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1. Consumer policy institutions

1.1. MINISTRY RESPONSIBLE FOR CONSUMER POLICY

The Minister for the Economy, Industry and Employment, under whom the Secretary of State for Trade, Craft Industry, Small and Medium-sized Enterprises, Tourism, Services and Consumer Affairs is placed, is responsible for the development and implementation of consumer policy. The Minister for the Economy, Industry and Employment, in addition to her traditional economic and financial responsibilities, is responsible for defending and promoting employment and vocational training and exercises prerogatives relating to small and medium-sized enterprises, trade, crafts, the liberal professions, and tourism. She is responsible for industrial strategy and is involved in the development and implementation of agrifood and forestry policies.

- **Ministry for the Economy, Industry and Employment**

Address: 139 rue de Bercy, F- 75712 Paris Cedex 12

Website: <http://www.minefe.gouv.fr/>

The Minister is **Christine Lagarde**.

The Secretary of State for Trade, Craft Industry, Small and Medium-sized Enterprises, Tourism, Services and Consumer Affairs is **Hervé Novelli**.

The **Directorate-General for Competition, Consumer Affairs and Fraud Repression (DGCCRF)** implements government consumer policy. Its tasks and powers can be consulted at: www.dgccrf.bercy.gouv.fr/

The DGCCRF works, when needed, with other authorities whose work has a significant impact on consumer protection, in particular:

- the Ministry of Justice: www.justice.gouv.fr/
- the Ministry of Agriculture and Fisheries: www.agriculture.gouv.fr/
- the Ministry of Health, Youth and Sports: www.sante.gouv.fr/
- the Ministry of Sustainable Development: www.environnement.gouv.fr/

There are also **independent administrative authorities** whose work can have a direct impact on consumer policy:

- The **Competition Authority** uses its expertise in the markets' functioning and analysis to control anti-competitive practices such as cartels and abuse of dominant positions and to monitor merger operations. Its mission is to monitor the well functioning of the market economy for the benefit of consumers. It intervenes in the framework of the national and European legislation and gives its support to the European competition authority.

Website: www.autoritedelaconcurrence.fr

- The **Financial Markets Watchdog (AMF)**, whose role is to ensure:
 - that savings invested in financial instruments and any other investment giving rise to a public call for savings are protected;
 - that investors are properly informed;
 - that the financial markets operate properly.

It promotes the regulation of these markets at European and international levels.

Website: www.amf-france.org/

- The **Electronic Communications and Postal Services Watchdog** (ARCEP).
Website: www.arcep.fr/
- The **Insurance and Mutual Societies Watchdog** (ACAM), responsible for ensuring that French insurance companies, subsidiaries of non-Community insurance companies, mutual societies governed by the Mutual Societies Code, provident societies governed by the Social Security Code, top-up pension funds governed by the same Code and bodies governed by Article L. 727-2 of the Rural Code all comply with the applicable laws and regulations as well as their contractual obligations with their policyholders/members.
Website: www.ccamip.fr/info/00
- The **National IT and Freedoms Watchdog** (CNIL), responsible mainly for protecting privacy and individual or public freedoms.
Website: <http://www.cnil.fr/index.php?id=67>
- The **Energy Watchdog** (CRE), which contributes, to the benefit of end consumers, to the smooth operation of the electricity and natural gas markets. It ensures, in particular, that the conditions of access to the electricity and natural gas networks do not hinder the development of competition;
Website: www.cre.fr/
- The **Consumer Safety Watchdog** whose task is to:
 - issue opinions (more than 380 to date) for the public authorities, professionals and consumers, on all types of products and services posing a safety risk;
 - inform the public by means of press releases, awareness-raising campaigns, prevention factsheets, a newsletter, an annual report and a website;
 - record accidents and hazards in everyday life.
 Website: www.securiteconso.org/
- The **Health Watchdog** (HAS) is responsible for:
 - assessing scientifically the therapeutic benefits of medicines, medical devices and medical activities and proposing or not that their cost be reimbursed by the health insurance funds;
 - promoting best practices among healthcare professionals and patients;
 - improving the quality of care in treatment institutions and out-patient care;
 - supervising the quality of disseminated medical information;
 - providing information to healthcare professionals and the general public and improving the quality of medical information;
 - developing coordination and collaboration with those operating in healthcare in France and abroad.
 Website: www.has-sante.fr/

