



INFO-C

PUBLICATION OF DG XXIV 'CONSUMER POLICY' OF THE EUROPEAN COMMISSION - VOL. VI, No 3 - 1996

A 'Consumer Affairs' Council was held on 23 April. Consumer Affairs Commissioner Emma Bonino represented the Commission. This gave Member States an opportunity to react officially to the Commission's priorities for consumer policy for 1996-1998 and to draft a certain number of recommendations. It was also an opportunity to make progress on the sensitive dossiers concerning price indication and access to justice. For details see the 'Consumer Protection' section.

This issue of **INFO-C** also contains articles on: World Consumer Rights Day of 15 March, EURO COOP's expectations regarding the Inter-Governmental Conference (IGC) which opened on 29 March in Turin, the image of women in advertising, the recent opening of a cross-border consumer information centre near the Italian and Austrian frontiers, the launch in the Canary Islands of a radio station dedicated exclusively to consumer protection, the proliferation of fraudulent

'Audiotel' telephone services in France and Italy (but all Europe is concerned), the risks of deafness resulting from extended use of walkmans and too many visits to night clubs, etc.

Finally, we launch an urgent appeal to the associations or institutions working in the field of consumer protection which have not yet begun to inform us systematically of their activities or publications to consider doing so as of now... For we can inform you only if you inform us first!

INFO-C

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

Editor:
Nicolas Genevay

Date :
Texts finalized 15.05.96
ISSN No1018 - 5755

June 96

Bureau de dépôt : Antwerpen X
Imprimé à taxe réduite

Summary

Consumer Protection	3
Euro-Infos	7
Countries	14
Case Law	23
Publications	24
Diary	29

DG XXIV has moved!

DG XXIV's new address is **Rond-Point Schuman 3**
(Underground: Schuman), in the heart of Brussels' European
district - remember if you come to visit us!

For correspondence:

INFO-C

c/o Sheila Reynolds

European Commission - DG XXIV

rue de la Loi 200

RP3 4/30

B - 1049 Brussels

Our telephone and fax numbers, as well as our Internet addresses, remain unchanged.

We take this opportunity to ask our readers within the European institutions
to communicate any changes in their administrative addresses.
By doing this you will greatly facilitate the work of our internal mail service and
be sure to continue receiving **INFO-C**.



Changes at DG XXIV

In April **Directorate-General XXIV** was restructured as follows:

Director-General	Spyros A. Pappas
Assistant to the Director General	...
Adviser	Jean-Jacques Rateau

Units directly attached to the Director-General

1. Legal matters	Dieter Hoffmann
2. Adviser responsible for coordinating the monitoring group with the Member States	Antoine van der Haegen
3. Resources	...
4. Development of consumer information and representation	...

Directorate A: Community measures in favour of consumers

Director	Peter Prendergast
1. Consumer training and the information society	Kenneth Roberts
2. Transactions	Jean-Marie Courtois
3. Products	Mercedes De Sola
4. Services	...
5. Sustainable consumption	Walter De Klerck



Main results of the Consumer Affairs Council of 23 April

PRIORITIES FOR CONSUMER POLICY 1996-1998¹:

Concerning this matter, the Council adopted a number of conclusions, setting out the importance of:

- enforcing existing consumer protection legislation, while examining where simplification or further legislation might be necessary (this review should, in particular, regard transfrontier transactions, in order to bolster the confidence of consumers in the internal market);
- taking consumers' interests into account in all important political areas and in new Community legislation;
- developing consumer education and information;
- paying attention to consumers' interests in the field of financial services, given the complexity and variety of said services (the Commission should therefore present in due course the results of its ongoing studies in this field);
- safeguarding consumers' interests in the provision of essential services of public utility in the Member States (the Commission is invited to study the questions pertaining to consumer protection in this field);
- maintaining the high quality of foodstuffs in the Community;
- helping all consumers benefit from the opportunities opened up by the information society;
- taking account of particularly vulnerable consumer groups;
- enhancing the role that bodies

representing consumers play at Community level, including in the standardization activities;

- encouraging consumers to adopt sustainable consumption habits, e.g. by informing them of the environmental impact of products (cf. the Community eco-label scheme);
- assisting Central and Eastern European countries, as well as developing countries, to engage in consumer policies;
- having the Member States and the Commission reflect on the appropriate action to be taken in these fields and the Commission present in due course its work programme regarding the priorities highlighted in its communication.

CONSUMER PROTECTION IN THE INDICATION OF THE PRICES OF PRODUCTS:

The Council reached a political agreement on its common position regarding this Directive. The common position will be formally adopted at a future session and transmitted to the European Parliament for its second reading in accordance with the co-decision procedure. The Directive aims at facilitating the comparison of prices through the indication, alongside the selling price of a product, of the price per unit of measurement. Certain exemptions will be granted, notably in the case of certain small retail businesses for which the indication of the unit price would represent an excessive burden. The agreed text envisages that Member States have 24 months to transpose the Directive following its adoption and that the

Commission reviews its application not more than 3 years following its transposition.

ACCESS OF CONSUMERS TO JUSTICE²:

1. Communication from the Commission: action plan on the access of consumers to justice

The Council took note of the presentation by Emma Bonino of the action plan recently adopted by the Commission, which aims at easing the settlement of consumer disputes, either in court or out-of-court, especially in the case of cross-border transactions.

2. Directive on injunctions for the protection of consumer interests

The Council held a first orientation debate on this proposed Directive submitted by the Commission on 16 February. Let us remind readers that under the proposal, whenever a practice illegal under Community law³ occurred in one Member State but had originated in another, the 'competent bodies' of the former Member State would be allowed to take action in the latter, either directly or through equivalent bodies. The debate focused on three issues: the need for a Community legal instrument, the scope of the proposed Directive and the entities qualified to undertake legal proceedings. It appeared that the third point will require further study, given that certain Member States, while being in favour of giving individual consumers the right to sue companies in the courts



of other Member States, are opposed to allowing consumer organizations to take legal action on behalf of groups of individuals, as suggested in the proposal. The Irish delegation indicated that it would continue the work towards a common position under its presidency in the second half of this year.

BOVINE SPONGIFORM ENCEPHALOPATHY:

During an informal exchange of views Emma Bonino informed the Ministers that an 'interservices' group had been commissioned to summarize all the information from the various scientific

committees (Veterinary Committee, Pharmaceutical Committee, Committee for Food, etc.) involved in examining this problem.

The complete original version of the record of this meeting can be had from:

Council of the European Union
Press Office
rue de la Loi 175
B - 1048 Brussels
Tel.: +32 2 285 62 31
+32 2 285 63 19
+32 2 285 68 08
+32 2 285 81 11
Fax: +32 2 285 80 26

¹ For the background, please refer to **INFO-C** of December 1995.

² For the background, please refer to **INFO-C** of April 1996.

³ Note that most laws protecting consumers in the Member States fall within this category, as they transpose Community Directives.

Spyros Pappas addresses BEUC

In the context of BEUC's general assembly on 10 May, Spyros Pappas, Director-General of DG XXIV 'Consumer Policy', presented the Commission's consumer policy plans for the years to come.

He began by thanking BEUC's members for their useful and interesting comments on the Commission's consumer policy priorities for 1996-1998, assuring them that DG XXIV was examining them in depth.

He added that thanks to the efforts of such bodies as BEUC consumer policy now had the same status as the other Community policies, as Member States had recalled at the Council meeting of 23 April.

He then presented the new structure of DG XXIV, reflecting the Commission's priorities for the years to come.

Unit 1 would coordinate the monitoring and transposal of European consumer law and would be responsible for improving the quality of existing legislation and of proposals for future legislation from DG XXIV.

Unit 2, which would centralize the funding procedures, was a response to the Commission's concern for healthy and effective management. However, the substantial decisions would continue to be taken at unit level.

Unit 3 was responsible for promoting consumer information and representation. In future this information work would be carried out mainly in collaboration with consumer associations, in particular at national level.

Unit A1 concerned two fields which were destined to become ever more closely linked: consumer education and the information society.

Spyros Pappas said he would soon accompany Emma Bonino on a visit to a Member State to discuss the inclusion of certain aspects of consumer policy education in the basic curriculum.

He also mentioned that DG XXIV intended to organize, before the summer, a seminar of experts to prepare the upcoming forum on the information society. This seminar would be held in Ireland. It would be necessary to create a strategy centred on integrated measures and to avoid proceeding on an ad hoc basis.

Finally he said that in future education would be addressed at various seminars and conferences organized or attended by DG XXIV.

Unit A2 concerned transactions (price indications, advertising, contracts, tourism, settlement of disputes and access to justice, etc.).



Unit A3 would deal with product safety.

Unit A4 would be responsible for services. Spyros Pappas requested BEUC to provide input to a Consumer Committee debate on *public services*. He also said that the Commission would soon be adopting the Green Paper on *financial services* and asked BEUC to coordinate the discussions on this subject within the Committee. Finally, he pointed out that *health*

services would also come within the remit of this unit.

