumer information and education with an eye to better use of these products. The system comes to an end this year and the Commission must decide, by 31 December at the latest, if it intends to extend it. The great majority of the delegations were in favour of extension, while recommending that the Commission take into account the recommendations contained in the external assessment of the system which had recently been completed.

Communication from the Commission on financial services

Emma Bonino presented the Communication from the Commission on financial services, the follow-up to the Green Paper *Financial services: meeting consumers' expectations*.

In the Green Paper the Commission pointed out the extent to which consumer interests were already taken into account in Community law, but also drew attention to the problems as yet unresolved. The document also adumbrated future trends in the marketing of financial services, notably the distance-selling of such services.

In its Communication the Commission recapitulates the observations it received and puts the spotlight on particular points that it wants prioritized: the distance-selling of financial services, firstly - but also incomplete information and the inadequacy of the existing remedies, refusal to sell, the regulation of financial intermediaries, consumer credit, mortgage loans, protection of victims of road accidents abroad, insurance contracts and means of payment. It also specifies the kind of measures it envisages and the timetable for their implementation.

Any other business

- **Commission action plan on out-of-court procedures for the settlement of consumer disputes**

Emma Bonino announced the presentation, before the end of the year, of a proposal for a Recommendation and a modified form to

be tested in cross-border out-of-court procedures.

- **Commission priorities for consumer protection - 1996-1998**

The delegations requested information on the implementation of these priorities. Emma Bonino promised an evaluation at the start of 1998.

- **Timeshares Directive**

One delegation wanted this Directive to be revised in the near future, with a view to strengthening consumer protection.

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¹ Under the Luxembourg Presidency.

² The Member States will be free to maintain or introduce more restrictive rules.

³ Directive 85/374/EEC.



Mad cow crisis: the Commission reports to Parliament

On 8 October the **European Commission** adopted its final consolidated report on the follow-up to the European Parliament's recommendations on bovine spongiform encephalopathy (BSE).

This document, which is addressed to the temporary Parliamentary Committee responsible for following up the crisis, highlights the measures taken in the course of recent months to eradicate the epidemic, protect public health and restore consumer confidence:

- the Commission has reorganized its services so that future action in the field of scientific opinions, risk assessment and veterinary inspection will be based on the principles of excellence, independence and transparency;
- the Commission has published a Green Paper on food law (the consultation process - to which the consumer associations made significant contributions - has just ended);
- in early November, the Commission organized a conference on food safety together with the European Parliament;
- the Commission has decided to present a proposal for a directive extending liability for defective products to primary agricultural products;
- the Commission has proposed a major reform of the CAP with a view to encouraging sustainable agricultural production and the production of safe and healthy food;
- the Amsterdam Treaty, which reinforces the Union's powers with regard to the protection of public health and consumer protection, has been signed¹;
- at the beginning of July the Commission, together with the European Parliament, organized a scientific conference on the use of meat and bone meal. The proceedings have been published² and the conclusions are being actively followed up right now (need to ensure reliable supplies, to use the best available rendering method³ and to uphold the ban on feeding meat and bone meal derived from mammals to ruminants);
- the Union has already earmarked tens of millions of ecus for research into BSE;
- the Commission has decided to ban the use of bovine risk material, notably the encephalon and the spinal cord;
- the Commission's veterinary inspection and anti-fraud services have been active in suppressing fraudulent exports of beef from the United Kingdom (but the Commission insists that it is the Member States that are primarily responsible for controls);
- as regards the implementation of the Community rules governing the transformation of meat and bone meal, the situation is not yet satisfactory in all the Member States. The Commission has instituted proceedings against the infringing countries;

- in the United Kingdom the Commission is keeping close tabs on measures to eradicate BSE (notably the slaughtering plan) and compliance with the export ban;
- as regards financial compensation, the Commission has suggested subsidizing associations active in combating Creutzfeldt-Jakob disease.

In conclusion, the Commission declares that it is fully aware that while progress has been made, much still remains to be done. Moreover, it says it intends to report back to Parliament and the Council on the state of play twice a year.

The content of this report, which can be consulted *in extenso* on the Internet site <http://www.cc.cec:8080/en/comm/spc/sub2.html>, will be one of the main discussion points at Parliament's plenary debate on BSE in mid-November.

¹ See article 'The IGC reinforces consumers' rights' in the 'Institutions' section of the August 1997 issue of **INFO-C**.

² To be read on <http://europa.eu.int/en/comm/spc/sub2.html>.

³ Heating of risk material to 120°C, at a pressure of 3 bars, during 20 minutes.



Commission appoints Scientific Committees' members

The **European Commission** recently appointed the 131 members of the eight Scientific Committees which will advise it in its decisions on food safety and the protection of public health.

The 131 experts, who have been given a three-year term of office, come from the 15 Member States, Norway and Israel. They were selected on the basis of their professional experience in the following fields: consumer health, risk assessment, the delivering of scientific

opinions at national or international level, scientific management and attested scientific excellence.

The eight Scientific Committees are responsible for: food; animal nutrition; the health and well-being of animals; veterinary measures relating to public health; plants; cosmetic products and non-food products intended for consumers; medicinal products and medical devices; toxicity, ecotoxicity and the environment.

The agendas and reports of the meetings, as well as the opinions (including minority opinions, if any), will be accessible on the Internet at <http://europa.eu.int/en/comm/spc/spc.html>.



Transposing the directives

The table below shows the state of directives by the Member States at transposition of the 'consumer policy' 3 November 1997:

Directive	Time limit for transposition	BEL	DEN	GER	GRE	SPA	FR	IRE	ITA	LUX	NL	AUS	POR	FIN	SW	UK
Safety and health																
Dangerous imitations ¹	26/06/89	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
General product safety ²	29/06/94	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Protection of economic interests																
Misleading advertising ³	1/10/86	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Contracts negotiated away from business premises ⁴	23/12/87	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Consumer credit ⁵	1/01/90	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Indication of prices of non-food products ⁶	7/06/90	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Indication of prices of foodstuffs ⁷	7/06/90	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Consumer credit (calculation of the APR) ⁸	31/12/92	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Package holidays ⁹	31/12/92	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Unfair terms ¹⁰	31/12/94	I	I	I	I	0	I	I	I	I	I	I	I	I	I	I
Timeshares ¹¹	29/04/97	0	I	I	0	0	0	I	0	0	I	I	I	0	I	I
Distance selling ¹²	4/06/2000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

(0: not transposed / I: transposed).

Infringement proceedings have been brought against Spain for failure to transpose the timeshares directive. The case¹³ is currently before the European Court of Justice.

¹ 87/357/EEC.

² 92/59/EEC.

³ 84/450/EEC.

⁴ 85/577/EEC.

⁵ 87/102/EEC.

⁶ 88/314/EEC.

⁷ 88/315/EEC amending Directive 79/581/EEC.

⁸ 90/88/EEC amending Directive 87/102/EEC.

⁹ 90/314/EEC.

¹⁰ 93/13/EEC.

¹¹ 94/47/EEC.