1.2. PUBLIC AGENCIES

Directives	Public Enforcement Agencies
Directive 84/450/EEC (misleading advertising) Directive 85/577/EEC (doorstep selling) Directive 90/314/EEC (package travel) Directive 93/13/EEC (unfair contract terms) Directive 97/7/EC (distance selling) Directive 97/55/EC (comparative advertising) Directive 98/6/EC (price indication) Directive 2002/65/EC (distance marketing of financial services) Directive 2005/79/EC (unfair commercial practices) Directive 2008/48/EC (consumer credit) Directive 2008/122/EC (timeshare, long-term holiday products, resale and exchange contracts)	DGCCRF (Directorate-General for Competition, Consumer Affairs and Fraud Repression) Address: 59, boulevard Vincent Auriol, F-75703 Paris CEDEX 13 Tel: +33 1 44 87 17 17 Website: www.dgccrf.bercy.gouv.fr/

There are also a number of **specialist agencies** operating in consumer protection:

- **The French Food Safety Agency (AFSSA)**
Address: AFFSSA, DERNS/Documentation, 27-31 av Général Leclerc, F-94701 Maisons-Alfort cedex
Documentation service
Tel: +33 1 49 77 38 20
Fax: +33 1 49 77 26 13
E-mail: a.jonquieres@afssa.fr
Information and Communication Directorate
Tel: +33 1 49 77 26 02
Fax : +33 1 49 77 26 12
E-mail for requests for documents: wb.internet@afssa.fr / d.marette@afssa.fr
Website: <http://www.afssa.fr/>

Public sector body created in 1999, the AFSSA has three main tasks:

- to assess the nutritional and health risks of food intended for human beings or animals, in terms of their nutritional, water-related, biological or physical/chemical aspects;
- research and scientific support, in particular in the area of animal health and zootropic diseases;
- assessing and managing licences for the placing on the market of veterinary medicines.

AFSSA's Information and Communication Directorate publicises and exploits the Agency's work (opinions, reports, minutes, summaries, etc.). It edits the publications and disseminates

them on the website (www.afssa.fr) and at the various exhibitions and public meetings in which AFSSA participates.

To request documents: wb.internet@afssa.fr / d.marette@afssa.fr

Access to documents indicated in the document database.

All AFSSA documents are available free at www.afssa.fr

A paper version can be requested free-of-charge from the Information and Communication Directorate.

It is also possible to subscribe to AFSSA's epidemiological bulletin.

- **The French Agency for the Safety of Health Products (AFSSAPS)**

Address: 143-147 boulevard Anatole France, F-93285 Saint-Denis Cedex

Tel: +33 1 55 87 30 00

Website: <http://afssaps.sante.fr>

Set up in March 1999, AFSSAPS not only inherited the competences of the former Medicines Agency but was also delegated a task extended to include monitoring the effectiveness, quality and proper use of all health products. It is competent for all health products intended for human beings: medicines and raw materials, medical devices, medical devices for in vitro diagnostics, biological products of human origin (labile blood products, organs, tissue, cells, gene and cell therapy products), supplementary treatment products, cosmetics, etc.

AFSSAPS assesses the safety of use, effectiveness and quality of health products and monitors any undesirable effects or events connected to their use.

It carries out laboratory monitoring activities and inspections of production and research sites.

Lastly, it performs information activities targeting healthcare professionals and the public in order to improve the use of health products.

Its competence extends to all health products intended for human beings.

1.3. NATIONAL CONSUMER ORGANISATIONS

- **Union Fédérale des Consommateurs (UFC - Que Choisir, Federal Union of Consumers)**

Address: 11 rue Guénot, F-75011 Paris

Tel: +33 1 43 48 55 48

Fax: +33 1 43 48 44 35

E-mail: quechoisir@quechoisir.org

Website: www.quechoisir.org

- **Confédération de la Consommation, du Logement et du Cadre de Vie (CLCV – Confederation for Consumer Affairs, Housing and Quality of Life)**

