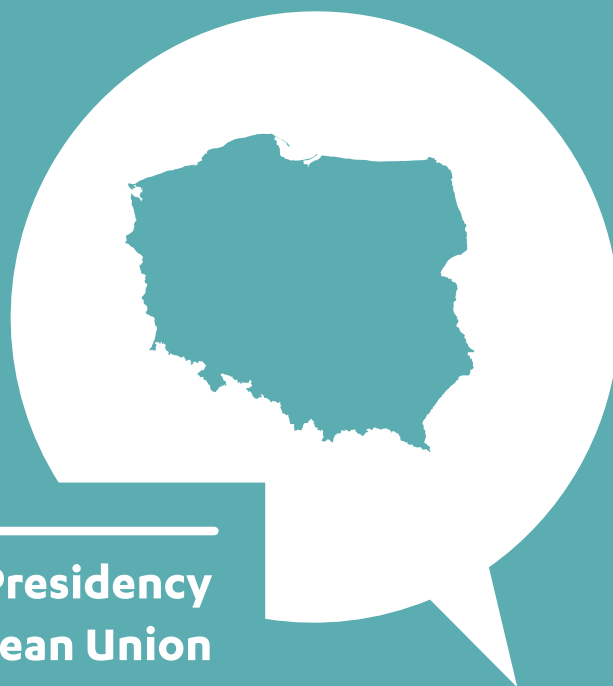




Polish Presidency of the European Union

BEUC priorities
2025



**Polish Presidency
of the European Union**

BEUC priorities
2025

Table of contents

Introduction	2
CONSUMER RIGHTS	4
Passenger rights	4
Package Travel Directive	5
Digital Fairness Act	6
DIGITAL POLICY	8
GDPR cross-border procedural harmonisation	8
AI Liability Directive	9
Digital Networks Act	10
ePrivacy	12
ENERGY	14
Upcoming Commission's strategies on energy	14
ENFORCEMENT AND REDRESS	15
Consumer Alternative Dispute Resolution	15
Collective redress and support for qualified entities	16
FINANCIAL SERVICES	18
Digital euro project and the future of cash	18
Payment Service Directive and Regulation	19
Savings and Investment Union	20
Open Finance	22
FOOD	23
Vision on agriculture and food	23
Fairness of the food supply chain	24
HEALTH	25
EU general pharmaceutical legislation	25
INTERNATIONAL AFFAIRS	27
Customs reform	27
EU-US cooperation agenda	28
Digital trade	29
SAFETY	31
Toy Safety	31
SUSTAINABILITY	33
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 Polish member organisations are Federacja Konsumentów and Fundacja Konsumentów.

As the new Commission takes office for 2024-2029, **the Polish Presidency will have an important role to play to put people's daily life concerns on top of the agenda of this new era.**

We expect the Polish Presidency to help shape the strategic agenda of the incoming European Commission in a way that serves both the economy and society. The Commission's mandate should enable Europeans to live in a fair market – online and offline – where the sustainable choice is the easy and affordable one, and digitisation works to the benefit of all.

Numerous other legislative and non-legislative files of relevance to consumers will also be on the Polish Presidency's agenda, including files from the previous mandate that need to be finally concluded or approved. We expect the Polish Presidency to help to finalise them in a way that benefits consumers.

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:

- **Clean Industrial Deal:** The upcoming Commission strategy should take into consideration consumers' needs and expectations regarding the uptake of clean technologies such as battery electric vehicles, heat pumps and solar panels. It should confirm the course set under the EU Green Deal and focus on setting the right enabling conditions in terms of financing, correcting contradictory price signals and competition policies to enable consumers to engage.
- **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.
- **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.
- **Alternative Dispute Resolution (ADR):** The proposal to review the current Directive aims 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.
- **The revision of the Package Travel Directive and the Passenger Rights initiatives:** These proposals were 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.
- **Savings and Investments Union:** The objective is to incentivise consumers to invest their savings and to improve investment outcomes. Besides encouraging cross border competition, a low cost saving and investment product for consumers would help to achieve these aims and tackle the increasing pensions gap.
- **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.
- **Vision on Agriculture and Food:** The Vision should take a food systems approach and spell out how the EU and Member States will make the healthy and sustainable food choice the easy and affordable one for consumers. We count on the Polish 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 count on the Polish 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 Poland a most successful Presidency.

