

12541/98

LIMITE

PV/CONS	66
CONSOM	64

**DRAFT
MINUTES (*)**

of the **2128th** Council meeting
– **CONSUMER AFFAIRS** –

held in Brussels on 3 November 1998

(*) Information relating to the final adoption of Council acts which may be released to the public is contained in Addendum 1 to these minutes.

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1. Adoption of the agenda

12379/98 OJ/CONS 66 CONSOM 58

The Council adopted the agenda set out in the above document.

2. Approval of the list of "A" items

12166/98 PTS A 67

The Council approved the above list.

Information relating to items 3, 6, 9, 10, and 15 is given in Addendum 1 to these minutes.

Items 9 and 10 should read as follows:

9. Adoption of a Council Regulation laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products (consolidated version of Regulation (EC) No 3699/93) **(LA)** ⁽¹⁾

11960/98 CODIF 31 PECHE 313

11626/98 CODIF 28 PECHE 296

10. Adoption of a Council Regulation (EC) on the common organisation of the market in sheepmeat and goatmeat (consolidated version of Regulation (EEC) No 3013/89) **(LA)** ⁽¹⁾

12021/98 CODIF 32 AGRIORG 154

11647/98 CODIF 29 AGRIORG 145

⁽¹⁾ (LA) = Legislative Act

3. Proposal for a Decision of the European Parliament and of the Council establishing a general framework for Community activities in favour of consumers

– Adoption of the common position

5715/98 CONSOM 1 CODEC 48

11530/98 CONSOM 42 CODEC 478

+ COR 1

+ COR 1 REV 1 (d)

+ COR 1 REV 2 (es)

+ COR 2 (d)

+ REV 1 (nl)

+ REV 2 (s)

12033/98 CONSOM 52 CODEC 517

– Submission of the statement of reasons

11530/98 CONSOM 42 CODEC 478 ADD 1

The Council considered the financial amount to be inserted in Article 1(4), but was not able to agree on the ECU 112,5 million suggested by the President as a compromise so that the Decision could be definitively adopted before the end of the year as delegations and the European Parliament wished.

After putting forward possible alternative solutions and contacting the European Parliament, the President said that she would attempt to find an acceptable solution as quickly as possible ⁽²⁾.

4. Action Plan 1999-2001 concerning consumer policy priorities

– Exchange of views

Delegations stated their views on the main features which they felt the action plan that the Commission was preparing ought to have. In particular they mentioned:

- the integration of consumer protection into other Community policies;

⁽²⁾ Following the agreement reached at the Permanent Representatives Committee meeting on 11 November 1998, the Council adopted the common position as an "A" item on 20 November 1998 (13129/98 CONSOM 77 CODEC 627 and 11530/3/98 CONSOM 42 CODEC 478 REV 3).

- the need to promote sustainable consumption structures;
- the role of the consumer in the information society;
- the precautionary and the "polluter pays" principles;
- health protection;
- assessment of the priorities set in previously adopted programmes and resolutions, to identify those that are still relevant;
- taking account of consumer protection in the Euro-Mediterranean programmes;
- consumer protection in the context of electronic commerce;
- the positive role of voluntary agreements in the private sector;
- taking account of the protection of minors and of old people;
- the defence of consumers' interests in international fora such as the OECD and the WTO.

5. **The consumer dimension of the information society**

- **Council Resolution**
12267/98 CONSOM 54 ECO 356 SOC 371

The Council agreed on the text set out in the above document and on its publication in the Official Journal of the European Communities.

The Commission made the following statement:

"The Commission welcomes the adoption of the Council Resolution intended to strengthen the protection of consumers in connection with electronic transactions within the Community.

It considers, nevertheless, that the principle of application of the law of the country of a consumer's residence must apply without prejudice to the harmonisation already effected or planned of certain Community rules applicable, for example, to the Information Society or the audiovisual sector.

The Commission consequently reserves its position on the application of that principle in its future legislative proposals."

6. Operating instructions for technical consumer goods

– Council Resolution

12268/98 CONSOM 55 ENT 179

The Council agreed on the text set out in the above document and on its publication in the Official Journal of the European Communities.

The Commission made the following statement:

"The Commission states that this Resolution does not apply to products covered by specific Directives."

7. State of preparations in the Member States for the introduction of the euro

– Exchange of experience (open debate)

12269/98 CONSOM 56 ECOFIN 222

The Council held an exchange of experience, after which the President concluded that preparations for the euro were proceeding satisfactorily in the Member States and that the Council would return to this matter after an appropriate interval to take stock of the situation.

8. Proposal for a Directive of the European Parliament and of the Council concerning the distance marketing of consumer financial services and amending Directives 90/619/EEC, 97/7/EC and 98/27/EC

– Commission presentation

The Council took note of the Commission's presentation of this new proposal.

9. Information campaign on consumer health and food safety

– Commission briefing on progress

The Council took note of the information provided by the Commission.

10. Other business

- (a) **Outcome of the Euro-Mediterranean forum on consumer policy**
– Oral report by the Commission

The Council took note of the information provided by the Commission.

- (b) **Outcome of the Dublin Forum (2 and 3 October 1998) on the impact of the Amsterdam Treaty on consumer policy**
– Briefing by the Irish delegation
12543/98 CONSOM 65

The Council took note of the information provided by the Irish delegation.

- (c) **Out-of-court settlement of consumer disputes in the internal market**
– Communication from the Portuguese delegation
12488/98 CONSOM 62

The Council took note of the Portuguese delegation's communication.

- (d) **Consumer information on air travel (code-sharing)**
– Statement by the Portuguese delegation
12489/98 CONSOM 63

The Council took note of the Portuguese delegation's statement.

- (e) **Problems resulting from the absence of implementing provisions for the labelling of novel foods and novel food ingredients in the context of Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997**
– Question from the Austrian delegation to the Commission
12372/98 CONSOM 57 DENLEG 69

The Council took note of the Austrian delegation's submission.