

BEUC: call for ambitious EU-Consumer Strategy

As an input for the European Commission's initiative to reorientate its consumer strategy and to establish a new Consumer Agenda 2021-2027, BEUC - The European Consumer Organisation - highlights in its recently published report the new challenges Europe is facing as a direct consequence of the pandemic and further ahead for the longer term societal and economic transitions Europe has to address. *The report underlines the value of consumer policy as a driver for a sustainable recovery and a fair society.*

The COVID-19 crisis has disrupted everybody's lives. The first priority for the EU and national governments was to strengthen health care systems and take emergency measures in light of a plummeting economy. In order to support Member States in their efforts to rebuild the economy and help businesses and citizens in need, the European Commission proposed a recovery plan for Europe. Consumers should be at the forefront of considerations about how the recovery can be best achieved and what priorities are and will be set.

The BEUC Strategy Report highlights the major challenges Europe is facing, such as consumer digital vulnerability, the green transition and the much needed protection of consumers in the global market. It further addresses specific issues and recommended actions in specific fields of consumer interest such as food, energy, financial services, health services, safety and transport.

As to *safety of consumers*, the BEUC report states that European legislation must do more to ensure that only safe and secure products make their way into physical and online shops and to protect consumers from harmful products. Too often safety rules are non-existent, too lenient, are being violated by manufacturers and traders or because compliance has not been checked by Member States.

BEUC welcomes the Commission's intention to revise the General Product Safety Directive (GPSD) in 2021 as a long overdue opportunity to improve consumer protection against dangerous products. BEUC recommends turning this Directive into a Regulation which will be based on two key principles. First, a safety net function to cover lacunae in sector specific legislation and to function as an umbrella for the safety of all consumer goods. Second, the precautionary principle which is key to keep dangerous products away from consumers.

The reform must further tackle specific safety threats related to new technologies and security threats from the Internet of Things and artificial intelligence. It is also urgent to ensure the same level of safety for products sold online and in brick-and-mortar shops. To this end, online marketplaces should be given the same status as importers, and market surveillance authorities should be able to sanction such platforms for non-compliance with safety rules. The future GPSD should end the artificial separation between sector-specific legislation and other consumer products when it comes to market surveillance.

As recalls are currently not effective, EU-wide minimum criteria should be defined for all economic operators involved in the supply chain. To establish a future proof safety framework in the EU single market, it will be important that a GPSD reform works well and flawless in combination with other legislative fields and reforms such as the Product Liability Directive and the Digital Services Act.

The EU should also strive for setting higher standards at global level, e.g. through enhancing practices and cooperation of market surveillance authorities in the context of trade agreements and at WTO level.

The European Commission has played an important role in recent years to strive for better cooperation of national market surveillance authorities. Unfortunately, the number of controls at national level are still insufficient and it is urgent to equip market surveillance authorities with more human, technical and financial resources. As part of the consumer agenda, beneficial actions such as the exchange of market surveillance officials and joint laboratory testing should be continued to step up enforcement of product safety rules. BEUC also recommends that EU-wide accident and injury data will be collected and the functioning of the Safety Gate will be further enhanced.

Finally, the EU must enhance the safeguards for chemicals in all consumer products, including imports: this should be done under REACH and in product legislation (e.g. toys), including through new laws for products which consumers come in close, frequent contact with. The legal framework further needs to be strengthened to better protect children, the elderly and other vulnerable groups against harmful chemicals. The EU should extend the consumers' right to know by introducing new obligations to declare the chemical contents of all consumer products, starting with toys and products for children to better protect this particularly vulnerable group of consumers.

As a measurement of achievements, BEUC expects from the Commission to deliver in five years' time:

- An ambitious new General Product Safety Regulation which acts as safety net for all consumer products, is based on the precautionary principle and ensures that consumers are safe with regard to new technologies and in online market places.
- Safeguards for harmful chemicals in all consumer products have been established, including through broad REACH restrictions and new product laws regulating products which consumers come in close, frequent contact with, such as textiles or absorbent hygiene products.
- A legal framework protects vulnerable groups better through stricter limits in existing product legislation and through new rules on chemicals in e.g. children's products.
- The consumers' right to know has been strengthened through new obligations to declare the chemical contents of all consumer products.
- Market surveillance stepped up and coordination among authorities has been improved. Private enforcement with the active involvement of consumer groups and responsible business actors to be better supported to help and complement the work of the authorities.

Source:

https://www.beuc.eu/publications/beuc-x-2020-090_commissions_consumer_agenda_2021-2027.pdf