



INFO-C

Information from the Consumer Policy Service of the European Commission n° 1

1992 : What benefit for the Consumer?

For many Community citizens, the Internal Market process is seen as being essentially a matter for politicians and businessmen, and they are not yet convinced that consumers will gain any great benefit. Indeed, the fear that the Internal Market may lead to a lowering of standards of consumer protection as the remaining barriers to trade are removed, is still relatively widespread.

The Commission is, however, fully aware that the Internal Market will not be a success unless consumers are completely confident that it will have a beneficial impact on their daily lives.

The benefits for consumers are expected to be:

- a wider choice of goods and services, both on their national market and from other Member-States; and
- lower prices due to increased competition.

In order to give greater priority to consumers' interests during the run-up to "1992" as well as after the completion of the Internal Market, the present Commission decided, at the start of its mandate in 1989, to establish an autonomous Consumer Policy Service.



This decision was followed by a Communication to the Council on the need to re-launch consumer policy and the adoption, in May 1990, of a Three-Year Action Plan in which the objective of improving the flow of consumer information was identified as a priority area.

As part of the Commission's actions to meet this objective, the Consumer Policy Service is launching this newsletter.

Its purpose is to provide information on the development of EC consumer policy and of the consumer aspects of other EC policies. It will also provide a forum for the interchange of news of policies, actions, studies and meetings related to consumer issues in Member States.

Its target readership are the professionals working in "relay organisations", that is to say in public authorities, the media, consumer associations, the academic world, etc., whose daily work is concerned with consumer matters, and which form a vital link for channelling information to individual consumers.

INFO-C

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OF SPECIAL INTEREST

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INTRODUCTION TO THE CONSUMER POLICY SERVICE

Provision within the Commission for looking after consumer affairs has come a long way since its early beginnings in 1968 as a small unit within the DG for Competition. The first improvement in its status followed the Paris Summit of 1972 which stressed the need, in the light of the forthcoming enlargement (DK, IRE, UK), for a new impetus in environmental and consumer protection. So in 1973 a special service, the Environment and Consumer Protection Service, was established to deal with those two areas of activity.

This service produced the first action plan, the "Preliminary Programme of the EEC for a consumer protection and information policy" in 1975. The tenets adopted for the safeguarding of consumer interests in the Community were fivefold :

- a) the right to protection of health and safety,
- b) the right to protection of economic interests,
- c) the right of redress,
- d) the right to information and education,
- e) the right of representation (the right to be heard).

These principles stood the test of time and were reiterated both in the *Second programme* (1981) and in the *New impetus for a Consumer Protection Policy* (1985). Most recently they were reformulated in the "Three-year action plan of consumer policy in the EEC (1990-1992)" with the main change being that protection of economic interests and the right to redress have been subsumed under the title "consumer transactions".

During the period 1975 - 1990 the service evolved, first to become a directorate within the DG for the Environment, Consumer Protection and Nuclear Safety, created in 1981 and then, in early 1989, to become a separate administrative unit, the "Consumer Policy Service" headed by a Director-General, Mr K. BARLEBO-LARSEN.

The service had always laboured under the handicap that consumer protection was not included as a policy area in the Treaty of Rome. This has now been largely rectified by a new Article 100a, introduced by the Single European Act, which in its para. 3, reads : "The Commission, in its proposals envisaged in paragraph 1 concerning health, safety, environmental protection and consumer protection, will take as a base a high level of protection".

The four main areas of focus identified in the Three-year action plan,

- i.e. - Consumer Representation
- Consumer Safety
- Consumer Transactions
- Consumer Information

are reflected in the way staff (currently around 80 people) is sub-divided within the Service, of which the structure is shown below.