As to **Unit A5**, Spyros Pappas said he hoped that its work would focus above all on foodstuffs. He would return to this subject with BEUC at an ad hoc meeting, notably with an eye to the publication of the Green Paper on nutrition.

Finally Spyros Pappas stressed the ever-growing importance of consumer

policy - indeed, 'Consumer Affairs' Councils were already being prepared for the three next presidencies (Irish, Dutch and Luxembourgish) - and said he hoped to be able to attend all BEUC plenary meetings.

Contact:

Daniele Dotto
European Commission - DG XXIV
rue de la Loi 200

RP3 6/21

B - 1049 Brussels

Fax: +32 2 296 32 79

Email: Daniele.Dotto@dg24.ccc.be

Stop press: bovine spongiform encephalopathy

Since 20 March, the crisis over bovine spongiform encephalopathy (BSE, also known as «mad cow disease») has had an effect on European consumers' confidence in beef.

The services of the European Commission have summarized the information available on this disease and the measures taken to control it, in a **BSE Vademecum**. This seven-page document, intended in the first instance for consumer organizations, can be obtained on request from:

Jean-Jacques Rateau
European Commission - DG XXIV
rue de la Loi 200
RP3 6/3
B - 1049 Brussels
Fax: +32 2 296 32 79
Email: jean-jacques.rateau@dg24.cec.be

Consumer Rights Day

For the **Verein für Konsumenten-information** (VKI - Austrian consumer information organization) Consumer Rights Day on 15 March was an opportunity to review progress at Austrian, European and world level. The VKI's views on the second and third points are quite representative of the opinions voiced by most consumer organizations. Here they are in summary.

The Treaty on European Union lacks an explicit enumeration of consumer rights: the right to health and safety, the right to information, the right to equitable damages, etc. Hence the VKI urges the

Inter-Governmental Conference to amend Article 129a of the Treaty to this end. As regards the right to information, the VKI regrets the European Parliament's vote of 13 March on the labelling of genetically modified foodstuffs, which restricts the population's right to know the precise origin of what they are consuming. According to the VKI, "only strict regulation can effectively and durably allay consumer fears in regard to current (bio)technological developments.

Good news at world level: the UN has updated its Guidelines for consumer protection, focusing on the need to

encourage socially and ecologically sustainable consumption. These are the basic principles which should be considered by all the Member States of the UN in designing their consumer policy. Even if these guidelines are not binding rules, they nonetheless create a strong moral obligation.

Contact:

Hannes Spitalsky
Verein für Konsumenteninformation
Mariahilferstr. 81
A - 1060 Vienna
Tel.: +43 1 588 77 241
Fax: +43 1 587 85 65

Coops' message on Consumer Rights Day

On 15 March, the Consumer Cooperatives celebrated Consumer Rights Day, which this year focused on fair trade between developed and developing countries.

One of the reasons why large parts of the world are underdeveloped is that rich countries pay too little for raw material and food products supplied by poor countries, while the latter pay too much for the goods they need to import - from machines to fertilizers to consumer goods.

At an individual level, small producers, who are victims of ruthless intermediaries, are often obliged to sell their

products at prices which don't even cover production costs - an unbearable situation which fuels mass migration of desperate people from the south to the north.

Surely this imbalance must be corrected and trade must return to ethical values for the benefit of both the developed and developing countries.

In order to help achieve this, the Consumer Coops, which have always put into practice the principles of solidarity and brotherhood, have decided to pay fair prices for products originating from poor countries and

produced according to strict rules of fairness to workers and the environment. Thus, consumers will be able to purchase 'fair trade' products at their usual stores.

The **International Consumer Cooperatives Organization** has therefore asked all Consumer Coops to behave coherently in this matter.

Contact:

International Consumer Cooperatives Organisation
Via Panaro 14
I - 00199 Roma
Tel.: +39 6 861 01 71
Fax: +39 6 863 20 033

Consumers and financial services

The **European Forum on Consumers and Financial Services** was held in Milan on 22 March with the participation of **Emma Bonino**, Commissioner responsible for consumer policy, and Mario Monti, Commissioner in charge of the internal market and financial services. Here is a brief summary of Emma Bonino's contribution.

After recalling that financial services are among the Commission's ten priorities for consumer policy in the next three years, she defined seven 'progress zones', in other words seven working areas where measures are urgently needed so as to redress the balance between professionals and consumers to the benefit of the latter.

1. INFORMATION

Information is the nerve centre of competition. Without detailed information on transaction costs and conditions, how can consumers choose the credit or insurance package best tailored to their needs and resources? For example: to help consumers compare the cost of credit throughout the European Union the way the annual percentage rate is calculated is to be harmonized¹. But this logic should apply to all aspects of all financial services.

2. MOBILITY

Certain practices, such as billing consumers for closing an account or preventing them from repaying a loan ahead of schedule, impede mobility

and are therefore unacceptable barriers to competition between financial institutions.

3. TRAINING

Consumer and professional associations must get together to instruct their fellow citizens about financial products. This means a lot more than the mere information mentioned in point 1.

4. PAYMENT DEVICES

The rules applicable to the theft or loss of cheques or bank cards are, in some cases, exceedingly unfavourable to the consumer. Not to speak of cybercash², where the situation is still a mess. Hence the first step must be to inventorize the problems arising from the potentially fraudulent use of these payment devices and, secondly, to consider the solutions to be adopted - none being excluded a priori by the Commission - taking into account the interests of all concerned.

5. SELLING TECHNIQUES

In the field of consumer credit, for example, consumers sometimes fall victim to aggressive and irresponsible vendors and the next thing find themselves in chronic debt. Hence measures must be taken to regulate certain practices such as distance selling or doorstep selling of financial products and services and, more generally, the advertising of these products and services. The Commission will shortly present a communication devoted to the problems

arising from the exclusion of financial services from the general Directive on distance selling.

6. SETTLEMENT OF DISPUTES

The action plan on the settlement of disputes recently adopted by the Commission will also be applied to financial services. But more is needed: the reports published in countries where all disputes over financial services are carefully recorded show that some of these disputes occur again and again. So why not directly address their causes?

7. SINGLE CURRENCY

Consumers care little about technical debates on convergence criteria or the cost for the banks of adapting their software to the new currency. What they want are clear explanations of the practical details of transition, the future value of their savings, the future cost of loans, etc. So all those 'in the know' should make an effort to communicate these particulars!

Contact:

Jean Allix
European Commission
rue de la Loi 200
RP3 3/6
B - 1049 Brussels
Fax: +32 2 295 94 90
Email: jean.allix@dg24.cec.be.

¹ More details in a forthcoming issue of **INFO-C**.

² Or virtual, electronic cash.

The Inter-Governmental Conference must meet consumer expectations!

This was the keynote of a position statement from **EURO COOP** issued shortly before the opening of the IGC on 29 March. In this ardent appeal EURO COOP reminded the representatives of the Member States and the European Institutions that the Single Market will be a success only if it enjoys the support of all citizens and consumers.

EURO COOP argued on the following lines.

While it is true to say that numerous initiatives in favour of consumers have already been taken at European level and that, since Maastricht, consumer policy has been enshrined in the Treaty, these measures remain too piecemeal and consumers are still reluctant to place their trust in the Single Market. Hence it is necessary today to create a global consumer policy that is genuinely responsive to the expectations of consumers and citizens. It is also high time to stop viewing consumers as passive

economic agents and beneficiaries of the common policies, and to recognize them as the active and independent operators they are.

To this end EURO COOP urges the IGC to:

- spell out in the new Treaty that the objective of the European Union is to ensure a high level of consumer protection;
- enshrine in the new Treaty the principle that the Union's goals are to be realized bearing in mind consumers' basic rights;
- enshrine consumers' basic rights in the new Treaty: the right to protection of consumer health and safety, the right to a healthy environment, the right to protection of consumers' economic and legal interests, the right to damages, the right to information and education and finally consumers' rights to have their interests represented;
- guarantee in the new Treaty the integration in the other common policies

of requirements linked to the promotion of consumer interests;

- clarify the principle of subsidiarity, which should not be used as an excuse to stymie the development of consumer policy at European level;
- guarantee blanket consumer access to high-quality basic services (telecommunications, postal services, financial services, of energy and water distribution, etc.) at affordable prices;
- ensure better transparency of the decision-making process and better access to information.

The IGC comprises a series of meetings which are expected to run until next year.

Contact:

Caroline Naett
Secretary General
EURO COOP
rue Archimède 17
B - 1040 Brussels
Tel.: +32 2 285 00 70
Fax: +32 2 231 07 57

Fasten your safety belts!

