



Association for Consumer Rights Malta

Resolutions 2015

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Foreword

The Association for Consumer Rights is an independent, voluntary, non-sectarian, non-political and non-profit-making organisation, based on adult, individual membership. The Association is committed to safeguard the interests of consumers in Malta in all aspects.

Objectives

To act as a pressure group and see that legislation beneficial to consumers is enacted and relevant measures are implemented in an active and effective manner.

To create consumer awareness with regards to products, services and methods of production which may be supplied both by the private and public sector.

To represent consumers in the preparation, formulation and implementation of relevant policies in order to safeguard their interests.

To assist consumers in seeking adequate redress and compensation resulting from the purchase of goods and services.

To ensure that consumers are offered quality services including product safety, adequate standards and the protection of the environment.

To ensure that decisions taken and criteria adopted by the respective authorities at national, European and global level are accessible to the consumers.

To monitor market practices with the aim of bringing them to the attention of the relevant authorities with the aim of curbing any unfair commercial practice.

To provide recommendations to the Authorities regarding standards regulating advertising.

Consumer Affairs

Mary Mangion and Grace Attard represent consumers interests through the Association for Consumer Rights Malta, (ACR), on the MCESD CSC, providing information and education for their every day shopping of both goods and services. Understanding terms and conditions of contracts, time-frames of guarantees and their rights to claim compensation are essential tools.

ACR recommendations were made in Budget Proposals 2015 to strengthen consumer protection in services offered by new technologies such as online dispute resolutions, online gambling services, online shopping, package travelling services and financial transactions with particular focus on vulnerable groups. Proposals for discussion in the MCESD included consumer education in Lifelong Learning programmes, competitiveness and financial education.

Through our links with EU Commission and EU Agencies, consumers are being empowered with guidelines on built-in defects in products, budget management, the reduction of food waste and alternative energy sources. The environmental damage of fish farming resulting from the discharging of waste and pesticides and the EU-US Trade agreements are also currently being addressed.

Grace Attard
ACR General Secretary

Contents

- **Foreword**
- **Contents**
- 1. Developing Services to the Family**
- 2. Consumer protection and household indebtedness**
- 3. Raising awareness on button battery safety**
- 4. Transatlantic Talks: Challenges for Farmers and Consumers**
- 5. Online gambling: principles to ensure effective protection of consumers**
- 6. Strategy for the Prevention and Reduction of Food**
- 7. WasteConsumer Vulnerability in Business Practices**

1. Developing Services to the Family

Justification

- Developing and professionalising domestic work is of strategic importance to achieving equality at work, because it is mainly women who carry out such work and who need childcare services, care for the elderly and home-cleaning in order to reach an equal footing with men in their career.
- These services benefit not only individuals, but also society as a whole. They create new jobs, meet the needs of an ageing society and help people reconcile their private and professional lives
- They improve quality of life and social inclusion and make it easier for the elderly to remain in their own homes.

With regard to services to the family, however, three main areas need to be distinguished:

- ✓ home-cleaning,
- ✓ childcare and care for the ill,
- ✓ care for individuals with severe disability and
- ✓ care for the elderly.
- ✓

Further justification

- It is important to distinguish between these areas because the skills and qualifications needed, though often linked, differ to some extent, and also because institutional and organisational structures for these types of services vary from country to country, as do in consequence the situation, status and perception of the people who deliver them.
- A large share of assistance to families is currently provided by undeclared workers, which harms not only the workers themselves, but also families and the State
- In order to develop services to the family, efforts must be made to upgrade them and to lift the weight of tradition, as it means that these tasks, which are still carried out by women for free in the home, are still considered to be relatively unskilled.
- Bringing this work out of the shadows, giving these jobs professional status and making them into real careers, with employment contracts, training, social protection, career progression and rights equivalent to those of other employees, are prerequisites for their development

Recommendations

Areas to be addressed:

- Developing services in private homes in order to achieve a better work-life balance
- Barriers to their development: (Undervalued work; work that is poorly paid, precarious and poorly protected)
- Creating decent jobs and high-quality services: (taking action on cost; doing away with undeclared work and providing different sources of financing)
- Reforms in the domestic work sector: (taking action to provide professional status)
- Training of carers: although the ETC provides courses, there is the need for clear evidence that those employed in this field are really qualified
- Foreigners are being employed through agencies with families who unfortunately are not always well trained in areas such as understanding the physical, mental and psychological needs, where very often skills of carers are lacking
- There is also the need for a contract between the family responsible for employing the carer and the carer (or agency) a proper programme of initiatives to be carried out, time frames of work and salaries

- The agencies themselves, besides ETC, have to provide training for those who are seeking employment and need to be responsible for the employees behaviour

Further Recommendations

- promote the exchange of best practice and disseminate statistics
- produce a set of recommendations for the social partners based on a gender-neutral comparison of jobs
- institute a prize for business innovation in services to the family
- promote social innovation in developing services to the family, regardless of the form these services take.
- ratify ILO Convention 189
- legalise undeclared work by means of fiscal aid measures and simple declaration schemes to make family work a job like any other combat stereotypes to ensure that care work and household tasks are seen as activities for both men and women
- establish a general framework to encourage the emergence and development of a professionalised sector for services to the family, in accordance with the specific features and cultural practices of each Member State
- eliminate the legal barriers that are currently significantly reducing the declared, direct employment of employees by families.

- **Social partners** need to
 - ✓ recognise diplomas and certificates of qualifications, including accreditation of skills gained through experience during employment in private family homes
 - ✓ negotiate collective agreements and job classification tables that take account of all skills, including those relating to psychology and relationships.
 - The need to encourage set up companies and cooperatives to provide services to families and the status of employee to workers.

- **Unions, employers' organisations and works councils** need to:
 - ✓ promote the image of services to the family and upgrade jobs in this field
 - ✓ promote training for those involved and certification of the skills acquired
 - ✓ work towards setting up structures to bring services to the family together and organise them, while respecting traditions and differences between countries
 - ✓ organise domestic worker and employer representation
 - ✓ call, as one of the measures to promote professional equality, for services which create jobs and negotiate a financial contribution from businesses in order to promote a better work-life balance for all.

Source: EESC Opinion SOC 508 Developing Services to the Family

2. Consumer protection and household indebtedness

Justification

- Over-indebtedness generally arises following an unexpected drop in income, related in particular to a job loss, illness, separation or even over-consumption
- Situations of over-indebtedness can no longer be seen as the problem of an individual as a result of their compulsions and passions. Today, they reflect a social and societal crisis.
- According to a survey by the European Central Bank, over-indebtedness generally arises following an unexpected drop in income, related in particular to a job loss, illness, separation or even over-consumption.
- It is currently giving greater cause for concern, as it is hitting poor workers, the unemployed, who have accumulated unpaid bills for essential services such as energy, water, insurance and the telephone and late rent payments, middle class people, often following a twist of fate, and also pensioners whose pensions have fallen because of austerity policies or who give financial support to their family.
- The risk of over-indebtedness is heightened by the imbalance between the rise of income and the rise in the cost of living, which is linked to changing lifestyles, national austerity policies, rising everyday expenses such as energy, housing, electronic communications, telephone, transport and financial costs.
- The recent rise in over-indebtedness encompasses another sociological category: middle class people who have lost their job and are faced with heavy mortgage payments on their home, with no short-term prospect of finding another job.
- Taking out loans in an affluent society, encouraged by aggressive, misleading advertising campaigns, to make up for loss of income or obtain goods and services, is also at the root of over-indebtedness in numerous cases.
- Vulnerable population groups are worse affected by debt as they do not have access to all forms of credit owing to their poor creditworthiness.
- They are directed towards the most costly options, such as "cash credit", which often involve cards distributed by various operators with very high interest rates.

