



THE EUROPEAN  
UNION  
EXPLAINED

# Consumers

Putting the  
consumer first

'Protecting consumer safety and rights  
are priorities in all EU policies.'



# THE EUROPEAN UNION EXPLAINED

*This publication is a part of a series that explains what the EU does in different policy areas, why the EU is involved and what the results are.*

*You can see online which ones are available and download them at:*

[http://europa.eu/pol/index\\_en.htm](http://europa.eu/pol/index_en.htm)

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# 1. Why an EU consumer policy?

## Putting the consumer first

As one of the 500 million consumers living in today's European Union (EU), you no doubt look for choice, quality and value for money. You expect accurate information on what you are buying and you want to be sure that your rights as a consumer are protected. But your choices also drive innovation, efficiency and economic growth.

EU consumer policy has four key objectives:

- protecting you from serious risks and threats you cannot tackle as an individual;
- giving you the power to make choices, based on clear, accurate and consistent information;
- safeguarding your rights as a consumer and giving you access to fast and efficient ways of resolving disputes with traders;
- keeping consumer rights up to date with economic and social change, with a focus on the food, energy, financial, transport and digital markets.

*EU consumer policy helps you make the most of the opportunities offered by the EU's single market.*



## Supporting growth and change

The European Union's 'single market' is one of the largest retail markets in the world. It allows people and businesses to trade freely across national borders in all EU countries, as well as Iceland, Liechtenstein, Norway and Switzerland. It gives every EU consumer access to choice, flexibility, quality and value for money.

The primary role of EU consumer policy is to help consumers make the most of these opportunities. But beyond that, it also supports economic growth and social change. Consumer expenditure accounts for 56 % of EU GDP. Enabling consumers to play an active role in the single market can boost economic growth and help the EU to recover from the economic crisis.

EU consumer policy guarantees that consumers are provided certain rights and entitles them to a high level of protection and support across the EU.

It provides:

- a single, basic set of rules that applies to all consumer products and services, sold online and offline, across the EU;
- a level playing field for businesses and a ban on unfair commercial practices;
- access to low-cost, fast and easy dispute resolution mechanisms;
- a reduction in health and safety risks across Europe thanks to more efficient cooperation and market surveillance;
- information, advice and support on consumer issues;
- protection for vulnerable consumers — such as children or the elderly — from being exploited or misled.

## 2. How the EU goes about it

European consumer policy is a partnership between the EU, its member countries and its citizens. It is based on two key principles identified in the Treaty on the Functioning of the European Union (TFEU).

- A complete range of actions should be taken at EU level to protect the health, safety and economic interests of consumers and promote their right to information and education.
- Consumer protection requirements must be taken into account in defining and implementing other EU policies and activities.

EU consumer policy is regularly updated to take account of social, economic and environmental change as well as new scientific advice and evidence. The European Commission proposes new legislation after it has assessed the potential impact of implementing it and carried out an extensive consultation with key stakeholders.

EU law gives all consumers a minimum level of protection regardless of where they come from and which national laws are applicable. How this protection is given may vary between EU countries; when countries transpose an EU directive into their national law and context, they may often choose to go beyond basic EU requirements. Some of the key consumer legislation is fully harmonised, such as legislation on unfair commercial practices or (from 2014) the right to withdraw from a distance contract within 14 days.

The EU works with national authorities on the ground to make sure consumer laws are properly implemented and enforced. Penalties may apply to traders who do not respect the relevant laws.

If an EU country detects products which pose a serious risk to consumer health and safety, it notifies the European Commission via the EU's rapid alert system (RAPEX). This allows the information to be transmitted Europe-wide quickly and the appropriate measures taken.

### Who does what?

**The European Commission** proposes legislation.

**National experts and authorities** discuss these proposals.

**The European Parliament and Council** decide on them.

**EU countries** implement EU legislation and make sure authorities, producers and businesses respect the rules.

**Consumer organisations** speak on behalf of consumers at EU and national levels.

**Industry and businesses** must comply with EU rules throughout production, processing and distribution.

**Independent agencies** give scientific advice assessing the risks of food, feed, animal health, drugs and health threats.

**Scientific committees** give independent advice on consumer safety, public health and the environment for non-food products.

