



---

# Hungarian Presidency of the European Union

---

BEUC priorities  
2024



---

## **Hungarian Presidency of the European Union**

---

BEUC priorities  
2024

# Table of contents

---

Introduction	2
<b>CONSUMER RIGHTS</b>	<b>4</b>
Passenger rights	4
Package Travel Directive	5
AI Liability Directive	6
Digital Fairness Fitness Check	7
<b>DIGITAL POLICY</b>	<b>9</b>
Digital Networks Act	9
ePrivacy	10
GDPR cross-border procedural harmonisation	11
<b>ENERGY</b>	<b>13</b>
Heat pump Action Plan	13
<b>ENFORCEMENT AND REDRESS</b>	<b>15</b>
Consumer Alternative Dispute Resolution	15
Collective redress and support for qualified entities	16
<b>FINANCIAL SERVICES</b>	<b>17</b>
Digital euro project and the future of cash	17
Payment Service Directive and Regulation	18
Retail Investment Strategy	19
Open Finance	21
<b>FOOD</b>	<b>22</b>
Fairness of the food supply chain	22
<b>HEALTH</b>	<b>24</b>
EU general pharmaceutical legislation	22
<b>INTERNATIONAL AFFAIRS</b>	<b>26</b>
Customs reform	26
EU-US cooperation agenda	27
Digital trade	28
<b>SAFETY</b>	<b>31</b>
Toy Safety	31
<b>SUSTAINABILITY</b>	<b>33</b>
Substantiating green claims	33



## Introduction

---

The European Consumer Organisation (BEUC) is the umbrella organisation for 44 independent consumer organisations in 31 European countries. Our mission is to represent and promote consumers' interests to EU decision makers in all consumer-relevant areas that match our members' strategic priorities.

Our Hungarian member organisations are Fogyasztóvédelmi Egyesületek Országos Szövetsége (FEOSZ) and Tudatos Vásárlók Egyesülete.

As Europeans have just elected a new European Parliament, **the Hungarian Presidency will be the first of the new legislative term.** Many consumer-relevant files from the term that has just concluded are awaiting their final approval. We expect the Hungarian Presidency to help finalise them in a way that benefits consumers.

**We also expect the Hungarian Presidency to help shape the strategic agenda of the incoming European Commission in a way that serves society.** Their mandate should enable Europeans to live in a fair market – online and offline – where the sustainable choice is the easy and affordable choice, and digitisation works to the benefit of all. **Numerous other legislative and non-legislative files of relevance to consumers will also be on the Hungarian Presidency's agenda.**

In this Memorandum we outline concrete proposals for how the Council of Ministers, together with the European Parliament, should legislate to achieve a high level of consumer protection and empowerment.

We would like to draw your particular attention to the following initiatives:

- **Green Claims Directive:** The proposed Directive should protect consumers from unverified claims and require companies to substantiate claims before they can be made public and put on the market. It should ensure that green claims are robust and trustworthy.
- **Alternative Dispute Resolution (ADR):** The proposal to review the current Directive intends to modernise and simplify rules on out-of-court dispute resolution as well as to adapt them to digital markets and empower consumers in the digital transition.
- **Better protection for passengers and their rights and revision of the Package Travel Directive:** These proposals published together as part of the 'Passenger Mobility Package'. It is important to ensure these initiatives are coherent and provide a high level of consumer protection.
- **AI Liability Directive:** The EU needs to urgently modernise and further harmonise its civil liability rules to be better suited to the digital era. This initiative must ensure that consumers suffering harm from an AI system have access in practice to justice and redress.
- **EU's general pharmaceutical legislation:** The proposal focuses on enhancing access to more affordable medicines. Consumers across Europe encounter obstacles when attempting to obtain medication necessary for improving their health. Frequently, these medicines are either unavailable at pharmacies or are not reimbursed by public health agencies due to excessively high prices.
- **Retail Investment Strategy and legislative reform:** This reform broaches vital topics including the protection of retail investors, financial advice and ensuring value for money. The EU must ensure that consumers can access investment and pension products of functional quality to mitigate the looming pensions and funding crises.
- **Payment Services Directive and Regulation:** Consumers are increasingly exposed to all sorts of online payment fraud so that it is becoming very difficult for them to know whether a transaction is legitimate or not. The review of the Payment Services Directive and Regulation offers a unique opportunity to develop a strong consumer protection framework against payment fraud and other fraudulent practices.
- **Reform of EU Customs Policy:** The reform aims to enhance consumer protection against dangerous products sold online and imported from outside the EU. Additionally, it should strengthen the enforcement of EU environmental standards, including Ecodesign, fostering more sustainable choices for consumers.
- **Regulation on Toy Safety:** The proposed Regulation should prevent children's exposure to harmful chemicals, such as endocrine disruptors, in toys. It must also adequately address the risks arising from all types of sales channels and toys, including smart toys.

We count on the Hungarian Presidency to facilitate progress on these and other initiatives mentioned in this Memorandum, with an assertive aim of delivering clear benefits to European consumers.

We wish Hungary a most successful Presidency.

**Agustín Reyna**  
Director General

**Arnold Koopmans**  
President



# CONSUMER RIGHTS

## 1

## Passenger rights

### Why it matters to consumers

Consumers often experience very stressful and frustrating issues such as delays and cancellations when travelling. They need strong passenger rights to protect them in such situations. EU legislation in this field has been a great achievement but, as shown by recent events such as the crisis caused by the COVID-19 pandemic, it needs to be improved, especially regarding enforcement.

### State of play

In November 2023, the **European Commission** published two legislative proposals in the field of passenger rights: (1) a proposal for a Regulation on passenger rights in the context of multimodal journeys and; (2) a proposal for a Regulation on the enforcement of passenger rights in the EU.

### Recommendations for the Presidency

BEUC encourages the Hungarian Presidency to continue Council negotiations on the two legislative proposals on passenger rights with a view to adopting a Council position.