On 23 April the **Committee for Adaptation to Technical Progress** decided that coaches will from now on have to be fitted with safety belts having at least two anchorage points, as well as shock-absorbing seats, and that minibuses will have to be fitted with three-point safety belts. These measures will be mandatory for all new *models* of coaches as of October 1997 and for all new *models* of minibuses as of October 1999. As of October 2001 they will apply to all new *vehicles* (and not only new models).

BEUC and **ETSC** (European Transport Safety Council), who have lobbied long and hard for these measures, have expressed their satisfaction with this decision. However, they castigate the - in their view - unacceptable time limits and urge manufacturers to

introduce the improvements ahead of schedule, as minibus manufacturers have already done in the United Kingdom.

The Committee also decided to make it mandatory to affix a notice in cars fitted with a passenger seat airbag warning drivers of the mortal danger for babies of placing their seats back to the road. But this decision, praiseworthy as such, has been lambasted by BEUC and ETSC because the Committee did not opt for the model notice, including an explanatory text, which tests have shown is the one consumers best understand, with a comprehension score of 63%. Instead manufacturers may continue to use the notice recommended by the ACEA (the association of European carmakers), which has no explanatory text, and

whose score is... 34%. Here again BEUC and ETSC urge manufacturers to take the initiative themselves and to attach to the notice an explanatory text drafted in the same language as the other vehicle documents.

The Commission will shortly adopt the duly amended directives on motor car legislation.

Contact:

BEUC
avenue de Tervuren 36
B - 1040 Brussels
Tel.: +32 2 743 15 90
Fax: +32 2 735 74 55

Jeanne Breen
ETSC
rue du Cornet 34
B - 1040 Brussels
Tel.: +32 2 230 41 06
Fax: +32 2 230 42 15

The information society and censorship

The Internet promises to play an increasingly important role in all our lives. But this wonder of the Information Society is a two-edged sword. On the one hand it can be the fountain of wisdom of the 21st century, whilst on the other it can enable all the sinister sides of the human psyche - violence, pornography, racism, etc - to exude. Therefore, the question is: how can consumers enjoy its benefits without being threatened by it?

The traditional methods of censorship are extremely difficult to enforce on something which operates on such a huge, international scale. Due to the

present speed of growth of Internet sites, the current 'black list' approach is both time consuming and limited. At the same time, however, there is growing public concern about just what kind of information is making its way into our living rooms or our children's bedrooms.

This concern is shared by a group of leading communications and computer companies which have developed new technology by the name of PICS - the Platform for Internet Content Selection - allowing parents to effectively block sites which they consider unsuitable for their children. PICS'

philosophy is more about screening for individuals than censorship for everybody and their software has been developed under the auspices of the World Wide Web Consortium. This screening is achieved by labelling. Parents decide on which levels of violence, offensive language, sex, etc. they consider to be suitable viewing for their children by using a sliding scale, or rating system, on their computer. In this way, only those sites with the appropriate labels can be accessed.

Site ratings, or labels, can be given either by the producers themselves or by independent bodies - for example

consumer organizations. Parental overrides are also possible. In practical terms, this means that all information of a certain type, for example cartoons, can be accessed, whilst everything of another type, for example erotic magazines, is effectively barred.

Setting up such a filtering system takes no more than a few minutes and it is envisaged that computer shops, help-lines and possibly even schools could assist in this. Once a parent has decided on a set of labels, these never need to be changed and digital signatures can be used for authentication. In addition, although it is not impossible to remove an individual PICS barrier system (the cost of such a level of security would be prohibitive), it is extremely difficult.

The Internet is not the only media to face the possibility of new censorship. In the US, the 'V' chip, which is used to

block sexually explicit or violent TV programmes, must in future be installed in all new TV sets. Broadcasters and cable TV companies have been given a year to develop a rating system. These ratings will then be transmitted to the 'V' chip in TV sets. Viewers will activate the chips to block unsuitable programmes. There is wide support in the US for this scheme, but broadcasters might nevertheless mount a legal challenge against it. A similar filtering device is also advocated by the European Parliament for TV sets sold in Europe.

The problem governments face is that of the extent of the individual user's ability to control access to information. And this problem is even more acute in the case of the Internet, where it is technically impossible for censorship to be applied to just one country. For instance, when CompuServe was forced by a prosecutor in Bavaria to

block some of its sex 'newsgroups', the end result was a ban not only for Germany but for the whole world. That is why a happy medium should be found between one country imposing its own standards on all the others and, at the other extreme, giving the consumer a free-hand.

The debate looks set to continue well into the future but, for the present, such innovations as PICS technology provide a welcome solution to protection in the individual home.

For more detailed information on PICS, please contact:

Brian Ek
Tel.: +1 914 448 8811

Daniel Weitzner
Tel.: +1 202 637 9800

Email: ek@prodigy.comdjw@cdt.org
Internet: <http://w3.org/PICS>

New codes of conduct for direct selling

On 24 November 1995, **FEDSA**, the Federation of European Direct Selling Associations, officially inaugurated its new European Codes of Conduct for Direct Selling¹.

The 'Code of Conduct towards Consumers' contains consumer protection provisions such as cooling-off period, product guarantee, respect of privacy, guarantee and after-sales service, etc., while the 'Code of Conduct towards Direct Sellers, between Direct Sellers and between Companies' spells out the rights and obligations of each company and its sales force.

Respect of the Codes will be enforced by a Code Administrator.

The direct selling industry views this initiative as an efficient and flexible complement to, or even replacement for, legislation, as codes of conduct are more responsive to changes in the market than are laws.

In the course of the debate that followed the presentation of the Codes, however, Caroline Kerstiëns from BEUC expressed reservations about the efficiency of self-regulation. One of her main arguments was that codes are binding only on those

companies belonging to the federation adopting them.

Contact:
Marie-Andrée Vander Elst
Director
FEDSA
avenue de Tervueren 14
B - 1040 Brussels
Tel.: +32 2 736 10 14
Fax: +32 2 736 34 97

¹ Direct selling is the marketing of consumer goods and services directly to consumers in their homes, in the homes of friends, at the workplace or in similar places away from shops, through explanation and demonstration by a salesperson. It is *not* to be confused with mail order.

Wave goodbye to sexist advertising!

On the occasion of International Women's Day on 8 March, the **Instituto do Consumidor** (Portugal's consumer institute), invoking Portuguese statutes outlawing any advertising offensive to human dignity and/or containing any racially or sexually discriminating message, issued a public recommendation addressed both to sponsors and advertising agencies.

They are urged from now on to abstain from:

- using images of women as a mere bait to promote goods or services which are not exclusively consumed by women;
- exploiting the image of women's bodies in a degrading manner, with ambiguous expressions or attitudes;
- perpetuating stereotyped gender roles which long belong to the dustbin of history.

Contact:

Instituto do Consumidor
Praça Duque de Saldanha 31-2
P - 1000 Lisbon
Tel.: +351 1 54 40 25
Fax: +351 1 52 24 10

An article in the **Times** of 10 February titled 'Women insulted by 'patronizing' TV car adverts' also made a similar point. The author cited a recent survey by the publishing house Condé Nast¹,

which reveals that 50% of women feel insulted by campaigns that are stuck in the psycho-sociological mindset of the fifties. The irony is that while sponsors and their advertising agencies still spotlight women whose only concern is the colour of their vehicle, in 1995 48% of cars were purchased by women, 84% of female car-owners paid for their cars out of their own pocket, and 60% made the choice entirely on their own and on the basis of such serious criteria as safety, reliability, power, after-sales service, etc.

At a press briefing of the **European Advertising Standards Alliance** (EASA) on 18 April, its Director of Special Issues, Geoffrey Draughn, delivered a speech tackling precisely the questions of whether there was any evidence of public concern about the portrayal of sexes in advertising and, if so, to what extent the self-regulatory rules of the advertising industry in each country addressed the issue.

He acknowledged that in the light of the number of complaints received by EASA members - although there were big discrepancies between countries (e.g in 1994 there were 496 complaints in the UK, but only 4 in Spain) - the portrayal of women² in advertising could certainly be regarded as a matter of public concern.

However, he went on to say that self-regulation, thanks to its unique flexibility and sensitivity to changes in public attitudes, has been able to respond swiftly to this issue. For instance, four EASA members (the self-regulatory bodies of Austria, Ireland, Switzerland and the UK) recently changed their codes to include a section regarding mainly sexism and stereotyping in the portrayal of women and men, while two others (the self-regulatory bodies of Austria and Germany) went so far as to alter the composition of their staff to include more women.

Contact:

Oliver Gray
Director General
European Advertising Standards Alliance
10a rue de la Pépinière
B - 1000 Brussels
Tel.: +32 2 513 78 06
Fax: +32 2 513 28 61

¹ Publisher of the celebrated magazines *Vogue*, *Tatler* and *Vanity Fair*.

² Although there were a few complaints concerning the portrayal of *men* in ads, usually on the grounds that men were being depicted as incompetent and stupid, their proportion was minimal.