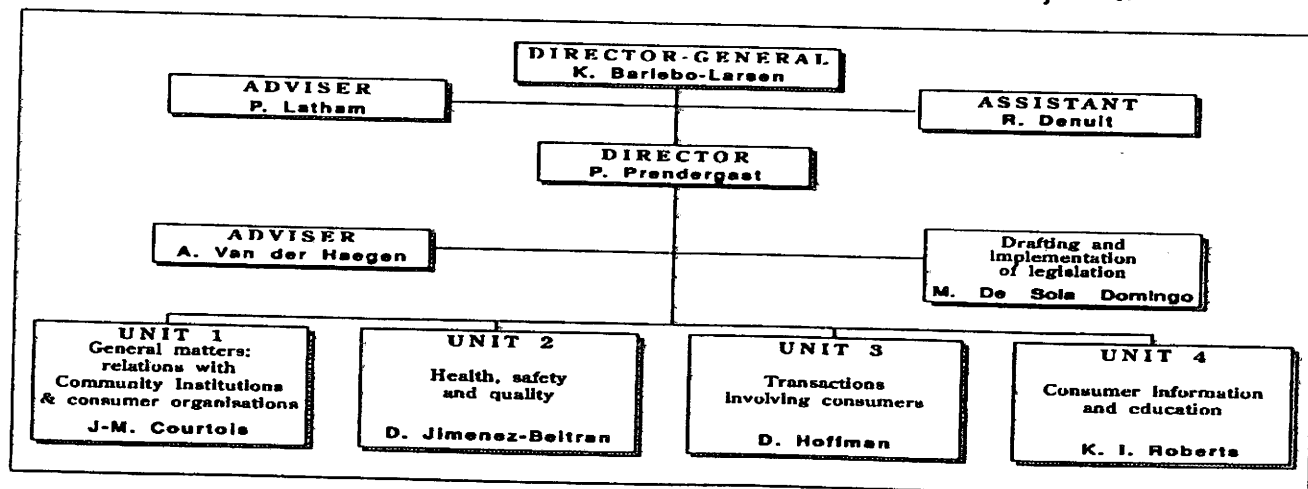
Current work program

In implementing its action plan, the Service is undertaking, inter alia, the following work :

-in the field of consumer safety, the General Product Safety Directive is now being discussed in the Council. A draft directive on liability for physical damage arising from the supply of services, will, it is hoped, be adopted by the Council in the near future;

-the draft Directive on Unfair Contract Terms was recently submitted to the Council and the Service has prepared a proposal directive intended to permit comparative advertising .

In addition, efforts are being made to improve the representation of consumers, particularly in Southern Europe and in Ireland, by providing financial assistance to strengthen and extend those consumer organisations which are already active.



MEDICINAL PRODUCTS : TOWARDS A EUROPEAN AGENCY

Both on account of the progress made in biotechnology and the free circulation of goods and services across frontiers, the Commission has considered it to be imperative to regulate the free circulation of medicinal products for human and veterinary use. This is why it recently made a proposal to the Council for a Regulation concerning the setting-up of a European Agency for the assessment of medicinal products. At the same time the Commission brought together the proposals for directives which would result from this initiative under the general title, "Future System for the free circulation of medicinal products in the European Community".

The future agency would basically be responsible for :

- carrying out assessments of new medicinal products,
- resolving differences concerning other medicinal products,
- coordinating warning systems and national inspections.

It would take over two existing organizations: the Committee for proprietary medicinal products, which lays down scientific criteria of quality, safety and efficiency of medicinal products, and the Committee for veterinary medicinal products, which has the same responsibilities in the veterinary field.

The Commission's proposal envisages two different procedures, one decentralized and the other centralized. The latter would be mandatory for medicinal products based on biotechnology (a form of advanced technology) and medicinal products intended to increase productivity, but would be optional for other innovative medicinal products. This second procedure would lead to a Community authorization, valid in all member States.

The Community would consequently become responsible for the follow-up of the medicinal product and up-dating its technical file. The decentralized procedure would be based on the principle of mutual recognition and would allow the progressive extension of authorizations to market a product now given by a member State, to other member States, subject to substantial guarantees regarding the respect of strict requirements on quality, safety and efficacy. The Agency would therefore not be involved in this procedure except in a case where there is disagreement

between Member States regarding the respect of these requirements. Checks on medicinal products would remain the responsibility of Member States. The Community plans to leave firms a certain amount of choice between the two procedures and to allow them a period of adjustment - until 1996 - in order to avoid the bureaucratization of the system. However, it is the decentralized procedure which would doubtless be the most used after 1992, provided the Regulation is finally adopted by the Council. If this is the case, the two procedures should come into operation in 1993 and then be reviewed in 1999-2000 in the light of experience.

Current Work and Community achievements in the medicinal product sector

With its proposal for an Agency to assess medicinal products, the European Commission completes its portfolio of measures intended to achieve the Single Market in the pharmaceutical sector. The Commission recently proposed to the Twelve a system of certification to ensure the protection in the market of patented proprietary medicinal products. Such a certification system would provide new medicinal products with a total effective protection throughout the Community for a maximum period of 16 years and is, according to the Commission, likely to meet the needs of the industry while still retaining a balance required by a health policy, in particular the balance necessary to safeguard the health of consumers. Certain reservations concerning this monopoly have however been expressed by the European Bureau of Consumers' Unions (BEUC). It says, in effect, that the result of this monopoly would be to keep prices higher and that consumers should receive some compensation for this (1).

As far as Community achievements are concerned, the Commission has for 25 years been progressively harmonizing criteria and the procedures for marketing authorization as well as the control of medicinal products at the manufacturing stage. Among the dozen proposals adopted by the Council during the past four years, one can cite as an example the directive intended to introduce a greater transparency in national procedures for fixing prices and for refunds on medicinal products by the Social Security. Furthermore, three proposals with a view to the national use of medicinal products deal with the safety of wholesale distribution, the conditions under which medicinal



products are supplied to the public, with or without a prescription and with improving the information made available to the patient via the label and the printed insert.