### What consumers need

- Efficient enforcement: innovative schemes must be considered to strengthen the enforcement of the passenger rights Regulations.
- Basic rights for passengers, such as information, re-routing, care and assistance; not only for passengers buying 'single multimodal contracts'<sup>1</sup> but also 'combined multimodal tickets'<sup>2</sup>.
- A mandatory insolvency protection regime for airlines as already exists in the Package Travel Directive.
- The progressive suppression of pre-payment practices in all passenger rights legislation.
- The right to cancel standalone tickets at no cost in case of unavoidable and extraordinary circumstances, such as the right that already exists in the Package Travel Directive.
- Clear, strong and easily enforceable rights for passengers using multimodal means of transport.
- The introduction of joint and several liability between online intermediaries selling transport tickets and travel operators, making it easier for consumers to exercise their rights.

<sup>1</sup> Transport contracts containing successive transport services, that only represent around 5% of all multimodal journeys.

<sup>2</sup> Tickets purchased via a single payment that represent separate transport contracts combined by the carrier or by the intermediary on their own initiative.

## ADDITIONAL SOURCES

## 2

## Package Travel Directive

### Why it matters to consumers

Consumers opting for package travel expect strong protection of their interests if something goes wrong with their trip. The Package Travel Directive is an important EU instrument that was supposed to ensure this is the case. However, recent events such as the pandemic and bankruptcies of travel agents have revealed some important shortcomings in the current framework that need to be corrected to ensure that consumers are still effectively protected.

### State of play

The **Commission** published a legislative proposal for a revision of the Package Travel Directive in November 2023, as a part of the 'Passenger Mobility Package'.

### Recommendations for the Presidency

BEUC encourages the Hungarian Presidency to continue working on this legislative proposal with a view to adopting the Council position.

## What consumers need

- Stricter rules on limiting pre-payments.
- Clearer insolvency protection rules to ensure that voluntary vouchers and pending consumer reimbursement claims are also protected.
- Minimum requirements for vouchers.
- Clarification of consumer cancellation rights and the value of travel warnings.
- Clearer business to business rules to ensure timely consumer refunds.
- Efficient redress and enforcement measures.

### ADDITIONAL SOURCES

## 3

## AI Liability Directive

### Why it matters to consumers

Consumers need protection in light of the increasing commercial use of artificial intelligence (AI). While the widespread use of AI may provide many benefits, it also presents significant challenges and risks to consumers from which they are insufficiently protected. Consumers need to know who to hold responsible if they suffer harm from an AI system. The EU's product liability rules must establish a clear and enforceable legal framework that gives consumers access to justice, including in the new digital context.

### State of play

In September 2022, the **European Commission** published a legislative package including a proposal to revise the Product Liability Directive and a proposal for a Directive on adapting non-contractual civil liability rules to artificial intelligence (AI Liability Directive).

The **European Parliament** and the **Council** are still working on their respective positions on the AI Liability Directive.



## Recommendations for the Presidency

We call on the Hungarian Presidency to advance its work on the AI Liability Directive and ensure that the final text can effectively protect consumers if they suffer harm from a defective AI product.

### What consumers need

- A non-fault-based liability approach. The current proposal would require consumers to prove a fault by the AI system's operator to claim compensation. This would make it very difficult, if not impossible, for consumers to claim.
- A reversed burden of proof. Consumers must only have to prove the damage they suffered and the involvement of an AI system.
- The Directive must cover both material and non-material harm. This is already the case under other legislation e.g. the GDPR and the Package Travel Directive. All types of harm, including non-material harm (e.g. pain, loss of an opportunity or inconvenience), must be compensated.

#### ADDITIONAL SOURCES

## 4

## Digital Fairness Fitness Check

### Why it matters to consumers

Digital asymmetry, defined as an omnipresent imbalance of power and knowledge in the digital world, puts consumers in a weaker position towards traders using new technologies. It also leads to completely new challenges that will need to be addressed not only by rethinking some core concepts of consumer law but also targeted new rules tackling such phenomena as influencer marketing, dark patterns and personalised pricing.

## State of play

In May 2022, the **Commission** launched a 'digital fairness' fitness check of consumer law which aims to examine the need for updating consumer law for the digital age. The Commission is expected to report on the results of this fitness check in September 2024.

## Recommendations for the Presidency

BEUC calls on the Hungarian Presidency to hold a discussion on the results of the fitness check and to show the European Commission its support for presenting a legislative proposal as a follow up to this fitness check, updating EU consumer law to the digital age.

## What consumers need

- The online environment must be fair by design and by default by supporting free choice and protecting consumers from known decision-making biases.
- The reversal of the burden of proof and a duty of care must be put on the trader to ensure a high level of consumer protection.
- Consumers should have a right to be free of all online tracking. The EU should ban the use of profiling to exert psychological pressure or exploit individual vulnerabilities.
- Influencer marketing must be more strictly regulated at EU level.
- A clear and comprehensive horizontal prohibition on deceptive design (dark patterns) must be introduced for all digital services.
- Gambling elements in video games (such as loot boxes) must be strictly regulated.
- We need a robust European framework for protecting children online.

### ADDITIONAL SOURCES



For more information: [consumer-rights@beuc.eu](mailto:consumer-rights@beuc.eu)



# DIGITAL POLICY

## 1

## Digital Networks Act

### Why it matters to consumers

EU telecoms regulation has been a success story for the past three decades. Fair and competitive markets, combined with effective regulatory measures, have been the driving force behind investment, innovation and consumer welfare. The aims announced for a 'Digital Networks Act' to enable market deregulation and consolidation would run contrary to the EU's achievements over recent decades.

### State of play

The **Commission** published a White Paper in February 2024, which seeks to "prepare a way for a new Telecoms regulation, a Digital Networks Act". A public consultation is open until 30 June 2024.

### Recommendations for the Presidency

As the Hungarian Presidency is expected to continue discussions on the White Paper, we encourage the Presidency to ensure the preservation of the pro-competitive and consumer-centric regulatory framework for EU telecoms, while opposing proposals for further deregulation and reduction of competition in this sector. We recommend the Hungarian Presidency to ensure that any upcoming proposal is strictly evidence-based and fully observes the European Commission's Better Regulation Principles and is preceded by a proper impact assessment and a public consultation.