³ The percentage of complaints relating to the portrayal of women represent around 5% of all complaints received by EASA members.

Warning: charcoal barbecues should only be used outdoors!

It was 21 June 1995 that the **Forbrugerstyrelsen** (Danish consumer institute) first sounded the alarm, but its warning is still valid for this coming summer: charcoal barbecuing is an outside activity and is extremely dangerous if practised in an enclosed space (home, veranda, caravan or tent) because of the associated carbon monoxide emissions. This warning came in the wake of three cases of carbon monoxide poisoning and subsequent hospitalization of persons who had used a barbecue in an enclosed space. The hazard is all the greater in that a charcoal barbecue can release fatal carbon monoxide *for up to 24 hours after use* and because carbon monoxide is *odourless* and so the respiratory system can be paralyzed without the victim's being aware.

So why not opt for an *electric* barbecue, which works very well

within four walls in the event of rain or wind? Of course the meat will not have the characteristic 'smoked' flavour of a charcoal barbecue, but isn't that a small price to pay for safety?

The Forbrugerstyrelsen also provides a list of precautions which barbecue fans ignore at their peril:

- never leave a child unattended near a barbecue;
- thoroughly clean the area in which the barbecue is to be installed;
- use fire-lighter cubes to ignite the fire, since these do not flare up suddenly;
- never throw liquid fuel on an already lit barbecue, since the jet may catch fire and cause the container to explode;
- always have a hose-pipe or bucket of water at hand;
- avoid wearing loose and flowing

summer clothes, especially synthetic garments which can easily catch fire, melt in an instant and stick to the skin;

- wait until the ashes have thoroughly cooled before discarding them - this may take a very long time;
- in the event of burns, pour running water over the burnt skin for a quarter of an hour, then immerse the affected area in a basin of water during the entire journey to the casualty unit.

As you can see, unlike electric barbecues, charcoal barbecues pose not only a risk of poisoning, but also burning and fire hazards.

Contact:

Inge Norus
 Forbrugerstyrelsen
 Amagerfaelledvej. 56
 DK - 2300 Copenhagen
 Tel.: +45 32 96 06 32 319
 Fax: +45 32 96 02 32

DENMARK • SØSTRENE GRENE PAYS FOR PLAYING STUBBORN

In our October 1995 issue we reported on the warnings that the **Forbrugestyrelsen** (Danish consumer institute) had been issuing for months to the Sostrene Grene chain of stores, which persisted in selling dangerous toys¹.

Since these warnings went unheeded, the Forbrugestyrelsen brought an action against Sostrene Grene before the Copenhagen Maritime and Commercial Court.

Judgment was pronounced on 5 March, when the court decided to impose a fine of 30 000 DKR on the firm Sostrene Grene's Import A/S and ordered confiscation of a sum of 40 000 DKR, corresponding to the profits from the sale of these toys since the first warning from the Forbrugestyrelsen.

To add insult to injury, these toys were marked 'CE', a label which normally

guarantees the product's conformity with the European safety standards.

Contact:

Lars Økjaer Jørgensen
Forbrugestyrelsen
Amagerfaelledvej 56
DK - 2300 Copenhagen
Tel.: +45 32 96 06 32
Fax: +45 32 96 02 32

¹ See the article 'Dangerous toys at Sostrene Grene' in the 'Countries - Denmark' section, **INFO-C** October 1995.

• HOW MUCH DOES IT REALLY COST TO USE A MOBILE PHONE?

20% of Danes currently own a mobile phone and the number is rapidly growing. As in other countries, the cost of buying the phone is very low - sometimes as low as DKR 1! - and the telecom companies that offer the GSM service claim that thanks to the various types of subscriptions they offer, the cost of actually using the phone can be kept at a very reasonable level. The problem, however, is that the

examples they give to support their claims are based on patterns of use by 'typical' callers, i.e. people who do not exist in reality. That is why the **Forbrugerrådet** (Danish consumer council) proposes to make a more sophisticated analysis: instead of using 'typical' callers, it has invited the readers of its magazine **Tænk** to anonymously send in their mobile phone bills. If the response is good, it

will be possible to gain a much clearer insight into the use real people make of mobile phones, and consequently how much it really costs to use them.

Contact:

Claus Brøgger
Forbrugerrådet
Fiolstræde 17
PO Box 2188
DK - 1171 Copenhagen
Tel.: +45 33 13 63 11
Fax: +45 33 13 41 15

• DOWN WITH PVC!

An article published in the March issue of **Tænk** reveals that it is well-nigh impossible for consumers to know whether a product contains PVC. Only rarely is this indicated on the product and often the sellers themselves do not know either.

The **Forbrugerrådet's** proposal: make labelling mandatory. This solution is all the more realistic in that

the European PVC industry has nothing against an obligation to label *all* plastic materials. But there is one snag: such a rule cannot be adopted in Denmark alone, as it would then constitute an obstacle to the free movement of goods within the internal market, and at the present there is no majority in its favour at the Council of Ministers.

The Danish Environment Department is thus investigating the possibility of voluntary labelling, which could only facilitate the choice of non-PVC containing products. At the same time several Danish firms are endeavouring to replace PVC by other materials.

For further particulars read issue 2/96 of **Tænk**, which can be ordered by dialling +45 33 13 63 11.

**ITALY • FORTUNE TELLERS INVADE THE '166' LINES!**

On 20 February several Italian consumer associations' published a joint press release castigating the emergence on Telecom Italia's '166' lines of a number of chat lines and the spread of distance fortune-telling. A totally illegal practice, according to these associations, since the prefix '166' is reserved for services that have particular social relevance, of a purely informative or cultural nature, as defined in Article 1(2) of Decree-Law No 588/1995!

Not only that, but the associations are outraged by the fact that television channels are now broadcasting ads for these illegal services with impunity, while the Ministry of Postal Services, to which Telecom is attached, and which

by statute is responsible for according the '166' prefix, is keeping its eyes shut, and Telecom is denying all responsibility. As to the owners or managers of these services, most of them are unknown because they operate via fictitious intermediaries. Thus nobody has any idea as to whether their accounts and tax returns are in order.

But what puzzles the associations even more is that in a circular dated 20 July 1994 the Ministry of the Interior strongly urged the local authorities to enforce more stringently the statutes banning the *profession of charlatan*. Hence they ask the following question: can the Ministry of Postal Services really authorize fortune-tellers to hog

the '166' lines if the Ministry of the Interior considers them to be outlaws?

The associations have notified the competition authority and the media watchdog of all these infringements of the legislation governing misleading advertising and have urged the Ministry of Postal Services and Telecom to ban them immediately. Failing this they will go to court.

Contact:

Federconsumatori
via Goito 39
I - 00185 Roma
Tel.: +39 6 49 00 67
Fax: +39 6 49 00 89

Adiconsum: ADOC, ADUSBEF, Federconsumatori, Lega Consumatori ACLI and Unione Nazionale Consumatori.

• TELECOM-OPERATORS - USERS: THE BALANCE OF POWER IS STARTING TO SHIFT

A judge in Padua recently ordered the telecom operators to reconnect a user whose telephone they had cut off.

The man was refusing to pay the astronomically high bill he had recently received, arguing that he had never used his phone enough to justify such a charge, and that his line had almost certainly been pirated.

The **Associazione Consumatori Utenti** (ACU - consumers' and users' association) considers that this is a golden opportunity for the telecom-operators to review the relationship with their customers.

Until this court ruling was issued, the telecom-operators simply cut off their customers in the event of any disputes about bills. Now, if they decide to take this jurisprudence into account, they will not only have to reconnect the customer, but also enter into a dialogue with him in order to find the cause of the anomalies which gave rise to the dispute.

This is not enough, however. Given that prevention is better than cure, the ACU is calling on the telecom-operators to finally put safeguards in place - which for some time have been called for - which would allow this

kind of problem to be avoided: itemized bills as a matter of course and arrangements for quickly warning the user if his connection is being used in an 'unusual' way.

Any reduction in the thousands of disputes which continue to clog up the conciliation boards and courts must surely be welcomed.

Contact:

Associazione Consumatori Utenti
Press Office
via Bazzini 4
I - 20131 Milan
Tel.: +39 2 706 33 097
Fax: +39 2 266 80 664

16

ITALY AND AUSTRIA • OPENING OF THE BOLZANO-INNSBRUCK CROSS-BORDER CONSUMER INFORMATION CENTRE

Since the start of this year Italy has a second consumer information centre, called 'Eurocons', viz. the Bolzano-Innsbruck cross-border consumer information centre. It is based in Bolzano with an outstation in Innsbruck. The centre was officially opened on 8 March in Bolzano in the context of an international seminar on 'Consumer Protection in Europe', attended by many representatives of consumer organizations, politicians and interested parties from at home and abroad. Bolzano, located as it is

on the main artery linking Italy and its northern neighbours, is an ideal site for such a centre, because for historical reasons the bonds between the two regions on both sides of the Brenner are very tight, notably as regards the German-speaking minority in South Tyrol. Again, Austria's accession to the EU is expected to trigger a boom in cross-border trade. And last but not least this centre will benefit the many foreign tourists who visit these two Alpine cities each year.