As for pharmaceutical advertising, this has been the subject of a proposal for a directive to regulate both promotional activities directed at the medical profession and publicity about self-medication products, aimed directly at members of the public.

Finally it should be pointed out that the interest provoked by these activities has led the European and world pharmaceutical industry to organize a big international symposium in Brussels in November 1991. The Commission, the US Food and Drug Administration and the Japanese authorities are actively participating in order to encourage recognition of tests on medicinal products and thus decrease the overall cost of pharmaceutical research.

(1) BEUC Press release of 6.12.1990

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"HIDDEN DEFECTS" IN CONTRACTS

Numerous defects are often hidden in the terms of certain sale or service contracts. It is obviously the consumer who suffers the consequences. Therefore the Commission decided to kill off these unfair practices, called "unfair contract terms", by adopting, in July, a proposal for a directive on this subject.

A black list of unfair terms which are to be prohibited in contracts made in the Member States will be prepared. Limitation of the guarantee or refusal of a refund are examples of clauses to be banned.

The Commission also wanted to look into the thorny problem of time-share contracts. It has been proposed that the consumer be allowed a seven-day cooling-off period from the date of signature. This period will allow the potential purchaser the possibility of changing his mind.

References : O.J. n° C 243, 28.9.90, p.2

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LIFE ASSURANCE AND MOTOR INSURANCE

On 8 November 1990 the Council adopted two directives concerning the freedom to offer insurance services, directives which will enter into force in Member States in 1993.

The first concerns life assurance. In future the consumer will be free to buy this type of assurance anywhere in the Community. In the same way, the companies concerned will be free to offer their services throughout the Twelve. Two systems will be in force : the first concerns contracts concluded at the initiative of the policy-holder, for which control rests with the insurer's Member State. The second requires that, in all other cases, it is the Member State in which the policy-holder lives which ensures proper protection. From 1996, brokers will be able to operate across frontiers and to propose life assurance contracts from companies in another Member State.

Third-party motor insurance is the subject of the second directive. It is the follow-up to the second non-life insurance directive of 1988 which covered certain risks, but not the risk to third-parties. Its main objective is to bring compulsory third-party motor insurance within the scope of the 1988 directive in order to allow freedom to offer services in this area but with two limitations. Firstly, companies will not be able to exercise this freedom except in the case of major risks until the adoption of a third directive, which will better protect the individual. Secondly, in the case of cross-frontier insurance services, companies will have to designate a representative in the EEC countries in which they exercise this right.

References : O.J. N°L 330; 29.11.90, p. 44 (life assurance) and p. 50 (motor insurance).

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It is to be noted also that, in the field of third-party car insurance, a directive which will fill the gaps existing in the field of obligatory community-wide cover for passengers, was also adopted by the Council on 14 May 1990.

References : O.J. N° L129, 19.5.1990



HOLIDAYS WITH COMPLETE PEACE OF MIND

1990, European Tourism Year, was the year which marked the start of measures to protect the "Consumer-tourist". It was indeed precisely 13 June 1990 that saw the adoption, by the Council, of the Directive intended to protect consumers who enter into a contract, in the Community, for a package holiday.

Holidaymakers can unfortunately suffer sometimes from the non-fulfilment or inadequate fulfilment of their contract.

But this is aggravated by the fact that tour operators offer holidays for which they receive payment in advance *in full*. When problems arise due to hotel overbooking or deficiencies in the transport arrangements, the organisers tend to refuse to accept any responsibility on the grounds that they are not responsible for either the day-to-day running of the hotels or of the air transport. The consumers who suffer do not get, for the most part, any compensation. The Directive redresses this by making the organisers responsible for the provision of the services specified in the contract.

The only exceptions are cases of *force majeure* or similar, which are impossible to anticipate or to circumvent.

However, even in these cases, the organisers must make every effort to help the consumer.

As concerns information about such holidays, the Directive includes specific requirements concerning the content of any brochures, though there is no obligation to produce a brochure, since the Directive also covers packages put together at the special request of an individual consumer, against payment of an inclusive amount. In any case, the contract must obligatorily be in writing.

Special provisions regarding last-minute booking as well as maintaining prices have also been included. It has been laid down too, that consumers can transfer their rights to a third person in the event of being prevented from travelling.

In addition, it is possible to cancel the contract if the organisers try to change the basic features of the arrangements which have been agreed.

Furthermore the Directive includes provisions covering the guarantees which the organisers must provide, the refund of the amounts paid and the repatriation of consumers if the organisers become insolvent.

The Directive should be transposed into national legislation and implemented by 31st December 1992.

