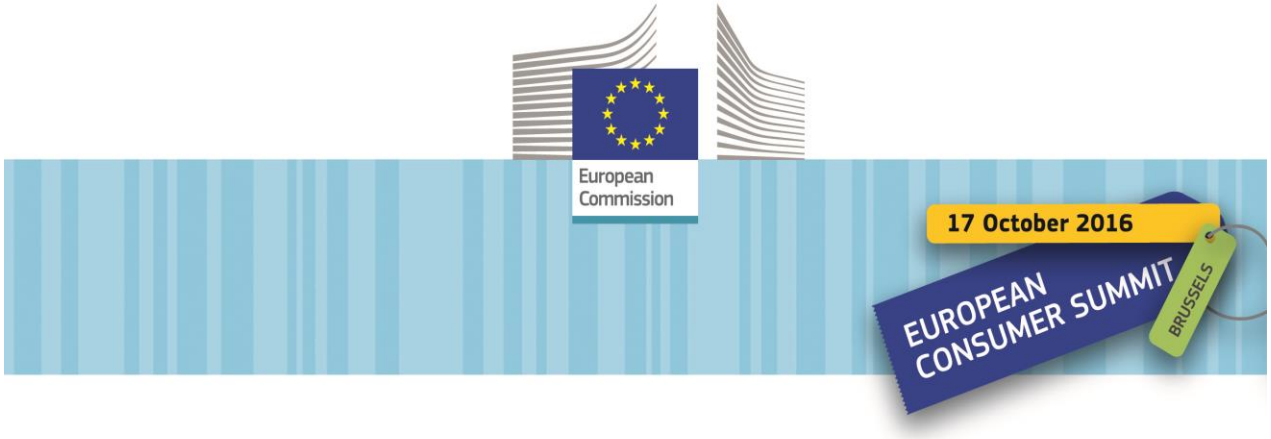


Ida Mazzenga, Legal adviser, International affairs, Swedish Consumer Agency

Presentation at the European Consumer Summit (EN)

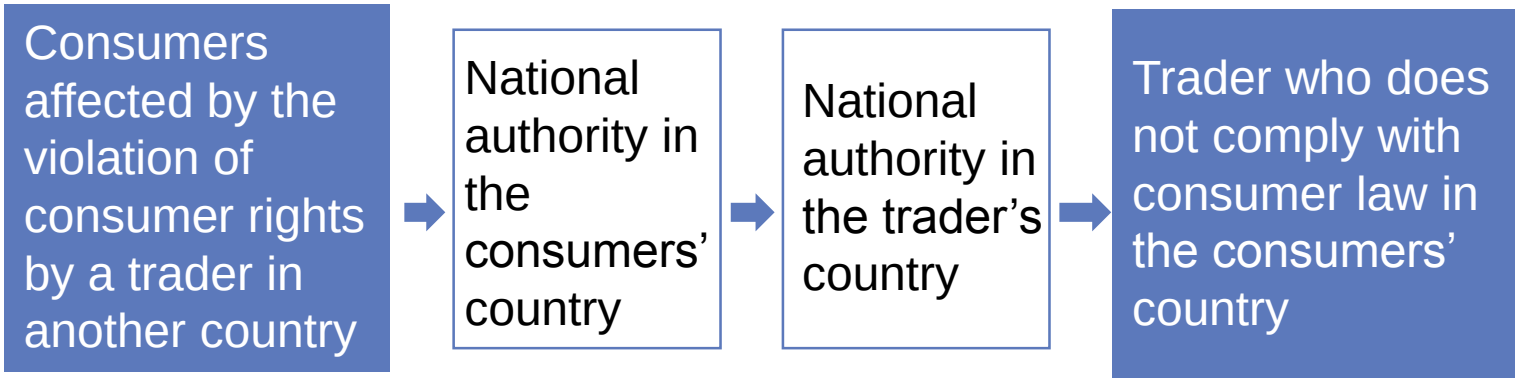
17 October 2016, Brussels

Justice
and Consumers

A French – Swedish Case Study from the Consumer Protection Cooperation Network

Ida Mazzenga
Legal Adviser International Affairs
Swedish Consumer Agency

The Consumer Protection Cooperation Network protects the collective interests of consumers:



The national authority in the consumers' country checks which article in EU law the national rule is implementing.

It refers to the article in EU law when it sends the enforcement request to the national authority in the trader's country.

The national authority in the trader's country applies its own national legislation implementing the same article of EU law.