Address: 13 rue Niepce, F-75014 Paris

Tel: +33 1 56 54 32 10

Fax: +33 1 43 20 72 02 /56 54 32 22

E-mail: clcv@clcv.org

Website: www.clcv.org

- **Adéic (Association de défense, d'éducation et d'information du consommateur – Association for Consumer Protection, Education and Information)**
Address: 3 rue de la Rochefoucauld, F-75009 Paris
Tel: +33 1 44 53 73 93
Fax: +33 1 44 53 73 94
E-mail: adeicfen@wanadoo.fr
- **Association Force Ouvrière Consommateurs (AFOC – Workers' Force Consumers' Association)**
Address: 141 avenue du Maine, F-75014 Paris
Tel: +33 1 40 52 85 85
Fax: +33 1 40 52 85 86
E-mail: afoc@wanadoo.fr
Website: www.foconsommateurs.net
- **Association Études et Consommation (ASSECO- CFDT – Surveys and Consumer Association)**
Address: 4 boulevard de la Villette, F-75955 Paris Cedex 19
Tel: +33 1 42 03 83 50
Fax: +33 1 42 03 83 48
E-mail: asseco-cfdt@wanadoo.fr
Website: www.cfdt.fr
- **Association Léo Lagrange pour la Défense des Consommateurs (ALLDC – Léo Lagrange Consumer Protection Association)**
Address: 153 avenue Jean Lolive, F-93695 Pantin Cedex
Tel: +33 1 48 10 65 82
Fax: +33 1 48 10 65 71
E-mail: leo.lagrange.consom@wanadoo.fr
Website: www.leolagrange-conso.org
- **Confédération Générale du Logement (CGL – General Housing Confederation)**
Address: 6-8 Villa Gagliardini, F-75020 Paris
Tel: +33 1 40 31 90 22
Fax: +33 1 40 31 92 74
- **Confédération Nationale du Logement (CNL - National Housing Confederation)**
Address: 8 rue Mériel, BP 119, F-93104 Montreuil Cedex
Tel: +33 1 48 57 04 64
Fax: +33 1 48 57 28 16
- **Confédération Nationale des Assoc. Familiales Catholiques (CNAFC - National Confederation of Catholic Family Associations)**
Address: 28 place St Georges, F-75009 Paris
Tel: +33 1 48 78 81 61
Fax: +33 1 48 78 07 35
E-mail: cnafc@afc-france.org
Website: www.afc-france.org

- **Confédération Syndicale des Familles (CSF – Family Trade Union Confederation)**
Address: 53 rue Riquet, F-75019 Paris
Tel: +33 1 44 89 86 80
Fax: +33 1 40 35 29 52
E-mail: C.S.F.@wanadoo.fr
Website: www.csfriquet.org
- **Conseil National des Associations Familiales Laïques (CNAFAL – National Council of Secular Family Associations)**
Address: 108-110 avenue Ledru-Rollin, F-75011 Paris
Tel: +33 1 45 82 48 93
Fax: +33 1 45 82 28 06
E-mail: cdafal75@libertysurf.fr
Website: www.cnafal.com
- **Familles de France (FF – Families of France)**
Address: 28 place St Georges, F-75009 Paris
Tel: +33 1 45 96 07 88 / 44 53 45 90
Fax: +33 1 44 53 45 90 / 46 37 14 76
E-mail: famillesdefrance@wanadoo.fr
- **Familles Rurales (FR – Rural Families)**
Address: 7 cité d'Antin, F-75009 Paris
Tel: +33 1 44 91 88 88
Fax: +33 1 44 91 88 89
E-mail: famillesrurales@wanadoo.fr
- **Association pour l'Information et la Défense des Consommateurs Salariés (INDECOSA-CGT – Association for the Information and Protection of Working Consumers)**
Address: 263 rue de Paris "case 2-2", F-93516 Montreuil Cedex
Tel: +33 1 48 18 84 26
Fax: +33 1 48 18 84 82
E-mail: indecosa@cgt.fr
Website: www.cgt.fr/indecosa
- **Organisation Générale des Consommateurs (ORGECO – General Organisation of Consumers)**
Address: 16 avenue du Château, F-94300 Vincennes
Tel: +33 1 49 57 93 00
Fax: +33 1 43 65 33 76
E-mail: orgeco@wanadoo.fr
Website: www.orgeco.free.fr
- **Union Féminine Civique et Sociale (UFCS – Civil and Social Women's Union)**
Address: 6 rue Béranger, F-75003 Paris
Tel: +33 1 44 54 50 54
Fax: +33 1 44 54 50 66
E-mail: ufcs-conso@wanadoo.fr
Website: www.ufcs.org