References : OJ n° L158-23.06.90, p. 59-63

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PAYMENT SYSTEMS : A Warning

The European Commission has just adopted a Communication which analyses the reactions provoked by the Discussion paper published by the Commission (1) on payments systems, at the instigation of the Vice-President responsible for financial institutions, Sir Leon BRITTAN and Commissioner Karel VAN MIERT responsible for the protection and promotion of consumer interests. The Discussion Paper demonstrated clearly that the transfer of an amount of money from one Member State to another is long, complicated and expensive. This Discussion Paper is therefore destined to provide an impetus to action in this area.

The Commission has studied four main problems :

- Cash transfers
- Transfers
- Cheques
- Payment cards

In its Communication the Commission provided for the creation of two committees, now in place, to assist it: one a technical committee; the other bringing together representatives of the banking sector, users and SMEs (Small- and Medium-sized Enterprises). The Communication also brought out the problem of payment systems dealing with large amounts, which did not figure in the Discussion Paper.

The banking sector and other interested parties reacted favourably to this document and admitted the present systems could be improved.

At the same time as the Discussion Paper appeared, the Commission examined the working of the Eurocheque system. The results were not long in appearing. The Commission has sent a list of objections to Eurocheque International pointing out that the organisation does not appear to have fulfilled the

requirements laid down in Article 85, paragraph 3, of the Treaty.

This Article sets out the conditions under which restrictive agreements between firms benefit from a derogation from Article 85, paragraph 1, which in principle, prohibits such agreements. Under the former Article, Eurocheque had benefited from such an exemption since 1984, an exemption which has now expired. The firm has requested its renewal but the Commission is of the opinion that five aspects of the agreement raise serious doubts.

These concern :

-Insufficient information given to those issuing cheques abroad, on the various components of the charges which they are asked to pay.

-The imposition by Eurocheque of a minimum commission between banks, which restricts competition.

-The systematic charging to the customer of this inter-bank commission.

-The relatively low clearing amount which means that, above 340 ECU, an eurocheque is considered as an international transfer. This is disadvantageous for the consumer for he is then subject to a high level of charges.

-The way eurocheques are accepted in the retail sector in France. In fact, French retailers, unlike their counterparts in other Member States, are the only ones to pay commission to their bank on foreign eurocheques.

Since this list of grievances, the forerunner of a possible decision not to renew the exemption, was sent, Eurochèque International and the Commission have been actively involved in discussions with a view to arriving, if possible, at an amicable solution.

(1) Reference: COM(90) 447

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ENERGY CONSERVATION

The SAVE programme (Special Action Programme for Vigorous Energy Efficiency) was adopted by the Commission in October 1990. Initially planned to run for five years, its object is to relaunch Community activity in the area of energy saving.

Energy saving has again become a priority in view of developments in the energy market, and of increased concern for the protection of the environment. Actions in three spheres are foreseen :

-**technical** : given the arrival of the internal market, it is necessary to set technical standards which meet the needs of energy efficiency;

-**financial** : in order to encourage investment in energy conservation, the programme will publicize available financial instruments;

-**behavioural** : SAVE operates in the field of consumer education and information with a view to changing people's habits.

It should be noted that at the same time, the Commission adopted a first standard setting out the requirements for the performance of new space heaters.

References : O.J. n° C 301 - 16.11.90, p. 11.

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GAS APPLIANCES :

Safety and energy saving

The European Community recently turned its attention to non-industrial gas appliances which, owing to the variations from one Member State to another (particularly in measures covering safety standards), cannot circulate freely throughout the internal market.

It was therefore considered necessary for there to be Community legislation in this area.

The Council has adopted a Directive covering safety and health requirements which will enter into force in the Community on 1.1.1992.

This Directive will introduce a high level of protection, for example concerning gases produced by combustion which should not contain inadmissible concentrations of substances dangerous to health, etc.

Appliances complying with this directive will bear a "CE" label .

References : O.J. n° L 196, 26.7.1990, p. 15.

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NUTRITIONAL LABELLING

The Council Directive on nutritional labelling rules for foodstuffs intended for sale to the final consumer and mass caterers, was adopted in September of last year. It complements the Directive 79/112/EEC on general food labelling. Nutritional labelling is optional but becomes obligatory when a nutritional claim is made.

When supplying information about nutrition on the labels of food products, the producer must comply with this new Directive, once it is in force in the Member States. Details of energy values and of certain nutrients must then be mentioned. The Directive also specifies the order in which the items shall be given and the units to be used to calculate these values.

A proposal for a Council Directive, which would give the Commission power to adopt measures making nutritional labelling obligatory for certain nutrients, is still before the Council.

References : O.J.n° L 276 - 6.10.90

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SWEETENERS :

A list to be requested

Since 21 December 1988 a general directive, covering the additives which can be used in foodstuffs, has been in existence.

A vertical directive dealing with particular additives is a natural consequence. The Commission has therefore turned its attention to sweeteners which are a particular type of food additive used to introduce a sweet taste into food products.

