

The New Consumer Agenda: open public consultation¹

02/10/2020

Fields marked with * are mandatory.

Introduction

This public consultation covers four consumer policy initiatives that the European Commission intends to adopt in 2020 and 2021. These initiatives are:

- **A Commission Communication on a new European Consumer Agenda, and three legislative proposals respectively on:**
- **empowering consumers in the green transition;**
- **a review of the Directive on consumer credit agreements for consumers (2008/48/EC);**
- **a review of the General Product Safety Directive (2001/95/EC).**

The consultation is organised in four sections corresponding each to the above initiatives. When providing your contribution, you are invited to fill in the first two parts: **About you** and **A New Consumer Agenda**. In addition, **you may also opt to fill in one or more of the three specific sections on the legislative proposals**, according to their relevance to your areas of interest.

You can find additional information for some of the questions and answer options in the Footnotes, under **Background Documents**.

For further clarification on the consultation, including links to details about each of the initiatives mentioned above and replies to frequently asked questions, please go to the [FAQ](#) page. The FAQ is only available in English and regularly updated.

You can save your replies and get back to the questionnaire at a later stage. **Please make sure to save a draft of the questionnaire regularly as you fill it in, and to submit the questionnaire before the end of the consultation period on 6 October 2020.**

¹ Only the questions to which the CCBE replied are listed below.

About you

* Language of my contribution

- English
- French

* I am giving my contribution as

- Non-governmental organisation (NGO)

* Scope

- International

* Organisation name

255 character(s) maximum

Council of Bars and Law Societies of Europe (CCBE)

* Organisation size

- Small (10 to 49 employees)

Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

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* Country of origin

Please add your country of origin, or that of your organisation.

Belgium

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

Anonymous

Only your type of respondent, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.

Public

Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

I agree with the [personal data protection provisions](#)

I. A New Consumer Agenda

The European Commission intends to propose by the end of 2020 a new European Consumer Agenda setting out the main consumer policy priorities in the EU for the years to come.

This consultation covers both issues emerging in the short term from the impact of the COVID-19 crisis on key EU consumer protection areas and the medium-long term priorities that in the respondents' views should characterise a future EU consumer policy strategy.

The overall aim is to take stock of a number of trends affecting consumer markets and the related challenges. Incidents linked to the coronavirus have further highlighted some of these trends, for example the increasing use of online sales channels and the need to ensure safety for consumers in this context.

The economic disruption associated with crisis is affecting households and businesses across the Member States. As measures are being put in place to address the economic and social consequences and relaunch the European economy, the need to provide an effective framework of consumer rights and ensure a level playing field among businesses remains highly relevant, in light of the recently adopted EU recovery plan.

Issues emerging from the impact of Covid-19

* 1 Have you been confronted to any of the issues below? If so, what are in your views the key issues that EU and national consumer policies should be better prepared to respond to?

- Online frauds and scams: the COVID-19 crisis showed how rogue traders can take advantage of consumers' fears and use digital means to advertise fake websites, sell products with false health claims, or use pressure selling to obtain excessive prices
- Breaches of product safety rules in online trading
- Increased consumers' financial vulnerability, e.g. need to compensate loss of income by new debt leading to over-indebtedness, inability to make scheduled payments related to rent or mortgages, consumer credit, loans from family or friends, or utility or telephone bills
- Lack of insufficient respect for civil liberties, privacy or EU data protection standards in Member States' measures dealing with the pandemic
- I never encountered such issues
- Other

* 2 EU rules give passengers and travellers the right to reimbursement in money for cancelled package travel and transport services. Reimbursement of the full amount of the ticket or package travel price is due within 7 days (air or waterborne), 14 days (bus/coach; package travel) or 1 month (rail). This applies also in case of cancellation due to extraordinary circumstances.

Do you think that in a situation where worldwide travel restrictions have caused almost a standstill of travel, such as during the Covid-19 pandemic, specific rules should apply, such as longer reimbursement deadlines or reimbursement in the form of vouchers?

- No, there is no need for specific rules
- Yes, specific rules should apply for unprecedented situations such as worldwide travel restrictions
- Don't know

* 3 Currently, different deadlines apply for reimbursement for cancelled package travel and transport services. Moreover, insolvency protection exists for package travel, but not for individual transport services (e.g. a flight). Do you consider that the EU rules on passengers' and travellers' rights in the passenger rights Regulations and the Directive on package travel should be more aligned?