### How much does the EU consumer policy cost?

*Not much: the Commission has proposed a budget of € 197 million for the next consumer programme (2014–20). This equates to approximately 7 cents per consumer per year.*



## 3. Key achievements of EU consumer policy

### Protecting your safety

Since the first measures aimed at consumers were adopted in 1975, the EU has worked continuously to secure a high level of protection for the health and safety of all EU consumers, from the moment a product is manufactured to its final use at home.

- **PRODUCT SAFETY:** Under EU rules in this area, only products that are safe can be placed on the EU market. EU rules require the 'CE' conformity mark to be used on many categories of products. This is the manufacturer's declaration that the product has been checked against essential EU safety criteria and that it satisfies all relevant requirements.

Product safety rules are often extended or adjusted to include new products or to take account of new scientific evidence. For example, in 2011, new European safety requirements were introduced for personal music players to reduce the risk of hearing loss linked to excessive sound levels.

Toy safety, electrical safety and vehicle safety are just three examples of EU product safety rules that have made a big difference in Europe.

The toys you buy in Europe are amongst the safest in the world. Before a toy is placed on the EU market, it has undergone rigorous safety checks linked to

*The CE conformity mark is the manufacturer's declaration that a product has been checked against all essential EU safety criteria.*



*Death in traffic accidents in the EU has decreased by 43 % since 2001.*

construction and small parts, flammability, chemical properties, electrical properties, hygiene and radioactivity.

EU electrical safety rules ensure that all low-voltage electrical equipment is safe for its intended use. European accident levels in relation to low-voltage equipment have been shown to be consistently lower than other comparable trade regions.

Finally, death in traffic accidents in the EU has decreased by 43 % since 2001, in part due to the introduction of new European laws for crash protection standards. In recent years, the most important EU vehicle safety rules have seen the introduction of crash tests for frontal impact protection and side impact protection for car occupants, as well as additional tests for pedestrian protection. Better consumer information on, for example, vehicle safety performance in crash tests has also encouraged manufacturers to introduce evidence-based safety designs that go beyond the EU's legal requirements.

- **THE EU'S RAPID ALERT SYSTEM:** The EU's rapid alert system (called RAPEX) for non-food dangerous products (e.g. a toy, a childcare article or a household appliance found to be hazardous) allows the European Commission and the competent authorities in EU Member States to exchange information rapidly on dangerous products which pose a serious threat to health and safety, the environment, energy efficiency or public security.

When dangerous products are notified through this system, measures can be taken by EU countries to protect consumers. These include marketing bans, product recalls and product withdrawals. There are EU-wide requirements for certain categories of products and risks. Examples include a ban on phthalates (plastic softeners) in toys in 1999, a ban on novelty cigarette lighters in 2006, and a ban on the use of dimethylfumarate (DMF) — a powerful anti-mould chemical linked to allergic skin reactions — in all consumer products in 2009.

- **FOOD SAFETY:** EU food safety legislation guarantees consumers a high level of protection for all foodstuffs and food products sold in the EU, at all stages of production and distribution. It controls food hygiene, animal health and welfare, plant health and risk of food contamination. Its primary aim is to ensure that all consumers have access to safe, high-quality and affordable food, bought on a market that is open and transparent and suited to individual preferences.

*EU food safety legislation controls food hygiene, animal health and welfare, plant health and risk of food contamination.*



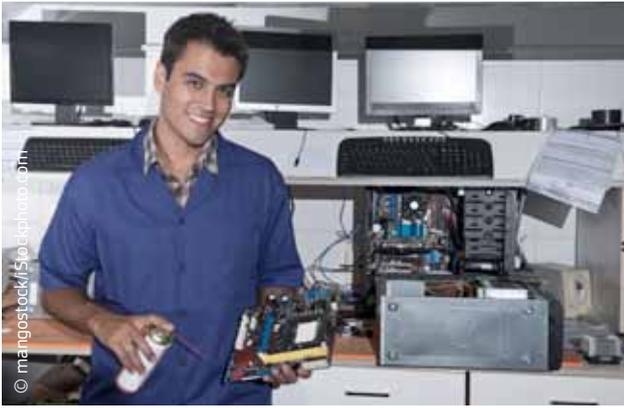
*The EU guarantees the safety of cosmetics through common rules on the composition, labelling and packaging of cosmetic products.*

- Substances such as food additives are also covered by EU legislation. They play an important role in food production and distribution, for example, by keeping food hygienic or giving it a longer shelf life. Such substances must be authorised by the European Commission following an independent scientific assessment of their safety.
- **COSMETICS:** The EU guarantees the safety of cosmetics through common rules on the composition, labelling and packaging of cosmetics products. These have recently been extended to bring an end to animal testing for cosmetics in the EU.