The Commission has recently approved a proposal for a directive, the object of which is to lay down a list of permitted sweeteners and the food products in which they can be used. Without any doubt this is a worthwhile initiative from the point of view of children who are, as

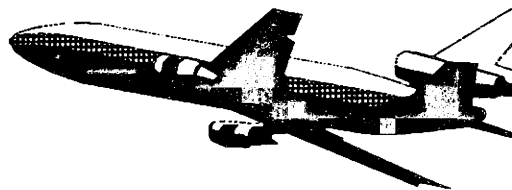
is well known, prime consumers of soft drinks and confectionary containing sweeteners.

References : OJ n° 242 - 27.09.90, p.4

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AIRLINE OVERBOOKING :

When will it take off ?



With the aim of protecting travellers against the practice of overbooking by airline companies, the Commission adopted a proposal for a Regulation in February 1990.

Indeed, having established statistically that a certain number of travellers reserve a seat on a plane but do not appear, companies accept bookings for more places than are in fact available on the plane.

Some consumers consequently find themselves disadvantaged in the event of all the passengers presenting themselves for embarkation.

The Regulation therefore obliges the carrier to adopt rules to be followed when embarking passengers on a flight that has been overbooked. Once these rules have been fixed, they will be available for consultation on request.

Where there is an insufficient number of places, the traveller has the right to choose between three solutions (included in the Regulation), and compensation is also provided for.

In any event, airlines will be obliged to transport the ticketholder to his final destination.

The Regulation came into force in all the Member States on 8 April 1991.

References : OJ n° C 129, 24.05.90, p. 13

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**COMPARATIVE ADVERTISING :
Not unconditional**

Legalising comparative advertising has been discussed for a long time, particularly as it is already permitted in certain Member States, such as Spain, the United Kingdom, Ireland and Portugal. France has prepared a draft law on the subject.

Magazines and T.V. programmes from these countries, containing this type of advertising, often cross the frontiers of States where it is not permitted.

Thus Commissioner Karel VAN MIERT has decided to propose an amendment to the 1984 Directive on misleading advertising by adding provisions concerning the use of comparative advertising. The draft allows this type of advertising but only under certain conditions so that such advertising conforms as far as possible to the idea of giving objective information to European consumers. Member States must see that there are effective means of checking that these requirements are respected.

The BEUC (European Bureau of Consumers' Unions) believes that the main objective of comparative advertising is not to safeguard the interests of consumers who will become the "hostages" of the verbal attacks and counter-attacks between various sectors of industry.

It admits however that it could be a supplementary source of useful information for consumers, provided the rules concerning its composition are respected.

References : OJ n° C- 11.07.91, p.14.

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**ENVIRONMENT AND
CONSUMERS**

A "Community Ecology Mark" is the subject of a recent proposal to the Council for a Commission Regulation. It is intended to reward products which are less harmful to the environment and whose global impact thereon - that is, their effects during production, distribution, consumption or use and their subsequent disposal - is much less than that of other products in the same category. It will be attributed to products which comply with the ecological criteria established at Community level and be uniformly applicable

throughout the whole Community. All products are covered, with the exception of food products, drinks and pharmaceutical products.

The Commission has laid down a period of five years during which national systems will co-exist with the Community system.

During this period the Community will be able to examine the suitability of such coexistence, to study the working of the system of awarding ecology marks and, if necessary, to propose appropriate changes to the Regulation.

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TEACHING MATERIAL

The "Safety Pack" is a teaching aid, of which a limited number were produced by the Commission of the European Communities so that it could be tested in the Member States. The pack consists of seventeen work sheets devoted to the various aspects of safety in the home. It has been prepared in the nine Community languages and is accompanied by notes for the teacher. He or she can choose to use only some of the worksheets in preference to others according to the interests and the ages of the pupils (10 to 14 year olds) and the subject being taught (language, science, technology...).

The "Safety Pack" has been tested in Germany, Belgium, Denmark, France, Spain, Greece, Ireland, Luxembourg, Portugal and the United Kingdom during the 1989-1990 school year and more recently in Italy.

The results of these tests have been the subject of detailed analysis and this will lead to improvements in all the language versions which will become available shortly.

The Commission will be responsible for the correction and improvement of the plates and art work which will be made available to Member States in order to allow them to publish and distribute this material.

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The first exhibition entirely devoted to the consumer and the Single Internal Market "Europe, j'achète", was held at La Villette (exhibition centre) in Paris from 7 June until 7 July.

It was organized thanks to the initiative of Ms. Véronique NEIERTZ, currently Secretary of State for Women's Rights and Living Conditions, but previously Secretary of State for Consumer Affairs, in collaboration with the European Commission.

Its objectives were the following :

-To provide an opportunity for dialogue between consumers and firms as well as between French and European institutions;

-To give consumers the chance to better appreciate their place in tomorrow's Europe.