- Yes
- No, it is appropriate to have different rules depending on the mode of transport or type of travel
- Don't know

* 4 Consumer rights in cases when services (including accommodation services and sports and cultural events) are cancelled, in situations like the Covid-19 pandemic, are currently regulated at national level (with the exception of, for example, in the fields of passenger rights and package travel). Should the EU harmonise these consumer protection rules for cancellation of services?

- Yes, for all sectors in situations of 'force majeure' (like Covid-19)
- Yes, but only for specific business sectors in situations of 'force majeure'
- Yes, for all sectors for any kind of cancellation of consumer services
- Yes, but only for specific business sectors for any kind of cancellation of consumer services
- No, this should be left to the national level Don't know

Medium-long term priorities for future EU consumer policy strategy

* 5 The New Consumer Agenda aims to put forward a common vision of consumer policy priorities for the Union and the Member States. Which should in your view be the main priorities in the coming years?

at most 3 choice(s)

- Better supporting consumers to adapt to more sustainable and environmentally friendly consumption
- Better supporting consumers to benefit from the increasing digitalisation
- Protecting vulnerable consumers
- More effective enforcement of consumer rights
- Stronger, more rapid and affordable tools to ensure consumers obtain redress when needed
- Co-operation with non-EU countries
- Better alignment between EU consumer policy and Member States' priorities Other

* 6 Do you have sufficient trustworthy information and/or supporting tools (such as web sites or mobile apps) to shop with confidence for products and services that are truly better for the environment?

- Yes, I can easily find such information and I often rely on it for green shopping
- No, it is difficult for me to find enough reliable information to chose green products/services
- When I shop, I do not specifically look at the environmental characteristics of the product
- Don't know

* 7 In the digital environment traders can easily reach many consumers at once and with personalised offers. However, consumers are increasingly exposed to many challenges, such as unsafe products or unfair commercial practices online. How could one best ensure that consumers have the same protection online and offline?

at most 3 choice(s)

- Clearer identification of sponsored content
- Information on how offers, prices and advertisements are personalised
- Improved information on consumer rights in European SMEs and industry Preventing the exploitation of consumer biases, especially with data-driven practices
- Giving consumers the choice whether or not to receive personalised marketing and sales content
- Giving consumers better control over the use of their data for marketing and sales purposes
- Establishing clear and effective rules across the supply chain related to the safety of products sold online
- Other

* 8 Vulnerable consumers are particularly at risk to suffer from unfair practices.

Which sources of vulnerability do you consider as particularly relevant?

at most 3 choice(s)

- Low income or household purchasing power
- Age
- Place of living
- Social isolation
- Gender
- Personal health situation
- Poor IT literacy
- Poor financial literacy
- Limited Internet access
- Low education level
- Lack of practical knowledge or skills in understanding complex contract conditions and offers
- Other

* 9 If you are sufficiently aware of public enforcement procedures in your country /sector, which are, in your opinion, the main barriers to an effective enforcement of consumer rights (including product safety rules)?

at most 3 choice(s)

- Lack of high-tech tools to support investigation and enforcement
- Lack of sufficient financial and human resources for enforcement authorities
- Limited cooperation between competent authorities at national and EU level
- Limited cooperation between competent authorities in different sectors
- Limited cooperation between competent authorities and consumer organizations
- Lack of systematic screening of markets and consumers' problems
- Lack of specific legal powers for competent authorities (in the case of product safety, lack of mystery shopping and power of blocking websites)
- Don't know
- Other

* 10 How can the Commission help consumer organisations and other stakeholders be better involved in policy-making and implementation at the EU level?

at most 3 choice(s)

- Capacity-building through targeted training on specific functions (e.g. qualified entities for collective redress [1], bodies participating in external alerts in the framework of the Consumer Protection Cooperation (CPC) Regulation, etc.)
- Capacity-building through more EU funding in the form of action grants
- Capacity-building through better access to participatory e-tools (e.g. sharing information, good practices, etc.)
- Giving them more wide-spread and formal consultative role at the EU level
- Equip them with tools to engage more proactively with the other stakeholders Other

II. Empowering consumers in the green transition

As part of the new [Circular Economy Action Plan](#) the Commission intends to propose a revision of EU consumer law to ensure that consumers receive trustworthy and relevant information on products at the point of sale, including on their lifespan and on the availability of repair services, spare parts and repair manuals. It will also consider further strengthening consumer protection against greenwashing and premature obsolescence, setting minimum requirements for sustainability labels/logos and for information tools.