- **Union Nationale des Associations Familiales (UNAF – National Union of Family Associations)**
Address: 28 place St Georges, F-75009 Paris
Tel: +33 1 49 95 36 00
Fax: +33 1 40 16 12 76 / 49 95 36 44
E-mail: afcfrance@compuserve.com
- **Fédération Nationale des Associations d'Usagers des Transports (FNAUT – National Federation of Transport Users' Associations)**
Address: 32 rue Raymond Losserand, F-75014 Paris
Tel: +33 1 43 35 02 83
Fax: +33 1 43 35 14 06
E-mail: contact@fnaut.org
Website: www.fnaut.asso.fr

1.4. NATIONAL COUNCILS/ASSEMBLIES OF CONSUMER ORGANISATIONS AND OTHER STAKEHOLDERS

Created in 1983 and chaired by the Minister responsible for Consumer Affairs, the **National Consumer Council (CNC)** aims to allow confrontation and dialogue between the collective interests of consumers and users and the representatives of suppliers, the public services and the authorities responsible for consumer issues (Article D.511-1 of the Consumer Code).

Contact information:

Website: <http://www.minefi.gouv.fr/conseilnationalconsommation/>

1.5. CONSUMER MEDIA

- 60 MILLIONS DE CONSOMMATEURS ("60 Million Consumers", monthly magazine published by the INC)
- QUE CHOISIR ("What to choose?", monthly magazine published by the consumer association UFC QUE CHOISIR)

1.6. REDRESS BODIES: COURTS AND ADRS

- **Bodies coming under the judicial system**, some of which provide citizen consumers with simple, rapid, flexible and reasonably priced procedures: in particular the district courts, justice conciliators and neighbourhood judges, more information about which can be found at www.justice.gouv.fr/index.php?rubrique=10031&ssrubrique=10033.

The website of the Ministry of Justice informs citizens about their rights: www.vos-droits.justice.gouv.fr/.

- **At the initiative of the DGCCRF, consumer dispute settlement committees (CRLCs):**
 - CRLC d'Ille et Vilaine
Address: BP 531, F-35006 Rennes
 - CRLC des Pyrénées Orientales
Address: 44 rue de la Fusterie, F-66987 Perpignan

- **List of ombudsmen communicated to the European Commission and participating in the network of European Consumer Centres (ECC):**
 - **Le Médiateur de la République (Ombudsman of the Republic)**
Address: 7 rue Saint-Florentin, F-75008 Paris
Tel: +33 1 55 35 24 24
Fax: +33 1 55 35 24 25
Website: www.mediateur-republique.fr
 - **Le Médiateur du ministère de l'Économie, de l'Industrie et de l'Emploi (Ombudsman of the Ministry for the Economy, Industry and Employment)**
Address: Télédéc 215, 139 rue de Bercy, F-75572 Paris Cedex 12
Tel: +33 1 53 18 7980
Fax: +33 1 53 18 97 55
E-mail: mediateur@finances.gouv.fr
Website: <http://www.minefi.gouv.fr> Online contact form (ombudsman), headings mediation or ombudsman
 - **Médiation d'Electricité de France (Ombudsman of *Electricité de France*)**
Address: TSA 50026, F-75804 Paris Cedex 08
Tel: +33 1 40 42 23 35
Fax: +33 1 40 42 10 03
Internet: www.mediateur.edf.fr
 - **Médiateur de Gaz de France (Ombudsman of *Gaz de France*)**
Address: TSA 90015, F-75837 Paris Cedex 17
Tel: +33 1 47 54 36 44
Fax: +33 1 47 54 74 61
Website: www.gazdefrance.com
 - **Médiation de la ville de Paris (Ombudsman of the City of Paris)**
Address: 9 place de l'Hôtel de Ville, F-75196 Paris RP
Tel: + 33 1 42 76 58 69
Fax: + 33 1 42 76 56 30
Website: www.paris.fr
 - **Médiateur du Groupe La Poste (Ombudsman of *La Poste*)**
Address: 44 boulevard de Vaugirard, F 407, F-75757 Paris Cedex 15
Tel: +33 1 55 44 02 61 or +33 1 55 44 02 66
Fax: +33 1 55 44 02 43
E-mail address to be created
 - **Médiateurdunet.fr (Internet ombudsman)**
Address: 6 rue Déodat de Séverac, F-75017 Paris
Tel: +33 1 44 01 38 00
Fax: +33 1 44 01 38 19
E-mail: contact@mediateurdunet.fr
Website: <http://www.foruminternet.org>