### What consumers need

- Any proposal for a 'Digital Networks Act' must fully observe the European Commission's Better Regulation Principles, including a comprehensive impact assessment and an inclusive prior public consultation.
- The proposal must be in line with the principles of effective competition and consumer welfare. So far, the objectives announced would have a detrimental impact on competition, the EU Single Market and consumers.
- The proposal should not question the primary objectives of the EU legal framework for electronic communications enshrined in the European Electronic Communications Code (EECC) of "promoting competition, the internal market, and the safeguard of end-user interests."

- The most efficient way to deliver on the new objectives of the Digital Decade is to ensure that the existing telecoms regulatory framework (EECC) is fully implemented across the EU.

#### ADDITIONAL SOURCE

## 2

## ePrivacy

### Why it matters to consumers

Although beneficial to consumers, current and emerging technologies represent a major challenge to the fundamental rights of privacy and personal data protection. Consumers should benefit from innovative products and online services without having to give up their privacy rights. A reform of the 2002 ePrivacy Directive is essential to strengthen individuals' right to privacy and the confidentiality of communications, as well as for rebuilding and reinforcing public trust and security in the digital economy.

### State of play

In January 2017, the **European Commission** proposed a Regulation on ePrivacy. In October 2017, the **European Parliament** adopted a very strong and consumer-friendly position. In February 2021, the Portuguese Presidency adopted a mandate for trilogue negotiations. Trilogues started in May 2021. While progress has been made, co-legislators have not reached a political agreement yet.

### Recommendations for the Presidency

We urge the Hungarian Presidency to prioritise the conclusion of the ePrivacy reform. The end result must not lead to a lower level of protection compared to the existing ePrivacy Directive and the General Data Protection Regulation (GDPR).

### What consumers need

- Electronic communications must be confidential. In line with the European Parliament's position, it should not be possible to process electronic communications data under broad legal grounds such as for 'legitimate interests' or 'compatible purposes'. Whereas the processing of metadata without prior user consent for statistical counting could be envisaged, this must be subject to strong safeguards and strictly limited to purposes of public interest.

- Default settings in devices and software must be configured to provide the highest level of privacy protection, in line with the European Parliament's position. An obligation to simply provide information about the privacy settings would undermine the 'data protection by design and by default' principle enshrined in Article 25 of the GDPR.
- The behaviour and activities of consumers must not be monitored without their consent, and they must have access to digital services without being forced to accept unnecessary invasions of their privacy, as stated in the Parliament's position.
- Consumers should be able to rely on NGOs to represent their interests, and take initiatives whenever users' rights have been breached, in line with the European Parliament's position.

#### ADDITIONAL SOURCES

## 3

## GDPR cross-border procedural harmonisation

### Why it matters to consumers

The EU's General Data Protection Regulation (GDPR) seeks to guarantee people's fundamental right to the protection of their personal data in an effective way. However, the disparity, complexity, imbalance between parties and inefficiency of some national legal procedures is making it very hard for consumers, and the organisations defending them, to exercise their rights under the GDPR in an effective way and to get companies to comply with the law. This is leaving consumers exposed to companies profiting from exploiting their personal data across Europe.

## State of play

In July 2023, the **Commission** published a proposal to harmonise certain procedural aspects in the handling of cross-border complaints under the GDPR. In April 2024, the **European Parliament** adopted its report on the proposal.

## Recommendations for the Presidency

The Hungarian Presidency should give priority to this proposal so as to reach a General Approach in the Council.

## What consumers need

- The Regulation should avoid inadvertently causing unnecessary administrative burdens resulting in more delays and harmonisation of rules should not prevent the application of more favourable national rules.
- A mechanism for data protection authorities to cooperate more closely with authorities from other fields.
- Mutual recognition of complaints so that the admissibility of complaints is assessed efficiently.
- Same procedural rights for complainants as parties under investigation have, including the right to be heard at each relevant stage of the process and obtaining access to the documents necessary to defend their rights.
- Closer, earlier and smoother cooperation between supervisory authorities to end GDPR infringements swiftly and efficiently e.g. adequate and proportionate deadlines for the lead and concerned supervisory authorities.

### ADDITIONAL SOURCES

The Long and Winding Road - Two years of the  
GDPR: A cross-border data protection  
enforcement case from a consumer perspective  
Report  
[BEUC-X-2020-074](#)

For more information: [digital@beuc.eu](mailto:digital@beuc.eu)



# ENERGY

## 1

## Heat Pump Action Plan

### Why it matters to consumers

To decarbonise heating in line with the EU's climate targets, millions of homes across Europe will need to switch from gas boilers to heat pumps. Currently, the consumer's journey to a heat pump is not straightforward. To simplify this path, consumers need a broader range of protection, better financing options and easier access to information and installation, coupled with the right investment in insulation where needed.

### State of play

The **European Commission's** Heat Pump Action Plan, announced in early 2023 and then postponed to the end of 2024, will take the form of a 'Communication to Member States'. Public consultations, as well as stakeholder input meetings, were held throughout 2023.

The Communication is due to focus on a partnership between the Commission, EU countries and the sector including on research and innovation and on skills for the roll-out of heat pumps. It will also focus on legislation (eco-design and energy labelling) and accessible financing.

### Recommendations for the Presidency

BEUC calls on the Hungarian Presidency to contribute to the preparation of and to launch discussions on the roll-out of the Heat Pump Action Plan. This could, for instance, include discussions in the Council as to how consumers could benefit from better protection and better financing options to purchase a heat pump to be fitted in properly insulated homes. This should include easier access to high quality installation at an affordable price.

### What consumers need

- Training of more installers with a view to more and better installations. Member States must roll out skills and training programmes, which should be fostered with an EU-led communication campaign to highlight the attractiveness of careers in the industry. Quality certification schemes for installations should be encouraged to increase consumer confidence.
- Lower the running costs: the Hungarian Presidency should ensure that mandatory minimum levels on excise duties for electricity on consumers are abolished, while ensuring an equitable burden between consumers and businesses, via the Energy Taxation Directive review.

- **Make Homes Heat Pump Ready:** to have a useful tool for consumers to understand when their home is “heat pump ready”. Member States should ensure the low temperature heating approach, mentioned several times in the Energy Performance of Buildings Directive (EPBD), is transposed in relevant tools during the implementation of the Directive. This mainly concerns Energy Performance Certificates (EPCs), as they will increasingly act as a guidance document for consumers to make the right investments in insulation and heating systems.
- **Ensure access to dynamic electricity price contracts:** consumers across Europe are already entitled to dynamic price contracts under the Electricity Directive (2019), but these offers are not always available in practice. Member States should ensure the roll-out of competitive dynamic price offers for consumers who wish to use them.