Recommendations

Defining overindebtedness

- ✓ There is the need to adopt a definition of over-indebtedness which should include the following elements: (i) the household, as a relevant unit of measure for quantifying over-indebtedness; (ii) financial commitments; (iii) informal commitments within the family or a community; (iv) inability to pay; (v) structural over-indebtedness; (vi) decent quality of life, and (vii) insolvency.
- ✓ If over-indebtedness is to be properly addressed, education, prevention and appropriate procedures for reintegrating over-indebted people into normal economic life are needed.
- ✓ An overall perspective on the issue of household over-indebtedness and effective measures are essential as implementing measures to address over-indebtedness will not be enough to reduce the number of cases.
- ✓ It must go hand in hand with measures to develop domestic and financial education
- ✓ This means that the necessary human and financial resources must be earmarked for this purpose.
- ✓ Financial education must initially be provided in schools, but must also be available at all times for all those who need it.
- ✓ Consumer and family associations have an essential role in disseminating information and providing assistance to people.

Measures when addressing overindebtedness

Measures must include

- The procedure must be quick and free of charge.
- In addition, the suspension of legal proceedings should be ordered at the beginning of the procedure to avoid pressure from creditors
- When a procedure for containing the over-indebtedness has been opened, the following measures are essential:
 - verification of claims,
 - keeping the main residence,
 - equal treatment of ordinary creditors,
 - the possibility of cancelling debts in the most burdensome situations and
 - the obligation to leave an over-indebted person enough to live on decently day to day, the aim being to reintegrate the consumer into economic and social life quickly.
 - Banking inclusion, must be safeguarded for people in a situation of over-indebtedness in order to avoid any social exclusion.

The following common factors can serve as a common basis when addressing over-indebtedness.

- the household, as a relevant unit of measure to quantify over-indebtedness;
- financial commitments. These include mortgages, consumer credit, phone, digital communication, utility (water, heating, electricity, etc.) and health-related bills, rent and day-to-day expenses (food, transport, education, etc.);
- informal commitments entered into within the family or a community. inability to pay. An over-indebted household is unable to pay its day-to-day expenses or those related to its formal and informal commitments;
- structural over-indebtedness. This is a time-related criterion intended to cover persistent, ongoing financial difficulties;
- decent standard of living. The household must be able to make good its formal and informal financial commitments without reducing the minimum expenditure which is essential for it to maintain its standard of living;
- insolvency. The household is unable to remedy its financial situation by drawing on its financial and other assets.

Finding legal solutions for over-indebtedness

- The general aim in dealing with over-indebtedness is to find a solution that will enable households to avoid social exclusion and, where possible, to pay off their debts as far as their means allow.
- Business insolvency law, introducing judicial procedures for dealing with over-indebtedness, should provide measures to allow the court to impose a debt settlement plan on over-indebted persons and their creditors.
- The decision is generally preceded by an "amicable" stage, during which an effort is made to obtain agreement among the various parties on a plan and, if this is achieved, the plan is then approved by the court.
- In this regard, the need for provision to be made at National and European level for certain essential property not to be seized on any account nor sold for a low price.
- Procedures for dealing with over-indebtedness should not lead to exclusion from essential bank services, as these are indispensable for economic and social life.

Preventing over-indebtedness

- **Education on responsible budgeting and spending to be included in the national curriculum highlighting the importance of spending within one's means and the dangers of compulsive gambling**

- Information and outreach campaigns on the subject of finance must be stepped up as all sections of the public must be able to benefit from education.
- These campaigns can be run by different social and economic players, public authorities, NGOs, business federations and consumer federations. This would bring complementary sources of information to bear to serve the general interest.
- Efforts to control indebtedness must comply with the spirit and letter of the texts regarding consumer credit, mortgages and unfair business practices (abusive clauses, misleading advertising, aggressive door-to-door selling).
- Professionals must behave responsibly right from their product offers and advertising onwards, as well as in the advice and explanations they give to consumers when they take out a loan.
- A personalised approach is needed, and it is regrettable that it is not currently common practice, despite the legislation and codes of conduct that exist in most countries.
- Transparency with regard to products, particularly when it comes to loans taken out in foreign currencies, the risks they entail for guarantors or for spouses who are indirectly liable, and clear information must be the rule, whatever the medium used.
- Over-indebtedness should be averted by facilitating responsible lending and dissuasive penalties for breach of professionals' information obligations
- Over-indebtedness should be prevented by regulating credit and the personal credit sector.
- Effective legislation in this area must include measures to educate professionals and consumers.