Contact:

Centro Europeo d'informazione ai Consumatori
Via De-Lai 10
I - 39100 Bolzano
Tel.: +39 471 98 09 39
Fax: +39 471 98 02 39

Europäische Konsumentenberatungsstelle
Leiberstr. 1
A - 6020 Innsbruck
Tel.: +43 512 583 606
Fax: +43 512 563 322

AUSTRIA • LIFE INSURANCE: IT'S NO GREAT SHAKES!

According to the results of a survey conducted by the **Verein für Konsumenteninformation** (VKI - consumer information organization), published in the March issue of its magazine **Konsument**, life insurance does not constitute a form of retirement saving that is as advantageous as it is often reputed to be. There are several reasons for this:

- despite the long term of the policy, the yield on life insurance is rather modest (generally ranging between 5 and 7% for a 20-year policy);
- early surrender of the policy is always heavily penalized. For

example, if the holder surrenders his policy after three years, he is in many cases repaid only half of the capital he has invested! However, the statistics prove that cases of early surrender are by no means rare, since barely half of all policyholders keep up their life insurance until their policy matures;

- the tax benefits formerly granted to policyholders with the utmost generosity are in the process of being abolished, or at the very least substantially reduced, as part of the austerity plan concocted by the Government.

The individual who merely wants a reasonable return on his saving would therefore be well-advised to turn to other forms of investment, such as investment funds. Anyone who, for various reasons, nevertheless decides to take out a life insurance policy would do well to compare all the schemes on offer thoroughly, since the disparities may be enormous.

Contact:

Konsument
Verein für Konsumenteninformation
Mariahilferstr. 81
A - 1060 Vienna
Tel.: +43 1 588 77 232
Fax: +43 1 588 77 73

SPAIN • 'THREE FOR THE PRICE OF TWO': DON'T - ALWAYS - FALL FOR IT!

By purchasing items in supermarkets advertised as '3 for the price of 2' or 'Buy three and pay less' you will - often - save nothing or next to nothing.

This is the main conclusion of a report published in the April issue of the **Ciudadano** foundation's review **Ciudadano** (citizen), analyzing offers in 68 advertising catalogues published by the Pryca, Alcampo, Continente, Hipercor and Jumbo stores.

According to Ciudadano, not only there were no real bargains on offer, but to boot there were curious cases such as the Tarradellas bacon sold by Continente, where a 150-gramme sachet cost 165 pesetas while three sachets cost 510 pesetas, i.e. 170 pesetas per sachet! Another example was a Coca-Cola 12-pack offer where each tin cost 38 pesetas, the price of the item sold individually!

Contact:

Paz Escorihuela
Ciudadano
Calle Atocha 26, 3^a/izda
E - 28012 Madrid
Tel.: +34 13 69 12 85
Fax: +34 13 69 08 27

• A RADIO STATION EXCLUSIVELY FOR CONSUMERS!

On the occasion of World Consumer Rights Day on 15 March, the **Unión de consumidores de Santa Cruz de Tenerife** (UCE - consumers' union of Santa Cruz de Tenerife) officially launched the first European radio station dedicated to consumer protection: **Radio Activa 101.5 FM**.

This station already started broadcasting on 4 December 1995 on a trial basis. Currently it is on the air from 9.00 a.m. to 9.00 p.m., Monday through Friday.

Radio Activa carries no advertising and provides citizens with information on consumer affairs, while giving them an opportunity to talk about their experiences, happy or otherwise.

Contact:

Raúl J. Alonso Fernández
Secretary General
Unión de Consumidores de Santa Cruz de Tenerife
C/ 18 de Julio, 28, 1^oC
E - 38004 Santa Cruz de Tenerife
Tel.: +34 22 28 11 55
Fax: +34 22 29 19 28

FRANCE • FRAUDULENT TELEPHONE SERVICES ARE SPREADING WITH IMPUNITY

In a voluminous report titled **Le degré zéro de la télématique** (telematics - degree 0), **Adéic-fen** presents the results of a survey it conducted last year on the 5 920 (!) telephone services in France¹, mostly targeted at young people. Conclusion: there are scams galore.

Firstly, all these services tend to be very coy about what they charge. Depending on the prefix of the number dialled (36 65, 36 67, 36 70, etc.), billing may either be flat rate or depend on the duration of the connection, and charges may vary by one order of magnitude! In addition,

the law mandating all service providers to indicate clearly in their advertising the charges for the service in question is often ignored. And ironically, many 36 70 numbers - the priciest ones - which France Telecom had undertaken to convert into the less expensive 36 69 numbers by end May 1995 at the latest, were still operating six months later! Finally, some services are based abroad, and thus accessible by dialling the prefix 19, at the rate applicable to international communications²...

Secondly, according to Adéic-fen, the content 'offered' by these services betrays an abysmal lack of intelligence

and integrity. Here is a list - alas incomplete - of the scams:

- the little ones telephone Father Christmas, or goblins, to have stories told to them - or rather to hear rolled off a litany of phrases whose platitude beggars belief. Result: 20 minutes which cost more than the purchase of a cassette or CD of far better quality!;
- older kids telephone to play with Dragon Ball, Mortal Kombat or Casper. Surprise: between two silly questions they have to answer by tapping the telephone keys (but beware, some are 'booby-trapped',

and so you have to try several times), they hear the voice of Dorothée, the famous moderator of kids' TV programmes! Result: 20 minutes of 'play' that mainly consists of listening to advertising for films or television programmes;

- adolescents, mainly girls, call to learn all the secrets of the private life of the stars of *Beverly Hills* or similar soaps. Result: 20 minutes of junk. But this favourite target group is also bombarded with services proposing games/lotteries or 'offering' astrological predictions or advice on beauty, love and sex. For example, line 36 70 21 08, now disconnected, but certainly reincarnated under another number, promised to tell all teenyboppers how to captivate their teacher and/or their older brother's best mate... Result: after 20 minutes of hot advice such as: 'offer him underpants decorated with red hearts' (sic!) this prize tip: 'and if all this doesn't work, have a good cry and you'll feel better' (sic again!). Finally, adolescents use mailbox and messaging services most of which are intended exclusively for adults, but of course compliance is impossible to control - the more so as the information that only adults may call is sometimes not given at the start; you have to press a specific key at the beginning of the conversation to find out!

Adécif-fen draws two conclusions from its study.

1. The legal mechanisms to protect consumers against these scams is inadequate.

The *statutory and regulatory provisions* are over-broad and sometimes ill-adapted to the peculiarities of the

telematics sector. The *contractual terms* (between France Telecom and the service provider) are indeed very strict, but the problem is that only France Telecom is entitled to take a service provider to court on the grounds that he has infringed certain contractual terms. Finally, the *good practice codes* are non-binding.

The real problem, however, concerns the enforcement of all these provisions. Firstly, unless he has a bailiff at his beck and call, how can a user prove that a service infringes a specific law, knowing that the messages can be changed from one day to the next, and even that the lines themselves may be disconnected in a flash and resurface under another number? Secondly, the Conseil Supérieur de l'Audiovisuel (CSA - the higher audiovisual media council), the authority responsible for policing the rules, has on several occasions urged the television channels to discontinue broadcasting advertising for certain services, such as astrology services, during the time-slots devoted to children's programmes. But clearly the CSA can only intervene when the messages have already been broadcast, i.e. when the harm has already been done! Thirdly, the courts refuse to consider France Telecom as anything other than a mere carrier, and have never held it to be criminally liable. France Telecom may nonetheless itself employ sanctions, and even close down the infringing services, acting on a recommendation from the Comité de la Télématique Anonyme (CTA - the anonymous telematics committee), an advisory body responsible for examining complaints about telephone services. But a study of the sanctions recommended by the CTA shows that they often consist of mere warnings,

particularly in the case of 'lack of transparency'³¹. Fourthly, the Association française de la Télématique (AFTEL - the French telematics association) has an ethics commission whose role is to ensure that its members comply with the provisions of its good practice code. But there are no sanctions for infringements and to add insult to injury, at the time the Adécif-fen report went to press, this Commission had never even met!