#### ADDITIONAL SOURCES



For more information: [energy@beuc.eu](mailto:energy@beuc.eu)





# ENFORCEMENT AND REDRESS

## 1

## Consumer Alternative Dispute Resolution

### Why it matters to consumers

Over the coming years, improving rights, enforcement structures and redress measures across sectors will be essential for consumer welfare. Consumer alternative dispute resolution (ADR) gives consumers and traders the possibility to resolve disputes out-of-court via the input of a third-party and through a process which should be simple, fast and inexpensive. It is particularly important for small value claims where consumers may have no possibility to claim redress in court. Yet ADR has not fully taken off in many European countries and is not running satisfactorily in all business sectors.

### State of play

In October 2023, the [Commission](#) proposed a review of the existing Directive to modernise and simplify rules on out-of-court dispute resolution and to adapt them to digital markets.

### Recommendations for the Presidency

It is important that the EU upgrades the existing rules to ensure that ADR delivers on the ground for consumers and is a viable pathway to obtain redress. BEUC calls on the Hungarian Presidency to conclude the discussions in Council with the aim to enable stronger and more efficient consumer ADR bodies across Europe, operating in all economic sectors and complying with strong quality criteria.

### What consumers need

- The quality requirements, particularly those relating to the independence, expertise and impartiality of ADR entities, should be strengthened to ensure that consumers (including the vulnerable) can benefit from high-quality ADR services.
- Traders' participation in ADR should be mandatory in all sectors. At the very least, traders' participation should be mandatory in sectors yielding the highest number of consumer complaints (e.g. transport).
- All procedural barriers hindering consumers' access to consumer ADR should be removed and ADR should be free of charge for consumers.

ADDITIONAL SOURCE

## 2

## Collective redress and support for qualified entities

### Why it matters to consumers

From financial mis-selling scandals to faulty medical implants, consumers across the EU sometimes fall victim to products or services that cause harm. But they usually have very little chance to get compensation in court because legal proceedings are expensive and time-consuming. In situations of mass harm, often the only realistic option for consumers is to try to obtain compensation by going to court together (collective redress). It is important that consumer associations and other entities representing harmed consumers can bring representative actions in practice and that they do not face too many barriers.

### State of play

The adoption of the Representative Actions Directive in 2020 was a huge milestone in the EU's consumer policy. However, the process of implementation at national level, which should have been completed by December 2022, is lagging behind in many countries. As of May 2024, approximately 20 Member States had implemented the new rules into national legislation. Moreover, national consumer associations have not always been consulted in the process.

In parallel, the [European Commission](#) is evaluating whether the existing EU private international law framework remains fit for purpose in the context of cross-border collective redress actions.

### Recommendations for the Presidency

We ask the Hungarian Presidency to hold a discussion in Council about the way the Representative Actions Directive has been implemented in Member States. Particular attention must be given to sufficient financing for representative actions and the revision of EU private international law rules applicable to cross-border mass claims.

### What consumers need

- The criteria for who can become a 'qualified entity' to bring domestic representative actions should not be defined in such a way that prevents consumer associations from taking up this role.
- Consumer associations must be supported by governments to become strong private enforcers, using both injunctions and collective redress actions. This would deliver better access to justice and more equality for consumers, as well as ensuring that recovering consumer markets are also fair and transparent for competitors.
- EU private international law rules must be adapted to the specificities of cross-border representative actions. The Representative Actions Directive did not touch upon the existing EU private international law rules making the resolution of cross-border mass claims very complex and uncertain in practice.



# FINANCIAL SERVICES

## 1

## Digital euro project and the future of cash

### Why it matters to consumers

Today, the consumer has two main options to pay: either cash or electronic (card, transfer or direct debit). Cash is managed by central banks, electronic payments by private banks. If payments are increasingly digital, all payments will be in the hands of private banks. This is the main reason for the European Central Bank (ECB) initiative to create a digital version of the euro. Once adopted, it should possess the same characteristics as cash to bring an added value to consumers (e.g. same level of privacy as cash, high security standards, off-line availability).

### State of play

The **Commission** published legislative proposals on the digital euro and on the legal tender of cash in June 2023. After completing the investigation phase, the ECB will now start to prepare for the possible issuance of the digital euro.

### Recommendations for the Presidency

We encourage the Hungarian Presidency to continue Council negotiations on the legislative framework for the digital euro with a view to adopting a Council position.

### What consumers need

A digital euro must:

- Be designed with consumers at its heart and guided by the public interest, not that of private banks.
- Always follow the principles of privacy by design and by default, allowing for anonymous transactions up to a certain amount in compliance with anti-money laundering laws.
- Be designed as a bearer instrument with the possibility to make off-line transactions to increase its resilience and acceptability;
- Improve financial inclusion and be offered to all consumers free of charge.

In addition, cash must continue to be accepted widely and remain easily accessible to consumers.

## ADDITIONAL SOURCES

Everyone needs to make payments: the importance of inclusive payment methods  
Factsheet  
[BEUC-X-2023-044](#)

## 2

## Payment Services Directive and Regulation

### Why it matters to consumers

Today, the landscape of consumer transactions is constantly evolving, with individuals engaging in payment transactions almost daily. The traditional modes of payment, such as cash, cheques, and wire transfers, are gradually being replaced by online and mobile-based payment methods, offering more convenience and more options. However, this transition presents a dual challenge: while it provides increased flexibility, it also introduces new vulnerabilities, demanding better security for consumers' bank accounts, payment cards and e-wallets. The surge in payment fraud, particularly within credit transfers, is a worrying trend. A sophisticated fraud industry exploits advanced tactics, leveraging technologies like artificial intelligence to deceive consumers.

### State of play

Published by the **Commission** in June 2023, the large Payment Service package consists of two legislative proposals: for a Regulation and a Directive. The **European Parliament** voted its report in plenary in April 2024.

### Recommendations for the Presidency

We encourage the Hungarian Presidency to continue Council negotiations on the payment services package with a view to adopting a Council position.