Agustín Reyna
Director General

Arnold Koopmans
President



CONSUMER RIGHTS

1

Passenger rights

Why it matters to consumers

Consumers often experience stressful and frustrating issues such as delays and cancellations when travelling in a single mode of transport or when combining different transport modes (Multimodal). 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 events such as the crisis caused by the COVID-19 pandemic, it needs to be improved, especially regarding enforcement and online booking intermediaries.

State of play

In November 2023, the **European Commission** published two legislative proposals on 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

The Council adopted its position BEUC encourages the Polish Presidency to drive the negotiations during the trilogues.

What consumers need

- Efficient enforcement and easy access to redress: ambitious and innovative provisions must be considered to strengthen the enforcement of the passenger rights Regulations and ensure that consumers can easily assert their rights (e.g., automated refund, proactive transmission by carriers and intermediaries of the common refund and compensation form, valid email address and free phone line, harmonised investigative and sanctioning powers for authorities).
- Core rights for multimodal passengers, such as information, re-routing, care and assistance; not only for passengers buying 'single multimodal contracts'¹ but also 'combined multimodal tickets'².

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

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

- The introduction of strong rules for online booking intermediaries in all transport sectors, not only air. Such rules should:
 - Cover all types of cancellations and consumer refunds (including self-cancellations)
 - Introduce an intermediaries' liability for failure to provide pre-contractual information to passengers about the type of tickets and the associated rights when booking via intermediaries
 - Mandate the establishment by intermediaries of a complaint handling process and introduce a deadline for intermediaries to answer consumer complaints.
- A mandatory insolvency protection regime for airlines as already exists in the Package Travel Directive.
- 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.

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 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 Polish 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

Digital Fairness Act

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 specific unfair commercial practices online.

State of play

In October 2024, the **European Commission** published the results of its Digital Fairness Fitness Check on consumer law. The report points out that existing EU legislation does not provide enough protection against harmful commercial practices online such as dark patterns, addictive design, influencer marketing and unfair personalisation. The report also finds that EU consumer law needs to be updated to close legal gaps and ensure more legal clarity. Based on the findings, the **European Commission** has announced it will develop a Digital Fairness Act to tackle those issues and potential other unfair commercial practices.

Recommendations for the Presidency

BEUC calls on the Polish Presidency to encourage the European Commission to present an ambitious proposal for a Digital Fairness Act addressing the shortcomings of EU consumer law identified in the Digital Fairness Fitness Check report.

What consumers need

- The digital environment must be fair by design and by default, supporting free choice and protecting consumers from known decision-making biases.
- The burden of proof for infringements of EU law must be on the trader where consumers don't have access to the relevant information.
- A clear and comprehensive horizontal prohibition on dark patterns must be introduced.
- The most harmful addictive design features must be prohibited or at least turned off by default.
- In-game premium currencies and gambling elements in video games (such as loot boxes) must be strictly regulated.
- Influencer marketing must be more transparent and prohibited for certain dangerous or risky products or services.
- Consumers must have more control over online personalisation and the use of sensitive data to exploit individual vulnerabilities must be prohibited.
- We need a robust European framework for protecting children online.

ADDITIONAL SOURCES



For more information: consumer-rights@beuc.eu



DIGITAL POLICY

1

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 big multinationals 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. The **Council** adopted its General Approach in June 2024. Trilogues started under the Hungarian Presidency.

Recommendations for the Presidency

The Polish Presidency should give priority to concluding the file.

What consumers need

- The Regulation must avoid inadvertently causing unnecessary administrative burdens resulting in more delays. Harmonisation of rules must 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.
- Reinforced procedural rights for complainants, 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 other supervisory authorities involved.

ADDITIONAL SOURCES

2

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. They need a clear and enforceable legal framework that gives consumers access to justice, including in the 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). Although the Product Liability Directive was recently adopted, 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 Polish Presidency and Member States to advance their work on the AI Liability Directive and ensure 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 lodge a 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 such as 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

3

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, consolidation and challenge net neutrality would run contrary to the EU's achievements over recent decades.

State of play

Following a European Commission White Paper in February 2024 and a public consultation BEUC responded to, Commission President von der Leyen announced the **Commission** will propose a Digital Networks Act.

Recommendations for the Presidency

As the Polish Presidency is expected to continue discussions on the future Digital Networks Act, 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, challenging net neutrality and reducing competition in this sector. We recommend the Polish Presidency to ensure that any upcoming proposal is strictly evidence-based, fully observes the European Commission's Better Regulation Principles, and is preceded by a proper impact assessment and a public consultation.

