

CONSUMER MARKETS EXPERT GROUP

24 January 2013

All presentations given during the meeting are available on the CIRCA-BC website of the CMEG group - <https://circabc.europa.eu/w/browse/88c50453-d03f-4275-a3bc-075a4488ca1a>

1. **10:00-10:10** Opening of the meeting and approval of the minutes from the previous meeting
2. **10:10-10:30** Update of CMEG rules of establishment
3. **10:30-11:30** Country updates (incl. Italian presentation of Prices and Tariffs Observatory)
4. **11:30-12:20** Findings of the latest Eurobarometer surveys of consumers and retailers
5. **12:20-12:30** State of play on the harmonised complaints recommendation
6. **12:30-14:00** Lunch break
7. **14:00-14:30** Update on the behavioural economics research
8. **14:40-15:40** Update on finalised/on-going market studies:
 - a) Internet service provision
 - b) Consumer vulnerability
 - c) Voluntary food labelling schemes
 - d) Voluntary origin labelling of food
9. **15:30-15:50** SANCO Multi-Stakeholder Dialogue on Environmental Claims
10. **15:50-16:10** SANCO Multi-Stakeholder Dialogue on Comparison Tools
11. **16:10-16:40** Findings of the latest sweep investigations (consumer credit; digital contents)
12. **16:40-17:00** Conclusion of the meeting and date of next meeting

Point 1: Opening of the meeting

DG SANCO (Dan Dionisie, Head of Consumer Markets Unit, B1) presented the main points on the agenda and the minutes of the November CMEG meeting, which were approved and no comments added.

Point 2: Update of CMEG rules of establishment

DG SANCO (Dan Dionisie) informed about the tasks, the membership and the operation of the Group.

Tasks

The primary task of the Group is to assist and advise DG SANCO in carrying out the monitoring of consumer outcomes in the EU and EEA, in tracking the progress of the Internal Market integration from a consumer perspective and in benchmarking the national consumer environments. It may be contacted by DG SANCO on all issues relating to Consumer Scoreboards, in-depth market studies and behavioural economics research.

Membership

The Group shall be composed of national authorities, who nominate their representatives and alternates (the latter replace representatives who are unavailable). The names of national authorities may be published in the Register of Commission expert groups and other similar entities, for transparency and information purposes. Personal data shall be collected, processed and published in accordance with Regulation (EC) No 45/2001. Representatives remain in office until replaced at the request of national authority or DG SANCO.

Operation

The Group shall be chaired by a representative of DG SANCO. In agreement with DG SANCO, the Group may set up sub-groups to examine specific questions on the basis of terms of reference defined by the Group.

DG SANCO may invite experts from outside the Group with specific competence in a subject on the agenda to participate in the work of the Group or sub-groups on an ad hoc basis. In addition, DG SANCO may give observer status to individuals, organisations as defined in Rule 8(3) of the horizontal rules on expert groups, and candidate countries.

All relevant documents (such as agendas, minutes and participants' submissions) will be made available, either in the Register of Commission expert groups and other similar entities or via a link from the Register to a dedicated website, where information can be found.

DG SANCO's proposal was adopted with minor amendments.

Point 3: Country updates

Italy

The Italian Ministry of Economic Development gave a presentation on the work done by the price observatory in Italy. The observatory developed a new website with a separate section on vehicle fuel prices and a new consumer watchdog named 'Mr Price'. The aim is to supervise prices dynamics and highlight mechanisms of prices formation along the supply chain. The data available concern a basket of 137 monthly prices of goods and services in 58 Italian cities collected by Istat (the national institute of Statistics), 200 weekly wholesale prices of fruit and vegetables in 10 Italian and European markets provided by infoMercati and other sources (EC, Eurostat, ISMEA etc.). Prices and tariffs are available to consumers on-line at www.osservaprezzi.mise.gov.it. In particular, fuel prices monitoring ("Osservaprezzi Carburanti") requires the registration of the fuel pump manager to easily communicate the prices to the Ministry, and once the data are available on the website the consumer can look for the cheapest fuel price. The communication is mandatory since 2011 for pumps along the motorways and since October 2012 it has been extended to all Italian fuel retailers (22.000 in Italy). Statistical reports available are about the geographical dispersion of prices, allowing to check for price manipulation. No evaluation has been done so far to assess the impact on consumer price, competition or consumer behaviour.