Fighting usury

Combating over-indebtedness requires a framework for usury. The concept of "responsible credit"

Should be stressed which requires distributors and underwriters to use fair, ethical practices.

The issue of mortgage or consumer credit rates also warrants particular attention. Some loans have

uncapped, variable interest rates which can change considerably according to the market.

Providing a high level of consumer protection

Assistance facilities for over-indebted people

- ✓ Advice on financial services and consumption, banks' and credit institutions' obligation to provide advice, and assistance in budget management are often not enough or not appropriate for people in debt.
- ✓ National authorities must therefore provide people in difficulties with social assistance services which can supply immediate help, or even free legal assistance, where that is desired.
- ✓ Member States could support and formalise the role of legal assistance provision played by consumer protection associations.
- ✓ Provision can be made for social assistance for the most serious situations of debt, covering electricity and gas, housing, food, health and payment to creditors of all or part of the debts.
- ✓ Moreover, a facility must be put in place for analysing people's specific situations, verifying the legality of the sums claimed from them, negotiating a debt settlement plan with their creditors or working on other solutions such as judicial proceedings, informing them of their rights and obligations.

3. Raising awareness on button battery safety

Justification

‘The button batteries used in all kind of electrical devices from remote controls, to greetings cards and reading lights are more dangerous than we think. They have killed three children in Europe , in France, Latvia and the UK, and injured many others. 16-20 June 2014 - has been dedicated to raising awareness on button battery safety.

EU previous Commissioner Neven Mimica, responsible for Consumer Policy recently spoke about the dangers button batteries pose to health when swallowed or inhaled: "Button batteries are found in all kinds of electrical devices we have at home, many of them easy to reach by our children – calculators, TV remote controls, bathroom or kitchen scales, reading lights and greeting cards. Most of us are not aware of the dangers these small items bring along: if swallowed they cause fatalities”.

Recommendations

In line with the European Commission for Consumer Protection, the Association for Consumer Rights (ACR) calls on government, Local Councils and all stakeholders, retailers and consumer organisations to:

- ensure producers and retailers have the necessary information to protect citizens in particular children of the dangers of button batteries
- ensure the organization for an effective information campaign to include practical protection measures, especially for parents and children
- to provide accessible disposal facilities of button batteries with the help of Local Councils
- to raise awareness among parents, who should know the risks and take good care that appliances and devices which use button batteries are kept away from their children.
- ACR calls on all for manufacturers to take these risks into account when designing new products and put the “safety of consumers first” principle in practice

4. Transatlantic Talks: Challenges for Farmers and Consumers

Justification

- In July 2013, the European Commission launched talks with the United States with a view to concluding an agreement establishing a "Transatlantic Trade and Investment Partnership" (TTIP), the main aim of which is to remove non-tariff barriers in order to facilitate trade between the two powers. These negotiations have been conducted relatively discreetly so far, at least until the start of this year.
- Following the EESC's opinion on "Transatlantic trade relations and the EESC's view on an enhanced cooperation and eventual EU-USA FTA" (REX/390), the Farmers and Consumers and Environment categories felt that it was worthwhile to hold a joint meeting to take stock of those aspects of the talks that were particularly relevant to them