2. Consumers need better information about these practices so that they can exercise greater vigilance.

For Adécif-fen, it is unacceptable that France Telecom should continue to shelter behind the argument that subscribers are fully responsible for the use of their telephone lines, while multiplying different types of telephone services, and hence the charges, to such a point that even professionals throw up their arms in despair. And it is also unacceptable that the children of the 'Nintendo generation' should be the favourite target of these dubious offers. Therefore, Adécif-fen calls for the following changes:

- France Telecom should clean up its act as regards dialling codes so that users can find their way through the maze;
- in the case of TV advertising, the charges should be announced in writing and *orally*;
- the charge should be announced whenever the user enters into communication with a service provider;
- all advertising for telephone services should urge children to seek their parents' authorization to call;
- France Telecom should no longer be judge and jury and the telephone



services should be policed by an entirely independent authority, empowered to punish all statutory and ethical infringements;

- new contractual relations linking France Telecom, service providers *and users* should be created;
- the law on lotteries should be enforced strictly, to make sure that the 'games' proposed by the telephone services really are games, and not commercial lotteries;

- telephone service providers should show a minimum of respect for callers, especially the youngest ones.

Adéc-fen will prepare a summary of this study intended for its local branches, as well as an information document for the general public.

To obtain *Le degré zéro de la télématique* and/or for further information, please contact:

Bernard Umbrecht
 Adéc-fen
 3 rue de la Rochefoucauld
 F - 75009 Paris
 Tel.: +33 1 44 53 73 93
 Fax: +33 1 44 53 73 94

¹ There were only 618 in 1991...
² For instance number 19 37 77 32 00 (a chat-line for teenagers): according to Adéc-fen nobody, *not even France Telecom*, knows where it is located, as 37 used to be the code of... the late German Democratic Republic!
³ Mostly in the numerous cases where the connection charges are not indicated clearly.

• BAN ON IMITATION FIREARMS

An emergency decree suspending the placing on the market of imitation firearms with an energy of between 0.08 and 2 joules was published in the French *Journal Officiel* of 21 April 1996.

Adéc-fen welcomes this measure, which applies to all categories of products outside the scope of the rules governing toys or firearms.

Adéc-fen has evidence that these products, which are often used inside or in the proximity of schools, are a constant source of physical accidents, psychological trauma and material damage, not to mention that they can easily be mistaken for genuine firearms.

Pursuant to the provisions of the Consumer Code this decree is valid for one year only. However Adéc-fen

hopes that the public authorities will take the opportunity of this period to adopt definitive measures. It is confident that the Consumer Safety Commission will encourage such action.

Contact:
 Christian Huard
 Adéc-fen
 3 rue de la Rochefoucauld
 F - 75009 Paris
 Tel.: +33 1 44 53 73 93
 Fax: +33 1 44 53 73 94

FRANCE AND BELGIUM • WALKMANS AND NIGHT CLUBS: POSITIVELY DEAFENING!

In March the French National Assembly adopted an amendment limiting the noise level of Walkmans to 100 decibels and obliging manufacturers to inform users of the risks associated with prolonged use.

A report on an epidemiological survey of a regiment of young conscripts (average age: 20) had shown that only 56% have normal hearing, while another study of 1 000 young people aged between 14 and 20 had revealed that one-third suffered from significant hearing loss.

Although it is happy with this initiative, **Adéc-fen** considers that it does not go far enough. It points out that the tolerable daily listening time is only 15 minutes for a noise level of 100 decibels¹, and would like the ceiling to be reduced to 85 decibels¹. It also urges that stricter rules be applied to all premises where an uncontrolled noise level can generate irreversible hearing disorders, notably discotheques and concert halls.

Again, the November-December 1995 issue of **Test Santé**, the Belgian consumer organization **Test-Achats** health magazine, denounced in an article titled 'Discothèques: gare aux oreilles' (discotheques: watch your ears) the deafening noise (in the literal sense of the word) which permeates Belgian discotheques and concert halls. While a royal decree stipulates

that the noise level should never exceed 90 decibels in premises of this kind, the sound meter introduced (discreetly) by Test-Achats' investigator hit the red in *all* premises visited, i.e. 12 discotheques (the Coliseum at Charleroi, the Clips near Bruges, the Mirano and Garage in Brussels, etc.) and two concert halls (Forest National in Brussels and Flanders Expo in Ghent). *And the winner is... le Mirano, with 111 decibels on the dance floor, in other words more than 100 times the authorized volume!*

Although the noise level in night clubs is not the only threat to our hearing, Test-Achats estimates that regular visits to establishments of this kind can lead to a hearing loss of between 25 and 35 decibels. With a loss of 35 decibels it is impossible to hear someone speaking a mere four metres away.

How does Test-Achats propose resolving the problem? First, the establishments concerned should comply with the law (again, in theory the tolerated ceiling is 90 decibels¹). Second, young clients should use their common sense: limit the number of visits to discotheques, avoid proximity to loudspeakers, withdraw to a quieter spot several times during the evening and, finally, have themselves examined without delay if they experience hearing problems such as droning or whistling and, obviously, if they realize that their hearing has diminished...

because the disability rapidly becomes irreversible!

Contact:

Christian Huard
Adéc-fen
3 rue de la Rochefoucauld
F - 75009 Paris
Tel.: +33 1 44 53 73 90
Fax: +33 1 44 53 73 94

Test-Achats
rue de Hollande 13
B - 1060 Brussels
Tel.: +32 2 542 35 35
(Marie Tack - Press service)
+32 2 542 32 41
(Laurent Schinckus)
Fax: +32 2 542 32 50

¹ By comparison, this is the noise level emitted by a motor cycle!

² The noise level of an alarm clock...

The scale of sound intensity is logarithmic: a noise of 100 decibels is 100 times greater than a noise of 90 decibels. At 180 decibels, we reach the noise level of the Ariane rocket launch...

³ Thus Mirano was the winner, but by a short head only, because Garage, with 100 decibels, Flanders Expo with 104, Forest National with 106 and Clips with 108 - i.e. *between 10 and 80 times the authorized volume* - also performed excellently.

⁴ In practice, as the Test-Achats survey proves, the authorities do tolerate the infringements, reacting only when local residents complain of the noise *outside* the discotheque... Thus all the proprietor has to do is to insulate his walls well to avoid complaints of this kind while riding roughshod over the law inside the premises - where no controls are carried out. Is it perhaps a coincidence that the only time Test-Achat's investigator failed to conceal his sound meter from the bouncer's inquisitive look, he was formally refused entry (at the Carré near Willebroek)?

PORTUGAL • PRICE LABELLING: ILLEGAL PRACTICES GALORE

According to the May issue of *Pro Teste*, many retailers seem unaware of the law which obliges them to display the price of their wares.

Hence, *Pro Teste* observed 1 775 shop windows and inspected the interior of 1 482 sales areas in different sectors - food, garments, footwear, sport articles, electrical household goods, TV, hifi, video, cameras, computers, etc. It also visited various municipal markets, supermarkets and hypermarkets.

The conclusions are somewhat discouraging:

- shop windows:
 - a mere 35% display the prices of all products and 12% do not indicate any price at all;

- 21% of the price labels are hard to read and in 15% of the cases consumers are quite liable to be misled;
- in the case of special offers, the law stipulates that the original price or percentage reduction be indicated, so that consumers know what rebate they are getting. But of the shop windows that display price reductions approximately 44% infringe the law;
- inside the premises:
 - more than 50% of computer stores, for example, mark the price of hardly half the articles on display;
 - in the case of promotions, numerous stores (82% of the computer stores!) do not indicate the original price;

- markets: many display few or no prices;
- as regards hypermarkets and supermarkets using bar codes, in 6% of cases there was a difference between the 'official' price of the product, i.e. the price the consumer should theoretically pay, and the corresponding price on the bar code, i.e. the price consumers pay in fact.

Contact:

Isabel Lencastre
Pro Teste
Av. Eng. Arantes e Oliveira, 13 1° B
Olaias
P - 1900 Lisbon
Tel.: +351 1 841 08 56
Fax: +351 1 841 08 02

UNITED KINGDOM • WELSH CONSUMERS CALL FOR STATE-OF-THE-ART TRANSPORT SYSTEM

On 29 March, the **Welsh Consumer Council** (WCC) called on the 22 new local authorities in Wales to take the lead in working with bus, train and airport operators, as well as consumer, business, and tourist organizations, to develop and implement plans to build a modern, efficient, high quality transport system.

The WCC's recommendations, which concern transport not only within Wales, but also between Wales and the rest of the world, are outlined in a policy paper titled *The Consumer, Local Authorities and Public Transport*.

Nich Pearson, Director of the WCC, declared: 'Major improvements are

needed to transport in Wales. We are facing growing congestion and pollution in our towns and cities, and lack of planning and investment in transport in the countryside. The WCC is calling for public and private transportation systems in Wales to match the best in Europe, with passengers offered high quality services that they will want to use from choice. But we are also calling for high speed rail links through to the channel tunnel, and for improved access by rail and road to Cardiff International Airport.'

The WCC is particularly critical of the lack of attention to safety and comfort at bus stops, bus stations and railway stations, the lack of practical connections between lines, the suppression of

certain late night or Sunday routes, the rigidity of the ticketing system, the insufficient information provided travellers, etc.

