

The European Parliament

# Time is running out to hit the target



**BEUC**  
Progress Chart

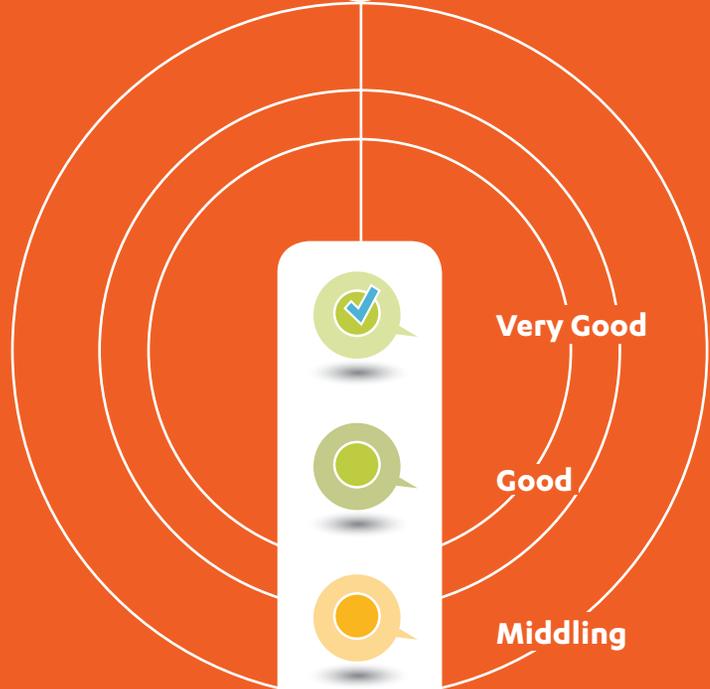


**BEUC** The European  
Consumer  
Organisation

The Consumer Voice in Europe

1

# INTRODUCTION



Very Good

Good

Middling

Bad



Action needed

Next May 2014, citizens and consumers from across the 28 European Union Member States will go to the polls to elect their Parliamentary representatives.

It is time to assess what the Members of the European Parliament have achieved since their most recent election in 2009. We chose to focus on those major regulations which had a strong impact on consumers and which the European Parliament has adopted within the past four years.

Based on this brief overview we have issued some recommendations on what MEPs can achieve during the remainder of their mandate to further improve consumers' lives in Europe before the next Parliament is passed the baton.



## Work done



**Very Good** – The European Parliament rejected the **Anti-Counterfeiting Trade Agreement** (ACTA) as a result of concerns over the Treaty's compliance with fundamental rights and the Community acquis in the field of intellectual property rights' enforcement and personal data protection.



**Bad** – The European Parliament adopted the Commission's proposal to extend the term of **protection of copyright** from 50 to 70 years. The proposal was heavily criticised by creators, who claimed it would only benefit record companies. The extension will also drive prices up for consumers and delay copyrighted music entering the public domain.



## Action needed

**Data protection reform** – The proposed regulation is being debated with the rapporteur and the shadows, all trying to reach an agreement on the compromise amendments. Given the tight timeline before the current Parliamentary term ends and the risk of delaying the adoption of new rules, it is important the Parliament promptly reaches a clear position on the proposal.

**Telecoms Single Market** – The European Commission is expected to adopt a proposal on the Telecoms Single Market in early September 2013 aiming to remove remaining barriers. The proposal will include specific provisions on roaming, net neutrality and aspects of telecoms contracts. MEPs should seize the opportunity to end roaming before their mandate ends, enshrine net neutrality in EU law and provide consumers with higher level of protection from telecom providers.



## Work done



**Good** – The European Parliament converted an unsuitable **Consumer Rights Directive** proposal into a valuable law which will provide benefits for consumers, particularly in relation to e-Commerce. It affords leeway to Member States in reasonable situations, for example the information requirements pertaining to on-premises transactions.

## Action needed



**Package Travel Directive** – It is necessary to modernise the Directive to adapt it to new business models such as ‘dynamic packages’ (when consumers arrange travel by themselves) and those sold by online agencies or airlines. The Parliament should work toward a directive which holds intermediaries accountable and guarantees consumers’ right to withdrawal.