Please note that relevant questions and topics may also be covered under other future public consultations such as, for instance, for the legislative proposal on substantiating green claims and Legislative proposal for a sustainable product policy initiative, similarly announced in the Circular Economy Action Plan.

1 Amidst an ever-growing interest in environmental performance and climate neutrality, studies show that consumers increasingly [look for more sustainable consumption patterns and choices but face obstacles](#). Which of the obstacles in the list below would you consider as most relevant for enhanced consumer participation in the circular economy and towards more sustainable consumption behaviour?

at most 3 choice(s)

- Difficulty to know how long products will function without repair
- Difficulty to know if products can be repaired easily by professional repair services
- Difficulty to know if products can be repaired easily by consumers themselves
- Difficulty to check if products are environmentally-friendly
- Difficulty to verify the reliability of environmental claims (including climate related) on products [2]
- Proliferation and/or lack of transparency/understanding/reliability of sustainability logos/labels on products and services
- Proliferation and/or lack of transparency/understanding/reliability of IT tools (e.g. consumer apps) that provide advice for a more sustainable consumer behaviour
- Lack of knowledge of how to adopt more sustainable consumption behaviour
- Lack of means to easily track consumer's personal environmental footprint
- Unavailability of environmentally-friendly products
- General disinterest in adopting more sustainable consumption behaviour
- Perceived higher prices of environmentally-friendly products compared to less environmentally-friendly alternatives
- Perceived lower quality and performance of environmentally-friendly products compared to less environmentally-friendly alternatives
- Other
- None of the above

2 [Research](#) shows that the price-quality ratio is the most important driver and simultaneously barrier for consumer engagement in the circular economy, followed by convenience. This also applies on purchasing durable consumer goods (such as household appliances, ICT, electronics and other items that have no expiration date).

In your opinion, which of the following information could be most useful for consumers to choose sustainable products and to enhance consumers' participation in the circular economy?

at most 3 choice(s)

- Information on "guaranteed" products lifespan (should repairs be necessary, they would be at no cost to the consumer)
- Information on "expected" products lifespan without repair (should repairs be necessary after the legal guarantee period, they would be at consumer's expense in this case)
- Information on products lifespan subject to possible minor reasonable repairs at consumer's expense after the legal guarantee period
- Information about the reparability of the product (e.g. availability of repair services, spare parts, repair manuals, repair scoring...)
- Information on the (average) cost of repairs
- Information about software updates or upgradability of hardware and software of the product
- Information (e.g. a label / logo) vouching for the sustainability (i.e. environmental, social aspects included) of the product
- Recommendation about the sustainability (i.e. environmental, social aspects included) of the product by a trusted public or private source (e.g. a public authority, expert, celebrity, friend)
- Information on the product's life-cycle environmental and climate footprint (including resource extraction, manufacturing, transport, use and end of life / recycling) [3]
- Information on product's environmental and climate footprint only during use
- Information on products social aspects of sustainability, such as respect of human rights and workers' rights
- Other
- None of the above

5 Many consumers want to be empowered with rights and access to reliable information to be able to play their role in the green transition to the full extent. Which measures in the list below would you consider as most effective to achieve this goal?

at most 3 choice(s)

- Providing better consumer information on products' durability (lifespan)
- Providing better consumer information on products' reparability
- Providing better consumer information on software updates/upgrades
- Providing better consumer information on the life-cycle environmental and climate footprint of the product or service (including resource extraction, manufacturing, transport, use and end of life/ recycling)
- Information on product's environmental and climate footprint only during use
- Providing better consumer information on how to operate under extreme climate conditions products destined to be exposed to the elements and used outside
- Providing better consumer information on social aspects of sustainability, such as respect of human rights and workers' rights
- Providing a greater transparency and reliability for sustainability logos/labels (i.e. covering environmental and social aspects)
- Providing a greater transparency and reliability for IT tools (e.g. consumer apps) providing advice for a more sustainable consumer behaviour
- Providing a stronger protection against practices that cause products to fail earlier than can normally be expected (so called "early and planned obsolescence")
- Establish new consumer rights to repair products (including e.g. critical software updates)
- Providing a stronger protection against greenwashing (i.e. claims on environmental qualities of products or services that are exaggerated, too vague, false or impossible to prove)