## Protecting your rights

EU legislation also protects you from illegal or unfair commercial practices. It does this through the following measures.

- **A BAN ON HARD-SELLING/AGGRESSIVE SALES TECHNIQUES:** Misleading advertising and unfair commercial practices such as aggressive sales techniques have been banned in the EU since 2005. This means no hidden costs, no tricks, no false claims, no misleading information and no advertising targeted at children. If it says it's free, it should be free.
- **DISTANCE CONTRACTS:** EU rules protect you when you buy a product or service at distance. It also guarantees you get enough information before you purchase, gives you the right to cancel the contract within 7 working days with no consequences or penalties, protection from unwanted sales, and protection from fraudulent use of your payment card.



*EU rules provide legal protection for consumers in case they purchase faulty goods, or goods that are different to those advertised.*

This 'withdrawal' period will be extended to 14 days in 2014.

- **PRODUCT REPAIR:** EU rules provide legal protection for consumers in case they purchase faulty goods, or goods that are different to those advertised. Any product you buy is covered by a 2-year guarantee. If it stops working properly in this period due to a fault that was present at the time of delivery, you have the right to get it repaired. If this is not possible within a reasonable time you are entitled to ask for a refund or price reduction. Guarantees provided by the seller do not replace the minimum 2-year guarantee but may complement it.
- **DISPUTE RESOLUTION:** If you have a problem with a trader about a product or service you've bought, EU rules mean you can settle your dispute out of court using the alternative dispute resolution (ADR) or online dispute resolution (ODR) procedures. These are low-cost, fast and simple procedures that offer consumers much more flexibility than going to court. They can be used for both domestic and cross-border complaints. A new EU-wide online platform for ODR will soon be developed to provide consumers with a one-stop-shop to resolve disputes over online purchases.
- **SMALL CLAIMS:** The EU's small claims procedure has been available since 2009 and applies to all civil and commercial cross-border lawsuits where the claim is less than € 2 000. No lawyers are necessary and judgments delivered under this procedure are recognised and enforceable in any EU country.

## Market surveillance and enforcement of consumer rights

Market surveillance and enforcement of the relevant consumer rules is an important part of EU consumer policy. In 2010, EU countries spent over € 100 million on product safety enforcement and employed over 6 000 inspectors.

The Consumer Protection Cooperation (CPC) network links the national authorities of all EU countries to detect, investigate and stop illegal cross-border commercial practices. It also makes it easier for EU countries to tackle any breach of consumer legislation together.

The CPC network also carries out regular market monitoring and enforcement activities, called 'sweeps', during which it checks selected websites in a given sector for compliance with EU consumer rules. Non-compliance must be followed up by the relevant authorities.

## Protecting your financial interests

Financial services have a very significant impact on consumers' lives. EU rules protect consumer interests by ensuring a high degree of transparency in the financial services sector and clear and comprehensive information on competing financial products.

- **CONSUMER CREDIT AGREEMENTS:** rules on consumer credit ensure that:
  - consumers receive clear information in a standardised EU form, in good time, before the contract is concluded;
  - the annual percentage rate (APR) is always indicated when there is a borrowing rate;
  - information on all fees and ties with the credit provider are provided to the consumer before the contract is signed;
  - the consumer has the right to withdraw from the credit agreement within 14 days of signing the contract, without giving a reason;
  - there is a possibility to repay credit early (any compensation requested by the creditor must be fair and objectively justified).
- **INVESTMENT SERVICES:** Consumers are protected at various levels for their investments. For example, there are European rules ensuring that the investment products consumers are sold must be appropriate for them, for example the level of risk of these products must not be excessive for them.

For typically 'retail' investment products, such as various types of investment funds, there are additional specific rules which regulate the way these products are sold, for example the information on these products must be clear, concise and must be provided in a common format which allows for comparison.