**Air Passengers’ Rights** – The proposed review is an important opportunity to clarify and extend passengers’ rights and in particular bring them in line with the rulings of the Court of Justice. MEPs should seize this opportunity and increase consumers’ rights in a sector which has been a top consumer complaint.



## Work done



**Good** – The European Parliament improved the consumer aspects of the Commission’s proposal for an **Energy Efficiency Directive**, in particular with the inclusion of an entirely new article on consumer information and empowerment. Unfortunately, during the trilogue negotiations, certain provisions on consumer aspects were deemed less important and therefore ended up being watered down.



## Work done



**Middling** – Both the Parliament and the Council have extended the scope of the **Mortgage Credit Directive** proposed by the Commission. Initially limited to the pre-contractual stage it will cover further aspects such as property valuation, foreign currency loans, etc. Although this legislation is a good start, BEUC looks forward to its revision in a few years in order to improve the current weaknesses in terms of scope, business obligations and interest rates, among others.



## Action needed

**Regulation on Key Information Documents for Retail Investments** – BEUC calls on the Parliament to include all retail investments within the scope of this Regulation and to complete the information provided to consumers on distribution charges and the applicable tax regime.

**Directive on Insurance Mediation** – BEUC wishes to see the Parliament include all intermediaries selling insurances on an ancillary basis in the scope of the Directive and to adopt measures as regards the remuneration of intermediaries to avoid conflicts of interest. Disclosure measures are insufficient in our view.

**Directive on Payment Accounts** – The Parliament should stick to its ambitious timetable and finalise its work before the elections. We hope the Council during both the Lithuanian and Greek Presidencies will also make rapid progress on the file.

**Payment Services Directive (PSD)** and **Multilateral Interchange Fees (MIF)** – Both draft laws are key to increasing consumer trust in innovative payment methods such as e-payment and m-payments. They could also help allow for more competition in the payment market. A final vote on both laws before the end of the EP's mandate is critically needed.



## Work done



**Very Good** – The European Parliament’s move to **veto the “now X% less” nutrition claim** prevented the addition of a confusing and misleading nutrition claim to the annex of the related regulation. We appreciate that the European Parliament listened to and acted in the interests of European consumers.



**Good** – A lot of positives were achieved in the **Regulation on Food information to consumers** including provisions on legibility, nutrition labelling and the possibility to extend country of origin labelling. There was nonetheless a missed opportunity as the final regulation does not include mandatory, front-of-pack, nutrition labelling nor mandatory colour coding, both proven useful to consumers. BEUC hopes the Parliament will continue to play an important role in pushing to ensure consumer demands for origin labelling are heard.



## Action needed

**Official controls** – The proposal on official controls provides the Parliament with an opportunity to insist inspections remain independent and unannounced while food businesses held accountable for misleading consumers or putting their health at risk. To rebuild consumer confidence, the publication of inspection reports and ratings will provide consumers with the information they need to make informed choices. Such transparency will also serve as an incentive to food operators to perform better.



## Work done



**Very Good** – The Parliament significantly improved the Commission’s **proposal on pharmacovigilance**, reinforcing the consumer’s right to report side effects to the health authorities. It also increased the level of information on the safety of medicines provided to the general public and introduced several measures to strengthen the market surveillance system. Transparency measures were added and regulators were given more powers to better detect problems and manage risks.



## Action needed

**Medical devices and in vitro diagnostic** – The debate on both legislative proposals will continue until the end of the current term. MEPs should improve the Commission’s proposal by increasing consumers’ safety especially and the pre-market assessment of high-risk devices such as implants. The Parliament should ensure European consumers are not used as ‘guinea pigs’, compelling manufacturers to produce more and better clinical data before products are placed on the market. Consumers should be better informed as to the risks of certain devices and adequately compensated in case of complications.



## Work done



**Middling** – To the detriment of consumers, a provision recognising a company's internal dispute resolution as impartial was included in the **Alternative Dispute Resolution Directive**. Such a format entails an inherent conflict of interest and therefore should not have been included.