- Raising awareness about the role of consumers on circular economy and green transition
- Strengthening the enforcement of EU consumer law in these matters Other
- None of the above

6 Which of the following would be in your view most effective in improving the enforcement of EU consumer laws in the interest of enhanced participation of consumers in the green transition?

at most 3 choice(s)

- Require national enforcement bodies to prioritise (e.g. by allocating more resources) enforcement of provisions that enhance the participation of consumers in the circular economy
- More EU-funded training of enforcement authorities and judges on these matters
- Detailed EU guidance for enforcement bodies against greenwashing and obsolescence practices and on enforcing consumer information rules
- Setting up at EU level an advisory system to ensure sustainability claims on products are based on reliable information
- Assisting national enforcement bodies in tracing the whole value chain to detect false or misleading claims through investments in new technologies (such as Artificial Intelligence systems)
- Introducing at EU level deterrent penalties for providing misleading information to consumers in these matters
- Create an effective tool through which consumers can report to authorities problems experienced – e.g. absence of environmental information, misleading information, etc.
- Strengthen cooperation between public authorities and businesses allowing for swift removal/correction of misleading claims/information and ensuring that consumers are informed and/or proposed adequate remedies
- Other
- None of the above

III. Consumer Credit Directive

The Consumer Credit Directive (2008/48/EC) aims to foster the single market for consumer credit while ensuring high protection standards for consumers. It has succeeded to harmonise the information that consumers obtain before accepting a credit agreement between EUR 200 and EUR 75.000 and to give them a right to withdraw from such agreement within 14 days. The experience shows however that various credits fall outside the scope of the Directive, that the information requirements are not fully adapt to the ongoing digitisation of this market, and that rules on responsible lending have only been partially effective in practice.

1 Credits below EUR 200 and certain other credits (e.g. loans granted free of interest and with no other charges, some leasing agreements) are outside of the Directive's scope at present [6]. Should the scope be extended to:

- Credits below EUR 200
- Credits above EUR 75 000 for purposes other than the renovation of a residential immovable property
- Loans obtained by individuals from other individuals, through online platforms (peer-to-peer lending)
- All currently exempted credits [7]
- No scope extension needed
- Don't know
- Other

2 The Consumer Credit Directive obliges lenders to provide consumers with standard information at pre-contractual stage [8]. This should help the consumer understand the main features of a credit and make their decisions in full knowledge of the facts. How would you improve the information to consumers, particularly in the online environment, to ensure that they get the right information at the right time?

a) In which format would it be most useful to obtain pre-contractual information?

at most 2 choice(s)

- Provide information in a standardised format (“Standard European Consumer Credit Information”)
- Provide simplified information focusing only on key features of the offer
- Present credit offers by way of a comparison table
- Information provided online should be adapted to the size of the screen

b) At which moment of the transaction should pre-contractual information be provided?

at most 2 choice(s)

- At least five days before contract signature
- At least one day before contract signature
- At least one hour before the contract signature
- Together with the other Terms and Conditions, right before signing the contract

c) What key features do you consider should be prominently displayed to the consumer at the pre-contractual stage?

The following key features should be displayed to the consumer at the pre-contractual stage:

- the interest rate;
- the annual percentage rate of charge; and
- costs that are not included in the calculation of the annual percentage rate.

3 In order to enable consumers to understand and compare different offers, the Directive specifies information to be included in advertising which includes an interest rate, the total amount of credit, the annual percentage rate of charge [9] and other information relating to the credit. How should the provision of such information at the advertising stage be improved on different channels?