Copies of the policy paper have been sent to the chief executives and the chairs of public transport committees in the 22 new Welsh local authorities, to the Welsh Office, the Department of Transport, the Wales Tourist Board and Cardiff International Airport.

For more information and/or to obtain your own copy, please contact:

Welsh Consumer Council
Castle Buildings
Womanby Street
UK - Cardiff CF1 2BN
Tel.: +44 122 239 6056
Fax: +44 122 223 8360

BALKANS • SECOND SESSION OF THE BALKAN CONSUMER CENTRE

The representatives of the consumer organizations of Albania (ACA), Bulgaria (FCB), Greece (KEPKA), Rumania (APC), Yugoslavia (YUCA) and, as an invited observer, the Former Yugoslav Republic of Macedonia (CC), gathered at their second meeting of the **Balkan Consumer Centre** (BCC) in Belgrade from 20-21 April 1996.

The topic of the Forum was 'Protection of Consumers, Market Economy and Ecology'.

The participants agreed on the following:

- to join forces in order to create a strong consumer movement in the Balkans;

- to exchange tools and experiences;
- to use the advantages and opportunities enjoyed by KEPKA, given that Greece is a member of the EU, to enhance the progress of the BCC;
- to invite all Balkan countries to join the BCC;
- to encourage each member of the BCC to gradually free itself from financial donors in order to create truly independent consumer organizations;
- to press the governments of the members of the BCC to officially include teaching on consumer behaviour, nutrition, and the environment in primary and secondary school programmes;
- to lobby in favour of laws protecting consumers in the fields of advertising, labelling, etc.;
- to issue a journal promoting the goals of the BCC with A *Balkan Consumer* as a possible title;
- to register all laws on consumer protection which exist in the BCC countries, in order to harmonize them and gradually raise them to EU standards;
- to create a common data base;
- to meet again in the near future.

Contact:

Balkan Consumer Centre
c/o Yugoslav Consumer Association
TRG Nikole Pašića 3/III
PB 1002
Y - 11000 Belgrade
Tel.: +38 1 11 33 99 88
Fax: +38 1 11 33 99 22



— Austria —

Terrorist threats are grounds for holiday cancellation

In 1993 the separatist Kurdish organization PKK openly threatened to attack selected objectives in the most popular Turkish tourist centres. This caused panic among holiday-makers, who cancelled their bookings *en masse*. Alas, as a rule the travel agencies billed them for cancellation fees. But the **Verein für Konsumenteninformation** (VKI - consumer information organization) helped two families to sue for a refund of these fees, arguing that the terrorist threats,

which had been issued after the booking, justified their cancelling the holiday without compensating the tour organizer, the firm GULET.

The Vienna Commercial Court held that the severity of the threats gave the potential tourists ample grounds to cancel their holiday free of charge, and ordered GULET to reimburse the two families. The judgment has the force of law.

Contact:

Peter Kolba
Head of Legal Service
Verein für Konsumenteninformation
Mariahilferstr. 81
A - 1060 Vienna
Tel.: +43 1 588 77 241
Fax: +43 1 587 85 65
Email: pkolba@vki.or.at

— Greece —

SLIM busted for misleading advertising

The Greek consumer association **EKPIZO** brought an action against the firm SLIM seeking an injunction for the discontinuation of unfair marketing practices considered to infringe crucial provisions of the new Consumer Protection Law.

The said firm, which had the highest advertising budget in Greece in 1995, sold 'fucus naturalis' diet pills, which guaranteed rapid weight loss thanks to their biomagnetic effect, under the trade mark 'SLIM'.

In its wide-ranging advertising campaign, SLIM claimed that the product was 100% herbal, absolutely safe and did not require a medical prescription. 'Before' and 'after two months' photos, revealing amazing differences, were also used.

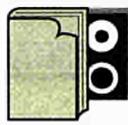
The Athens Court of First Instance judged these claims to be deceptive. In particular, the pills contained iodine and a number of additives which had strong adverse effects on certain consumers. Moreover, the main argument used by SLIM, i.e. that the Greek Pharmaceutical Organization (EOF) had given its consent for the distribution of the diet pills, was rebutted, as it appeared that SLIM had not respected the very strict conditions that the EOF had imposed when giving its consent.

In addition, SLIM marketed... biomagnetic tights (!), supposed to make feet thinner. The Court judged them to be very ordinary tights, with no biomagnetic effect whatsoever.

The Court therefore held that SLIM was misleading consumers. Accordingly, it allowed the injunction and prohibited SLIM from advertising and marketing the said products. It further threatened the company's bosses with a penalty of DR 100 000 as well as a six-month detention in case of violation of this decision.

Contact:

Sissy Stamna
Legal Department
EKPIZO
Valtetsiou 43-45
GR - 10681 Athens
Tel.: +30 1 330 0673
Fax: +30 1 330 0591



Keen to follow trends in consumer law both at Community and national level in 17 European countries? Nothing simpler - just take out a subscription to the *Revue européenne de droit de la consommation* (European Consumer Law Review), henceforth

published by the **Consumer Law Centre** at the Catholic University of Louvain. It contains articles on the doctrine, surveys of recent trends and general information on publications and miscellaneous events in the field of consumer law.

For a free copy, contact:

Université catholique Louvain
Service des publications
place Montesquieu 2
B - 1348 Louvain-la-Neuve
Tel.: +32 10 47 85 38
Fax: +32 10 47 85 32

Television in Europe: Regulatory Bodies by Serge Robillard, a specialist in broadcasting law and a researcher at the European Institute for the Media in Düsseldorf, goes further than 'our' Europe, as it scrutinizes the regulatory systems for television broadcasting of 35 countries - from Austria, Bulgaria, Latvia, Russia, etc. to the UK.

For each national broadcasting system the legal framework is presented and the control over the means of distribution (terrestrial frequencies, cable, satellite, etc.) described. Each regulatory body is then analyzed using five basic criteria: the power to grant a licence to broadcast, the supervision of the activities of broadcasters, the powers

to set certain rules for broadcasters (e.g. codes of practice, advertising codes, etc.), the power to impose sanctions, and quasi-legal powers (e.g. in the field of viewer complaints).

In the conclusion, which offers a comparative analysis of the main findings, the author argues that although these regulatory bodies are as varied as the legal and administrative systems, not to mention the cultures, of the countries they serve, and differ in the way they carry out their tasks and in the range of powers, including sanctions, they have at their disposal, they *are* similar in that they all set out to provide both a political and a legal supervision and are - in most countries,

and at least theoretically - independent from the government. In addition, he outlines a number of areas for future research on regulatory systems, including in the context of the information society, and purports to trigger a wider debate, not least on the question of shifting regulation onto a European plane.

Television in Europe: Regulatory Bodies is available from book stores or from:

Faber Book Service
16 Burnt Mill
Elizabeth Way
UK - Harlow, Essex CM20 2HX
Tel.: +44 127 941 7134
Fax: +44 127 941 7366

More than one in three Danish households now own a PC. But beware - the market is enormous, a vicious price war is under way, developments are incredibly fast and quality is far from even.

This is why the **Forbrugerstyrelsen** (Danish consumer agency) has decided to help novice buyers by distributing for the third time - in cooperation with the PC manufacturers' interest group IT-Branche-foreningen - the brochure *Køb af pc* (buying a PC), which reviews the main

information technology concepts and helps consumers negotiate the maze of different types of PCs and software packages.

The objective is to prevent things from getting even worse. The number of complaints concerning PCs addressed to the Forbrugerstyrelsen's complaints service soared from 72 in 1991 to 224 last year. Hence *Køb af pc* emphasises the consumer's rights as enshrined in the sales law, in this domain as elsewhere.

The brochure can be ordered by dialling the 24-hour hotline +45 32 96 07 11.

For additional information, contact:

Georg Ferdinandsen
Forbrugerstyrelsen
Amagerfaelddvej 56
DK - 2300 Copenhagen
Tel.: +45 32 96 06 32
Fax: +45 32 96 02 32



The report titled *Los consumidores españoles, presente y futuro* (Spanish consumers - present and future), published by the **Instituto nacional del consumo** (national consumer institute) at the Ministerio de sanidad y consumo (ministry of health and consumer affairs), surveys current aspects of consumer affairs in Spain and describes emerging trends, in the light of a whole range of factors extending from regulations to new selling techniques, consumer education and the institutions responsible for protecting consumer rights. It gathers and recapitulates a plethora of data hitherto unpublished or located in different and sometimes hard-to-locate publications.

Chapter I describes and assesses the different forms of protection and redress available to consumers and users, including arbitration.

Chapter II, which reviews the main social, economic and cultural factors influencing consumption, provides a global and dynamic view of developments in consumption in Spain in recent years.

Finally, **Chapter III** summarizes the main trends in consumption in Spain, as reflected both in the developments described in Chapter II and in other secondary sources, notably the opinions of experts hailing from a whole range of sectors with a consumer

dimension - manufacturers, service providers, distributors, advertisers, consumer representatives and government.