- **INSURANCE AND PENSION SCHEMES:** rules on regulating insurance services already exist, but are being revised in order to improve the transparency of the information for consumers and the selling practices of insurance products. Moreover, the new rules on insurance products with an investment nature will be aligned to the rules on investment services. For example, the provider will have to assess if the products he sells are suitable to consumers.

In addition, an initiative on individual retirement plans is envisaged, in order to better protect the current and future subscribers to these products.

## Protecting you on holiday and abroad

Freedom of movement is one of the most important individual freedoms for EU citizens. Freedom of movement implies travelling and, when travelling, things can go wrong. However, consumers must be covered even in this eventuality.

- **PASSENGER RIGHTS:** The EU is the only part of the world where minimum standards for passenger rights (<http://ec.europa.eu/transport/passenger-rights/index.html>) have been set across all modes of transport: air, rail, waterborne and coach. Passengers enjoy a minimum set of rights which include information, assistance and compensation measures if cancellation or long delays occur. Disabled persons and persons with reduced mobility also benefit from EU legislation on passenger rights.
- **PACKAGE TRAVEL:** EU legislation protects the interests of consumers buying a package holiday by defining a range of obligations for organisers and retailers, as well as some specific consumer rights. Examples include: having a single party responsible for the performance of all the services; receiving all necessary information before signing the contract; having a contact point to ask for prompt assistance; the right to transfer the booking to another person; the right to get the money back when essential elements of the package have been changed; and the right to obtain alternative arrangements for free if the agreed services cannot be provided.



*Passengers in the EU enjoy a minimum set of rights which include information, assistance and compensation measures if cancellations or long delays occur.*

- **TIMESHARES:** EU legislation ensures that those buying a timeshare (or similar products) have a right to detailed information in good time before they are bound by any contract. They can withdraw at least within a period of 14 days after signing the contract and no deposits or advance payments may be asked for until the end of this period.
- **ROAMING:** EU roaming rules have ensured that the cost of using your mobile phone abroad has gone down significantly since 2007. This has translated to savings of 75 % across a range of mobile roaming services (voice calls, text messages, mobile Internet) compared to 2007 prices.

For a typical businessperson travelling in the EU this means savings of over € 1 000 per year. A family taking an annual holiday in another EU country can expect to save at least € 200.

The first EU roaming rules adopted in 2007 introduced caps on roaming prices called 'Eurotariff'. These rules ensure that mobile phone subscribers pay

*EU roaming rules have ensured that the cost of using your mobile phone abroad has gone down significantly since 2007.*



affordable and transparent roaming prices when they are travelling across the EU. The Eurotariff sets maximum prices for phone calls made and received while abroad.

These maximum prices apply to all consumers unless they opted for special packages offered by operators. In July 2009, revised rules were adopted that cut voice call roaming prices further and introduced new caps on SMS tariffs. As of 2010, consumers are further protected by an automatic safeguard against data roaming bill shocks. In 2012, new EU rules cut mobile Internet roaming prices by almost six times. Europeans can thus use mobile Internet to access maps, videos, photos, social networks and e-mails when abroad without fear of being charged excessively.

## Helping you when things go wrong

What happens if your new computer breaks, your Internet order doesn't arrive or you want compensation for the night you stayed in a hotel when your flight was cancelled? You are entitled to certain guarantees and support under EU consumer policy.

If a trader refuses to recognise your rights you can always get in touch with one of the EU's consumer organisations. They have an important role to play in enforcing consumer policy and boosting consumer confidence.

The European Consumer Centres network (ECC-Net, [http://ec.europa.eu/consumers/ecc/index\\_en.htm](http://ec.europa.eu/consumers/ecc/index_en.htm)) has centres in every EU country, Iceland and Norway. It provides free help and advice to consumers on their rights when buying goods and services from traders based in another EU country, Iceland or Norway. If you have a problem with a purchase made from another country, the ECC-Net can help you contact the trader and find an amicable solution. If this isn't possible, it can also advise you on alternative ways of dealing with your complaint, for example an out-of-court procedure.

The ECC-Net is funded jointly by the European Commission and the participating countries.