The following are the main recommendations from the Joint Meeting

- The need for the discussions to take account of the differences in agricultural and agri-food production methods on either side of the Atlantic, which mean that production costs are higher in the EU. This issue should be taken into account in the tariff negotiations;
- The ambitiousness of the Commission's commitment to maintaining high standards in terms of consumer and environmental protection should be maintained .
- In this connection, particular attention should be paid to food safety issues (GMOs, hormones in meat, chemically cleaned food, etc.). It is vital to continue to apply the precautionary principle (which is enshrined in the Lisbon Treaty) when deciding whether or not to authorise the marketing of a product, and not only scientific considerations;
- The need for the agreement to provide concrete and practical solutions to non-tariff barriers by improving compatibility between the regulatory systems in the EU and US, while respecting the high standards in terms of health, consumption, food safety and the environment that are in force on both sides of the Atlantic;
- Stress that, for both consumers and farmers, food production is not just a question of managing health risks and certain technologies: European agriculture also produces public goods and is based on ancestral values, which means that ethical, cultural and environmental considerations also need to be included;
- Protected geographical indications that provide consumers with a guarantee both of a product's origin and of its method of production should be safeguarded. Protecting geographical indications on US soil will better protect consumers from fraud;
- A strict framework of simplification and equivalence in the administrative procedures for importing/exporting goods should be followed in order to make it easier for SMEs to participate in this agreement;
- In terms of transparency, stakeholders should have easier access to the content of the talks. There must be an emphasis on the importance of keeping consumers properly informed and of transparency with regard, in particular, to the details of the negotiations, which are not being made public even though that is where the main challenges lie (when considering derogations from general principles);
- The fact that not all stakeholders have the same level of expertise and thus of influence should be taken into consideration. NGOs and certain business sectors (crafts, SMEs) have considerably fewer resources than industries and international companies.
- This structural imbalance presents a problem in terms of democracy and governance. Solutions need to be developed to promote the involvement of the most disadvantaged stakeholders in the negotiation process;
- There is the need for the negotiation schedule to be extended.
- The question of whether to include an Investor State Dispute Settlement (ISDS) procedure has raised and continues to raise concern among a significant segment of the public (NGOs, citizens' groups, etc.) on both sides of the Atlantic. It is essential that any

ISDS provision proposed in the TTIP must not hinder the ability of the EU Member States to regulate in the public interest.

- The debate has highlighted the fact that civil society is not an opponent in negotiations of this sort, but needs to be involved in discussions, and that every effort must be made to facilitate its work.

5. Online gambling: principles to ensure effective protection of consumers

Justification

The European Commission has recently adopted a Recommendation on online gambling services. It encourages Member States to pursue a high level of protection for consumers, players and minors through the adoption of principles for online gambling services and for responsible advertising and sponsorship of those services. The aims of the principles are to safeguard health and to minimise the eventual economic harm that may result from compulsive or excessive gambling.

Recommendations

In line with the Commission's recommendation the following are a number of principles the Association for Consumer Rights (ACR) is putting forward to government to include in the gambling regulations:

- Basic information requirements for gambling websites, in particular to ensure that consumers are provided with sufficient information to understand the risks related to gambling.
- Commercial communication (advertising and sponsorship) should be carried out in a responsible way.
- Member States should ensure that minors are not able to gamble online, and that rules are in place to minimise their contact with gambling, including through advertising or promotion of gambling services whether broadcast or displayed.
- There should be a registration process to open a player account so that consumers have to provide details of age and identity and **photo** for verification by the operators. This should also enable operators to keep track of player behaviour and raise the alarm if necessary.
- Ongoing support should be available to players to prevent gambling-related problems, by equipping them with tools to keep gambling under control: possibilities to set spending limits during the registration process, to get information alerts about winnings and losses whilst playing, and to take time out from gambling.
- **Parents should be adequately trained in parenting skills and control to be better equipped with preventive measures in particular in addressing compulsive gambling among minors**
- Players should have access to helplines they can call for assistance about their gambling behaviour, and they should be able to easily exclude themselves from gambling websites.
- Advertising and sponsorship of online gambling services should be more socially responsible and transparent
- Advertising should not make unfounded statements about chances of winning, exert pressure to gamble, or suggest that gambling resolves social, professional, personal or financial problems.
- Ensuring that training is provided to employees of online gambling operators interacting with players to ensure they understand problem gambling issues and are able to liaise with the players appropriately.
- Carrying out awareness-raising campaigns about gambling and related risks, as well as to collect data about the opening and closing of player accounts and breaches of commercial communication rules.
- Designate competent regulatory authorities (MCCAA) to help ensure, in an independent manner, effective monitoring of compliance with the Recommendation.