- **Médiateur de la SNCF (Ombudsman of the French railway company)**
Address: 66 rue de Rome, F-75008 Paris
Tel: +33 1 53 25 38 08
Fax: +33 1 53 25 38 19

- **Médiateur de la RATP (Ombudsman of the Paris public transport company)**
Address: 54 quai de la Rapée, F-75599 Paris Cedex 12
Tel: +33 1 58 78 36 46
Fax: +33 1 58 76 45 05

- **La Commission Paritaire de la Vente Directe (Joint Committee for Direct Selling)**
Address: 100 avenue du Président Kennedy, F-75016 Paris
Tel: 33 1 42 15 30 00
Fax: 33 1 42 15 30 90
E-mail: info@fvd.fr
Website: www.fvd.fr

- **Le médiateur de la Téléphonie (Ombudsman for Telephony)**
Address: BP 999, F-75829 Paris Cedex 17
Website: www.mediateur-telecom.fr

- **Le Médiateur de la Fédération Française des Sociétés d'Assurances (FFSA – French Federation of Insurance Companies)**
Address: BP 290 F- 75425 Paris Cedex 09
Tel: +33 1 45 23 40 71
Fax: +33 1 45 23 27 15
E-mail: le.mediateur@mediation-assurance.org

1.7. EUROPEAN CONSUMER CENTRE

European Consumer Centre

Address: Bahnhofplatz 3, D-77694 Kehl

Tel: +49 78 51 991 48 0

Fax: +49 78 51 991 48 11

E-mail: info@euroinfo-kehl.eu

Website: www.euroinfo-kehl.eu

1.8. SELF-REGULATION OR CO-REGULATION

All the administrations, as part of their tasks, participate in the development of self-regulation for economic operators and the promotion of co-regulation with citizen consumers and the associations representing them (see their websites).

Some of the above-mentioned independent administrative authorities also participate in co-regulation with market players and consumer representatives.

In the area of consumer affairs more specifically, the advertising industry has, for many years now, set up self-regulation and co-regulation mechanisms, in particular in the framework of the Professional Regulation Authority of Advertising, the ARPP: www.arpp-pub.org

Various large-scale providers of services of general interest (e.g. the SNCF, RATP, EdF and GdF) and highly structured economic sectors (in particular the banks and insurance companies) regularly hold consultations with the consumer associations, run working groups in conjunction with civil society and involve consumer representatives in improving the quality of their services.

The *Forum des Droits sur l'Internet* (of which the Internet Ombudsman is a member), responsible for civility and good behaviour in the use of the Internet, promotes self-regulation for operators and co-regulation with the public authorities: www.foruminternet.org

2. Consumer policies

2.1. CONSUMER PROTECTION LEGISLATION

The main body of legislation is the Consumer Code, which is supplemented by many sector-specific texts. The Consumer Code is composed of five parts: consumer information and the conclusion of contracts; the conformity and safety of products and services; credit and indebtedness; consumer associations; consumer-related institutions. All these texts are currently being consolidated. The Consumer Code is available at the *Légifrance* site:

www.legifrance.gouv.fr/WAspad/UnCode?code=CCONSOML.rcv

2.2. CONSUMER ORGANISATIONS

The Consumer Code defines the conditions under which consumer organisations can be nationally identified as such (Article L. 411-1, Article R.411-1 et seq.). This approval allows the organisation to act in defence of consumers' general interests. Granted by decree by both the Ministry responsible for consumer issues and the Ministry of Justice, this approval is the act of recognition of the consumer organisation at national level.

In order to be approved nationally, the organisation must satisfy certain conditions relating to its activity (at least one year of operation and its effective and public activity in defence of consumers' interests) and the minimum number of members (at least 10 000). In addition, the organisation must be independent of any professional activity.

The consumer organisations receive public funding. The amount of money is decided by the DGCCRF, under the authority of the Ministry for the Economy, Industry and Employment.

In addition to the funds necessary to carry out their basic activities, consumer organisations can also receive funding for specific actions previously decided in agreement with the Ministry.

A total of 18 nationally approved consumer associations (mentioned above) are entitled to prosecute infringements before the courts (see below).