Mr. François DOUBIN, Minister with special responsibilities for craft industries, trade and consumer affairs, Ms. Elisabeth GUIGOU, Minister with special responsibilities for European affairs, Mr. Karel VAN MIERT Member of the Commission of the European Communities and Ms. Véronique NEIERTZ were the personalities present at the inauguration on 6 June.

Priority for information.

When the idea of the exhibition was launched, Véronique NEIERTZ immediately identified the keywords : "Demonstrate, explain, dialogue". To achieve this there was a central auditorium where round-table discussions were held. There were also stands provided by the Commission of the European Communities, the "Institut National de la Consommation", the Consumer Council from the Nord/Pas de Calais Region as well as the "Direction Générale de la Concurrence, de la Consommation et de la Répression des Fraudes" all of which contributed to the same end. The Commission's stand in particular had information brochures, videos, a computer and promotional material available for the public.

In parallel were to be found "shops" in which everything about the Single Market was explained. There was also a show-flat of a typical European household.

The round table discussions which took place in the auditorium between the participants and consumers brought to light the major questions being asked by

consumers concerning their future in the Europe of 1993.

There were three main questions :

1. Does the Single Market imply a "standardised consumer" ?
2. Will more attention be paid to the views of consumers ?
3. Will there be an end to unresolved legal disputes ?

To allay anxiety about such matters improved *information and education* for the European citizen on matters affecting the consumer in a Europe without frontiers were recognized as a necessity.

Studies are now being undertaken to determine what elements and ideas should be retained from the exhibition for inclusion in similar events in Member States.



The European Commission's Stand

SPOTLIGHT ON THE CONSUMER

On 24 June 1991 Commissioner Van Miert welcomed the participants at the annual meeting of the European group of producers of consumer TV programmes, organized by the Consumer Policy Service.

This meeting, which lasted three days (from 24 to 26 June) and was held in Brussels, gave TV producers, from both the Member States and from Switzerland, the opportunity to exchange ideas and experiences in their chosen field as well as to learn about what is happening on the Community consumer scene so that in future they can cover this area more easily in their programmes.

Television, which plays an important role in European family life as a vehicle for information, is certainly one of the most efficient means of showing consumers the advantages represented by the

Euro-Info

completion of the Single Market. The Commissioner therefore wished to encourage joint ventures between the TV production teams of the various Member States and also to increase cooperation between TV producers.

During this meeting, the principal theme of which was "Consumer Safety", the producers had the opportunity of showing videos of their previous year's work.

After each video there was a short discussion while more general discussion took place on other days, in particular with Mr. Van Miert.

As an example of the concrete results of these meetings, there is the annual film and TV festival devoted to consumer issues and the quality of life, which last year was held in November at Santander (Spain) and which was a great success.

The TV producers, with the support of the Commission, confirmed their desire to have this event repeated in 1992.

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PUBLICATIONS

* Following a request from the Commission of the European Communities, the European Bureau of Consumers' Unions (BEUC) and the Federal Union of Consumers (UFC), France, published a study in April 1991 entitled "L'argent des vacances" (Holiday money). Available in English and French, it lifts the veil on exchange rates, the commission charged on traveller's cheques and creditcards. It is on sale at :

BEUC

36, avenue de Tervuren - Bte 4

B - 1040 BRUXELLES

(Price FB 1500)

or

UFC

11, rue Guénot

F-75011 Paris

(Price FF 250)

Reference : BEUC/UFC/154/91.

In addition UFC has published an article on the question in its monthly "Que choisir ?" for June N° 273 (pages 45-47) with a corrigendum published in the July issue N° 274 (page 6).

@1PARD = * The second edition of "Individual Choice and Higher Growth : The aim of European consumer policy in the Single Market" has recently appeared. It is written by Eamonn Lawlor, European correspondent for ten years for the Irish Radio and Television Service (RTE). Priced at 8 ECU, the book is available in the nine Community languages. To obtain information on where, in the Community, it can be purchased, apply to :

Office des Publications officielles des Communautés Européennes

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* A brochure entitled "The European Community and Consumer Protection", in the series "European File", has been published by the General Directorate for Audiovisual, Information, Communication and Culture of the European Commission. To obtain a copy, contact the Commission office in any Member States.

* "Consumer Policy in the Single Market" is another brochure published in English, French and German by the same Directorate-General, in conjunction with the Consumer Policy Service, in the series "Deadline '92". Available at Commission offices in Member States.