## What consumers need

- A sound liability framework protecting them against fraud such as social engineering attacks.
- For authorised transactions, currently consumers have no right to a refund. The Commission now proposes to change this, but only for a very narrow fraud scenario. In many cases, consumers will not be refunded under the new legislative framework (e.g. impersonation of a tax official/police, family member, colleague, fake shops/fake investment platforms). From a consumer perspective, there is no difference between these cases and hence there should be a refund in all cases.
- Currently, there is no financial incentive for banks to invest in fraud prevention as the fraud losses are borne by consumers. Being liable for all fraud scenarios will incentivise banks to invest in fraud prevention and avoid a situation where fraud prevention is focused solely on the narrow case of bank impersonation.
- An efficient system of supervision which allows smooth handling of consumer complaints.
- Further improvements of strong customer authentication to prevent barriers for people with disabilities or without a smartphone.

### ADDITIONAL SOURCES

## 3

## Retail Investment Strategy

### Why it matters to consumers

Consumers need to be able to save, invest and be protected effectively. This could be for their own retirement, large purchases like a home or renovations, their children's education, or to have appropriate reserves in case of life events. To do this, it is necessary to invest money, to beat inflation but also to be able to increase their ability to afford things in general, both now and in the future.

## State of play

The Commission proposed legislation on a Retail Investment Strategy in May 2023. The **European Parliament** adopted its report in April 2024. The **Council** is discussing the file in view to adopting a General Approach.

## Recommendations for the Presidency

The EU needs to overhaul its key financial instruments such as the Markets in Financial Instruments Directive (MiFID II) and the Insurance Distribution Directive (IDD) because there are currently frequent mis-selling scandals in the EU's retail investment markets. The system also performs very poorly for consumers because they are often sold products that underperform and are not in their best interests but provide the biggest commissions for so-called financial advisers. We encourage the Hungarian Presidency to focus on the consumers' perspective during Council negotiations on the Retail Investment Strategy proposal.

## What consumers need

- To avoid conflicts of interest, an EU-wide ban on inducements for financial advisers involved in the sale of retail financial products, based on the Dutch and UK experiences. In the absence of political support, alternatives must include a ban on inducements for sales without advice.
- Effective value for money rules to contain the worst excesses allowed by the current market failure. Whether by stronger supervision or legislation, investment products whose quality is too low to justify to consumers must be removed from the market.
- A review of the results of this process must happen as soon as possible, to check if the current package has contributed to reducing consumer harm - the proposed review clause should not therefore be diluted.
- The IDD must be strengthened to give the same level of consumer protection as MiFID II. In all future reforms, these two Directives must ensure the same consumer protection to avoid regulatory arbitrage.
- Financial advisers must have a minimum level of expertise. Education and training requirements in both finance and sustainability must be raised to standards similar to those in the UK.

### ADDITIONAL SOURCES

Poor financial advice costs consumers a fortune, but that's just the tip of the iceberg  
Factsheet  
**BEUC-X-2023-063**

## 4

## Open Finance

### Why it matters to consumers

The increased use of data and technology is changing the way that financial markets work for firms and consumers. New developments related to Open Banking and Open Finance have the potential to transform financial markets, increasing competition between firms to the benefit of consumers. However, new risks could emerge related to digitisation, including data protection and privacy concerns, discrimination and financial exclusion as well as detrimental personalised practices. The EU must put in place safeguards and rights so that consumers can benefit from new digital financial services.

### State of play

The **Commission** published in June 2023 a legislative proposal for a Regulation on Financial Data Access (FiDA). The European Parliament adopted its position in April 2023 at committee level.

### Recommendations for the Presidency

We encourage the Hungarian Presidency to critically assess and discuss in Council the FiDA proposal to ensure that safeguards are put in place to protect consumers against the misuse of their data by both financial and non-financial operators seeking to enter financial markets.

### What consumers need

- Consumers must remain in full control of their data, which should be shared with third parties only upon their valid permission and based on a legal ground under the GDPR.
- Data categories falling in the scope of the FiDA proposal should be further circumscribed, so that they include only financially relevant data. Data resulting from profiling activities should be excluded due to the high risk of discrimination.
- Data perimeters should have a legally binding form and should cover more retail banking services and insurance products, due to the high risk of exclusion for consumers.
- Permission dashboards should ensure this tool helps consumers to better control their data. Dashboards must be easy to find and access, while their design and the information displayed must abide by EU data protection and consumer law legislation, such as the GDPR and the Unfair Commercial Practices Directive.
- When accessing consumer data, firms must strictly comply with the full requirements of the GDPR. In addition, any reciprocal data access by financial entities to non-financial data must be rejected. 'Gatekeepers' as defined under the DMA should not receive access to financial data to prevent financial exclusion due to the combination of different data categories and an unfair competitive advantage.

#### ADDITIONAL SOURCE



For more information: [financialservices@beuc.eu](mailto:financialservices@beuc.eu)



# FOOD

## 1

## Fairness of the food supply chain

### Why it matters to consumers

Food prices have reached unprecedentedly high levels over the past couple of years in the EU, pushing many consumers towards less healthy, less sustainable food or even to restrict the amount of food they eat. At the same time, farmers have taken to the streets to call for a fairer revenue, raising questions on the (in)equitable distribution of costs and margins in the food supply chain. A fairer food supply chain must benefit farmers and consumers alike.

### State of play

In March 2024, the **Commission** outlined plans for a series of measures aimed at improving the position of farmers in the food supply chain. An EU Observatory on costs, margins and trading practices will be set up to increase transparency in the chain, and the Commission is contemplating a series of targeted amendments to the Directive on Unfair Trading Practices (UTP) (due in Autumn 2024) and the Common Market Organisation (CMO) regulation (due by Summer 2024).

### Recommendations for the Presidency

We encourage the Hungarian Presidency to critically assess and discuss the above-mentioned proposals within the Council to ensure they promote a fair food supply from farm to fork, where costs and benefits are equitably shared among the various actors, and consumers are not disproportionately burdened.

