

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 find the publications online:
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Consumers 
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Customs

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Internal market
International cooperation and development
Justice, fundamental rights and equality

Maritime affairs and fisheries
Migration and asylum
Public health
Regional policy
Research and innovation
Taxation
Trade
Transport

CONTENTS

1. Why an EU consumer policy? 3
2. How the EU goes about it 4
3. Key achievements of EU consumer policy 5
4. The road ahead 11
5. Further reading 12

The EU explained: Consumers

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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 your 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 economic growth

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 and Norway. 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 57 % of EU gross domestic product (GDP). Enabling consumers to play an active role in the single market can boost economic growth and help the EU 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 set of common rules that applies to all sales of consumer products and services, 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.

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:

- 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 changes 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 residing in the European Union 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, for example, legislation on unfair commercial practices and on key consumer rights such as the right to withdraw from a distance contract within 14 days of delivery of the service or product.

The EU works with national authorities on the ground to make sure consumer laws are properly implemented and enforced. Penalties are applied 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, they notify 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 the Council (where Member States are represented) decide on them jointly.

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

How much does the EU consumer policy cost?

The Commission has a budget of €188.8 million for the entire duration of the Consumer Programme (2014–20). This equates to approximately €0.05 per consumer per year.

3. Key achievements of the 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.



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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**

TEN YEARS OF RAPEX IN AN ENLARGED EUROPEAN UNION: A WIN-WIN SITUATION

The EU's rapid alert system 'RAPEX', informs inspectors in all Member States about measures taken by a particular Member State with regard to a dangerous product. This starts a chain reaction whereby the product notified via RAPEX by a Member State is also removed from other national markets in the EU.

RAPEX has been operational since 2004 and has, over the years, exponentially increased the amount of information shared on dangerous products found on national markets, from around 400 alerts in 2004 to more than 2000 in 2013.

More than 16 658 dangerous products have been identified in the EU market over the last 10 years. The number of alerts has increased substantially in the context of a larger European Union, and as of 2007, the numbers have doubled: there were fewer than 1 000 alerts yearly before 2006, and around 2 000 in the following period.

This increased amount of shared information on dangerous products in Europe in the last decade has to be seen in conjunction with the positive effects of an aligned legislation and safety requirements in the larger context of the EU-28: stringent safety rules applied to an enlarged jurisdiction lead to a higher degree of safety for a wider community of consumers.

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



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In 2013 the EU brought to an end the marketing of any cosmetic product tested on animals in the EU.

- **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.

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 were extended in 2013, bringing an end to the testing of cosmetics on animals and the marketing of such products in the EU.

Protecting your rights

EU legislation protects you from a wide range of dishonest 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,



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

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 by post or online. It also guarantees you get enough information before you purchase, gives you the right to cancel the contract within 14 working days with no consequences or penalties and protects you from fraudulent use of your payment card.
- **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. Commercial guarantees provided by the seller do not replace the minimum 2-year free of charge legal guarantee but may complement it.
- **DISPUTE RESOLUTION:** If you have a problem with a trader about a product or service you have bought, new EU rules will allow you to settle your dispute out of court using alternative dispute resolution procedures. These are low-cost, fast procedures that are usually much simpler for consumers than going to court. They can be used for both domestic and cross-border complaints. In 2016, a new EU-wide online platform will become available, providing consumers with a one-stop-shop aimed at resolving disputes over online purchases, entirely online.
- **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 judgements delivered under this procedure are recognised and enforceable in any EU country. The Commission has proposed to revise the rules to make the procedure even more effective, among others by raising the ceiling to €10 000.

Further information on citizens' rights can be found in the 'Justice, fundamental rights and equality' publication from the [EU Explained series](#).

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 2011, EU countries spent over €100 million on product safety enforcement and employed over 5 600 inspectors.

The Consumer Protection Cooperation 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 together any breach of consumer legislation.

The Consumer Protection Cooperation 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. During the period 2010–13, national enforcers screened more than 1 500 websites offering electronic goods, online tickets, consumer credit and downloads of music, games, videos and books. This action, coordinated by the European Commission, made 82 % of these websites change their practices within a maximum of one year in order to make them comply better with EU requirements.

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, amongst others, that:
 - EU rules on consumer credit provide consumers with a set of rights when they take out credit agreements of between €250 and €75 000;

- consumers receive clear information in a standardised EU form, in good time, before the contract is concluded;
- the annual percentage rate 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;
- consumers have the right to withdraw from the credit agreement within 14 days following signature of the contract, without having to give a reason;
- consumers can repay their credit early and any compensation requested by the creditor must be fair and objectively justified.

- **INVESTMENT SERVICES:** Consumers' investments are protected at various levels. For example, there are European rules ensuring that the investment products sold to consumers are 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 standardised format which allows consumers to compare products.