What consumers need

- Member States and regulators to ensure the Code is fully implemented and enforced across the EU.
- The Digital Networks Act 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.”
- Consumers need affordable, high-quality access to the internet to be able to participate in a digital society and economy.
- Any potential measure to increase investment in high-quality broadband connectivity infrastructure should preserve a high level of competition, ensure net neutrality and avoid market deregulation.
- Reaching the 2030 connectivity targets must prioritise the deployment of infrastructure to areas where connectivity is lacking, focusing on remote areas and supporting vulnerable consumers.
- Completing the EU Single Market for electronic communications should concentrate on promoting competition and protecting consumers, with a focus on removing barriers for consumers to use and access telecoms services.
- Network fees or other types of ‘direct contributions’ by content providers to telecom operators that could amount to a ‘sending-party-pays’ system should be rejected.

ADDITIONAL SOURCES

4

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 but have not reached a political agreement yet. In their conclusions on The Future of EU Digital Policy, Member States asked the Commission to assess the functioning and shortcomings of the ePrivacy Directive.

Recommendations for the Presidency

We urge the Polish Presidency to prioritise the conclusion of the ePrivacy reform. The result must not lead to a lower level of protection compared to the existing ePrivacy Directive and the 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



For more information: digital@beuc.eu



ENERGY

1

Upcoming Commission's strategies on energy

Why it matters to consumers

A pandemic and a full-blown energy crisis have put consumers' budgets under real pressure and sent energy bills soaring to record highs across Europe. Consumers from across Europe are increasingly facing hurdles to afford their energy bills. The EU needs to tackle the root causes of energy prices and empower consumers in energy markets. Housing is key in our lives and consumers want to enjoy healthy and affordable homes. Energy efficient buildings will lead to lower energy consumption, hence lower costs, as well as to better indoor air quality and health.

State of play

In her mission letters to the Commissioners-designate, President von der Leyen instructed her new team to come up with different strategies and action plans on energy policy at the beginning of the new mandate. The new Commission is due to come up with an 'affordable housing plan' and to swiftly publish a 'Citizens Energy Package' as well as an 'Action Plan for Affordable Energy Prices'.

Recommendations for the Presidency

BEUC calls on the Polish Presidency to contribute to the preparation of, and to launch discussions on, the roll-out of these upcoming energy strategies. This could, for instance, include discussions in the Council about what priority measures the action plans should include.

What consumers need

- The Affordable Housing Plan should not only focus on new constructions but also include measures on retrofitting the existing housing stock. It will be particularly important for the new plan to tackle the key question of financing and cover measures on how to best combine private and public financing of energy retrofits for instance.
- The 'Citizens Energy Package' should provide detailed recommendations on how to best implement the new consumer energy rights and protections introduced under the last mandate. The new package should touch upon emerging issues, such as how to best protect consumers signing up to dynamic price contracts and stronger protection in district heating markets.
- The Action Plan for affordable energy prices should promote concrete measures, such as the uptake of flexible electricity consumption and the boosting of renewable energy capacities, which can help to structurally shield consumers from too high energy prices.



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 multiple 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. The **European Parliament** and the **Council** adopted their respective positions on the proposal in 2024 and trilogue negotiations are expected to start during the Polish Presidency.

Recommendations for the Presidency

It is important that the EU upgrades existing rules to ensure ADR delivers for consumers and is a viable pathway to obtain redress. BEUC calls on the Polish Presidency to conclude the trilogue discussions with the aim of enabling consumer ADR bodies across Europe to be stronger and more efficient, to operate in all economic sectors and to comply 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 multiple 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 November 2024, five Member States still have not implemented the Representative Actions Directive in national law.

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 Polish Presidency to hold a discussion in Council about the way the 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.



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 means (card, transfer or direct debit). Cash is managed by central banks, electronic payments by private banks. As payments are becoming increasingly digital, more 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 Polish 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.
- Offer the possibility to make offline transactions to increase its resilience and acceptability.
- Improve financial inclusion and be offered to all consumers free of charge.
- Ensure fair reimbursement in case of fraud in the form of charge-back mechanisms.