More information:

The Recommendation is accompanied by an impact assessment and a behavioural study on online gambling and adequate measures for the protection of consumers. These are available on the Commission's website:

http://ec.europa.eu/internal_market/gambling/initiatives/index_en.htm#recommendation

6. Strategy for the Prevention and Reduction of Food Waste

Justification

- In the EU Commission Roadmap to a resource efficient Europe, several steps have been taken amongst which are measures to assess how best to limit waste throughout the food supply chain, (2013) developing a methodology for sustainability criteria (2014) among others
- The EESC is taking a range of initiatives from further research, to campaigns, to exhibitions and to an own initiative opinions on food waste, submitted to the EU Commission (*NAT/570 Prevention and reduction of food waste*)
- The Maltese Government is currently launching a Strategy on Sustainable Development with particular reference to Waste Management and Prevention of Food Waste.

Areas to be addressed:

A recent study on *The Environmental Impact of Food Waste and the Effects of Awareness Campaigns*, which included data and statistics from a global perspective, highlighted aspects such as the food wastage footprint, the carbon footprint, the water footprint and land use. The research highlighted the role of consumers and the need for more responsible consumption patterns. The study can serve as a basis for action to be taken

The Role of Agriculture in Malta and Waste Reduction is also being assessed. Developments of agriculture in Malta, its impact on the environment, health, food security, medicine, recreation, knowledge and traditions as well as aspects of waste to resource and how Malta is developing agri waste to agri riches, as part of our tradition also need to be assessed

The Role of Food Industrialised and Food Services for a Sustainable Strategy needs to involve all citizens as well as Government, social partners, producers and retailers to enable citizens to satisfy their basic needs and enjoy a better quality of life without compromising the life of future generations. Corporate Social Responsibility is essential to business contribution to sustainable development, which involves social, economic and environmental issues. Malta faces a number of challenges and there is urgent need for a National Sustainable Development Strategy.

The Challenges in Managing Food Waste and the importance of the process of recycling and reusing waste, including biogas plant works, home composting and how households can make better use of compost with more modern facilities need to be developed.

Education for All Ages: effective communication. There is the need to communicate, to organise and build a popular movement to put pressure on governments and businesses to change their ways “We have to transform our relationship with food, as a first step towards transforming political, economic and social policies. The personal and political are two sides of the same coin” (*Dana Gunders, staff scientist with Natural Resource Defense Fund.*)

Recommendations

At EU level

Given the urgency in dealing with the Issue of Food Waste, the Conference recommends

- **That the EESC Group Three Various Interests Group present to the European Commission a proposal to designate a European Year to the Prevention and Reduction of Food Waste**
- The EU Commission to draw up an informed and transparent framework to meet the increasing global demands without compromising sustainability
- That the EU Commission works in partnership with social partners and stakeholders for Sustainable European Food Consumption and Production

- The need for a definition and a Common EU methodology to quantify food losses and food waste
- Increase political will by setting agendas and goals
- Address the falling resources of food banks and the increasing demand for services.

At Member State level

- The inclusion of training on this topic in the curriculum and ongoing training for food service professionals as well as in establishments for packaging designers
- More effective communication with consumers on accurate data of the causes of waste
- The sharing of initiatives of best practices that have already been taken in various member States aimed at recovering locally unsold discarded products in order to distribute them to groups of citizens below the minimum income threshold
- Processors and retailers to develop guidelines to address avoidable food waste and to implement greater resource efficiency in their section of the food chain
- The need to communicate, to organise and build a popular movement to put pressure on governments and businesses to change their ways
- That retailers engage with food distribution programmes for citizens who lack purchasing power and to implement measures allowing products nearing expiry date to be discounted
- The need for more and clear information on Managing Food Stores and Planning with regards to Food Shelf Life which is often not understood
- Addressing habits of excess food buying
- **Prohibit the selling of 'junk food' near schools through adequate legislation**
- The need of encouraging Member States to address food waste in their National Waste Prevention Programmes. This can only be effectively done through the combined efforts of different stakeholders, farmers, the food industry, retailers, consumers and government with set targets and deadlines

Targets that have to be reached at National and EU level

- Phasing out landfilling by 2025 for recyclable (including plastics, paper, metals, glass and bio-waste) waste in non hazardous waste landfills – corresponding to a maximum landfilling rate of 25% - European Commission.
- Measures aimed at reducing food waste generation by 30 % by 2025- EU Commission Review of EU Waste Framework Directive 2008/98/EC, the Landfill Directive 1999/31/EU