¹² 97/7/EEC.

¹³ Reference.: C-97/318.



Specific labelling for foodstuffs produced from genetically modified soya beans or maize

1 November saw the entry into force of **European Commission** Regulation 1813/97 of 19 September 1997 on the labelling of foodstuffs produced from genetically modified soya beans or maize¹.

This text makes such foodstuffs liable to the same specific labelling requirements as those imposed on other foodstuffs by the 'Novel foods' Regulation that came into force on 15 May. (Foodstuffs produced from genetically modified soya beans or maize were excluded from the scope of the 'Novel foods' Regulation because the marketing authorization granted for them preceded the entry into force of the 'Novel foods'

Regulation and was not conditional upon any particular labelling.)

The new Regulation means that operators, under the control of the Member States, must henceforth label foodstuffs produced from genetically modified soya beans or maize, notably where such foodstuffs are no longer 'equivalent' to foodstuffs produced from non-genetically modified soya beans or maize.

However, as no common definition yet exists regarding 'non-equivalence', the fear is that operators and Member States may apply different labelling rules, which could hamper the free movement of products². The Commis-

sion is therefore working at present on drafting harmonized rules to apply throughout the European Union.

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¹ OJ No L 257, 20.09.1997, p. 7.

² In addition, Austria and Luxembourg, arguing the need to protect public health, continue to ban the importation of genetically modified products.

Extending product liability to primary agricultural products

The European Commission has just presented a proposal providing for the possibility of seeking damages for harm caused by defective primary agricultural products. The objective is to bring these products within the remit of the current Directive on liability for defective products

(85/374/EEC), which obliges producers and importers to pay damages if it is established that there is a causal relationship between the defect and the damage, without it being necessary to prove any negligence or fault on their part.

In the wake of the mad cow crisis, the European Parliament had urged the Commission to take an initiative of this kind.



Preparing for the euro

On 1 October the **European Commission** adopted a Communication on *Practical aspects of the introduction of the euro*¹, in which it made an urgent appeal to the Member States to take the following measures *before end 1997*:

- present their transition plans, including statements on accounting, reporting and tax declarations in euro;
- provide information about their position on the tax consequences of the introduction of the euro;
- announce their intention on redenomination of existing debt and on conventions applicable to the new debt;
- launch their communication campaigns on the euro;
- submit to the Commission their plans as to the date of introduction of the notes and coins, so that the Commission can rapidly submit a proposal to the Council and a decision taken immediately thereafter;
- announce their decision on the design of the 'national faces' of the notes and coins;
- further study related problems such as dual display and conversion charges, so that the Commission can determine whether a common approach is necessary and, if so, whether Community legislation is

needed, in which case the Commission will submit a proposal to the Council.

To access the Commission's Internet site on the euro, enter <http://euro.eu.int>.

¹ COM(97) 491 final.

Insurance: better protection for consumers

The **European Commission** has recently taken two interesting initiatives for consumers in the field of insurance:

- a draft interpretative Communication to clarify the concepts of freedom to provide services and the general good in the insurance sector¹. The aim is to clarify the Community rules on insurance, so that national differences of interpretation will not continue to delay the setting up of a single market in insurance, to the detriment of free competition and thus of consumers. The Commission is expected to adopt a final version of this Communication in the next few months;
- a proposal for a Directive to better protect the interests of victims of road accidents occurring in a Member State other than that in which they reside². To achieve this objective, the Commission proposes to oblige insurance undertakings to appoint a representative responsible for handling and settling claims in each Member State, and each Member State to establish a body responsible for providing compensation to victims resident in another Member State.

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¹ SEC/97/1824.

² COM(97) 510.



Green Paper on Commerce: Parliament's opinion

On 18 September the **European Parliament** adopted the report by MEP Riccardo Garosci on the European Commission's Green Paper on Commerce¹. Some of the points addressed in this report more specifically concern consumers.

Hence Parliament:

- urges that all necessary steps be taken to ensure the widest possible choice for consumers. In particular vertical concentration has to be restricted and the principle of open and non-discriminatory access fundamental to competition policy should be applied;
- wants commerce to be encouraged to support patterns of consumption typical to individual regions, while supporting the internationalization of the market;
- opposes any deregulation measures which might jeopardize consumer protection;
- considers that measures must be taken to avoid the closure of neighbourhood shops in remote regions, but also in city centres and deprived areas;
- considers, however, that modernization of these small retail shops should be encouraged to make them more competitive;
- wants to encourage the development of electronic commerce which may, among other things, help to integrate remote regions;
- urges the development of cross-border trade to be encouraged;
- points out that consumers expect labels to provide them with clear and easily understandable information and that there is therefore a need to simplify Community rules in this area, and that in particular the symbols should be harmonized;
- urges the Commission to give due attention, in the framework of preparing the single currency, to the concerns of commerce, given the key role it will have in the acceptance of the euro by consumers;
- urges the Commission to convert into legally binding texts its Recommendation on payment systems and in particular the relations between cardholders and card issuers², as well as its Recommendation on the European code of good conduct relating to electronic payment³;
- wants consumer organizations to be more closely involved in decisions relating to the commercial sector;
- urges that consumers be guaranteed the right to bring a direct action in the event of disputes concerning cross-border purchases.

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¹ See article entitled 'Europe and food' in the 'Institutions' section of the June 1997 issue of **INFO-C**.

² 88/590/EEC of 17.11.1988. OJ No L 317, 24.11.1988, p. 55.

³ 87/598/EEC of 8.12.1987. OJ No L 365, 24.12.1987, p. 72.



'Repair clause': Parliament and the Commission versus the Council

On 22 October the **European Parliament** adopted the report by MEP Manuel Medina Ortega, hence amending at the second reading (co-decision procedure) the Council's common position on the proposal for a Directive on the legal protection of designs¹.

The dispute between Parliament and the Commission on one hand and the Council on the other centres on the provisions governing spare parts for motor vehicles. Parliament and the Commission² are in favour of the 'repair clause', i.e. they want authorization of motorcar or motorcycle repairs *throughout Europe* using spare parts³ manufactured by the repairer or

by a third party on the basis of the originals, provided the public and the holder of the design rights are informed. In such cases the rights-holder should be fairly remunerated in the form of royalties. The Council⁴ would prefer to leave each Member State completely free to maintain or introduce this clause.

The dossier will now return to the Council.

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¹ Amended proposal for a European Parliament and Council Directive on the legal protection of designs, COM(96) 66 final of 21.02.96.

² With the support of the insurance companies, small and medium-sized enterprises, independent distributors and consumer organizations, notably BEUC.

³ NB: only visible parts, such as headlights, bumpers, bonnets or wings, are concerned. Non-visible parts could be freely reproduced once a new model is placed on the market.

⁴ With the carmakers' support.

Communication on financial services¹

Since DG XXIV shares responsibility for this dossier (together with DG XV), further information can also be obtained from:

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¹ See article titled 'Financial services - enhancing consumer confidence' in the 'Institutions' section of the October 1997 issue of **INFO-C**.