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 and cheques 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 Payment Services 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 Polish 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.
- The right to a refund in all cases of fraud, including for authorised transactions. Currently consumers have no right to a refund for fraud involving authorised transactions. The Commission now proposes to change this, but only for a very narrow fraud scenario. In many cases, consumers would not be refunded under the proposed 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.
- Banks must be made liable for all fraud scenarios to incentivise banks to invest in fraud prevention and avoid a situation where fraud prevention is focused solely on the narrow case of bank impersonation. Currently, there is no financial incentive for banks to invest in fraud prevention as the fraud losses are borne by consumers.
- An efficient system of supervision which allows smooth handling of consumer complaints.
- Further improvements of strong customer authentication so as to remove barriers for people with disabilities or without a smartphone.

ADDITIONAL SOURCES

3

Savings and Investment Union

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. As it stands, retail investment products in the EU underperform significantly, leading consumers to refrain from engaging with this market. In addition, significant proportions of European consumers lack easy access to a reasonable quality retirement savings product.

State of play

While no formal proposal for a Savings and Investment Union has been published, the current narrative circles around increasing consumer participation in capital markets, as a way to fund European industries. The Retail Investment Strategy will be negotiated in trilogue under the Polish Presidency.

The Commission political Guidelines foresee a standardised, simple and low-cost saving and investment product for consumers but a legislative proposal to this effect is not yet on the table.

Recommendations for the Presidency

We encourage the Polish Presidency to focus on the consumers' perspective during Council negotiations on the Retail Investment Strategy proposal, securing a sound approach to the value for money system including high-quality reporting standards. In view of the Savings and Investment Union, we encourage the Polish Presidency to discuss possible options ensuring that high-quality and low-cost savings and investment products become available and are effectively distributed to consumers.

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 Savings and Investment Union must focus on improving the situation of retail investors to make this market attractive to them. Unless consumers' investment outcomes improve, higher engagement is unlikely.
- To address the pensions gap, it is important to establish a standard investment product, at low cost and offering high returns, that is easily accessible to all EU consumers. Auto-enrolment features could circumvent the failure of our current financial advice architecture and so render this possible.

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 proposal for a Regulation on Financial Data Access (FiDA). The **European Parliament** adopted its position in April 2023. The **Council** adopted its position in December 2024.

Recommendations for the Presidency

We encourage the Polish Presidency to promptly start trilogue negotiations on the FiDA proposal. During these negotiations, it is important to ensure 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 must be shared with third parties only with their valid permission and based on a legal ground defined under the GDPR.
- Data categories falling in the scope of the FiDA proposal must be further circumscribed, so that they include only financially relevant data. Data resulting from profiling activities must be excluded due to the high risk of discrimination.
- Data perimeters must be legally binding and cover more retail banking services and insurance products, due to the high risk of exclusion for consumers.
- Permission dashboards must 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 Digital Markets Act must not receive access to financial data so as to prevent financial exclusion as a result of the combination of different data categories and an unfair competitive advantage.

ADDITIONAL SOURCE



For more information: financialservices@beuc.eu



FOOD

1

Vision on Agriculture and Food

Why it matters to consumers

The EU food system is facing multiple interconnected challenges. It both suffers from and drives climate change, pollution and waste, loss of biodiversity, and diet-related non-communicable diseases – amongst others. While consumers are willing to change their food habits, many struggle to do so because the unhealthy, unsustainable option is currently the most available and advertised choice, and often the cheapest one too. They expect stronger action from the European Union to promote sustainable food production and consumption.

State of play

The European Commission President is due to present a Vision on Agriculture and Food in the first 100 days of her new mandate. A roadmap for future EU initiatives on food and farming, it will look at how to ensure competitive and sustainable food systems within the boundaries of our planet.

Recommendations for the Presidency

We encourage the Polish Presidency to initiate discussions on the Vision within the Council and ensure it takes a food systems approach, covering food consumption as well as food production.

What consumers need

- Building on the recommendations from the Strategic Dialogue on the Future of EU Agriculture, the Vision must spell out how the EU and Member States will make healthy and sustainable diets – where consumption of animal vs plant protein is rebalanced – the easy and affordable choice for all consumers.
- To facilitate healthier choices, an EU-wide mandatory front-of-pack nutritional label should be part of the future initiatives announced in the Vision, alongside regulation to restrict the marketing of unhealthy food to children.
- Following on Denmark's example, the EU should develop an action plan to promote the production and consumption of plant-based foods (including fruit and vegetables, wholegrains and pulses).

ADDITIONAL SOURCES

2

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. The EU Agri-Food Chain Observatory (AFCO) on costs, margins and trading practices was 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) and the Common Market Organisation (CMO) regulation in early 2025.