- **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 sold are suitable for consumers.



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

- **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. In July 2013 the European Commission proposed a reform of the rules. Among others, the reform will ensure that an additional 120 million consumers who buy these customised travel arrangements will be protected by the package travel directive.

- **TIMESHARES:** EU legislation ensures that those buying a timeshare (or similar products) have a right to detailed information in good time before they are

Protecting you on holiday and abroad

Freedom of movement is one of the most important individual freedoms for EU citizens, and as a consumer, you are well protected when you travel.

- **PASSENGER RIGHTS:** The EU is the only part of the world where minimum standards for **passenger rights** 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.

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



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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. Compared to 2007 prices, costs have decreased by 80 % across a range of mobile roaming services (voice calls, text messages, mobile Internet). The cost of data roaming has also gone down by 91 % over the same period.

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 — ‘Eurotariff’ — introduced caps on roaming prices. These rules ensure that mobile phone subscribers pay affordable and transparent roaming prices when they travel 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 opt 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. Since 2010, consumers have been further protected by an automatic safeguard against the so-called 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. Further cuts have been made in 2013 and 2014.

Helping you when things go wrong

What happens if your new computer breaks down, a product ordered on the Internet does not 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 ensuring that consumer rights are correctly implemented.

The European Consumer Centres network (**ECC-Net**) has centres in every EU country, as well as 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. Between 2010 and 2013 over 120 000 consumer complaints were handled by the ECC-Net across the EU and two thirds of them were resolved amicably between the consumer and the trader. 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 does not prove possible, it can also advise you on alternative ways of dealing with your complaint, for example via 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 information they need to make their choice is an essential part of consumer policy, influencing consumers' decisions and building confidence when buying goods and services in another EU country.

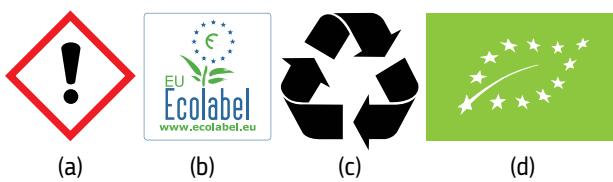
- **CLEAR SELLING PRICES:** EU rules require the selling price and the price per unit of measurement (when relevant: for example per kilo) to be clearly indicated and easily identifiable. This makes it possible for consumers to compare prices easily in the shops and online.

- **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, such as 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.

Monitoring and evaluation

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

The annual Consumer Scoreboards (based on consumer and retailer 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 China.

The RAPEX-China online system allows regular and rapid transmission of data between the EU and Chinese product safety administrations. Between 2006 and 2013, 2 549 RAPEX notifications were investigated and corrective actions taken where authorities were able to trace the manufacturer responsible. Measures were taken 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 and the OECD Working Party on Consumer Product Safety. In 2011, the European Commission also launched a pilot project with Australia, Canada and the United States to improve the safety of products.

Online advice resources

• YOUR EUROPE AND YOUR EUROPE ADVICE:

The **Your Europe** website 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 that explains in simple terms and with vivid examples what marketing practices are not allowed in the EU.

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 represents the following challenges and opportunities that the EU's consumer policy intends to address continuously.

- **TECHNOLOGICAL EVOLUTION:** In 2013, around 70 % of EU citizens used the Internet at least once a week. Consumer protection mechanisms must account for the digital economy.
- **E-COMMERCE:** 50 % of EU consumers shop online regularly. Since the Internet offers up to 16 times the number of products to choose from, consumers need to feel confident that they can shop safely online.
- **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 a 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 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	2014
EU countries	12	28
EU consumers	345 million	508 million
Countries in the euro area	Not applicable	18
Countries in the Schengen (free-movement) area	Not applicable	25
Possibility of basic Internet access	Not applicable	99.9 % (end of 2012)
Regular Internet use	Not applicable	72 % (2013)
Online banking	0 %	42 % (2013) of EU citizens bank online
Population buying online	Not applicable	47 % (2013)
Mobile phone use	Less than 1 %	Over 100 %
Internet access at home	Not applicable	79 % (2013)
Online research for goods and services	Not applicable	59 % (2013)
Car ownership	345/1 000 inhabitants	483/1 000 inhabitants (2011)
Number of companies	12 million	21 million
Value of goods traded between EU countries	€800 billion	€2 804 billion (2011)
Value of goods traded between the EU and the rest of the world	€500 billion	€3 267 billion (2011)

• THE CHALLENGES OF GLOBALISATION:

Production, distribution and trade in goods and services is truly global. 85 % 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 the '**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.

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)
- ▶ 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)
- ▶ Questions about the European Union? Europe Direct can help: 00 800 6 7 8 9 10 11
<http://europedirect.europa.eu>