Emma Bonino: dialogue on the Internet with consumers

Food safety, in particular the mad cow crisis, and the euro, were the main preoccupations of consumers who, on 5 November from 5 to 7 pm, conversed on the Internet with Commissioner Bonino.

'The questions asked confirm my impression that consumers are, on the one hand, concerned more and more about what is on their plate, and, on the other hand, about the upheaval to be caused by the introduction of the single currency,' declared Emma Bonino.

A genuine discussion took place between the Commissioner and consumers, as well as between the consumers themselves. On average, at any one time, 125 persons were connected. They were able to put forward about 300 questions, all of which received a reply. Questions were asked in French, English, Italian, Spanish and German, and Emma Bonino replied to each person in his own language.

With regard to food safety, here are some examples of the questions asked: How does the Commission ensure the same levels of control in different

Member States? (question from Greece); Is their irrefutable, scientific proof that BSE is transmittable to humans? Mrs. Bonino, do you eat beef? (questions from the United Kingdom); Mrs. Bonino, is it true that because of 'mad cow disease' we can no longer eat *bollito*? (question from Italy). To this last question, the Commissioner replied: 'My mother asked me the same question. She is as worried as you, as it is her great speciality! The reply is 'yes, we can,' on condition that you don't use those animal parts which have been identified as being at risk (marrow, spinal chord, brain, spleen).' Other questions relating to food health, notably on genetically modified organisms, were asked.

With regard to the euro, one person from the United Kingdom asked how much money on average a family would be able to save on holiday due to the abolition of exchange, an Italian wanted to know the Commissioner's opinion on the length of time during which the euro and national currencies would co-exist, and a Spaniard wanted to know if certain countries would benefit more than others by the introduction of the single currency.

Numerous other subjects were touched upon: distance selling, guarantees, access to justice, price indications, duty-free sales, financial services, the place of consumers in the information society, consumer representation, the reorganization of the services of the Commission so as to cope with the mad cow crisis, etc.

'I am very satisfied by the way in which consumers have welcomed this initiative,' stated Emma Bonino, 'and I urge them to be even more numerous during the next chat which will target a particular area of consumer policy.'

The result of this exercise can be summed up by the phrase used by students from a French business school who participated and asked many questions: 'Madam, maybe we are being a little impertinent, but what a pleasure to chat directly to a European Commissioner!'

The full transcript is available on Europa at <http://europa.eu.int/chatbonino>.



Green Paper on food law: COFACE's position

COFACE (the Confederation of Family Organizations in the European Community) has looked at the very concept of European food policy, as well as at the various aspects of labelling and other means of informing, educating and training the consumer in this field.

COFACE urges the European Commission to be more aware that food policy needs to be geared first and foremost to satisfying the needs and expectations of consumers. A survey conducted by the consumers organization four years ago showed that consumers increasingly demand food products that are *natural* and that *respect the environment* (whether at the level of production or distribution).

The implications of these demands are enormous. They mean, among other things, that industrial and technological treatment of food products should be limited to what is absolutely essential for the well-being of the consumer, and that agricultural production should be a constituent part of food policy.

Consequently, the objectives of the Common Agricultural Policy should be subordinate to those of the Community food policy.

As regards consumers' needs in terms of information and education, COFACE believes that labelling is vital and should systematically and comprehensively inform the public about the product's composition, method of manufacture and conditions of storage and consumption.

COFACE therefore requests that the list of particulars mentioned as compulsory in the Labelling Directive be retained intact, but with more emphasis on the three particulars mentioned above.

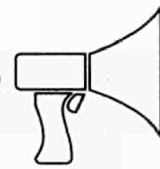
Additionally, since nutritional labelling is essential for a balanced and healthy diet, COFACE requests the Commission to submit a legislative proposal on this question. Pending the adoption of such legislation, COFACE would like the Commission to invest in Community programmes of information,

school education and adult continuing training in order to help consumers benefit more from the information contained on labels. The family consumer organizations affiliated to COFACE wish to be involved in this work. Furthermore, COFACE urges the public authorities to give more encouragement, in schools and adult education centres, to teaching the basic principles of nutrition.

Finally, COFACE requests that any new or amended Community food legislation should set out minimum requirements that meet the legitimate expectations of *all* consumers. Because COFACE would find it unacceptable if less fortunate consumers were denied access to high quality food products.

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EURO COOP's opinion on the revision of the Eco-label scheme

EURO COOP welcomes the Commission's proposal for a revision of the Council Regulation 880/92 establishing the Community Eco-label Award Scheme¹.

Experience has shown that this scheme has not been working in a satisfactory way, mainly due to long and cumbersome procedures, and that the label is not visible enough on the market. However, EURO COOP thinks that it should still be encouraged, because it allows for the assessment of products which have a reduced environmental impact.

But in order for the Eco-label to make a real contribution to the protection of the environment and the information of consumers, EURO COOP makes the following suggestions:

- the scheme should function as an information and not a marketing tool;
- the awarding procedure should be simplified;
- the scheme should be made better known to consumers through information and publicity campaigns;
- the range of products carrying the label should be widened;
- the idea of introducing a graduated scale (different number of flowers) according to the score of the product on key environmental aspects should be rejected, because it would make the scheme too complex;
- the proposal to enable access to the scheme for products sold by retailers under their own brand name should be accepted;
- the proposal that, in order to be included in the scheme, a product category must represent a certain volume of sales should be rejected, as this could be harmful to small businesses;
- the proposed revision of the fee system is acceptable in its main lines (introduction of a ceiling for the annual fee, level of the fee *not* dependent on the volume of products sold and reduced fee for SMEs and manufacturers in developing countries), but the proposed ceiling of ECU 40 000 is still too high;
- 'non ecological' products should internalize the environmental costs, so that they are more expensive than 'green' products;
- if the Commission supports the scheme, it should allocate it more funding (the Nordic experience with the 'Swan' label shows that the proposed budget for the Eco-label is at least 50% too low);
- to manage the scheme, a new structure composed of competent bodies from the different countries, under the chairmanship of the Commission, would be preferable to a private, independent organization;
- whichever structure is created, it should include representatives from consumer and environmental organizations and should not put an end to the Commission's own responsibilities;
- the scheme should not create unfair trade barriers vis-à-vis third countries.

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¹ For more details, see the article 'Growing success of the Community Eco-label' in the 'Institutions' section of the October 1997 issue of **INFO-C**.



ANEC raises consumer concerns at Global Standards Conference

At the Global Standards Conference in Brussels on 2 October, **ANEC**, the European Association for the co-ordination of consumer representation in standardization, called for consumer requirements to be addressed in the information society. In his address, ANEC Secretary-General Bruce Farquhar called for consumer representatives to be allowed to play a full part in the identification of the priorities for international standardization and in the elaboration of the standards themselves.

The information society offers limitless opportunities for consumers and business and has the potential to change many aspects of our lives for ever. Electronic commerce, for example, is set to revolutionize the

way we buy products and services. For this expected growth to be realized, however, consumer concerns must be addressed. Today, consumers are reluctant to buy over the Internet because they are afraid that their credit card details and personal information are not secure. International standards written with the active participation of consumer representatives could for example establish criteria for digital signatures and data encryption, with a view to a high level of consumer protection throughout the world. These standards could complement national and regional regulatory frameworks where they already exist.