## Consumer information

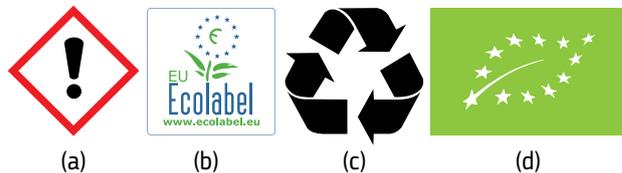
Giving consumers access to the necessary information for making their choice is an essential part of consumer policy. The available information influences consumers' decisions and helps to build their trust.

- **CLEAR SELLING PRICES:** EU rules require the selling price and the price per unit of measurement to be clearly indicated and easily identifiable. This makes it possible for consumers to easily compare prices in the shops and online.
- **ACCURATE FOOD INFORMATION:** EU rules also guarantee you get accurate information on the composition and essential nutritional qualities of products so that you know what you are eating and drinking. Certain foodstuffs, such as foods intended for children under 3 years or for particular nutritional uses and certain drinks, e.g. alcohol, are also subject to additional EU rules.

Labelling rules also make it easy for you to identify organic food, quality products or foods produced in a certain way.

Information on beneficial health advantages of certain substances in food for marketing purposes is only allowed after approval and scientific evaluation. Unsubstantiated and misleading claims will finally disappear from the shelves.

## Product labelling and packaging



Here are just a few examples of the types of labels you can find on EU products to indicate for example a safety risk or certain environmental credentials.

Symbol (a) indicates that the product is an irritant, (b) that it fulfils the EU's 'ecolabel' criteria, used for products and services that have a reduced environmental impact throughout their life-cycle, (c) that its packaging can be recycled and (d) that the product complies with the EU rules for organic farming. Other specific labels are used for textile products and to indicate energy consumption, emissions and product composition.

## Online advice resources

- **YOUR EUROPE AND YOUR EUROPE ADVICE:**

The Your Europe website (<http://europa.eu/youreurope>) provides a wealth of practical help and advice to citizens and businesses in the EU, Iceland and Norway, ranging from information on travel, work and cross-border shopping to setting up a business in another country.

Your Europe Advice caters for citizens and businesses looking for legal advice on their EU rights. This service is provided free of charge, within a week, and in any official EU language.

- **'IS IT FAIR?':** This is a dedicated website (<http://www.isitfair.eu>) that explains in simple terms and with vivid examples what marketing practices are not allowed in the EU.

## Monitoring and evaluation

The EU regularly monitors consumer markets to measure consumer perceptions and experiences in national markets with a view to assess policy outcomes for consumers and identify obstacles to the internal market that limit innovation and competition.

The twice-yearly Consumer Scoreboards (based on Eurobarometer surveys) measure national consumer conditions and market performance for consumers in over 50 sectors. In-depth studies are carried out on underperforming markets to identify where policy action is needed, and targeted behavioural studies are undertaken to test different policy options.

## International cooperation

Regulators and enforcers throughout the world have a common interest in detecting risks, unsafe products, and illegal or unfair commercial practices. The growth in e-commerce means that cooperation with countries outside of the EU is more important than ever.

The EU has cooperation agreements for consumer product safety with the United States and the People's Republic of China.

The RAPEX–China online system allows regular and rapid transmission of data between the EU and Chinese product safety administrations. Between 2006 and 2011, Chinese authorities adopted measures in relation to 1 752 RAPEX notifications. These have included measures to prevent or restrict further export of the notified dangerous consumer products to the EU.

Multilateral cooperation also exists in the International Consumer Product Safety Caucus (ICPSC) and the OECD Working Party on Consumer Product Safety. In 2011, the European Commission also launched a pilot project with the Australia, Canada and the United States to improve the safety of products through highly effective and closely aligned safety requirements.

## 4. The road ahead

Consumers operate in an increasingly complex environment in a wide range of areas, which will not get any simpler as time goes on. This includes those listed below.