Ensuing questions and general comments

France equally has a system of monthly price observation for commodities and food prices.

The issue related to the data collection is that there is price variation among different types of distribution networks (supermarket, hypermarket or discount) or brand (national brand products, discounted products etc.).

France has as well an official, governmental website offering a complete and up-to-date database of fuel prices at any gas station in the country (<http://www.prix-carburants.gouv.fr>). Attention is devoted to monitoring the evolution of profit margins.

Collecting data related to different distribution networks was considered in Italy a few years ago, but was dismissed for cost reasons.

To the question of whether the provision of public data may increase collusion between competitors in the fuel market raising the price of fuels, Italy replied that this seems unlikely, the measure can rather help alerting about such attempts.

One delegate argued that the weekly price should not be the real measure of the market price, since retailers are changing prices very frequently, with the result that the weekly price can appear to go down even when large price differentials are applied during the day. Italy replied that operators to notify price increases immediately and price decreases up to 7 days after their coming into effect.

The Portuguese price indicator directive states the compulsory price notification from fuel stations in order to provide information to consumers. In addition, on the motorways, the solution implemented for the information provision to consumers was to post prices on a tab 8 km before the next station

jointly with the price set by the following two stations. The purpose was to enable consumers to choose the best price and compare prices during the journey, despite the little variation in the fuel prices along the motorway, the fuel on the motorways remains more expensive than outside the motorway. A recent development is the growing sales of unbranded fuel at lower prices than those set by the major petrol stations.

In Italy the higher price set by motorway stations is due to the fact that they have to pay a fee to install their pumps on the motorway. The consumers are aware of the higher price and prefer to refill outside, for example at unbranded petrol stations. This had led to a crisis in the motorway market, with half of the 470 motorway stations facing serious troubles.

A recent study conducted by a Portuguese consumer association found no difference between branded and unbranded fuel on the performance and health of vehicles. Further investigation is on-going.

France

Draft legislation to protect consumers in the credit market and prevent over-indebtedness will be presented to the parliament in spring. The draft proposes giving to financial institutions all the information on the overall credit taken from banks by the same household.

A price observatory of the French Ministry of Economy and Finance (<http://www.economie.gouv.fr/dgccrf/concurrence/Observatoire-des-prix-et-des-marges>) is providing public data on prices and profit margins on a dedicated website. The panel contains monthly data and an annual price index based on 50000 prices collected from 600 hypermarkets in France.

An economic study is ongoing on the link between competition and consumer protection.

Norway

Norway is focusing on 5 markets from the Consumer Markets Scoreboard: 1. House market (which scores low in the Scoreboard both in Norway and in the EU), to investigate the impact of the recently introduced option to sell a house without the participation of a broker in the transaction (2 reports are available on this topic); 2. Credit loan market, which scored high in Norway in the 2012 Scoreboard, probably due to the fact that it is relatively easy to get a loan, which may be linked to high indebtedness among young people (a study will be presented next month); 3. Investment products market, which scored low in the Scoreboard both in Norway and in the EU; 4. Plumbing services market; 5. Taxi services market, due to lack of price transparency.

Sweden

Three assessments by the Government are ongoing:

1. The form and function of consumer support in Sweden has been assessed. The consultation process has been completed and the government is now processing the results. The aim is to initiate the implementation of desired changes of the system for consumer support by the end of 2014.
2. A public assessment of over-indebtedness has been initiated. The objective is to form a strategy based on an analysis of the causes and consequences of over-indebtedness.
3. A public assessment of financial advice has been initiated. The objective is to look at how consumer protection is functioning from a legal perspective in the situation when the same person is providing financial advice and selling products at the same time.