For widespread acceptance of electronic commerce, however, other consumer issues must also be address-

ed such as the inter-operability of systems, the fairness of advertising and marketing practices, the transparency of contracts, pricing, billing and complaints-handling, as well as the special needs of disadvantaged users.

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(A copy of the ANEC consumer requirements for international standardization is also available on the site of the European Commission's Information Society Project Office: <http://www.ispo.cec.be>, under 'Studies'.)

Conference on Biotechnology and Sustainable Consumption

A **Conference on Biotechnology and Sustainable Consumption** was organized by **EURO COOP**, with the support of the European Commission, on 21 October in Brussels. The following topics were discussed: rules and values influencing consumers' attitudes towards biotechnology, progress in biotechnology in the agro-food industry, consumer information about biotechnology, consumer cooperatives' experiences with biotechnology, the European Commission's activities in the field of sustainable consumption, sustainable development

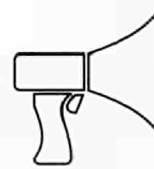
and quality of life, opportunities in fair trade and consumer cooperatives' experiences with sustainable consumption.

Anita Fokkema, who represented DG XXIV, listed the actions which the Commission has undertaken (or intends to undertake) to promote sustainable consumption:

- inform the urban populations in the Southern European countries (Portugal, Spain, Italy and Greece) about environmental issues, in order to raise their awareness of these

issues to the level of that of the Northern European populations, as well as encourage the consumer and environmental organizations in these countries to co-operate to assist consumers in their search for more sustainable consumption patterns;

- inform consumers about drinking water quality. The quality of water in Europe is deteriorating due to pollution from agriculture, industry and households. As a result, the consumption of bottled water has increased significantly at high cost



for the consumer and the environment. The Commission has launched a pilot programme to check the quality of drinking water (tap water and bottled water) in three countries/regions: Belgium, Northern Italy and Southern Spain, with a view to gathering reliable and comparable data on water quality in urban areas;

- ensure the truthfulness of 'green' claims about products and services, so as to establish or restore consumer confidence in these claims. Credible eco-label systems, backed by serious environmental product-testing, do exist in certain Member States. But unfortunately, this is not the case in all. This, of course, has repercussions on the functioning of the internal market. Therefore, the issue of 'green' claims should be considered at European level. A study will be undertaken to review the situation in each country and find solutions to the problem, be it through existing legislation (for

instance by amending the directive on misleading advertising), new legislation, decentralized voluntary instruments (such as codes of conduct) or a combination of all three;

- inform consumers about the quality of organic and non-organic foods, with respect notably to chemical contamination (e.g through pesticides), and encourage the production of organic foods. To achieve this, the Commission will launch pilot programmes to check the price and quality of organic and non-organic foods in the Member States. A first programme will be dedicated to a comparative study of milk in three countries/regions, with a view to gathering reliable and comparable data on milk prices and quality in urban areas. A second programme will be dedicated to studying the quality of a vegetable (the tomato) and a fruit (the strawberry), with a view to monitoring the implementation of EU legislation on

limitations to pesticide residues in foods and on the labelling of organic plants and animal products;

- integrate the 'sustainable consumption perspective' in all DG XXIV activities (proposals for legislation, review of existing legislation, assessment of requests for subsidies, etc.);
- intensify co-operation between DG XXIV and DG XI 'Environment'.

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Conference on Food Law and Food Policy

Food law and policy in the European Union came under scrutiny in a major conference organized jointly by the **European Parliament** and the **European Commission** on 3-4 November. The objective of the event, which formed part of a series of initiatives aimed at improving food safety following the BSE crisis, was to enable representatives from the European institutions, the Member States, Central and Eastern European countries, and from industrial bodies and consumer groups, as well as independent academic experts, to

discuss the appropriate follow-up to the Commission's Green Paper on Food Law.

The issues examined included:

- how to develop a genuine food policy and maintain a high level of protection for the consumer;
- how the different elements in the food manufacturing chain can work together more effectively (the farm-to-table concept);
- how to ensure that legislation is simple and transparent, both in development and implementation;

- what repercussions the EU food policy may have on industry competitiveness and on trade both within the Internal Market and internationally.

Koos Anderson, President of **BEUC**, and Caroline Naett, Secretary General of **EURO COOP**, who represented the consumer movement, stressed the following:

- if there is some room for simplification of food legislation, there can be no question of wholesale deregulation and the dismantling of the system of consumer protection;



- European food policy should cover all foodstuffs 'from the stable to the table', taking into account consumer health, environmental issues, as well as ethical and animal welfare concerns;
- comprehensive food labelling is essential to consumer confidence, particularly in the case of novel foods;
- the precautionary principle should be strictly applied, i.e the absence of evidence for adverse effects should not be considered a sufficient proof of safety;

- all inspection authorities should be trained, staffed and funded adequately, and above all, independent from industry both in theory and practice.

The Parliament will debate the Green Paper on Food Law in early 1998.

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World Consumer Congress attracts more than 500 delegates world-wide

About 500 consumer activists from 108 countries attended the 15th World Congress of **Consumers International** (CI) which took place from 3-7 November in Santiago, Chile.

The theme of the Congress, entitled 'Empowering Consumer for the 21st Century: Consumers in Civil Society', was summed up by the President of CI, Erna Witoelar, who spoke about the globalization of the marketplace and the need for the consumer movement to play a balancing role alongside government and industry.

Issues discussed included biotechnology, the information superhighways, sustainable consumption and the interaction between consumer and development policies.

Highlights:

- a message from Emma Bonino was read to the delegates. The European

Commissioner reported that the European Community has signed bilateral agreements with 25 countries - as diverse as those of the former Soviet Union, Chile, Mexico and South Africa - which include an article on consumer policy;

- CI elected a new president, Pamela W.S. Chan, Chief Executive of the Hong Kong Consumer Council. She replaces Erna Witoelar of Indonesia. Vice-President is Louise Sylvan, Chief Executive of the Australian Consumers' Association, succeeding Rhoda Karpatkin of the US Consumers' Union. They both are elected for three-year terms;
- taking advantage of a visit to Santiago during his first Latin America tour, UN Secretary General Kofi Annan met with new CI President Pamela W.S. Chan and Director General Julian Edwards. Chan and Edwards stressed two

points to Annan: the very limited resources available in the UN for work on consumer protection, and the need for there to be a balance within UN partnerships between business and the public interest sector. They cited the example of the Codex Alimentarius Commission, the international organization that sets food standards, where more than 100 business organizations, but only one consumer organization - CI, have a seat. Acknowledging the concerns, Annan spoke of the benefit consumer organizations could bring to UN programmes through their extensive reach;