Recommendations for the Presidency

We encourage the Polish 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

- The EU AFCO must bring much-needed transparency on where consumers' money goes in the food supply chain.
- 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) must 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



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. Latest data shows that half of those who had experienced a medicine shortage said it had a negative impact on their health and state of mind. Another survey we carried out showed consumers consider medicines an essential good. As a result, high drug prices and excessive profits by pharma companies 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 fuel 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. In parallel, the **European Commission** has brought together key stakeholders under the 'Critical Medicines Alliance' to identify additional measures on medicine supply security.

Recommendations for the Presidency

The Polish Presidency should prioritise the revision of EU pharmaceutical legislation and make significant progress, so the Council is able to swiftly meet the European Parliament at trilogues. Consumers need urgent solutions that improve access to safe, effective and affordable medicines. The Polish Presidency must ensure that measures to strengthen medicines' supply chains – for example, through a future Critical Medicines Act – provide tangible benefits to consumers.

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 budget.
- 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.
- 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 (revenue guarantee).

Strengthened medicine supply security through:

- EU joint procurement.
- Coordinated approaches to stockpiling.
- Partnerships and trade agreements with third countries that lead to more diversified supply chains.
- Compliance with competition rules and principles, and conditionalities in public funding for industry.
- Non-profit production models

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 Polish Presidency will have a key role to play in coming to an agreement on this proposal.

Recommendations for the Presidency

This reform is of utmost importance to better protect consumers from dangerous and non-compliant products in the Single Market. Additionally, this initiative could not only contribute to better enforcement of 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 Polish Presidency to facilitate the swift adoption of an ambitious Council position, which should complement the consumer protection rules included in the Commission's proposal and the Parliament position.

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 of non-fiscal obligations.
- No more surprise import fees: the concept of a deemed importer would also ensure that consumers do not have to pay extra customs duties at the time of delivery. We call on the Polish Presidency to echo the Parliament's position to ensure that any other fees will be paid by the importer and deemed importer, beyond customs duties, to fully put an end to surprise custom fees for consumers.

ADDITIONAL SOURCES

2

EU-US relations

Why it matters to consumers

Consumers in the EU and the US face similar challenges. Maintaining cooperation between regulators on both sides of the Atlantic can help better protect consumers. On the other hand, a deterioration of the transatlantic relationship in the form of a trade war would negatively impact consumers, leading to increased prices and reduced choice.

State of play

Under the Biden administration, the transatlantic relationship improved. There was a positive dialogue between consumer protection regulators, and at higher level through the Trade and Technology Council, and the informal consumer dialogue. However, the outcome of the US Presidential election is likely to undermine the cooperation progress achieved in recent years. President Trump is likely to increase tariffs on EU exports.

Recommendations for the Presidency

We call on the Polish Presidency to avoid a trade war scenario. Indeed, the EU might be tempted to retaliate in case of increased US tariffs on EU goods. We encourage the Presidency to explore other options and maintain cooperation between EU and US consumer protection regulators, such as the Federal Trade Commission, the Consumer Products Safety Commission and the Consumer Protection Financial Bureau.

What consumers need

- Consumers should not be the collateral victims of a potential trade war. For this reason, it is crucial that cooperation with the US is maintained.
- If tariff retaliation would be considered, consumer organisations should be consulted on the list of targeted products. To enable European consumers to play their part in the green transition, the EU should refrain from imposing high tariffs on clean tech products such as heat pumps imported from the US.

ADDITIONAL SOURCES

TACD Recommendations for the Transatlantic Initiative on Sustainable Trade
September 2023

BEUC letter to President von der Leyen on the new cooperation agenda
Letter
BEUC-X-2020-123

Trade negotiations and regulatory dialogues with the United States
BEUC recommendations
BEUC-X-2019-011

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. For example, consumers may not always have all the information they need to make an informed choice, including the location of the seller or applicable consumer rights. It can also be complicated for consumers to act if something goes wrong. New EU trade agreements attempt to address this issue through digital trade rules, which is positive. However, the EU is also including other rules in its trade agreements about cross border data flows and access to source code which could undermine consumers' privacy and the ability of the EU to implement the AI act.

State of play

In July 2024, 76 countries members of the World Trade Organization, including the EU, agreed on a text that could soon become the first international agreement on e-commerce and digital trade. It is called the Joint Statement Initiative (JSI) on e-commerce. In addition, the EU finalised negotiations on the Digital Trade Agreement with Singapore in July 2024 and is close to concluding a similar agreement with South Korea. The EU also added in 2024 new rules on cross border data flows in its existing economic partnership with Japan..