On-going/recently finalised studies carried out by the Consumer Agency:

- Annual consumer survey on 53 selected markets analysing consumer conditions/experiences and providing aggregate indexes. The study is based on an internet panel survey and will be reported to the Swedish government April 2013.
- The Swedish consumer agency has also finished a study on house maintenance services. It found that 7% of respondents are dissatisfied with services provided for the following main reasons: lack of timeliness, poor quality and a higher price than expected. The survey also stresses the importance of good relations with the service provider in order to get the service that was expected.

- A literature review on studies of the market for long term financial services has just been finalised. Based on the results from this study, a number of in-depth studies on financial services will be conducted during this year.

Belgium

A campaign on energy prices was launched in 2012 to encourage price comparison and group purchases at the initiative of consumer organisations (Test-Achats, Greenpeace). As a result, many consumers changed suppliers for the first time. Future work will focus on facilitating comparisons of bank accounts and telecom services and on specific markets identified as problematic in the 2012 market scoreboard.

Austria analysed the real conditions for consumers in the internet market focusing on complaints (6-10000 in Austria), and on misleading information in cross border as well as national online commerce.

Portugal

The latest state initiatives regarding banking services (2012): the law of minimum banking services was updated and a protocol was signed involving the biggest 12 banks in the country in order to provide access to these services for about 12,000 citizens more, within one year. The liberalisation of energy market stepped up considerably last year. According to the energy national authority, a large number of consumers switched, but more effort is needed to inform consumers on price comparison and different energy providers available.

Over-indebtedness is a serious problem, especially with regard to mortgages. According to the new legislation, the banks are required to try to find an agreement with the consumer (or through mediation bodies) prior to going to courts.

Poland

The Office of Competition and Consumer Protection has carried out consumer market research on credit, gas, direct sales, car rental services, railway and air carriers, and competition in the market of communal waste. In 2013, investigations will focus on gas consumption, non-bank financial institutions, mortgages and developers. All these markets have been chosen on the basis of the Scoreboard results.

UK

Two studies have been published recently:

- Energy efficiency market review (report released on 10 January 2013) found the use of high pressure sales techniques, unclear information about paperwork and cancellation rights, and poor quality installations.

- Investigation on supermarket price information found instances of poor practices towards consumers (e.g. prices are artificially raised for a short period of time so that a return to previous selling prices can be described as a 'reduction', there are no differences between prices of big package compared to two small ones even though the multi-pack item is advertised as 'better value').

Point 4: Findings of the latest Eurobarometer surveys of consumers and retailers

a) Consumers

DG SANCO (Marilena Di Stasi, B1) presented the results of the latest Eurobarometer survey of consumers. About 28,000 consumers were surveyed by telephone in 30 countries (European Union, Croatia, Iceland and Norway) in September 2012.

Main findings:

- Online shopping remains mainly domestic, except in some countries that have smaller economies or share cultural links with neighbouring countries (Luxemburg, Austria, Malta, Cyprus).
- 33% of consumers are confident in buying online from their country and other European Union countries, the lack of trust being mainly explained by delivery problems.
- 4 questions tested consumer's knowledge about: unfair practices (30% of good answers), length of guarantee (56%), cooling-off period in distance selling (69%), validity of contract terms (85%).
- 25% of the consumers experienced problems (21% complained, 4% did not). In case of problems, consumers are more likely to complain directly to the retailer.
- Less consumers came across misleading offers (from 46% in 2011 to 44% in 2012) but more consumers bought products based on such advertisements (from 18 to 23%). They mostly came across misleading advertisements on the Internet (54%).
- Consumers have higher trust in consumer organizations than in public authorities (74 vs. 59%).
- An increasing proportion of consumers believe a significant number of products are unsafe (24% for food products, 27% for non-food products).
- More consumers are influenced by the environmental impact of the products that they purchase (from 29% in 2011 to 41% in 2012).
- 22% of the consumers (EU level) are aware of the European Consumer Centres.

b) Retailers

DG SANCO (Luca Protti, B1) presented the latest Eurobarometer retailers surveys. About 11,000 retailers were surveyed by telephone in 29 countries (European Union, Iceland, Norway) in September-October 2012.