- CI's US\$3 million, four-year project for Africa, consisting of bringing together the diverse consumer organizations scattered throughout the African continent¹, was unveiled. It focuses on several crucial aspects:



building the institutional capacities of local consumer organizations, supporting national lobbying and education efforts in the consumer protection area, promoting sustainable consumption and training women in leadership skills²;

- the creation of the International Society of Consumer Affairs Officials (ISCAO) was announced. This new network plans to be an international professional association made up of individual consumer affairs officials who want to share ideas on how to solve consumer problems;
- the results of a groundbreaking study of middle-class consumption patterns in eight Asian-Pacific countries, focusing on sustainable consumption, were previewed³;
- representatives from the UN Office for Economic and Social Affairs declared they would continue to work with the consumer movement for the extension of the UN

Guidelines for Consumer Protection into sustainable consumption and other areas;

- several resolutions that will guide the work of CI and the world consumer movement in general were passed. For instance, industry, governments and international agencies were asked to agree on limits to greenhouse emissions and promote investment in renewable resources, and consumer organizations were encouraged to play a more active role in influencing international standards;
- consumer representatives pledged to work to ensure consumer policy is well-represented in the new Lome Agreement, a cooperation accord between the European Union and 71 African, Caribbean and South Pacific countries⁴;
- a Caribbean Conference on Consumer Defence, to be held in May 1998, was announced.

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¹ There are approximately 109 consumer groups in Africa's 56 countries, but many are staffed simply by volunteers who have no photocopiers, faxes or any other basic office equipment. Moreover, only one African country, Seychelles, has a consumer protection law - although at least six countries are in the process of enacting such legislation, and CI last year published a 'model' African consumer protection law in English and French.

² 60 percent of Africa's consumer organizations are run by women, and women tend to be the main consumers for their families.

³ The study will be officially released in December.

⁴ The current agreement runs out in 2000.



Strict application of the principle of subsidiarity: Europeans' livers differ from one Member State to the next

Living in Italy and suffering from a liver disorder? Then a good dose of ibuprofen is just what you need. You cross the border into France? Well, according to the package inserts that come with ibuprofen-containing drugs, this substance is definitely to be avoided in the event of... liver problems.

This is just one of 50 disturbing examples of lack of coordination

between European countries as regards drug evaluation, spotlighted by the **Comitato Difesa Consumatori** in a survey whose results were published in the October issue of the periodical *Salutest*.

To remedy matters, the Comitato Difesa Consumatori proposes that a single scientific dossier be created at European level for each active substance and that the national authorities

responsible for supervising the drugs market be obliged to consult it when evaluating package inserts.

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From: Consumers in Europe Group (CEG) To: INFO-C readers

Child safety material

CEG is most grateful to the many **INFO-C** readers who have responded to its request for copies of child safety material. It has received such a large response that it has not yet been able to respond to all of them, but it hopes to do so shortly.

Single European currency

CEG is looking at some of the ideas being developed in the Member States to prepare consumers for the practical aspects of transition to a single European currency. For instance, in France in October 1996, 200 products

in 500 Leclerc supermarkets were labelled in French francs and euros. Customers were able to pay in the currency of their choice, franc or euro. (The euros had been printed by the 'Monnaie de Paris', i.e the Paris Mint, especially for this operation.) A similar trial run was undertaken in Italy in October 1997, with a chain of supermarkets in 13 cities pricing items in both euros and lire for three weeks. Also in Italy, euro notes were issued and are being accepted in 100 retail outlets in Fiesole and Pontassieve for six months, beginning in October 1997.

CEG would be most grateful if **INFO-C** readers could send it any material - and views - which they have concerning these and other initiatives to familiarize consumers with the euro. Please send to:

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and if possible include a contact name for further information.

**SPAIN • AVOID BREAKING THE COLD CHAIN**

In issue 187 of its periodical **OCU-Compra Maestra** of March 1996, the **Organización de Consumidores y Usuarios** (OCU) published the findings of a study on freezer temperature in supermarkets and hypermarkets, which revealed that at most 5% of the products tested were kept at an adequate temperature to avoid breaking the cold chain, which is crucial for the preservation of refrigerated and deep-frozen foods.

Faced with this sorry state of affairs and the technical possibility of remedying it at reasonable cost, the OCU has called for the mandatory placing of temperature indicators on products so that consumers can see whether or not the cold chain has been broken and, consequently, whether the product is fit for consumption (the World Health Organization has already recommended use of this device in

vaccines shipped to hot countries where the cold chain is easily broken).

The authorities did not act on the OCU's proposals. However, the **Continente** supermarket chain took up the challenge and has begun to use this temperature indicator in its own-brand products, starting with refrigerated products¹. (Hopefully it will extend this initiative in future to deep-frozen products.)

This device, which is a kind of small patch that changes colour when the cold chain is broken, allows the consumer (1) to see whether or not the cold chain has been broken from the time of the product's manufacture to the time of sale and (2) once the product has been purchased, to track its development and to determine when it is no longer fit for consumption.

This is a far more reliable procedure than the sell-by date, which ignores the way the product is handled.

The OCU, which has verified the accuracy of the patches placed on products purchased anonymously in various Continente outlets, welcomes this initiative, which is so beneficial for consumers, and hopes that it will be widely emulated.

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¹ Currently this concerns 16 products in the categories 'cheese', 'precooked dishes' and 'smoked products'. But Continente's objective is to extend this system to all its own-brand products that have to be kept cool.

ITALY • HELPING TOURISTS RESOLVE THEIR DISPUTES

The **Difensore de Turista** ('consumer defender') is a mediation service based in Lignano Sabbiadoro. Tourists who are dissatisfied with the services provided by the region's businesses or infrastructures can complain to it. After verifying the facts, the 'defender' finds

an amicable solution, normally within 24 hours. Thus between January and July 1997 it was possible to settle approximately 100 disputes out of court.

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IRELAND • CONSUMER EDUCATION ON TELEVISION

Between 20 and 31 October RTE, the Irish television channel, broadcast a series of 10 five-minute films entitled **Jim Smyth's Consumer Guide** aimed at informing Irish consumers about 10 consumer-related topics of current interest in Europe. These films, entitled *Consumer Awareness in Ireland Today, The Information Society, Cosmetics, Perceptions of Food, Cars, Pharmaceuticals, Advertising, Financial Services, Developing Countries* and *Consumer Awareness in Ireland*

Tomorrow, endeavour to examine the ins and outs of each subject, among other things by allowing the various parties concerned (consumer organizations, economic operators, public bodies and authorities) to air their views. The lively approach used by the Irish producer, River Run Television, makes the series entertaining and far removed from the formal style of some television programmes targeted at consumers. The European Commission granted funding of ECU 132 000 for the

production of this series and helped by providing the documentary references. RTE plans to broadcast *Jim Smyth's Consumer Guide* again at 6.55 pm from 13 to 22 December.

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UNITED KINGDOM • LAW TOO SOFT ON ROGUE TRADERS?

The **Director General of Fair Trading** has proposed that the law against rogue traders be tightened up with a view to making it easier to prove that a rogue trader has 'persisted in' an unfair course of action and issue a 'stop' order against him.