Select most relevant choice(s)

	The amount of information should be reduced (e.g. focus on annual percentage rate of charge)	The information should be given particular prominence (e.g. engaging, salient and upfront display)	The information should be accompanied by warning messages on the implications of the credit decision (e.g. “borrowing money also costs money”)
Print media	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Online	<input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
Radio	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TV	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4 The Directive aims at encouraging responsible lending practices [10], for instance by obliging providers to assess whether the consumer is likely to be able to repay the credit (“creditworthiness assessment”) prior to concluding the credit agreement. This is key to avoid default and over-indebtedness. How could the present rules on responsible lending/borrowing be further improved?

at most 3 choice(s)

- Introduce binding principles on responsible lending such as an obligation to take into account target consumers' interests, objectives and characteristics when designing credit products
- Introduce measures to prevent excessive cost of credit through caps on interest rates
- Ban unsolicited credit offers
- Introduce further measures to protect consumers in case of unsolicited credit offers for instance by introducing a reminder of the existing right of withdrawal
- Prevent online credit purchasing without enough time for reflection (e.g. credit obtained "in one-click")
- Harmonise the creditworthiness assessment process across Member States
- Prohibit the provision of credit in case of negative creditworthiness assessment
- Attach conditions to the provision of credit to consumers with negative creditworthiness assessment, e.g. obligation to provide debt advice or allow grace periods for late repayments
- Ban the mandatory purchase of additional products, such as payment protection insurance, as a precondition to a credit agreement conclusion ("tying")
- Credit providers to promote financial education measures
- There is no need to introduce further measures
- Don't know
- Other

5 The Directive obliges lenders to assess the ability of consumers to repay their credit (creditworthiness assessment), where necessary on the basis of data from credit database. The rules on creditworthiness assessment and on access to credit databases giving information on consumers' credit history vary across Member States. Should the EU introduce common standards to guarantee a high and even level of consumer protection, as well as to help providers accessing new opportunities in other Member States and alleviating regulatory burden for them?

at most 2 choice(s)

- Yes, EU law should provide for common standards on data/methodology for creditworthiness assessments
- Yes, EU law should provide for common standards on the categories of data collected by credit databases for creditworthiness assessment purposes and on their exchange across Member States
- No, rules at EU level should not be changed neither for creditworthiness assessment nor for credit databases
- Don't know
- Other

6 What measures could be considered to safeguard the interests of both lenders and borrowers in situations of exceptional and systemic economic disruption, such as the one caused by the Covid-19 epidemic?

at most 2 choice(s)

- Provide specific rules allowing Member States to enact payment moratoria measures while establishing a minimum level of consumer protection for those cases
- Adoption by Member States of measures encouraging creditors to exercise reasonable forbearance (e.g. temporarily postpone capital and/or interest payments of a loan) when a borrower is experiencing or is likely to experience financial difficulty
- Use flexibility embedded in the prudential framework for banks to facilitate lending to support consumers and businesses in the crisis period
- Introduce new obligations for Member States to strengthen services to support (e.g. through debt advice) over-indebted consumers struggling to repay their debt in the crisis or at risk of poverty
- Introduce new obligations for creditors to provide education and awareness on debt management for consumers in financial difficulties
- No action at EU level is needed
- Other

IV. General Product Safety Directive

[Directive 2001/95/EC](#) on general product safety (GPSD) addresses the safety of non-food consumer products for which there are no specific provisions with the same safety objective in other EU legislation (such as EU sector-specific product legislation [11], e.g. toys). The GPSD also sets up the [EU Rapid Alert System](#) for information exchange on dangerous non-food products among Member States. The GPSD provides for the safety of a variety of products, for example childcare products that are not toys (e.g. dummies, children high-chairs, pushchairs, baby changing units) and other products such as bicycles, personal training equipment, laser pointers, furniture, etc.

1 In your view, to what extent are current EU safety rules for non-food consumer products covered by the GPSD adequate to protect consumers?

- Fully adequate
- Could be improved in specific areas
- Not adequate at all

2 Are you aware of any problems related to the implementation of EU safety rules for consumer products covered by the GPSD?

- Rules are not adapted to online trade
- Rules are not adapted to new technology products (e.g. connected devices)
- Legal definitions (such as “product”, “safe product” or “placing on the market”) are not sufficiently clear or outdated
- The roles and obligations of different economic operators are not appropriately defined
- There are no specific requirements for product recalls
- Difficulties for consumers to report unsafe products
- Product safety rules are not appropriately enforced
- Other

New technologies and product safety

Emerging technologies such as Artificial Intelligence (AI), Internet of things (IoT), and connected devices pose new challenges to product safety and its rules.