Main findings:

- Direct sales are still the most prominent channel used even if e-commerce is rising (from 41% of retailers selling online in 2011 to 51% in 2012).
- The share of retailers selling cross-border has slightly decreased (from 27% in 2011 to 25% in 2012).
- A worryingly low level of retailers are aware of consumer legislation (only 29% know the correct period for a defective product to be repaired).
- A majority of EU retailers think at least some products are unsafe.
- Retailers have challenges finding information on consumer legislation in other European countries (only 38% of retailers know where to find information).
- 6% of EU retailers have been informed by authorities that they might be in breach of consumer legislation (up from 3% in 2011).
- Most of the retailers think that public authorities monitor and ensure compliance with product safety legislation (86% of food retailers and 82% of non-food retailers).
- 7% of retailers use ADR bodies and 53% of retailers know an ADR body.

Ensuing questions and general comments

It was noted that the results of the knowledge questions are not surprising. Retailers associations, which have a good knowledge of consumer legislation, could be used to increase awareness among their members.

It was also pointed out that the different levels of problems in e-commerce could be explained by country specificities of business practices and by the size of e-commerce. DG SANCO confirmed that the probability of experiencing a problem during the reference period increases with the frequency of buying online. This needs to be better captured in the next scoreboards.

Point 5: Introduction to complaint data project

DG SANCO (Marek Chroscicki, B1) updated the Group on the progress made in implementing the Commission Recommendation on the use of a harmonised methodology for classifying and reporting consumer complaints and enquiries.

DG SANCO has finalised development of IT systems to facilitate the adoption of the Recommendation and the data transfer to the Commission according to the harmonized methodology. The solutions are operational and DG SANCO is receiving already harmonised complaints data from 9 Member States Other member States are in the process of implementing the Recommendation and will start submitting complaints data as soon as possible.

DG SANCO is assisting thought dedicated country visits in the dialogue with stakeholders on the practical challenges of the implementation of the complaints Recommendation. During the past year, dedicated country workshops took place in 14 countries. DG SANCO has also provided free software to all interested organisations that do not yet have a specific data collection IT system in place, as well as technical specifications and financial support (in the form of grants) to organisations adapting their existing IT systems to the requirements of the Recommendation. In addition to the support received so far, participating organisations will be able to benefit in 2013 from free of charge IT expert visits, aimed at developing customised IT solutions.

--- LUNCH BREAK ---

Point 7: Update on the behavioural economics research

DG SANCO (Emanuele Ciriolo, B1) presented Behavioural Economics research as an expanding area of policy analysis and evaluation. The Commission financed a number of behavioural studies: three already completed, seven on-going and two forthcoming studies. The presentation focused on the following three:

1. Energy labelling: this study investigates consumers' understanding of energy labels. It is part of the EU effort to curb energy consumption and reach the 2020 objective of raising the use of renewable resources. The study tested alternative labels with particular attention to framing, information overload and consumers' understanding. Three different labels were presented to the participants (6,000 individuals from 9 EU MSs): the current label (A), a second one with a carbon footprint label (B), and a third one with three additional pieces of energy and environmental information (C). The results show that label B elicits the largest Willingness-To-Pay for the energy-efficient product. On the contrary, too much information confused consumers: label C was less effective than label B.

2. Car CO₂ labelling: car CO₂ labelling is heterogeneous across EU countries. For example, Hungary adopted a textual label, France adopted a label presenting the absolute rating (i.e., across all

categories), Spain and Germany relative ratings (i.e., only within the same category), in Belgium, UK and Denmark the adopted label includes even more information. The study takes a holistic approach, aiming at determining the impact on consumers' choices of CO₂ information provision, while considering other elements that can account for the final decision of consumers (e.g., price, security, size).

3. Payment instruments: this on-going study aims to assess the impact on consumers of more transparency in the fees paid by retailers for the acceptance of various payment instruments. The study also tries to simulate what would happen if retailers adopted surcharges and/or rebates for the use of various payment instruments. The presentation focussed on the identification of the various dimensions to be tested: the timing of information provision (at the entrance, at till, after payment), the effect of an education campaign, and the value of the purchase (low and high value). The hypothesis to test is whether more transparency via better information provision would influence consumers' choice of payment instruments.