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GERMANY • PATIENTS' RIGHTS AND PATIENT SUPPORT: WHAT CAN GERMANY LEARN FROM OTHER COUNTRIES?

The following report¹ concerns the symposium on 'Patients' rights and patient support in Europe' that was organized by the **Verbraucher-Zentrale Hamburg** at the end of May as part of a project funded by DG XXIV²:

Forty experts from 13 European countries and the USA presented their countries and models to the more than 200 participants through talks and work groups.

The organizers' argument was that patients are the weakest link in the system. As sick people they are provided with medical and technical care but are neglected in social and democratic terms. Indeed, patients do have rights, but can exercise them only if they are rich or have insurance covering legal costs. Moreover, they may often do so only retrospectively after problems have arisen. For there is a lack of transparency - How is a patient to know to which doctor and hospital he can entrust himself without fear for his life and health?

One thing is clear: Germany can learn a lot from the other countries of Europe. The aim should be to take on board the best aspects of all systems and to use them to improve the German system. Accordingly, Germany - it would also be conceivable for one Land to set the example by doing it alone - could take over the following aspects of other countries' systems:

- codified *patients' rights*, such as those laid-down by law in Finland

and the Netherlands or as a 'Charter of Patients' Rights' in the United Kingdom;

- strong patients' *associations* which are involved in shaping the health service, as in the Netherlands, for example;
- independent *patients' ombudsmen* for the whole health service, such as the 'patients' lawyers' in Austria;
- *full-time patients' representatives*, who have proved their worth in hospitals in the Netherlands over the past 20 years;
- professional *translation services* for people from other cultures, such as the interpreting services in the Netherlands or Sweden;
- joint doctor-patient arbitration services for providing compensation for damage caused and for errors in treatment, such as those being tested in the Netherlands and Austria.

This sounds radical only when compared with the backward situation in Germany: Consumers International lists 46 countries of the world which are taking action in the area of patients' rights, but Germany is not among them³. At the end of 1996, the Health Ministers of the 40 member countries of the Council of Europe emphasized the need to bolster patients' rights. Even the German Conference of Health Ministers that was held around that time was forced to recognize that action to take greater account of patients' rights and to promote them

more intensively was overdue. Furthermore, back in 1992, a panel of experts recommended in its annual report that patients' rights be codified and that support and complaints structures be set up.

Of course, one consumer protection organization cannot change the situation single-handed, but this symposium did show the impressive number of efficient models of patient support in our neighbouring countries.

Yet, we need to exercise caution: treating patients as 'mature citizens' should not imply increasing their share of the financial burden for health and illness or creating advanced medical services available only to the privileged members of society.

These dangers, however, must not stop us from demanding in Germany *democracy in health care* as well.

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¹ Which is a summary of the report sent to us by the organizers.

² Detailed documentation was published in book form in October: Christoph Kranich & Jan Böcken, **Patientenrechte und Patientenunterstützung in Europa** (patients' rights and patient support in Europe), Baden-Baden, 1997 (Nomos-Verlag).

³ **Campaigning for Patients' Rights, 1996.**



• REGIONAL MEAT-BRAND AND QUALITY-SEAL PROGRAMMES FOR BEEF IN NORTH RHINE-WESTPHALIA

The **Institut für angewandte Verbraucherforschung** (IFAV - institute for applied consumer research) has, together with the **Verbraucher-Zentrale Nordrhein-Westfalen** studied the presence on the market of meat-brand and quality-seal programmes for beef in North Rhine-Westphalia (NRW). The results - published at the beginning of October - are set out in a leaflet and will be used in NRW consumer advice services.

Given the large number of different meat-brand and quality-seal programmes, and their varying significance in advertising terms, the aim was to help consumers purchasing meat to buy goods that satisfy their own personal

criteria. The assessment of the programmes was based on a list of criteria drawn up by consumer associations. This list covered the origin of the animals, what they were fed and how they were kept, the use of veterinary medicines, transport and slaughtering, as well as the monitoring of meat quality and, in particular, clear information at the point of sale.

Clearly associated with the continuing debate about BSE, guarantees are available as to the German origin of the cattle. However, particularly in relation to the conditions under which animals are kept, what they are fed and the use of medication, it was apparent that there were differences between the various programmes.

Assessment of the programmes was made more difficult by differences in the care with which guidelines had been drawn up and by a lack of clarity in terms of trade names (retail sale of meat from one programme or from one producer under a range of different trade names).

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FINLAND • TOP THINGS TO AVOID WHEN ADVERTISING IN FINLAND

- Using nudity in a humiliating way¹ or as a way to merely catch the public's attention;
- using gratuitous violence, especially when the target group is children;
- hinting that weapons can raise someone's social status;
- showing children in situations which would be harmful to them in real life;
- showing children in situations where they act in a way that goes counter to socially acceptable behaviour;
- appealing excessively to children's emotions.

In general, two questions advertisers should always ask themselves are: do the images and arguments we are planning to use have any connection with the product we are advertising, and are they compatible with our target group? Moreover, a good idea would be to reread the Consumer Protection Act, Chapter 2, Section 1, which prohibits the use of marketing methods which are 'contrary to good practice or otherwise inappropriate', as well as all past rulings of the Market Court and decisions of the Consumer Ombudsman.

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¹ For instance, the Consumer Ombudsman has ruled that an ad for sweets featuring a woman as a buxom cow was contrary to good practice.



The Court of Justice of the European Communities on the Internet

By typing <http://europa.eu.int/cj/index.htm> you will access the site of the **European Court of Justice** where you will find: a presentation of the institution, a weekly agenda, recent judgements (in full), activities, press releases and a list of publications.

FRANCE/SPAIN • VICTORY (OF SORTS) FOR CONSUMERS OVER A TIMESHARE COMPANY

The Spanish timeshare company Mundivac brought an action before the Ivory Court of First Instance (France¹) against two French consumers who had signed a contract with it and subsequently decided to withdraw. Mundivac sued for damages in the amount of 25% of the total price of the operation, viz. FF 8 264. In a counter-claim, the consumers sought reimbursement of FF 6 713 that they had paid in handling fees and as a down-payment.

Acting on the advice of the CIAC (European Consumer Information Centre) in Montpellier, the consumers demanded that the sale be declared null and void, on the grounds that they had not had an opportunity to give their clear consent to the contract. In effect the translation of the contract bore little resemblance with the original, it had not been signed by the consumers and the paragraph on the terms of withdrawal were drafted in virtually illegible characters.

In a judgment handed down on 11 March 1997, the Court found for the consumers, deeming the contract 'null and void because of lack of the purchasers' consent', and then went on to reject Mundivac's claim and ordered it to reimburse the sums unduly paid.

Unfortunately this victory for consumers is not an unqualified one, because the problem now is how to have the French court's ruling enforced in Spain. The judgment will have to be translated and notified to Mundivac and, if the firm does not comply voluntarily, enforcement will have to be sought and its property seized. These procedures are long and costly and the risk is that they will lead nowhere if, by the time they are completed, Mundivac has been wound up. As Agnès Chambraud from the Institut National de la Consommation has argued, in her commentary on this judgment in issue 1002 of *INC Hebdo* of 12 September 1997, there will be no such thing as a genuine European

market until judicial Europe, which remains to be invented, finally comes into existence².