### What consumers need

- More transparency is needed on where consumers' money goes in the food supply chain. If well-designed and granular enough, the future EU Observatory on costs, margins and trading practices can bring much-needed transparency in this respect.
- The current derogations to competition law granted under the CMO regulation should not be extended further at the risk of facilitating price-fixing cartels – the worst form of anti-competitive agreements. Instead, the UTP Directive must be effectively enforced and, where needed, strengthened, to ensure fair prices to farmers.



- Consumers expect food imported into the EU from third countries to comply with the same standards (such as on the environment and animal welfare) as EU products. Import requirements (also known as mirror measures) should be introduced in EU legislation to ensure fair markets for farmers and consumers alike. Notably, the Council should push the Commission to finally publish:
  - The animal welfare legislation revision proposals, including provisions to apply the same requirements to imports as to domestic production;
  - The pending implementing act that is still needed for the ban on using antimicrobials for growth promotion to effectively apply to imports.

#### ADDITIONAL SOURCES



For more information: [food@beuc.eu](mailto:food@beuc.eu)



# HEALTH

## 1

## EU general pharmaceutical legislation

### Why it matters to consumers

Surveys from BEUC members have revealed that people struggle to get the medicines they need because of shortages. One in three people who had experienced a medicine shortage said it impacted their health. Another survey we carried out showed consumers consider medicines an essential good. As a result, high drug prices and excessive profits by pharma do not sit well with consumers, and even less so when they consider public sector financial support for the development of medicines which leads often to excessive private profits. High medicine prices are a major contributor to inequalities in patient access across the EU and hinder the financial sustainability of healthcare systems.

### State of play

In April 2023, the **European Commission** tabled a proposal for a revised Directive on medicinal products, and a revised Regulation on the centralised marketing authorisation procedure and the European Medicines Agency. In April 2024, the **European Parliament** adopted its position on the legislative package.

### Recommendations for the Presidency

The Hungarian Presidency should prioritise the revision of the pharmaceutical legislation and make significant progress, so the Council is in a position to swiftly meet the European Parliament at trilogues soon after its new mandate starts. Consumers need urgent solutions that improve access to safe, effective and affordable medicines.

### What consumers need

Revised EU pharma legislation must:

- Improve marketing authorisation standards, not weaken them. This involves ensuring that schemes for the early approval of medicines like ‘conditional marketing authorisation’ are used only in justified situations and with strict post-marketing requirements.
- Request drug developers to conduct clinical trials that compare the benefits of new medicines against the best available treatments. This will help patients get quicker access to the best possible treatments and improve the financial sustainability of health budgets.

- Ensure that package leaflets are legible and understandable and stay in the medicine box, as it is the easiest way for consumers to get information on the safe use of medicines. Digital information can only be a complement and QR codes must be designed in ways that ensure users' privacy.
- Introduce measures that contribute to the availability of centrally authorised products across the EU. To help prevent shortages, pharma companies must submit drug shortage prevention plans to public authorities, keep some safety stocks, particularly for critical medicines, and must notify shortages earlier. Moreover, competent authorities must step up their monitoring of supply and demand and enable consumer reporting of shortages.
- Ensure a better balance between innovation and affordability by establishing different and shorter data and market protection periods according to the type of product (e.g. modulation based on unmet medical needs), and by making it easier for public authorities to lift monopolies if necessary to protect public health. In addition, the legislation must facilitate access to cheaper medicines by removing any obstacles that prevent the entry of generics and biosimilars on the market as soon as IP rights on the originator product expire.
- Increase transparency on drug research and development costs so authorities can negotiate more fairly with pharma companies on the price of new medicines.
- Refrain from introducing 'transferable exclusivity vouchers' for drug development, as these vouchers will come at a huge cost to health systems, hamper competition and delay consumers' access to cheaper generics. The Council should instead support the development of novel antibiotics through fairer means, including through the Health Emergency Preparedness and Response Authority (HERA) and a scheme of 'push and pull' incentives. For example, inducements in exchange for meeting some milestones along the R&D chain, joint procurement, and payment models that de-link volumes from profits.

#### ADDITIONAL SOURCES



# INTERNATIONAL AFFAIRS

## 1

## Customs reform

### Why it matters to consumers

A significant proportion of household appliances, clothes, toys and food comes from outside the EU. International e-commerce is causing these imports to grow rapidly. While consumers may think all imports are safe and comply with EU standards, the reality is more complicated. BEUC members have found a significant inflow of non-compliant, dangerous and low-quality products coming into the EU. In addition, EU law requires traders to inform consumers of the total cost of an order, at the time of purchase. However, consumers are sometimes asked to pay extra import fees when their packages arrive at their doorstep.

### State of play

The **Commission** proposed in May 2023 to reform EU customs policy, Parliament adopted its position in April 2024. Discussions started in Council over the summer. The Hungarian Presidency will have a key role to play in coming to an agreement on this proposal.

### Recommendations for the Presidency

This reform is of outmost importance to better protect consumers from dangerous and non-compliant products in the Single Market. Additionally, this initiative could not only contribute to better enforcing EU environmental requirements such as Ecodesign and help consumers make more sustainable choices, but also to make marketplaces responsible for the compliance of products imported through their platforms and for the payment of customs duties, instead of consumers. We call on the Hungarian Presidency to facilitate the adoption of an ambitious Council position, which should complement the consumer protection rules included in the Commission's proposal and the Parliament position. We call on the Hungarian Presidency to ensure that a position is adopted as soon as possible.

### What consumers need

- Well-resourced customs authorities: to fulfil their mission, they need more financial and human resources. Training resources should be available as well as efficient IT tools to support their work.
- Effective cross-checking of products between authorities: customs authorities must exchange information through a common data hub. They should also work better together on site and be trained jointly.

- Safe and compliant imports: we call on the Council to preserve the concept of 'deemed importer' as it could contribute to improving the enforcement of EU law, including safety and sustainability. It should be accompanied by deterring sanctions in case of infringement.
- No more surprise import fees: the concept of deemed importer would also ensure that consumers do not have to pay extra customs duties at the time of delivery. We call on the Hungarian Presidency to echo the Parliament position to ensure that any other fees will be paid by importer and deemed importer, beyond customs duties, to fully put an end to surprise custom fees for consumers.