In conclusion, behavioural economics provides important insights to policy making. The results of on-going studies will be presented during a one-day Conference which will take place in Brussels, with webstreaming for those who cannot attend physically, on 30 September 2013.

Ensuing questions and general comments

DG SANCO welcomes Member States' interest in collaborating on behavioural research.

To the argument that payment cards represent a safe payment instrument for consumers and that cash is erroneously thought to come for free, DG SANCO replied that the study will cover different payment instruments (e.g. debit cards in addition to credit cards) and it is understood that some may be overall less expensive than handling cash. One delegation stressed the potential inconsistency between the call for using less cash and the growing availability of points of withdrawal of cash.

With reference to the behavioural study on the Common European Sales Law, and considering the opportunity to use the national regime or a 2nd regime in cross border purchases, DG SANCO confirmed that the choice is always in the hands of the trader. However, it should be in the trader's interest to offer to conclude the purchase under the so-called 2nd regime, since the use of a uniform EU regime should be perceived by consumers as more reassuring in comparison with another country-specific regulation.

In reply to a question whether the behavioural study on energy labelling investigated the deep psychological reasons accounting for consumers' "preference" of a label over another, DG SANCO highlighted that the aim of the study was to select the more effective label, not to identify the deep-rooted psychological reasons why one label seems to work better than the other. This is more policy-relevant and in line with the available budget and time.

Point 8: Update on finalised/on-going market studies

a) Internet service provision

DG SANCO (Konstantinos Zisis, B1) presented the conclusions and recommendations derived from the study on Internet service provision. According to the latest Scoreboard results, the market for Internet access and provision is still ranked very low, having the highest rate of problems and complaints amongst all 51 surveyed markets. Some of the recommendations/actions envisaged are:

- investment in high-speed broadband infrastructure,
- a review of standard contract terms and conditions from Internet Services Providers (ISPs), according to the new EU Consumer Rights Directive,

- provision of clear and standardised offers by ISPs, based on specific criteria,
- a summary document, available to all consumers, with important framed information about a product, before contract signature
- special attention to the information needs of disabled and vulnerable consumers
- development of rules for Comparison Websites' practices
- transparency of termination charges
- setting of maximum termination fees
- more frequent access to contracts of a shorter duration
- automatic renewal of contracts to be discouraged
- policy measures addressing the issues of misleading advertising of broadband internet speed and traffic management (blocking, download limit)
- collection and publication of ISP-specific customer service data (e.g. complaints data)
- industry to report on customer service provisions for vulnerable consumers
- national regulators to develop, in consultation with ISPs and stakeholders, a bill presentation standard, and
- signpost (in bills, websites) the availability of ADR for consumers seeking redress.

b) Consumer vulnerability

DG SANCO (Siv Elin Aanestad, B1) presented the upcoming study on consumer vulnerability. In the first quarter of 2013, DG SANCO will launch a call for tender for a study mapping vulnerability patterns across key consumer markets. New risks are emerging for consumers, in particular as a result of new economic, social and technological developments. The study will explore emerging vulnerabilities in specific markets identified as problematic like digital services, financial services and newly liberalized markets such as energy. The study will among other test consumer behaviour in specific purchase situations. Members of the CMEG are encouraged to contribute in collecting information about existing research, best practices and the existing instruments for tackling different types of consumer vulnerability at national level, as well as on which (emerging) commercial practices may require research and/or actions from policymakers to protect consumers in general and more vulnerable groups in particular.

c) Voluntary food labelling schemes

DG SANCO (Paulina Gbur, B1) presented the "Study on the functioning of the voluntary food labelling schemes for consumers in the EU". The present situation is that there are over 400 schemes both certified and self-declared. The aim of the study is to individuate difference in performance and best practices. The analysis focuses on the need to improve consumer understanding, assess their ability to distinguish between different types of schemes, their level of trust and empowerment. The issues are to find a proper definition of voluntary food labelling scheme and how to recognise misleading claims. DG SANCO is willing to receive contribution and support by MSs.