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¹ Strangely, the plaintiff decided to file suit in France, although the contract specified that the courts having jurisdiction in the event of a dispute were those of Vineros in Spain. At any rate, the Ivory Court held that since Mundivac had decided to bring the matter before it, it had the necessary competence and would apply French law.

² For example, one might consider creating a 'European enforceable instrument', as recommended by the process servers' international federation.



Thanks to support from the European Commission, the 'Pédagothèque' (education centre) of the **Institut National de la Consommation** (INC) can now be consulted on the Internet by typing <http://www.conso.net.fr>.

Established in 1986, this database contains nearly 300 documents on consumer education (aimed at children, adolescents and adults) for everyday life, divided into 18 categories (food, environment, advertising, health, safety, etc.) on all types of media (videos, books, comic strips, slides, software, exhibitions, etc.).

The document descriptions have been drafted by an INC specialist and are supplemented by critical appraisals of the basic qualities and educational value of each one, issued by a joint evaluation committee comprising professionals (manufacturers, distributors), consumer associations and representatives from the Ministries of Economic Affairs and Finance and National Education.

These teaching tools are aimed particularly at consumer information points.

In France, the Pédagothèque can also be consulted on the INC's telematics pages (code 3615 INC).

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Unfair terms legislation has evolved considerably since 1978, but has it become more effective? To answer this question and assess the effects of the assimilation of the European Directive into French law, the **Institut National de la Consommation** (INC), in collaboration with the Centre Technique Régional de la Consommation (C.T.R.C) Champagne-Ardenne, organized a seminar on unfair terms in Reims on 21 March 1997.

During this seminar academics, lawyers and representatives of consumer

organisations exchanged analyses and experiences on three themes: the state of positive law, private contracts which evade the unfair terms legislation (particularly public service contracts based on a regulation), and the practical effectiveness of the mechanism for eliminating unfair terms.

The quality of the contributions was good enough to merit publication. The proceedings will therefore be published on 12 December 1997, with the support of the European Commission.

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• How should you approach your bank about the occasional overdraft or deal with a cheque which has been returned? What should you do if your cheque-book and cheque-card are stolen, or if you want to 'exercise your right' to open an account? These are some of the questions that are answered in the booklet from the **Centre Régional de la Consommation** entitled **Les relations contractuelles**

entre un banquier et son client (the contract between banker and customer)¹

• **La nourriture au quotidien** (day-to-day nutrition) is a booklet produced by the Centre Régional de la Consommation as an aid for organizations providing information to consumers. It is intended to help consumers, especially those on low incomes, to choose a healthy and balanced diet at a reasonable price.

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¹ Available on the Internet.

The **Guide de l'école à l'usage des parents** (school guide for parents), published by the **Confédération Syndicale du Cadre de Vie** (CSCV) addresses all topics that concern school life - enrolment, transport,

school meals, insurance, safety, parents' associations, guidance, etc. It also explains how parents can get involved in school life through activities inside and outside school.

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In **Le contentieux du droit de la consommation** (litigation in consumer law) published by the Ecole Nationale de la Magistrature (France), Gérard Biardeud and Philippe Flores, both court judges, have collected all the practical and legal information

necessary to handle casefiles in the fields of consumer credit (including mortgage loans and sureties) and regulated contracts (doorstep selling, distance selling, matrimonial agencies, distance learning, travel contracts, real estate agencies).

The **Guide du Tout** - a booklet of just over 80 pages published by the **E. Leclerc** supermarkets - provides answers¹ to the questions most frequently asked by consumers. For example, it contains information on how to read a bar code, the health controls to which food stores are subject, mandatory (and prohibited)

indications on labels, the difference between mineral water and spring water and between different categories of fruit drinks, as well as the rights and duties of credit purchasers (and their creditors), and the kind of damage covered by guarantees and after-sales service, to mention but some of the topics covered.

Contact:

E. Leclerc
52 rue Camille Desmoulins
F - 92451 Issy-les-Moulineaux Cédex
Tel.: +33 1 46 62 52 00
Fax: +33 1 46 62 51 26

¹ As regards French law.



A new report from the **Office of Fair Trading**, *Consumer detriment under conditions of imperfect information*, pinpoints the reasons why consumers rarely base their purchasing decisions on sound infor-

mation. It then goes on to offer a list of key indicators which will help identify those markets where consumer detriment due to imperfect information is most likely to occur.

Contact:

OFT Publications
PO Box 172
East Molesey
UK - KT8 0XW
Tel.: +44 181 957 5058

Consumer in Europe Group (CEG)'s report *EU consumer protection policy - An update and a look ahead* looks at progress so far and at proposals currently under discussion in

all areas covered by EU consumer policy, including consumer information, education and representation, pointing out how consumer interests could be taken more into account.

Contact:

Consumers in Europe Group
20 Grosvenor Gardens
UK - London SW1W 0DH
Tel.: +44 171 881 3021
Fax: +44 171 730 8540

Privatized utilities operate in a public policy vacuum which prevents essential social and environmental issues being addressed, as responsibility falls between the stools of regulators, companies and government, argues the **National Consumer Council** (NCC) in its report *Regulating the Public Utilities*. To remedy this, the NCC calls for sweeping reforms whose cornerstone

is to place responsibility for all public policy issues squarely on the shoulders of government. Other measures advocated by the NCC include funding company investment through higher borrowing and the issue of new equity instead of ever-higher revenue from customers, creating new and independent consumer bodies, separate from the industry watchdogs, in the water, electricity and telephone services,

along the lines of the Gas Consumers' Council, and requiring companies to justify price increases and other changes affecting consumers.

Contact:

National Consumer Council
20 Grosvenor Gardens
UK - London SW1W 0DH
Tel.: +44 171 730 3469
Fax: +44 171 730 5851

Consumer Information on the Internet, a 38-page report published by the **Welsh Consumer Council**, reviews the way that consumer organizations in Britain, Europe and world-wide are using the Internet to disseminate information, looking at

what works well and what works less well. It also includes a proposal for all consumer organizations, advice agencies and trading standards departments in Wales to set up a shared Internet site.

Contact:

Welsh Consumer Council
Castle Buildings
Womanby Street
UK - Cardiff CF1 2BN
Tel.: +44 1222 396056
Fax: +44 1222 238360
Internet: <http://www.wales.consumer.org.uk>



Since mid-September **Consumentenbond** has been conducting an information campaign targeted at adult Turks and Moroccans living in the Netherlands. The campaign is called 'Verkooppraat, wees op uw hoede!' (salesman's patter - let the buyer beware!) and its purpose is to alert the target public to the sharp practices that abound in doorstep selling, cold-

calling, trade fairs, etc. It is based of free information brochures in Turkish and Dutch and in Moroccan-Arabic and Dutch, as well as a film in Turkish and another in Moroccan, both subtitled in Dutch. These films, which depict a variety of misadventures, were broadcast on the Nederland 3 TV channel during September. They are now available as video cassettes.