## Action needed

**Private Damages Actions Directive** – Provisions on collective redress should be included. Without a collective redress component, consumers will not be able to benefit from the private damages actions regimes, favourable as they might be, as it is unrealistic to expect consumers to bring individual damages actions in competition cases.



## Work done



**Good** – The European Parliament adopted a very satisfying report on protecting human health from **endocrine disrupting chemicals**. During a conference with our Danish members in 2011, we called upon MEPs to draft such an initiative report. The Parliament also considerably improved the Commission's draft for an Environment Action Programme to 2020 with regard to chemicals, endocrine disrupters and nano-materials, emphasising the need to reduce exposure to hazardous substances.



**Good** – In 2011, the Parliament adopted its own initiative report on the revision of the **General Product Safety Directive and Market Surveillance**. BEUC praises the Parliament for taking into account consumer concerns and proposals.



## Action needed

**Product safety and market surveillance package** – Improving product safety and ensuring better market surveillance is key to better protecting consumers from dangerous products. This draft law deserves full attention because delaying this process would be most unfortunate as the weekly RAPEX notifications show too many unsafe products reach consumers. More preventive measures are needed to ensure unsafe products are not placed on the EU market.

**Car CO<sub>2</sub> emission targets** – A deal between the Council, the European Parliament and the European Commission was reached in June 2013 to set CO<sub>2</sub> emission targets for new cars by 2020. However, some Member States have managed to delay a vote on the agreement at the last minute. The issue is now at a standstill. The Parliament should ensure a final deal is reached before the end of their mandate. Any delay of the decision would go against the interest of consumers, only increasing the risk of weakening the proposal's ambition.

- AT - Verein für Konsumenteninformation - VKI
- AT - Arbeiterkammer - AK
- BE - Test-Achats/Test-Aankoop
- BG - Bulgarian National Association Active Consumers - BNAAC
- CH - Fédération Romande des Consommateurs - FRC
- CY - Cyprus Consumers' Association
- CZ - Czech Association of Consumers TEST
- DE - Verbraucherzentrale Bundesverband - vzbv
- DE - Stiftung Warentest
- DK - Forbrugerrådet
- EE - Estonian Consumers Union - ETL
- EL - Association for the Quality of Life - E.K.PI.ZO
- EL - Consumers' Protection Center - KEPKA
- ES - Confederación de Consumidores y Usuarios - CEJU
- ES - Organización de Consumidores y Usuarios - OCU
- FI - Kuluttajaliitto - Konsumentförbundet ry
- FI - Kilpailu- ja kuluttajavirasto - KKV
- FR - UFC - Que Choisir
- FR - Consommation, Logement et Cadre de Vie - CLCV
- HU - National Association for Consumer Protection in Hungary - OFE
- HU - National Federation of Associations for Consumer Protection in Hungary - FEOSZ
- IE - Consumers' Association of Ireland - CAI
- IS - Neytendasamtökin - NS
- IT - Altroconsumo
- IT - Consumatori Italiani per l'Europa - CIE
- LU - Union Luxembourgeoise des Consommateurs - ULC
- LT - Alliance of Lithuanian Consumers' Organisations
- LV - Latvia Consumer Association - PIAA
- MK - Consumers' Organisation of Macedonia - OPM
- MT - Għaqda tal-Konsumaturi - CA Malta
- NL - Consumentenbond - CB
- NO - Forbrukerrådet
- PL - Federacja Konsumentów - FK
- PL - Stowarzyszenie Konsumentów Polskich - SKP
- PT - Associação Portuguesa para a Defesa do Consumidor - DECO
- RO - Association for Consumers' Protection - APC Romania
- SE - The Swedish Consumers' Association
- SI - Slovene Consumers' Association - ZPS
- SK - Association of Slovak Consumers - ZSS
- UK - Which?
- UK - Consumer Futures



The Consumer Voice in Europe



BEUC activities are partly funded from the EU budget

Bureau Européen des Unions de Consommateurs AISBL | Der Europäische Verbraucherverband  
Rue d'Arlon 80, B-1040 Brussels • Tel. +32 (0)2 743 15 90 • Fax +32 (0)2 740 28 02 • consumers@beuc.eu • www.beuc.eu