- **TECHNOLOGICAL EVOLUTION:** 20 years ago, the Internet was a novelty. Now it is an everyday tool for many people; in 2011, 68 % of EU citizens used the Internet at least once per week. Consumer protection mechanisms must account for this shift.
- **E-COMMERCE:** While this offers enormous economic potential it remains relatively underused. Less than 50 % of EU consumers shop online, even though it offers up to 16 times more products to choose from.
- **SUSTAINABLE AND RESPONSIBLE CONSUMPTION:** Rising consumption levels are contributing to key environmental problems such as climate change, air and water pollution, land use and waste. The EU's food waste alone — currently estimated to be about 90 million tonnes per year — could be reduced by 60 % through more efficient management of resources. Consumers should therefore be encouraged to make sustainable and responsible choices.
- **SOCIAL EXCLUSION, VULNERABILITY AND ACCESSIBILITY:** The coming years carry a risk of increased social exclusion and consumer vulnerability — the lingering effects of the economic crisis, the ageing of the population, increasingly complex markets and choices and the difficulty some people may have in mastering the digital environment.
- **A LACK IN CONSUMER CONFIDENCE:** Consumers need to be confident to play a full and active role in the single market, yet many EU citizens remain cautious:
  - 25 % think a significant number of non-food products sold in the EU are unsafe,
  - 30 % think they lack the relevant knowledge,
  - nearly 50 % don't feel their rights are protected.

### The EU, then and now: changing consumption, changing markets

	1992	2012
<i>EU countries</i>	12	27
<i>EU consumers</i>	345 million	500 million
<i>Countries in the euro area</i>	Not applicable	17
<i>Countries in the Schengen (free-movement) area</i>	Not applicable	25
<i>Possibility of basic Internet access</i>	Not applicable	95 %
<i>Regular Internet use</i>	Not applicable	68 %
<i>Online banking</i>	0 %	37 % of EU citizens bank online
<i>Population buying online</i>	Not applicable	43 %
<i>Mobile phone use</i>	Less than 1 %	Over 100 %
<i>Internet access at home</i>	Not applicable	73 %
<i>Online research for goods and services</i>	Not applicable	56 % (2010)
<i>Car ownership</i>	345/1 000 inhabitants	477/1 000 inhabitants
<i>Number of companies</i>	12 million	21 million
<i>Value of goods traded between EU countries</i>	€ 800 billion	€ 2 538 billion (2010)
<i>Value of goods traded between the EU and the rest of the world</i>	€ 500 billion	€ 2 850 billion (2010)

#### • THE CHALLENGES OF GLOBALISATION:

Production, distribution and trade in goods and services is truly global. Eighty-five per cent of all toys bought in the EU, for example, are now produced in China. Globalisation makes it tougher to detect unsafe products entering into the EU.

Consumer policy must therefore help citizens adapt to this new reality. With this in mind, the European Commission has adopted a new '**Consumer agenda**', which outlines the strategic vision for EU consumer policy. It has four main priorities.

#### 1. IMPROVING CONSUMER SAFETY.

**2. ENHANCING KNOWLEDGE**, by making consumers and traders more aware of their EU rights and obligations and supporting consumer organisations.

**3. IMPLEMENTATION, ENFORCEMENT AND REDRESS** by working with national authorities to effectively enforce consumer law. The EU will carry out targeted enforcement checks and step up efforts to tackle unfair commercial practices.

#### 4. KEEPING UP WITH SOCIAL AND ECONOMIC CHANGE

by adapting consumer legislation to meet the needs of changing markets. An important part of this is making sure that consumers can access digital products and services easily, legally and affordably from anywhere in the EU.

It also identifies specific policy actions to be taken between now and the end of 2014, such as the adaptation to the digital age of consumer protection for package travellers.

The 'Consumer agenda' supports consumer interests in five key sectors:

- **food**: to ensure sustainability and safety;
- **energy**: so that consumers can get the best value for money in the liberalised market and better manage their energy consumption;
- **financial**: to protect consumers' financial interests and give them the tools to manage their finances;
- **transport**: to adapt legislation to modern patterns of travel and to support sustainable mobility;
- **digital**: to tackle problems faced by consumers and ensure their protection online.

## Further reading

- ▶ **Your Europe website — help and advice for EU nationals:** [http://europa.eu/youreurope/citizens/index\\_en.htm](http://europa.eu/youreurope/citizens/index_en.htm)
- ▶ **Passenger rights:** <http://ec.europa.eu/transport/passenger-rights/index.html>
- ▶ **Product labelling and packaging:** [http://europa.eu/legislation\\_summaries/consumers/product\\_labelling\\_and\\_packaging/index\\_en.htm](http://europa.eu/legislation_summaries/consumers/product_labelling_and_packaging/index_en.htm)
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