Contact:

Consumentenbond
Enthovenplein 1
Postbus 1000
NL - 2500 BA Den Haag
Tel.: +31 70 445 43 93
Fax: +31 70 445 45 90
Internet: www.consumentenbond.nl

More and more marketing and advertising people need to know about the national laws and self-regulatory rules and systems with which pan-European campaigns have to comply. To make that task easier, the **European Advertising Standards Alliance** (EASA), which represents advertising self-regulatory bodies

all over Europe, has produced a completely revised and greatly expanded edition of **Advertising Self-Regulation in Europe**. The new 'Blue Book' is a 124-page analysis of advertising self-regulatory systems and their codes of practice in 20 European countries, including all EU members.

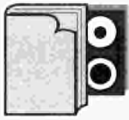
Contact:

Kasia Scoggins
European Advertising Standards Alliance
rue de la Pépinière 10A
B - 1000 Brussels
Tel.: +32 2 513 78 06
Fax: +32 2 513 28 61
Email: library@easa-alliance.org
Internet: <http://www.easa-alliance.org>

Some months ago **CRIOC** launched its new bimonthly and bilingual French/Dutch periodical **Du côté des consommateurs/De wakkere Consument**. It features in-depth articles on consumer issues, practical tips and the traditional press review.

Contact:

Léa Bosmans
CRIOC
rue des Chevaliers 18
B - 1050 Brussels
Tel: +32 2 547 06 11
Fax: +32 2 547 06 01
Email: crioc-oivo@skynet.be



From November 1997 to January 1998 **Cultures et santé** - a Belgian education and health service - will be organizing an information campaign on the risks of carbon monoxide

poisoning, targeted at disadvantaged groups. This campaign includes the brochure *Attention au CO!*

Contact:

Cultures et santé
avenue de Stalingrad 24
B - 1000 Brussels
Tel.: +32 2 513 56 99
Fax: +32 2 513 82 28

The Berlin-based **Stiftung Verbraucherinstitut** organized a European conference at the start of this year on 'Marketing and Consumer Education'. An 'official' report of the conference is now available.

- children and advertising;
- sponsorship in schools;
- bank advertising aimed at young persons;
- body fixation and advertising.

The document is available in German and English and can be ordered from:

Stiftung Verbraucherinstitut
Carnotstr. 5
D - 10587 Berlin
Tel.: +49 30 39 00 860
Fax: +49 30 39 00 86 27

The document publishes the papers given by experts from various European consumer organisations and discussed by the participants. The papers provide an overview of present knowledge and international opinions on important youth-marketing themes from the consumer's viewpoint:

There are reports on the sometimes problematic effects of marketing initiatives on European youth, descriptions of international experiences with consumer education schemes, presentations of international projects, and a resolution imposing a variety of demands on politicians and decision-makers.

¹ See article entitled 'Marketing and Consumer Education' in the 'Points of view and debates' section of the June 1997 issue of **INFO-C**.

New publications from the **Verbraucher-Zentrale**:

- **Erbschaften** (all about inheritance) tells readers what they have to look out for in the case of inheritance and contains information on the law of inheritance and how to draw up a legally binding will;

- **Hausrat- und Haftpflichtversicherungen** (insurance of household effects and third party insurance) contains particulars on the services provided by this kind of insurance, the amount you should insure for and where such insurance can be purchased on the most favourable terms.

Contact:

AgV
Heilsbachstr. 20
D - 53123 Bonn
Tel.: +49 2 28 64 890
Fax: +49 2 28 64 42 58



New from the **Kammer für Arbeiter und Angestellte** (AK - chamber of workers), Vienna:

- **Erfahrungen mit Schlichtungsstellen in Österreich** (experiences with arbitration in Austria). Basic position of the AK: The following minimum criteria must be met for effective cooperation between consumer protection bodies and economic sectors in arbitration systems: The contractor must be bound by the verdict; payment for the services of consumer representatives by the branch/sector or by their interest group or authorizing ministry; well-organized and -staffed offices; reasonable procedures and duration; access to all internal company information

relevant to the case; code of conduct for the contractor in dealing with those lodging complaints; equal representation; involvement of the consumer in the proceedings; benefit of the doubt to be given to the customer; possibility of exploitation for publicity purposes/restricted confidentiality.

- **Stellungnahme zur österreichischen Kryptographie-Regelung/ Stellungnahme zur Diskussion zur Regelung einer 'Digitalen Signatur' bzw Authentisierung** (opinion on the Austrian cryptography rules/opinion on the discussion concerning rules for a 'digital signature' or authentication). The AK is against legal standards governing the use of cryptography

procedures, with the exception of the 'digital signature' - an element which, however, must be dealt with particularly carefully, in a socially acceptable and open way. In particular, it is emphatically against national and/or international regulations governing the use of certain cryptography procedures or requiring the deposit of a key with authorities or 'trusted third parties' ('key recovery', 'key escrow', etc.).

Contact:

Kammer für Arbeiter und Angestellte
Prinz-Eugenstr. 20-22
A - 1041 Wien
Tel.: +43 1 501 65 2721
Fax.: +43 1 501 65 2693
Email: mailbox@akwien.or.at
Internet: <http://www.akwien.or.at/akwien/>

DG XXIII, which is responsible for tourism and SMEs, has published **Travel Guides for Tourists with Disabilities**, which presents the results of research on offers available to disabled tourists in the 18 EEA countries in the form of a travel guide

on each country. Electronic media has been deemed the most appropriate format for disseminating the information this publication contains. It can be accessed on: <http://europa.eu.int/en/comm/dg23/tourisme/travel.htm>.

DG XV, which deals with financial services, has published a 30-page document on **'Accounting and the euro'**, which is available in all EU languages. It can be ordered from:

European Commission
DG XV/D/03
rue de la Loi 200
C100 03/133
B - 1049 Brussels

or downloaded from: <http://europa.eu.int/en/comm/dg15/dg15home.html>.



15-16 May 1998

Sixth International Conference on Product Safety Research

The Sixth International Conference on Product Safety Research, organized by **ECOSA** (European Consumer Safety Association) in conjunction with the Fourth World Conference on Injury Prevention and Control, will take place in Amsterdam on 15-16 May 1998. It will deal with the following topics: risk assessment, injury surveillance and accident mechanisms, prediction of safety in product use, ergonomics, accident scenarios, protective equipment, chemical and toxic hazards, fire

safety, safety criteria in construction and engineering, and the effectiveness of safety standards and of information on safety.

Contact:

Marion Bonneveld
P.O. Box 75169
NL - 1070 AD Amsterdam
Tel.: +31 20 511 45 11
Fax: +31 20 511 45 10
Email: reg.fowoco.nw@prompt.nl
Internet: <http://www.consafe.nl/conference>

The proceedings of the Fifth International Conference on Product Safety Research, which took place in Barcelona on 15-16 April 1997, are available at the same address.



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