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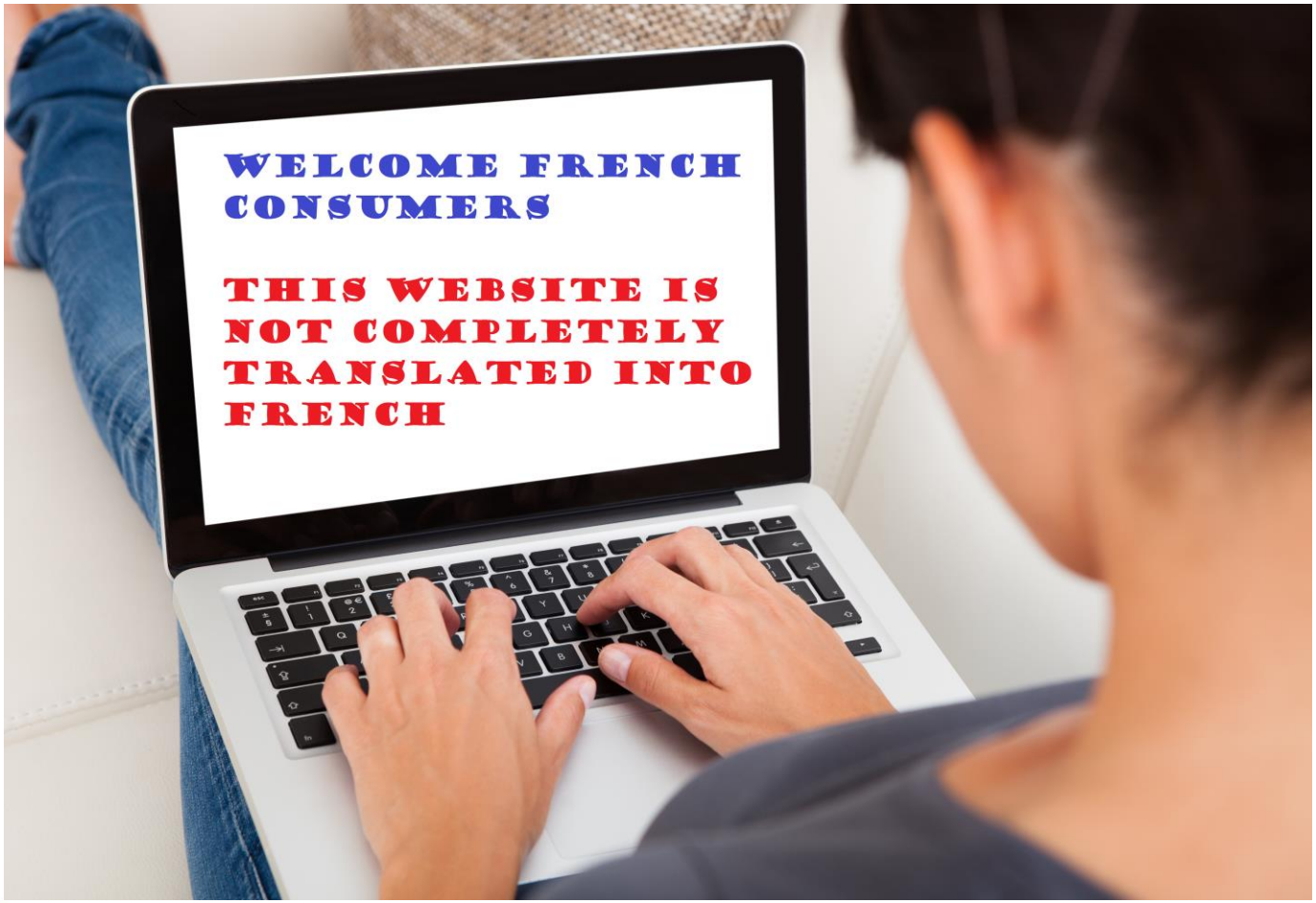
The facts of the case



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EU legislation concerned

Article 6.7 of the Consumer Rights Directive (2011/83/EU):

“Member States may maintain or introduce in their national law language requirements regarding the contractual information, so as to ensure that such information is easily understood by the consumer.”

Sweden did not have any such legislation and did not opt to introduce such legislation either.

France had and kept its national legislation giving French consumers the right to receive information in French.

What can we learn from this case?

- Maximum harmonisation makes enforcement cooperation better
- National rules offering a higher level of consumer protection, than what is harmonised on EU level, cannot be enforced by a national authority whose national rules are set a different level of consumer protection

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Thank you