d) Voluntary origin labelling of food

DG SANCO (Anatasia Alvizou, E4 - Nutrition, food composition and information) presented the "Study on the application of rules on voluntary origin labelling of foods and the mandatory indication of origin labelling of meat used as an ingredient". The regulation (EU) No 1169/2011 on the provision of food information to consumers harmonised the provision of food labels for foodstuffs. Regarding origin, the regulation sets mandatory origin labelling for unprocessed pig, poultry, sheep and goat, voluntary origin labelling for the indication of the origin of primary ingredient, and mandatory origin labelling to meat used as an ingredient. The study by DG SANCO tries to assess the right way to indicate primary ingredient and the impact on internal market and international trade. The issues to address are the individuation of origin statements consumers are able to understand (indication, flags, maps) and the possible correspondence of the origin indication of the final food to the one of the

primary ingredient. Moreover, there are issues related to product with more than one primary ingredient, the variation of the country of origin of the primary ingredient for seasonal or availability reasons, the blending of the same primary ingredient of different geographical areas. Other part of the study concerns the mandatory origin of meat ingredients that will apply to all types of meat and both unprocessed and processed meat. The study will provide input for an impact assessment and the preparation of implementing rules to be adopted by 13 December 2013.

Ensuing questions and general comments

Two delegations mentioned the problem of misleading information from internet providers to consumers about data traffic thresholds. Providers often advertise offers with unlimited traffic, even though, in certain cases, there is an upper download threshold that consumers are unaware of. DG SANCO confirmed that the issue of poor information to consumers on download limit was captured in the ISP study. The Commission is envisaging policy measures addressing inter alia issues of transparency and certain aspects of traffic management.

It was also pointed out that consumers should have better information on how long the offered subscription rates are available to them without changing. It is often the case that consumers find themselves locked in contracts with prices that have increased, and are unable to switch, or the information on the possibility of switching is hidden. DG SANCO stressed that certain aspects of switching are currently being looked at and policy measures are being envisaged by the Commission.

Concerning ADR, it was mentioned that signposting the availability of ADR in bills might pose certain problems, since it might clash with the existing legislation. DG SANCO believes that signposting the availability of ADR in bills would be a good way forward, especially since under the new ADR/ODR initiative ISPs would be obliged to inform consumers about which ADR entity covers their disputes.

With regard to comparability/comparison of offers, it was suggested that Consumer Protection Authorities and NGOs could offer their assistance on the rules that govern the transparency of offers, considering their experience with the existing comparison tools. DG SANCO welcomed any assistance provided by the above-mentioned stakeholders in relation to the transparency of offers.

To a comment that there are offers where the speed is advertised as a range "from...to", DG SANCO mentioned that, as announced in the May 2012 Communication of the Consumer Agenda, concerted action will be taken by the Commission and national regulatory authorities to combat unfair practises in the sector, especially those related to misleading advertising of internet broadband speed.

In the context of the "Vulnerability study", Italy informed about the recent report on over-indebtedness by the Bank of Italy, which focuses particularly on the impact of the economic and financial crisis since 2008.

In France there are cases in which consumers are discriminated, prices being different for the same service.

To the comment that food origin labelling, and in particular the origin of primary ingredient, is of little interest for consumers, DG SANCO replied that in a survey conducted by the European Consumer Organisation (BEUC) in Sweden, France, Poland and Austria, 6 out of 10 consumers declared they want to know both the country where a processed food's primary ingredient was farmed or harvested and the country where the food itself was manufactured¹. Consumers' interest in the country of origin labelling was also confirmed in the .meat market study.

DG SANCO agreed with the observation that food schemes are often used for marketing purposes and stressed the importance of making the schemes more fair, reliable and transparent to consumers.

¹ <http://www.eubusiness.com/Members/BEUC/food-origin/>

Point 9: SANCO Multi-Stakeholder Dialogue on Environmental Claims (MDEC)

DG SANCO (Jeroen van Laer, B6) presented the Multi-Stakeholder Dialogue on Environmental Claims. The MDEC is structured as a series of meetings of 25-30 representatives from consumer organisations, environmental NGOs, national enforcers, self-regulatory bodies, EU-wide industry and advertising associations, academic, as well as expert speakers. The mandate of the MDEC is to provide a better understanding of green claims; assess the scope of the problem of misleading green claims; identify challenges from different perspectives; map best practices and highlight potential areas for improvement; present policy recommendations.