2.3. ENFORCEMENT/REDRESS

- **The DGCCRF**, as the supervisory authority, has powers granted to it by law: it identifies contraventions of the Consumer Code and draws up reports to be sent to the public prosecutor, who decides whether or not to pursue the case. In line with Community law, in particular Regulation 2006/2004/EC of 27 October 2004 on consumer protection cooperation, the DGCCRF has been given powers of injunction, suspension and settlement.
- The legal system offers citizen consumers **various procedures geared to small valued claims** and supported by legal or regulatory texts: simplified submission by declaration to the clerk of the district court and a cease-and-desist injunction before the district court (a procedure which is completely free of charge and does not require representation by a lawyer). A network of neighbourhood judges, who can rule on everyday disputes of a value not exceeding 1 500 euros, was created and in 2002. Criminal mediation is another possibility, which may be implemented at the court's initiative.
- **The Consumer Complaints Board (CRLC)**
The CRLC receives, with a view to achieving a negotiated settlement, complaints arising from the sale of goods or the provision of services by businesses to natural persons for their private use. The CRLC looks at complaints not falling explicitly within the remit of any other specialised conciliation body because of the nature of the dispute or the area of activity concerned. The competent CRLC is that located in the *département* where the consumer is resident. For each complaint received, the chairman appoints a rapporteur, whose task is to try to bring about an out-of-court settlement between the parties within a period of two months. If the rapporteur is unable to propose a settlement, or the settlement is only partial, the CRLC then proposes a final attempt at conciliation. If this is unsuccessful, the CRLC informs the parties that a record of their failure to reach agreement may be sent to them by the secretariat on request. If necessary, the CRLC informs the parties that they are entitled to institute legal proceedings, and provides them with any information that may be of use. This information may also be provided in the event of only a partial settlement being reached.
- The French authorities (DGCCRF) have conducted activities within the framework of the National Consumer Council **to promote alternatives for the amicable settlement of disputes, in particular mediation.**

Two working groups of the National Consumer Council (CNC), on mediation and alternative dispute settlement, met in 2003-2004 and 2006-2007, with the main objective of defining criteria for good mediation practice. In 2003-2004, the work consisted of cross-referencing France's mediation charters and good practices with the Community recommendations of 1998 and 2001 so as to produce a corpus of EU-compatible rules applicable to mediators in consumer disputes.

The opinion of 2004 led to certain public-sector ombudsmen (including the *Médiateur de la République* and the ombudsman of the Ministry for the Economy, Industry and Employment) being communicated to the European Commission (Directorate General for Health and Consumers) to participate in the network of European Consumer Centres, the task of which is to support and advise citizen consumers in the EU who have a dispute with an economic operator in another Member State. The European Consumer Centres are responsible for pointing consumers in the direction of the most suitable mediator for the amicable settlement of their

dispute. See the fact sheets on the Europa site.

http://ec.europa.eu/consumers/redress_cons/index_en.htm#ecc-net

In 2006-2007, the opinion of 2004 was entirely overhauled to:

- lay down a definition of consumer mediation,
- define guidelines for mediation meeting certain ethical criteria,
- draw up a leaflet for the general public to encourage consumers to use mediation to resolve their disputes,
- help economic operators wishing to develop a mediation process by providing an implementation guide (what are the essential steps for developing mediation? What are the obstacles to be avoided?).

As a follow-up to the transposition of Directive 2008/52/EC of 21 May 2008 on certain aspects of mediation in civil and commercial matters, reflections on mediation in consumer disputes are being led by the DGCCRF.

- As regards **Collective actions**, France does not yet have any provision for group action as such. The closest procedure that exists in the French system is the joint action (*action en représentation conjointe*) but it does not have all the characteristics of usual collective actions. Reflections are being carried out at national level on the issue of collective actions.

Currently, four types of action are available to approved consumer associations under French law:

- 1) **civil actions** concerning matters constituting a criminal offence harming the collective interests of consumers which may be introduced by the main plaintiff before the criminal or civil courts, in accordance with common law;
- 2) the **right to intervene** as a secondary plaintiff before the civil courts in the context of a claim for damages introduced by a consumer who has fallen victim to an act which does not constitute a criminal offence;
- 3) an **action as the main plaintiff** before the civil courts for the annulment of unfair clauses;
- 4) a **joint action**: when several consumers suffered individual damage having the same origin and caused by the same professional, any authorized and nationally recognized association can be given mandate by at least two of those consumers to claim damages before the Courts in the name of the affected consumers. The conditions are that those consumers are *identified* and that the damages are *individual*. The joint action can be exercised before any civil or administrative Court.