The report is conceived as a basis for implementing strategies designed to encourage both public and private bodies to pay more attention to consumer interests.

Contact:

José Domingo Gómez Castallo
Director General del Instituto nacional del consumo
Ministerio de sanidad y consumo
Príncipe de Vergara 54
E - 28071 Madrid
Tel.: +34 1 431 30 67
Fax: +34 1 435 94 12

Tendances 1996 - Le nouveau consommateur (trends 1996 - the new consumer), written by Gérard Mermet and published by Larousse, belongs in the tradition of the author's two-yearly contributions since 1985 in his work for *Francoscopie*.

But while *Francoscopie* analyzes French society as a whole, *Tendances 1996* focuses on consumer affairs, highlighting the most recent trends in consumer behaviour in France.

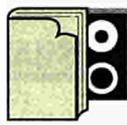
After two introductory chapters - the first devoted to global new trends in supply and demand, such as consumers' growing infidelity or the appearance of an increasing number of products that guarantee sustainable consumption, the second focusing on the 31 things that French consumers want most today (customization, authenticity, discretion, proximity, culture, etc.) - the author turns the spotlight on nine

specific fields: 1. nutrition; 2. clothing; 3. health-hygiene-beauty; 4. the home; 5. motorcars and transport; 6. the media; 7. culture; 8. sports and games; 9. holidays.

For example we learn that the French:

1. are abandoning deluxe restaurants in favour of themed restaurants (Léon de Bruxelles and its mussels and chips), exotic restaurants (tex-mex is the latest rage), fast-food restaurants (McDonalds opens a new outlet in France each week!) or restaurants specializing in traditional local cuisine (Batifol and its stew);
2. buy clothes less often in specialist stores and more often by mail order, in superstores, factory stores, or even at cheapo chains like Tati's - and the designer label is no longer of any importance;
3. have a growing phobia of germs and viruses, hence the runaway

- sales of household products containing bleach;
- 4. link their homes to the rest of the universe using increasingly numerous and sophisticated electronic means of transmission such as minitel, cable, satellite link-up, information superhighways, etc;
- 5. are increasingly buying 'people carriers' (such as the Renault Espace) - 'home extensions' of a kind;
- 6. devote a growing amount of time to the media in general, but less and less time to the written press (notably the major national dailies);
- 7. are increasingly avid for culture in all its forms. Hence reading - thought to be dead and buried - is returning in force and political, religious and philosophical works become best-sellers in a matter of days!;



8. are going in for more and more sport, but with the emphasis on pleasure and relaxation rather than pure performance;
9. are becoming increasingly loathe to tan themselves silly and are more likely to choose holidays with an athletic or cultural dimension.

Naturally, it is impossible to provide an exhaustive summary of the 300 pages

of *Tendances 1996* in a few lines. So for further details visit your local bookshop.

Contact:

Suzanna de Bokaj
Head of the Press Office
Larousse
17 rue du Montparnasse
F - 75298 Paris Cédex 06
Tel.: +33 1 44 39 44 39
Fax: +33 1 44 39 42 69

You can also contact the author at the following address:

Gérard Mermet
Tendances
175 boulevard Malesherbes
F - 75017 Paris

The **Scottish Consumer Council** (SCC) has published a new report entitled *Cars and the Environment* which investigates the sustainable transport issue from the perspective of rural and/or low income consumers. Here is a short summary of the arguments developed in the report.

Everyone recognizes the environmental impact of car pollution and the urgent need to develop a sustainable transport policy to alleviate urban congestion and improve air quality. Current policies have tended to focus on increasing the cost of running a car, for example by increasing the price of fuel. However, what is not recognized

are the effects of this policy on rural and/or low income car users. For cars are a necessity in rural areas where alternative forms of transport are unavailable or impractical.

That is why more research is urgently needed into measures to solve transport problems in rural areas, and the 'pricing' approach to the reduction of car use for environmental goals must be accompanied by far-reaching action in order to provide the level of public transport in rural areas that would be needed to give rural car users a real mobility alternative.

Policymakers must recognize the different needs of rural areas in the

context of car dependence and public transport provision so that 'blanket' policies designed with national and global concerns in mind do not cause disproportionate hardship. They need to consider whether the burden of decisions on sustainable transport policies, often resulting in large increases in the costs of car use, is bearable by rural and/or low income families.

Contact:

Patricia McAuley
Scottish Consumer Council
Royal Exchange House
100 Queen Street
Glasgow G1 3DN
Tel.: +44 141 226 5261
Fax: +44 141 221 0731
Email: 101346.3164@compuserve.com

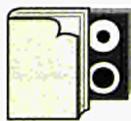
206-page *Facts & Views on Nordic Consumer Policy - an anthology*, which appears, appropriately enough, soon after the accession of Finland and Sweden to the EU, has been published by the **Nordic Council of Ministers** with a view to contributing to a better understanding of the 'Nordic Model' in a European context.

All five Scandinavian countries¹ have indeed been leaders in many

consumer areas and the word 'Ombudsman' is now a household term throughout the Union. In addition, the Nordic Model is founded on various factors common to the five countries, *inter alia* a societal system which ensures an exceptionally high level of information and education for all citizens/consumers and which has given rise to democratic structures allowing them to be heard.

The contributions to the anthology

(memos, scholarly articles, transcripts of lectures, etc.) provide a comprehensive survey of the main areas of consumer activity in Scandinavia in the recent years, ranging from supervising the market, testing products, informing and educating consumers, dealing with consumer complaints, to studying the environmental aspects of consumption. Comparisons are then made with what has happened in other countries



and at the European level. Finally, the national bodies involved in consumer affairs are described.

This book has something for everyone, whether your special interest be, for example, consumer education, product standards or sustainable consumption.

Facts & Views on Nordic Consumer Policy - an anthology is available from

any of the agencies of the Nordic Council of Ministers or the Nordic Council, whose list can be obtained by contacting:

Nordic Council of Ministers
Store Strandstræde 18
DK - 1255 Copenhagen K
Tel.: +45 33 96 02 00
Fax: +45 33 11 47 11

The Nordic Council
PO Box 19506
S - 104 32 Stockholm
Tel.: +46 84 53 47 00
Fax: +46 84 11 75 36

¹ These include Denmark, Iceland, Norway, Sweden and Finland - although, strictly speaking, Finland is *not* a Scandinavian country.

What is so special about organic foods? In his book titled **Lebensmittelqualität - Neue Erkenntnisse zu aktuellen Fragen**¹ (food quality - recent findings on current issues), Manfred Hoffmann tries to demonstrate that if they are unfortunately (still) more expensive than ordinary foods, they are also a great deal healthier.

In addition, he even contends that by eating alternative foods you can ultimately save money. Not to mention that the agricultural production of 'bio'-foods is considerably more environmentally friendly than that of conventional ones.

Hoffmann substantiates these statements with the multitude of investigation methods required for a comprehensive evaluation of food products. From his own electrochemical readings he was able, in most cases, to ascertain clear differences between ecologically and conventionally produced foods.

Furthermore, he offers shopping tips and guidelines which can help people find their way through the 'terminology jungle' of present-day product labels.

Manfred Hoffmann, born in 1938, is responsible for Agricultural Production Technology and Organic Farming

Technology at the Weihenstephan-Triesdorf College of Higher Education. He is working on non-chemical weed control methods such as flaming, wet disposal and sensor-controlled intercultivation. For many years now he has been carrying out experimental work on the electrochemical differentiation of tests done on food as well as a comprehensive definition of quality.

Contact:
Stiftung Ökologie & Landbau
P.O. Box 1516
D - 67089 Bad Dürkheim
Tel.: +49 63 22 86 66
Fax: +49 63 22 87 94

¹ SÖL Special Edition No 62, 96 pages, DM 9,80 / ÖS 77 / SFR 9,80. ISBN 3-926104-62-7.



The **Academy of European Law Trier** has asked us to inform you about the following summer courses:

1-5 July 1996:

'European Community law: an introduction for young lawyers'

Venue: Nancy

Language: French

8-13 July 1996:

'European Community law: an introduction for young lawyers'

Venue: Trier

Language: English

Contact:

Academy of European Law Trier

Dasbachstr. 10

D - 54292 Trier

Tel.: +49 651 147 100

Fax: +49 651 147 10 20



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

Sheila Reynolds

DG XXIV 'Consumer Policy'
European Commission
rue de la Loi 200
RP3 4/30
B - 1049 Bruxelles
Fax : +32 2 299 18 57
Email: sheila.reynolds@dg24.cec.be



Name and forename :

Organization :

Profession :

Street :

Town :

Postcode :

Country :

Phone and fax :

Email :

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

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



Name and forename :

Organization :

Profession :

Street :

Town :

Postcode :

Country :

Phone and fax :

Email:

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

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