In parallel, a study on environmental claims (non-food) was launched in 2013. This study will examine the state of play on green claims in the Single Market; the level of compliance with EU legal requirements; the consumer understanding, trust and behaviour vis-à-vis different types of green claims and the effectiveness of enforcement and self-regulatory instruments.

The MDEC and the study will give recommendations on short term and longer term measures.

A report presenting the main findings, conclusions and recommendations of the MDEC will be presented at the 2013 Consumer Summit (*18-19 March 2013*).

Point 10: SANCO Multi-Stakeholder Dialogue on Comparison Tools

DG SANCO (Maria-Myrto Kanellopoulou, B6) presented the Multi-Stakeholder Dialogue on Comparison Tools (MSDCT). The Commission has organised a series of meetings of 25-30 representatives from consumer organisations, national authorities, EU-wide business associations and speakers in order to develop, through dialogue with the stakeholders, codes of good conduct, good practice guides and guidelines to give consumers access to transparent and reliable information allowing them to compare more easily the prices, the quality and the sustainability of goods and services. Comparison tools are increasingly important (80% of consumers use them as part of decision-making process), but present significant shortcomings (e.g. best deals not always ranked first, incomplete information, cross-border offers not included) and risk to erode consumer trust in the Digital Single Market. The MSDCT will assess the current quality of comparison tools, analyse the existing initiatives, identify needs for further research and monitoring and present policy recommendations.

A report presenting the main findings, conclusions and recommendations of the MSDCT will be presented at the 2013 Consumer Summit (*18-19 March 2013*).

Point 11: Findings of the latest sweep investigations

DG SANCO (Sebastian Bohr, B5) presented the findings of the latest sweep investigations (on consumer credit and on digital content respectively).

An "EU sweep" is a joint EU enforcement action to check websites for compliance with consumer protection laws. National enforcement authorities carry out a targeted and coordinated check on a particular sector in order to assess where consumer rights are being compromised or denied. They then follow up on these findings, contacting the non-compliant companies and demanding that they bring flagged websites in line with the relevant requirements. Legal action can be taken against operators who violate EU consumer law. There have been six sweep exercises so far.

The 2011 sweep on online loans found that, out of the 565 websites checked in 2011, 30% passed the test for compliance with the applicable EU consumer rules while 70% of these sites (393) were flagged for further investigation. In September 2012, more than 75% compliance could be achieved.

The main problems detected were the missing information in consumer credit advertising and the omission of key information on the offer and/or misleading presentation of the costs..

The 2012 sweep on games, books, videos and music which can be downloaded found that of the 333 websites checked, 76% of sites (254) were flagged for further investigation. The main problems detected concern unfair terms, missing information about the right of withdrawal and about the trader's identity. A complementary study added that websites often do not inform consumers about geographical restrictions and that games advertised as "free" involve payments at a later stage.

Point 12: Closing of the meeting (Dan Dionisie, SANCO B1)

The Commission approved a restructuring of the Consumer Scoreboards, with a view to rationalise resources and increase their policy impact. With immediate effect, the Commission will publish each year one edition of the Scoreboard (instead of two), alternating between the Consumer Conditions Scoreboard (next one to be released in May 2013) and the Consumer Markets Scoreboard (next one to be released in spring 2014). It is expected that the new format will allow to focus better on improving the quality and reliability of the data, and on data analysis for policy purposes. Possible improvements of the indexes are envisaged, and DG SANCO welcomes comments and contributions from the Member States.

DG SANCO also asked Member States to check the translation of the market monitoring survey questionnaires in their respective languages.

Concerning the next meeting, to be held in September, it was agreed that it would be preferable to organise it during one day and a half. Tentative dates are 25 – 26 September 2013, prior to the conference on behavioural economics organised on September 30th.