3 Do you think that the safety of products involving new technologies is adequately regulated?

- Yes
- No
- Don't know

Please explain

There are particular risks (such as cyber risks, personal security risks and risks related to the loss of connectivity) stemming from the use of artificial intelligence that should be further considered and clarified in the context of the current product safety legislation in order to provide more legal certainty.

For more details, see: [The CCBE Response to the consultation on the European Commission’s White Paper on Artificial Intelligence \(05/06/2020\)](#).

4 When incorporated into a physical product, software can malfunction and cause a safety issue. When considering whether a product is safe, should the definition of a product in the GPSD specifically encompass also the software incorporated into it?

- Yes, but only when software is already installed into the product when sold
- Yes, also when software is downloaded into the device after it has been sold
- No
- Other

Please explain

In many products, the software is only downloaded after the purchase, and the product can be only used after the software has been downloaded.

5 How important do you think it is that products that could be modified via software updates/downloads or machine learning are required to remain safe throughout their lifetime?

- Very important
- Rather important
- Rather unimportant
- Not at all important

6 Products incorporating AI applications can evolve via machine learning and other techniques, even after they have been acquired by consumers, potentially posing safety risks. In your opinion, at which moment of the lifecycle of the product should manufacturers have safety obligations?

- Obligations only at the design stage
- Obligations at the design stage and also during the lifecycle of the product
- Other

Safety of products sold online

Ecommerce is an important channel available for consumers to buy products, which was further demonstrated by the COVID-19 outbreak. It is important that the products that reach consumers through online channels are safe. Moreover, new online business models and actors have become prevalent, and product safety rules for these economic operators can be unclear.

9 Online marketplaces enable companies to sell to EU consumers but, according to EU rules, they do not have direct legal obligations for the safety of products hosted on their platform by sellers. Are you aware of any problems this regime would bring about?

- Yes
- No

10 What should be the role of online marketplaces as regards the safety of products offered on their website?

- Online marketplaces should remove dangerous products listed on their websites when notified to them
- Online marketplaces should inform consumers when a dangerous product has been removed from the marketplace
- Online marketplaces should prevent the appearance of dangerous products, including the reappearance of dangerous products' listings once they have been removed
- Online marketplaces should inform sellers of their obligation to comply with EU rules on products
- Online marketplaces should do a cursory check on all products offered on their website to identify products that likely do not comply with safety rules
- Other

The questions below imply a certain familiarity and practical experience with the market surveillance and enforcement of product safety rules

Enforcement of safety rules

Member States' authorities are responsible for enforcing the law and to take actions ensuring the safety of products placed on the market. The GPSD contains rules under which such authorities operate. For harmonised products the rules on enforcement have recently been revised in a new market surveillance regulation [12].

11 What are the main challenges for enforcement?

at most 3 choice(s)

- Member States' authorities do not have enough resources
- Member States' authorities lack specific powers: they cannot impose efficient sanctions on economic operators
- Member States' authorities cannot take effective actions online (e.g. mystery shopping, restrict access to the webpage)
- Member States' authorities assess product risks differently
- Not enough cooperation among market surveillance authorities in the EU
- Enforcement actions against economic operators outside the EU are difficult
- Fragmentation of the market surveillance legislation between harmonised and non-harmonised products
- Dangerous products are difficult to trace
- Not enough control checks carried out, including by customs
- Other

12 Do you think that products covered by the GPSD should only be placed on the EU market if there is an economic operator established in the EU who is responsible for product safety purposes?

- Yes
- No

13 Are you aware of any issue where additional competences of the European Commission for the enforcement of product safety rules could improve the safety of consumers?

- Yes
- No

14 Should the system of product traceability be reinforced in the GPSD so that products can be better traced if there is a safety issue?

- Yes
- No

Please explain

It is important to identify the origin of the safety problem to take all suitable measures (incl. legal ones) to avoid the problem to be repeated.

Coherence of the product safety regime

Different rules and requirements apply to harmonised products (e.g. toys) and non-harmonised products (e.g. childcare products).

15 Do you experience problems with the divergence of rules between harmonised and non-harmonised products?

- Yes
- No
- Don't know

16 Products which resemble foodstuff, while not being such, have a separate regime (Council Directive 87/357/EEC). This has given rise to different interpretations on whether such products are dangerous in itself or not. Should these products keep having a separated regime or be incorporated into the general product safety legal instrument?

- Yes, it should be incorporated
- No, it should remain separate