

Consumer protection: Commission to strengthen systems to enforce consumer law

*Today the European Commission adopted a "consumer enforcement package" to strengthen the EU-wide enforcement of consumer rules. The package consists of: a **Communication** setting out five priority areas for action, and a **report on the first two years of application of the Consumer Protection Cooperation (CPC) Regulation**¹, which established an EU wide network of public authorities enforcing consumer rules in the Member States ("CPC Network"), for example, with EU wide investigations into websites selling airline ticket or ringtone subscriptions for children. Effective enforcement of consumer law is major priority for EU consumer policy - both in terms of ensuring that consumers feel the full benefits of their consumer rights in their daily lives, as well as establishing a level playing field for firms in a competitive single market.*

Consumer Commissioner Meglena Kuneva, said: "Enforcement matters, because it matters to every consumer that they can return a faulty product or have it repaired. It matters that a product ordered over the internet arrives on time, and it matters that consumers are not deceived by misleading adverts or ripped-off by fake lottery scams. Even the best consumer rights are no good if they only exist on paper – they must be enforced on the ground."

What does the package deliver?

The **Communication** explains the crucial role of effective enforcement of consumer protection rules for the overall success of consumer policy and the specific role of the Commission in the field, of enforcement. It further sets out **five priority areas where work needs to be done** to strengthen the enforcement in the EU as well as **specific actions** in each area:

- Strengthening cooperative frameworks such as the CPC Network (consumer co-operation network) and market surveillance systems for dangerous consumer products (RAPEX) - improving the use of the secure internet systems, providing training and further developing guidelines for Member State authorities.
- Strengthening the transparency of market surveillance and enforcement investigations
- Working to developing common understandings on the interpretation of EU consumer law as well as on questions on applicable law
- Strengthening market monitoring, in particular the evidence base to identify markets where enforcement actions may be necessary
- Stepping up international cooperation - though agreements with enforcement authorities in third countries (for example, US, China).

¹ Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws fully in force since 29 December 2006

The **Biennial Report** assesses the application the (CPC) Consumer Protection Cooperation Regulation in its first two years of operation. Under the CPC Regulation a new EU pan-European network of national enforcement authorities (CPC Network) was created in December 2006, for coordinated enforcement action against cross border breaches to consumer rules.

The Network sets up a mechanism of mutual assistance, mainly through requests for information and requests to take enforcement action. In its first two years of operations, the CPC Network activity has reached a total of 719 mutual assistance requests, of which 327 requests were created in 2007 and 392 in 2008.

The Network has also carried out for the first time **joint market surveillance and enforcement activities** for instance in the form of internet sweeps during which authorities check websites for compliance with legal requirements. In cases of irregularities appropriate follow up measures are taken to ensure compliance.

The first Biennial Report shows that the new CPC network is fulfilling its purpose, but it also indicates that more work is needed to strengthen the Network's efficiency and to further develop the administrative systems underpinning the cooperation between national enforcement authorities.

Further information on the consumer enforcement package is available at:

http://ec.europa.eu/commission_barroso/kuneva/index_en.htm

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