#### ADDITIONAL SOURCES

## 2

## EU-US cooperation agenda

### Why it matters to consumers

Consumers could benefit from a fairer and safer transatlantic market. Encouraging regulators on both sides of the Atlantic to talk to each other can lead to better decision-making. Such talks could lead to joint actions by EU and US regulators against market issues such as dangerous products sold online, greenwashing or buy-now-pay-later schemes.

### State of play

In June 2021, the EU and the US officially launched a new cooperation agenda following their bilateral summit. This takes the form of extensive dialogue between regulators, including the Trade and Technology Council, the informal consumer dialogue, and the taskforce for energy security. From the consumer perspective, the informal consumer dialogue is the cooperation channel which could be the most beneficial for consumers.

### Recommendations for the Presidency

We call on the Hungarian Presidency to support the outcomes of the informal consumer dialogue.

## What consumers need

As the EU has done for trade negotiations, it must define a governance policy for its cooperation with the US. This policy must:

- Deliver to consumers: consumer protection and welfare are the overarching objectives of the cooperation. We specifically welcome the informal dialogue on consumer protection led by DG Justice on the EU side and encourage the Council to support any formalisation of this cooperation. Consumers would be better protected if EU and US authorities were empowered to exchange information and act together.

### ADDITIONAL SOURCES

The consumer perspective on the joint  
EU-US roadmap on artificial intelligence  
Position paper  
[BEUC-X-2023-014](#)

BEUC letter to President von der Leyen on the  
new cooperation agenda  
Letter  
[BEUC-X-2020-123](#)

TACD Recommendations for the Transatlantic  
Initiative on Sustainable Trade  
[September 2023](#)

Trade negotiations and regulatory dialogues  
with the United States  
BEUC recommendations  
[BEUC-X-2019-011](#)

TACD Recommendations for the EU-U.S.  
cooperation agenda  
TACD recommendations  
[December 2021](#)

The Transatlantic Consumer Dialogue's  
recommendations for the EU-U.S.  
cooperation agenda  
TACD recommendations  
[December 2021](#)

The Transatlantic Consumer Dialogue  
Consumer Checklist for a new EU-US  
cooperation agenda  
Checklist  
[June 2021](#)

## 3

## Digital trade

### Why it matters to consumers

Consumers buy goods and services online every day. However, they can encounter various problems when buying from sellers located outside the EU. 90 countries in the World Trade Organization (WTO) are negotiating a new rulebook for e-commerce. This initiative must therefore aim to protect consumers and bring them benefits.

## State of play

---

In 2019, 76 countries – including the EU Member States – at the launch of plurilateral negotiations on e-commerce. Since then, several rounds of negotiations have taken place. The negotiations concluded at technical level on 25 April 2024. A political conclusion is expected before Summer 2025. In addition, the EU launched in the second half of 2023 digital trade negotiations with South Korea and Singapore and concluded an article on data flows to be added to the existing economic partnership with Japan.

## Recommendations for the Presidency

---

We call on the Hungarian Presidency to ensure that the outcome of the WTO e-commerce and other digital trade negotiations protects and benefits consumers. As the scope is likely to go beyond e-commerce, for example covering broader digital trade issues, we call on the Hungarian Presidency to exercise caution so that the EU does not put citizens' fundamental rights at risk. Sensitive issues for consumers – such as data protection and artificial intelligence – must be regulated by EU law and should not be included in trade agreements. Consumer organisations wish to avoid weaker protection being locked into a trade agreement, limiting the EU's ability to enhance it in the future. We call on the Hungarian Presidency to launch a debate among Member States to rethink EU trade policy, to mirror the initiative of the US in October 2023 to no longer support the inclusion of rules on data flows and source code in the WTO e-commerce negotiations, to better preserve their policy space.

## What consumers need

---

- The negotiations must bring tangible benefits, such as more transparent and affordable telecoms prices for consumers.
- The EU must fully preserve its ability to protect citizens' personal data and privacy. The EU should no longer include rules on data flows in its agreements. Should the EU pursue such negotiations despite our concerns, the rules on data flows agreed in the EU-New Zealand trade and cooperation agreement should be used as a model, not the ones agreed with Japan in October 2023.
- The EU must ensure WTO e-commerce negotiations do not prevent authorities from auditing artificial intelligence systems. To that end, the EU must stop including rules on source code in its trade agreements. Should the EU decide otherwise, the Commission should revise its source code proposals in ongoing negotiations to narrow the exception. This is key to preventing bias and discrimination, as well as to ensuring access to justice in case of harms.
- The EU must prevent the inclusion of rules related to cybersecurity in the WTO e-commerce negotiations. It should not limit its ability to regulate on cybersecurity, nor promote self-regulation as an alternative. This is key to ensuring that connected products can be made safer for people.
- Negotiating proposals and consolidated texts of any trade negotiation must be made public so that consumers know what is being negotiated on their behalf. The EU must encourage the co-conveners of the e-commerce initiative in the WTO to organise public briefings in Geneva.

## ADDITIONAL SOURCES

Consumer and digital rights groups call on the international joint initiative on e-commerce to safeguard data protection and privacy  
Statement  
[BEUC-X-2020-112](#)

International negotiations on e-commerce (digital trade) at the WTO  
BEUC factsheet  
[BEUC-X-2019-015](#)

AI regulation in the EU and trade law, how can accountability of AI and a high level of consumer protection prevail over trade discipline on source code?  
Study commissioned by  
BEUC German member vzbv  
[January 2021](#)

For more information: [international@beuc.eu](mailto:international@beuc.eu)





# SAFETY

## 1

## Toy Safety

### Why it matters to consumers

Consumers expect all products on the Single Market to be safe. This is especially relevant for toys as children are particularly vulnerable consumers. Research however indicates several compliance issues and safety risks associated with toys, especially as regards online sales. In May 2023, seven BEUC members found, for example, that 60% of 121 tested toys and children's products contained one or more endocrine disrupting chemicals, including some that are illegal.

### State of play

The Chemicals Strategy for Sustainability commits the **European Commission** to better protect consumers against harmful chemicals by reinforcing the Toy Safety Directive. The **European Commission** proposed a Toy Safety Regulation in July 2023 to replace the 2009 Toy Safety Directive. The **European Parliament** adopted its opinion in Spring and the **Council** to agree its General Approach during the first semester of 2024.