7. Consumer Vulnerability in Business Practices

Justification

- The gradual erosion of the purchasing power of the middle classes - the real drivers of consumer society - and of all consumers in general, and the financial difficulties threatening the very survival of small and medium-sized enterprises, (SMEs) given the tight profit margins in the current business climate, have made it necessary to review standard commercial market practices.
- The negative effects of the market distortions caused by unfair practices have led to the emergence of consumers trapped by the financial situation they find themselves in unexpectedly, with the risk of falling victim to exclusion.
- Wage cuts have obliged people to change their consumer habits, so that they are able to adjust their household budget to their new spending capacity.
- Consumers who have become vulnerable due to unexpected economic developments also lack sufficient information on and protection of their financial interests in transactions carried out in market areas to which they are increasingly drawn by misleading advertising and information through the social media.
- The "digital divide" is thus widening the "social divide", because consumers are finding it harder to protect themselves against the risks arising from the effects of the economic crisis and the complexity of digital markets

General Recommendations

Measures should be adopted in the areas of prevention, protection, mitigation and recovery, including, as a minimum:

- ✓ ensuring more effective implementation of the single market rules, especially those concerning
 - product safety and market surveillance,
 - the Directive on unfair commercial practices and
 - the Regulation on cooperation between the Commission and consumer authorities;
- ✓ supporting, supplementing and supervising Member State policies in the area of consumer protection;
- ✓ monitoring the new barriers that have emerged, such as consumers falling victim to economic violence when concluding contracts
- ✓ provide consumer associations with adequate financial support, enabling them to carry out their duty to protect the rights of all consumers.
- ✓ the possibility of creating a fund using the amount of the penalties imposed in consumer issues for the development and implementation of policies for consumer protection,
- ✓ and in particular the implementation of measures of general interest of benefit to all consumers.
- ✓ adopt measures within their social protection systems to prevent the social exclusion of consumers and of all citizens, especially as regards access to and supply of basic essential services.
- ✓ Each Member State would, in accordance with its requirements, contribute to this end by preparing and implementing a "citizens' rescue plan" which would help to relaunch household economies and consumer purchasing power.

Business practices likely to undermine the protection of consumers unexpectedly as a result of the economic crisis

Recommendations

- ✓ Compliance with the standards that safeguard the health and safety of consumers and users should not be open to negotiation by suppliers;

- ✓ Through aggressive campaigns to educate the public, the competent authorities need to ensure
 - that the consumer is kept safe from any risk by the application of the precautionary principle, in the marketing of any products, goods or services that jeopardise their physical or mental well-being.
 - That the necessary measures are taken to prevent the undermining of their legitimate economic interests
 - That essential food needs are properly met when consumers are in situations of economic vulnerability as they also risk being seriously affected by a range of foodstuffs whose nutritional value is watered down to reflect the lower price.
 - That the deliberate use of terms and descriptions that mislead consumers about a product's characteristics in commercial promotions and discounts is to be discontinued.
 - The same also applies to misleading advertising, both in terms of marketing campaigns supposedly having an ethical purpose, encouraging people to make purchases on the basis of an emotional draw by suggesting they would be helping others, and in terms of misleading statements about the environment, the accuracy of which is hard to prove.
 - Monitoring is carried out on the marketing of generic or "own brand" products, which do not comply with the marketing requirements and standards in force
 - in the food sector, prohibit the proliferation of alternative marketing channels which escape administrative supervision, such as "food counterfeiting" using counterfeit basic products,
 - That measures and sanctions are in place to prohibit the illegal sale of food and the recirculation of discarded food for human consumption, etc.
 - The same applies to the sale of medicines without prescription, which are not "over the counter" products, and are manufactured without guarantees, fraudulently imitating original authorised medicines and posing serious health risks.
 - Concerning another aspect that has a particular impact on the health of financially vulnerable consumers, is the growing impact of energy poverty in regions where climatic features play a key role.
 - Finally, it would be beneficial to carry out studies and research on the factors that both underlie and increase the financial weakness of consumers.