These four types of action do not rule out amicable dispute resolution procedures.

There is one further type of action: injunctions (by transposition of the Directive of 1998), suitable mainly for crossborder cases.

The Directive of 1998 approximates the laws, regulations and administrative provisions of the Member States in order to permit injunctions to stop practices which are illegal under the relevant Community directives, with the exception of the country where the illicit action has had its impact. It was transposed in France in Article L. 421-6 of the Consumer Code by Article 20 of ordinance No 2001-741 of 23 August 2001.

France thus recognised the right of all approved consumer organisations and bodies of other Member States which could provide evidence of their inclusion on the list published in the

Official Journal of the European Communities, pursuant to Article 4 of the Directive, to bring a case before the civil courts for an injunction to stop an activity which is illegal under the provisions transposing the directives mentioned in Article 1 of the Directive.

Article L. 421-6 of the Consumer Code states that 'the court may, on these grounds, order, if necessary on pain of a penalty, the annulment of an illicit or unfair clause in any contract or any type of contract offered to or intended for consumers'.

Consequently, unfair clauses, with regard to the area of injunctions, may be annulled in any contract offered to consumers, even if the unfair nature of the contract originates in Member State 'A' and produces its effects in a different Member State 'B'.

Lastly, by ordinance of 1 September 2005, the DGCCRF was delegated powers to seek injunctions, in accordance with the Directive.

2.4. INFORMATION AND EDUCATION

- **The website of the DGCCRF** includes many practical information and educational sheets for consumers on various aspects of daily life. Just google "DGCCRF fliers".
- **As far as young people are concerned** (minors of school age), the concept of consumer education was defined in an opinion of the *Conseil national de la consommation* of 2000 (see www.conseilconsommation.minefi.gouv.fr): to train the mind, develop the intellect, teach certain principles to young people so that they can satisfy their needs in the best way, using the goods and services on offer.

The main objective of the activities offered by the public authorities and socio-economic partners, in particular the associations, is to empower citizen consumers to make informed choices so as to facilitate their integration as responsible consumers in society and in the market. Education within and provided by the family is particularly important, as the family is the basic element of society, within which family members can step back and exchange knowledge and experiences on a daily basis.

- **The world of business** also provides consumer education based on the guiding principle that the value of a product is largely the result of the consumption experience.
- Consumer education is defined in certain memos of the **Ministry of National Education** with a view to introducing consumer education in school curricula.
- **Other administrations**, such as the Ministry of Youth and Sports, the Ministry of the Interior and Planning, the Ministry of the Environment and the Ministry of Agriculture (in particular, agricultural education), are concerned with consumer education and offer training for young consumers in areas of interest to them (see their websites).

There are as many contexts for the development of consumer education as there are relevant administrations.

For example (non-exhaustive list):

In the context of combating obesity and the associated diseases, as well as limiting the alcohol consumption of young people, the Ministry of Health, the French Food Safety Agency and the Road

Safety Agency implement information and prevention activities by way of information campaigns and on their websites.

The Ministry of Justice provides information on its website to members of the general public on their rights. Factsheets on the jurisdictions and procedures to follow can be found at: www.vos-droits.justice.gouv.fr

Another link provides information on out-of-court settlements: <http://vosdroits.service-public.fr/particuliers/N274.xhtml?&n=Justice&l=N14&n=Saisine%20de%20la%20justice&l=N271>

More specifically, in the field of consumer affairs, the Service-public.fr site: <http://vosdroits.service-public.fr/particuliers/N10001.xhtml>.

Other resources can be found by googling “consumer education” or “consumer studies”. Many sites appear, containing some innovative projects.

You can consult the site of the *Centre National de Documentation Pédagogique* (CNDP – National centre for educational documentation, www.cndp.fr) and the resources offered by the various French administrations intended for particular target groups (as a rule, in line with their tasks and activities).

2.5. INFORMATION GATHERING/RESEARCH

The site of the *Institut national de la consommation* has some interesting practical initiatives: www.conso.net.

Crédoc is a research centre for the study and observation of living conditions (website: www.credoc.fr).

Other sources include the websites of the above-mentioned consumer associations, which initiate and implement projects to promote consumer education and information.