* The OECD published, in 1990, a report entitled "Consumer Policy in OECD countries 1978-1988". This 282-page publication is available at 150 FF from:

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NOTA BENE : On 18 September, the Committee on the Environment, Public Health and Consumer Protection of the European Parliament discussed its draft opinion on the 1992 Budget, prepared by Mr. Muntingh the Rapporteur for the "consumer" Budget. This draft opposes the drastic reductions introduced by the Council at a time when the Eurobarometer has given prominence to the great needs of consumers, particularly in the area of information. The Rapporteur therefore proposes to raise the total "consumer" Budget from 14.721 million ECU in 1991 to 33 million ECU in 1992, whereas the Council had decided on a figure of 4.347 million ECU on its first reading.

CONSUMER BEHAVIOUR IN THE INTERNAL MARKET

- EUROBAROMETER SURVEY-

Contrary to established belief, customs barriers are by no means the only obstacle to the internal market faced by consumers, according to a Eurobarometer survey just made public by Mr VAN MIERT, the European Commissioner in charge of consumer policy. The internal market will not become a reality unless these barriers are removed, because they are at present a hindrance to consumers.

Only 8% of those questioned believe the internal market will make it easier for them to acquire goods and services in another Member State. The survey also revealed that just 8% of Europeans made a cross-border purchase of over 100 ecus during the past six months.

The survey shows clearly the way forward at various levels :

- **Information** : 27% of those questioned think it difficult to obtain information and advice. The Commission believes that well-organized consumer bodies are a guarantee of reliable consumer information. That is why it supports fledgling consumer organizations, especially in the Member States in southern Europe. Furthermore, the Commission helps fund the establishment of cross-border consumer information centres to provide consumers with better information as an aid in carrying out transactions within the Community.

- **Quality and safety standards** : 33% of those surveyed are dubious about product quality and safety standards. The Commission, aware of these problems, has introduced a number of proposals to guarantee the quality and safety of consumer products and services. Adoption by the Council of draft directives put forward by the Commission would go a long way towards allaying consumers' fears.

- **Legal problems** : 29% of those questioned think the legal problems stemming from cross-border purchases are too difficult to solve. The Commission is aware of the legal problems arising from the differences between Member States' systems, and has emphasized the urgency of finding solutions as part of the three-year programme for consumers. Changing the burden of proof requirement in favour of consumers - as proposed in the directive on services - is evidence of this concern. The directive on package travel and that covering compensation for airplane passengers denied boarding due to overbooking are also examples of Community measures aimed at settling disputes to the benefit of consumers when service providers are at fault.

- **Conditions of sale** : 24% of people surveyed have doubts concerning conditions of sale. The draft Commission Directive on unfair terms in consumer contracts is clearly aimed at preventing the vendor from dictating terms unacceptable to the consumer.

- **Payment difficulties** : 13% of consumers voice reservations about the cross-border payment systems within the Community. The results of the recent study published by the EBCU (European Bureau of Consumers' Unions) revealed a lack of transparency in cross-border payment systems (see under the heading "Publications" and the article on "Payment Systems", p.5.). The Commission has already sent this report to the banking and credit institutions and intends to

continue its activity in this sphere to achieve transparency in cross-border payments.

In conclusion, if Community consumers are to benefit in full from the internal market, a bold policy addressing their preoccupations and defending their interests is essential. Commissioner VAN MIERT believes it is vital to take consumer policy into account when amending the Treaty at the end of the Intergovernmental Conference, as proposed by the Luxembourg Presidency.

EUROSERVICES OFFICES.

The opening of the European Consumer Information Agency at Lille (France), took place on 15 January last. Branch offices have also been opened in Belgium (Mons and La Louvière) while, during May, a second agency opened in Luxembourg. They are available to the public and consultations on legal or economic subjects as well as on services, in English or French, are possible from all Member States and via various channels. Later this year, German and Dutch consumers will also have an information centre available to them at Gronau. During the autumn another centre will open in Barcelona.

Useful information :

-A.E.I.C.

47, rue Barthélémy Delespaul
F - 59 000 Lille
Tél : +33/20.60.69.19
Fax : +33/20.42.09.31

-Agence locale transfrontalière de la consommation.

11, rue du Onze Novembre
B - 7000 Mons
(address also valid for La Louvière)

-Euroguichet Consommateurs

Rue des Bruyères, 55
L - 1274 Howald
Tél : +352/496.022
Fax : +352/494.957

-Euregio

Escheder Str., 362
D- 4432 Gronau
Tél : +49/2562/25062
Fax : +49/2562/1639

-Agencia Europea de Información sobre el Consumo

Gran Vía Carles III, 105 letra 1
E - 08028 Barcelona
Tél : +34/1/330.98.12
Fax : +34/1/330.93.11

Member States

AN ASSURANCE OF QUALITY IN CONSTRUCTION AND EQUIPMENT

A good example of standards in the field of services is the English "Avant-Hotel" which, just five months after its opening, was able to declare itself to be the first hotel to comply with the British Standards Institution standard BS 5750.

This standard, on a par with the International standard ISO 9002 and the European standard EN 29002, gives the consumer the assurance of a system of quality-checks in the setting up and the provision of services.