Recommendations for the Presidency

We call on the Polish Presidency to ensure that the outcome of the e-commerce JSI and other digital trade negotiations protects and benefits consumers. Digital trade agreements should focus on enhancing consumer trust online. Sensitive issues for consumers, such as data protection and artificial intelligence, should not be included in trade agreements.

What consumers need

- 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 or with Singapore in July 2024.
- The EU must ensure that restrictions on accessing source code do not prevent authorities from auditing artificial intelligence systems. To that end, the EU should stop including source code rules in its trade agreements. If the EU decides otherwise, the Commission should revise its proposals on source code in ongoing negotiations to narrow the exceptions. This is essential to prevent bias and discrimination and to ensure access to justice in cases of harm.
- The EU must carefully scrutinise any review of the e-commerce JSI to prevent it from reintroducing rules that could harm consumers' digital rights, such as those on access to source code and data flows. The Council should closely monitor this process to ensure that the EU's future commitments in this agreement do not compromise its ability to regulate digital policy effectively.

ADDITIONAL SOURCES

Consumer and digital rights groups call on governments to better protect people's fundamental rights in trade deals
Global Statement
[BEUC-X-2024-008](#)

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



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. In May 2023, seven BEUC members found, for example, that 60% of 121 toys and children's products tested 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 children against harmful chemicals by reinforcing the Toy Safety Directive. In July 2023, the **Commission** proposed a Toy Safety Regulation to replace the 2009 Toy Safety Directive. The **European Parliament** adopted its position in March 2024 followed in May by the adoption of the Council position. Trilogues started in November 2024.

Recommendations for the Presidency

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

What consumers need

- The Regulation should be underpinned by the precautionary principle and the risks posed by smart toys - whether connected toys or toys embedded with artificial intelligence - should also be specifically addressed. This would avoid any remaining loophole after the conclusion of horizontal pieces of legislation.
- The ambition to ban the most harmful chemicals such as known and suspected endocrine disruptors should be kept. In addition, new legal safeguards should be introduced to take account of consumers' combined exposure to chemicals.

- Consumers need better safeguards against dangerous toys they buy 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, access to it by consumers should remain free of charge and be made easy.
- The use of a single pictogram would make toy labels and warnings work for consumers. Also, clear visibility and readability criteria should be introduced in relation to e.g. minimum font size or text/background contrast.
- Limit values for sound-emitting toys should also be clearly defined to prevent any impairment to children's hearing.

ADDITIONAL SOURCES



For more information: 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 that labels are robust and trustworthy, we are concerned that it further limits environmental labelling schemes which can benefit consumers. On 12 March 2024, the **European Parliament** adopted its position bringing improvements to the text in line with BEUC recommendations. The **Council** adopted its general approach in June 2024. With the new European Parliament and the Commission now in place, trilogue negotiations are expected to start during the Polish Presidency.

Recommendations for the Presidency

BEUC calls on the Polish Presidency to reach an agreement on the proposed Directive on Green Claims – which BEUC supports but considers needs significant 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 taking into account the improvements sought by the European Parliament.

What consumers need

- The requirements for substantiating and communicating green claims should be developed with balanced participation of Member State 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 having 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 environmental labels are trustworthy and reliable, 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

ENDS

Published in December 2024 by BEUC, Brussels, Belgium.



The European Consumer Organisation
Bureau Européen des Unions de Consommateurs
Europäischer Verbraucherverband

Rue d'Arlon, 80 Bte 1, B - 1040 Bruxelles

The content of this publication represents the views of the author only and it is his/her sole responsibility; it cannot be considered to reflect the views of the European Commission and/or the European Innovation Council and SMEs Executive Agency (EISMEA) or any other body of the European Union. The European Commission and the Agency do not accept any responsibility for use that may be made of the information it contains.

- AT Arbeiterkammer
- AT Verein für Konsumenteninformation (VKI)
- BE Testachats/Testaankoop
- BG Асоциация Активни Потребители
- CH Fédération romande des consommateurs
- CY Κυπριακος Syndesmos Katanaloton
- CZ dTest
- DE Verbraucherzentrale Bundesverband (vzbv)
- DE Stiftung Warentest
- DK Forbrugerrådet Tænk
- EL ΕΚΡΙΖΟ
- EL ΚΕΡΚΑ
- ES Asumin
- 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 potrosaca Hrvatske
- HU Fogyasztóvédelmi 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.