### Recommendations for the Presidency

BEUC encourages the Hungarian Presidency to proceed swiftly with the trilogue negotiations on this proposal. We call on the Hungarian Presidency to ensure that the chemical requirements and the new provisions on mental health are not watered down. It will also be key to get the scope of the proposal right and to ensure that children benefit from the proposed new safeguards as soon as possible.

### What consumers need

- While the ambition to ban the most harmful chemicals such as known and suspected endocrine disruptors should be kept, new legal safeguards should be introduced to take account of consumers' combined exposure to chemicals.
- The Regulation should be underpinned by the precautionary principle and its scope extended to cover interactive software like online/video games. The risks posed by smart toys, whether connected toys or toys embedded with artificial intelligence should also be specifically addressed to avoid any remaining loophole after the conclusion of horizontal pieces of legislation.

- Better safeguards against dangerous toys sold online. This should, as a priority, translate into the definition of online marketplaces as economic operators and include a possibility to hold them liable for non-compliance where no other responsible economic operator can be identified.
- While the introduction of a Digital Product Passport for toys will facilitate the work of market surveillance and customs authorities, its access by consumers should remain free of charge and be made easy.
- To make toy labels and warnings work, the use of a single pictogram to draw consumer attention should be ensured, and clear visibility and readability criteria should be introduced in relation to e.g. minimum font size or text/background contrast.

#### ADDITIONAL SOURCES



For more information: [safety@beuc.eu](mailto:safety@beuc.eu)



# SUSTAINABILITY

## 1

## Substantiating green claims

### Why it matters to consumers

Consumers' growing interest in making sustainable purchases has led to a rise in green claims and labels, which are not always reliable or accurate. With three out of four products carrying an environmental claim, the confusion and lack of trust concerning environmental information among Europeans is a real barrier to the green transition. As 53% of green claims are based on vague, misleading, or unfounded information, 61% of EU consumers find it hard to tell which products are truly green. To prevent greenwashing, information displayed on products must be reliable, comparable, and verifiable.

### State of play

In March 2023, the **European Commission** published its proposal for a Directive on Green Claims. While the proposal should ensure the robustness and trustworthiness of labels, we are concerned that it further limits environmental labelling schemes which can bring benefit to consumers. On 12 March 2024, the **European Parliament** adopted its position bringing improvements to the text in line with BEUC recommendations. As the **Council** aims to reach its general approach by June, the Hungarian Presidency will have an important role to play in bringing forward the negotiations between the Council and the European Parliament on this proposal.

### Recommendations for the Presidency

BEUC calls on the Hungarian Presidency to continue discussions on the proposed Directive on Green Claims – which BEUC supports but considers needs important improvements – and to ensure coherence with the Empowering the Consumers for the Green Transition Directive. Both pieces of legislation must, in combination, guarantee that green claims and labels are robust and trustworthy. The Council should preserve the ambition of the Commission's proposal and further improve it by swiftly starting the trilogue discussions with the incoming European Parliament once the new MEPs have taken office.

### What consumers need

- The requirements for substantiating and communicating green claims should be developed with balanced participation of Member States representatives and relevant stakeholders, including consumer organisations, through a dedicated consultation forum.

- Green claims should be transparent and reflect the real environmental impact of products and traders, without hiding it or giving the impression that it is minimised or compensated through financial contributions to external projects like in carbon neutral claims.
- Green claims must be backed by robust evidence building on the principle of 'no data, no claim'. Companies must be transparent publicly disclosing the evidence substantiating their claims and have the claims verified before making them.
- Trustworthy labels should be reinforced to increase consumer access to eco-labelled products. The verification procedures for claims and labelling schemes should be swift enough to ensure the organisations in charge of trustworthy labels are not forced to discontinue them.
- The Directive should ensure the trustworthiness and reliability of environmental labels, while not restricting the development of those which bring added value. Notably, environmental labels based on aggregated indicators of environmental impact or new labels developed by Member States should not be prohibited, provided they are based on robust assessment methods and independent governance.
- Enforcement processes and penalties must be sufficiently strong to dissuade companies from making unsubstantiated claims.

#### ADDITIONAL SOURCES



For more information: [sustainability@beuc.eu](mailto:sustainability@beuc.eu)

## ENDS

---



- AT Arbeiterkammer
- AT Verein für Konsumenteninformation (VKI)
- BE Testachats/Testaankoop
- BG Асоциация Активни потребители
- CH Fédération romande des consommateurs
- CY Kypriakos Syndesmos Katanaloton
- CZ dTest
- DE Verbraucherzentrale Bundesverband (vzbv)
- DE Stiftung Warentest
- DK Forbrugerrådet Tænk
- EL EKPIZO
- EL KEPKA
- ES Asufin
- ES Confederación de consumidores y usuarios (CECU)
- ES Organización de consumidores y usuarios (OCU)
- FI Kuluttajaliitto ry
- FR Consommation, logement et cadre de vie (CLCV)
- FR UFC-Que Choisir
- HR Unija potrošača Hrvatske
- HU Fogasztóvédelmi Egyesületek Országos Szövetsége (FEOSZ)
- HU Tudatos Vásárlók Egyesülete
- IE Consumers' Association of Ireland (CAI)
- IS Neytendasamtökin (NS)
- IT Adiconsum
- IT Altroconsumo
- IT Consumatori Italiani per l'Europa
- LT Vartotojų aljansas
- LV Latvijas Patērētāju interešu aizstāvības asociācija (LPIAA)
- LU Union Luxembourgeoise des Consommateurs (ULC)
- MK Organizacija na potrosuvacite na Makedonija (OPM)
- MT ACR Malta
- NL Consumentenbond
- NO Forbrukerrådet
- PL Federacja Konsumentów
- PL Fundacja Konsumentów
- PT DECO
- RO Asociația Pro Consumatori
- SK Spoločnosti ochrany spotrebiteľov (S.O.S.)
- SE Sveriges Konsumenter
- SI Zveza Potrošnikov Slovenije (ZPS)
- UK Citizens Advice
- UK Legal Services Consumer Panel
- UK The Consumer Council of Northern Ireland
- UK Which?



Co-funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or EISMEA. Neither the European Union nor the granting authority can be held responsible for them.