All aspects affecting the consumer were examined at the "Avant-Hotel". from the cleaning of the bedrooms to the obligation to put two thermometers in the refrigerator to be sure the wine is at the right temperature (in case one of the two instruments should cease to function): nothing has been left to chance.

In order to meet the standard, the hotel had to conform to a very rigorous schedule of conditions. It is in any case a guarantee for the consumer, at least as far as construction and equipment are concerned.

According to the BSI, other hotels are likely to meet the standard and thus be the object of an inspection.

Details from : BSI Quality Assurance

PO BOX 375 - Linford Wood

Milton Keynes

MK 14 6LL

Great Britain

Tel : +44/908220908 (ext. 2400)

ECOLOGY AND CONSUMERS

The Consumer Group of FEFAP (Fédération Européenne des Femmes Actives au Foyer) (European federation of women active, in the home) has, for the past year, been undertaking activities intended to make people more aware of the ecological aspects of being a consumer.

Its aim is to draw the attention of consumers to the dangers of using insecticides, fungicides, herbicides which pollute the soil. Chemical fertilizers, present in almost all fruit and vegetables and injurious to health, are also the subject of this campaign which, for the past few months, has been in evidence in five EEC countries.

Details from : Consumer Group

509, avenue Georges Henri

1200 Bruxelles - Belgique

Tel : +32/2/734.28.41

CONSUMERS AND EUROPEAN TRADE POLICIES

The National Consumer Council (N.C.C.), an independent UK body which represents consumers vis-a-vis government, industry, etc. has prepared a series of studies on the effects of trade policies on consumers.

Earlier studies in the series have been on anti-dumping measures in the consumer electronics sector, the Multi-Fibre Arrangement and restraints on imports of shoes.

The latest study concerns the implications of 1992 of the consumer as purchaser of cars and for the wider considerations of Community trade policy.

Detail from : The National Consumer Council

20, Grosvenor Gardens

LONDON

SW1W 0DH

United Kingdom

EUROPEAN RURAL AREAS

EUROTER, an offshoot of the French association TER (Tourism and Rural Areas) recently brought to a close its European competition, "The village I love", which had started in April 1990.

Open to commendable tourist projects, its object was to publicize the most outstanding achievements and the best examples of development schemes for tourism which respected the environment and the local heritage.

The prize-giving took place on 11 July 1991 at the "Palais de l'Europe" (Council of Europe : 25 countries including the EEC), in Strasbourg. Nine prizes with a total value of 80000 ECU were given out. The first prize, the "European Community Prize" was won by the Commune of Laas - Atlantic Pyrenees, France.

Details from : EUROTER

82, rue François Rolland

94130 Nogent-sur-Marne

France

Tel : +33/1/45.14.64.21.

Fax : +33/1/43.94.91.44



Diary



-21/10/91 : Colloquium on child safety - Milan (Italy)-This event, organized by the "Movimento Consumatori" (Italian consumer movement) and co-financed by the Consumer Policy Service, will take place in the presence of the Italian Ministers for Industry, Health and Education.

Details from : Movimento Consumatori
Sede nazionale
I - Milano Via Adige, 11 - C.A.P. 20135
Tel : +39/2/545.65.51.
Fax : +39/2/546.65.00.

-4 & 5/11/91 : "Communicating Child Safety : European approaches to accident prevention campaigns" - Brussels, salle d'Europe, 2 rue Ravenstein - This international conference, organized by the European Consumer Safety Association (ECOSA) in cooperation with the UK Child Accident Prevention Trust (CAPT) and with support from the Commission and the Economic and Social Committee of the European Communities, is intended to provide for an exchange of experience both of activity in the field of child safety and of ECOSA's European safety campaigns.

Details from : European Consumer Safety Association
Mrs Marja van Driesum
P.O. box 75169
NL - 1070 AD Amsterdam
The Netherlands
Tel : +31/20/511.45.00. or 511.45.13.
Fax : +31/20/511.45.10.

-5 to 7/11/91 : "International Conference on Harmonisation of Technical Requirements for Registration of Pharmaceuticals for Human Use" - Brussels, Palais des Congrès - Organised jointly by the European Commission, the US Food and Drug Administration (FDA), the Japanese Ministry of Health and Welfare (MHW), in cooperation with the pharmaceutical industry. It will bring together a group of experts which will examine the aspects of quality, safety and efficacy of pharmaceutical products.

Details from : ECCO
27a, rue de l'Abbaye
B - 1050 Brussels
Tel : +32/2/647.87.80.
Fax : +32/2/640.66.97.

PLEASE NOTE :

"1","1","2". Three small digits which make up a telephone number easy to remember in case of panic. It will be the single number available throughout the European Community to call "emergency services", whether it be police, fire service or ambulance. The "112" will be in operation on your exchange by 31 December 1992 at the latest.



