

Basic information	
1995/0148(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Consumer protection: indication of prices of products offered to consumers	
Amended by 2018/0090(COD)	
Subject 4.60.02 Consumer information, advertising, labelling	

Key players			
European Parliament	Former committee responsible	Former rapporteur	Appointed
	ENVI Environment, Public Health and Consumer Protection	OOMEN-RUIJTEN Ria (PPE)	27/07/1995
	ENVI Environment, Public Health and Consumer Protection	OOMEN-RUIJTEN Ria (PPE)	27/07/1995
	Former committee for opinion	Former rapporteur for opinion	Appointed
	AGRI Agriculture and Rural Development	BÉBÉAR Jean-Pierre (PPE)	21/02/1996
Council of the European Union	Council configuration	Meetings	Date
	Economic and Financial Affairs ECOFIN	2004	1997-05-12
	Fisheries	2063	1997-12-18
	Telecommunications	1949	1996-09-27

Key events			
Date	Event	Reference	Summary
12/07/1995	Legislative proposal published	COM(1995)0276	 Summary
18/09/1995	Committee referral announced in Parliament, 1st reading		
15/04/1996	Vote in committee, 1st reading		Summary
15/04/1996	Committee report tabled for plenary, 1st reading	A4-0109/1996	

17/04/1996	Debate in Parliament		
24/06/1996	Modified legislative proposal published	COM(1996)0264 	Summary
27/09/1996	Council position published	08252/1/1996	Summary
24/10/1996	Committee referral announced in Parliament, 2nd reading		
22/01/1997	Vote in committee, 2nd reading		Summary
22/01/1997	Committee recommendation tabled for plenary, 2nd reading	A4-0015/1997	
18/02/1997	Debate in Parliament		Summary
12/05/1997	Parliament's amendments rejected by Council		
06/11/1997	Formal meeting of Conciliation Committee		
20/11/1997	Final decision by Conciliation Committee		Summary
09/12/1997	Joint text approved by Conciliation Committee co-chairs	3631/1997	
11/12/1997	Report tabled for plenary, 3rd reading	A4-0414/1997	
15/12/1997	Debate in Parliament		
18/12/1997	Decision by Council, 3rd reading		
16/02/1998	Final act signed		
16/02/1998	End of procedure in Parliament		
18/03/1998	Final act published in Official Journal		

Technical information	
Procedure reference	1995/0148(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amended by 2018/0090(COD)
Legal basis	EC before Amsterdam E 129A-p2
Stage reached in procedure	Procedure completed
Committee dossier	CODE/4/08929

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0109/1996 OJ C 141 13.05.1996, p. 0015	15/04/1996	
Text adopted by Parliament, 1st reading/single reading		T4-0190/1996 OJ C 141 13.05.1996, p. 0167-0191	18/04/1996	Summary

Committee recommendation tabled for plenary, 2nd reading	A4-0015/1997 OJ C 055 24.02.1997, p. 0004	22/01/1997	
Text adopted by Parliament, 2nd reading	T4-0036/1997 OJ C 085 17.03.1997, p. 0019-0026	18/02/1997	Summary
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading	A4-0414/1997 OJ C 014 19.01.1998, p. 0006	11/12/1997	
Text adopted by Parliament, 3rd reading	T4-0602/1997 OJ C 014 19.01.1998, p. 0018-0026	16/12/1997	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	08252/1/1996 OJ C 333 07.11.1996, p. 0007	27/09/1996	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1995)0276  OJ C 260 05.10.1995, p. 0005	12/07/1995	Summary
Modified legislative proposal	COM(1996)0264  OJ C 249 27.08.1996, p. 0002	24/06/1996	Summary
Commission communication on Council's position	SEC(1996)1179 	15/10/1996	Summary
Commission opinion on Parliament's position at 2nd reading	COM(1997)0136 	04/04/1997	Summary
Follow-up document	COM(2006)0325 	21/06/2006	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1454/1995 OJ C 082 19.03.1996, p. 0032	20/12/1995	Summary
CSL/EP	Joint text approved by Conciliation Committee co-chairs	3631/1997	09/12/1997	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Consumer protection: indication of prices of products offered to consumers

1995/0148(COD) - 04/04/1997 - Commission opinion on Parliament's position at 2nd reading

The Commission incorporated 18 of the 22 amendments adopted by the European Parliament at second reading and amended its proposal accordingly. The amendments incorporated by the Commission relate mainly to: a) clarification of the text: the Commission has incorporated the amendment seeking to allow Member States not to apply the obligation to state the unit price: - to products sold in automatic vending machines; - to itinerant traders and home sellers; - to food products sold in hotels, cafés, restaurants, bars, cinemas, theatres, teaching establishments, leisure centres, staff shops at the workplace, hospitals, canteens etc. The amendment introducing the obligation for Member States to notify separately the system of penalties applicable to infringements of national transposition regulations was also incorporated; b) the situation of small traders: the solution proposed by the European Parliament and incorporated by the Commission at first reading, providing for a longer period of adaptation (six years) than that initially proposed, was also incorporated. In order to facilitate application, provision has been made for an obligation for Member States to provide specific information on transposition regulations for retailers, especially small shopkeepers. However, the Commission did not incorporate amendments relating to: - details on the application of price indications; - the obligation to display double prices (in euros and national currency) during the transitional period when the single currency is introduced.

Consumer protection: indication of prices of products offered to consumers

1995/0148(COD) - 18/04/1996 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mrs Ria OOMEN-RUIJTEN (PPE,NL), Parliament approved the directive the purpose of which is to stipulate indication of the selling price (final price for a given quantity of the product) and the price per unit (kg, litre, metre, sq metre, cubic metre etc.) of products offered for retail to final consumers, so as to facilitate comparison of prices, wherever such comparison is relevant. The selling price and the unit price must be indicated on the product offered for sale or on the shelf where it is located. In small retail businesses the prices may also be indicated on a price list displayed in a prominent place in the shop. Parliament called for the following to be excluded from this directive: - food products sold in hotels, cafés, restaurants, drinks outlets, cinemas and theatres, teaching establishments, leisure centres, staff cooperatives, hospitals, canteens and similar establishments; - itinerant salesmen; - products sold in means of transport; - products sold in vending machines; - auctions; - private sales. In the transitional period following introduction of the single currency, the following three prices should be indicated: selling price in the national currency; selling price in the single currency; unit price in the single currency. The Commission and the Member States were invited to provide the necessary financing for training sales outlet staff responsible for explaining the prices to consumers in the run-up to the single currency. The Commission should grant financial aid for information campaigns for small retailers.

Consumer protection: indication of prices of products offered to consumers

1995/0148(COD) - 27/09/1996 - Council position

The common position of the Council on consumer protection in the indication of the prices of products offered to consumers did not incorporate any of the amendments adopted by Parliament and incorporated by the Commission in its amended proposal. The Council departed from the amended proposal by inserting new provisions, notably with the following aims: - to clarify the scope of the Directive: the Council inserted explicit exemptions, stating that products supplied in the course of the provision of a service, and sales of works of art and antiques, were excluded from its scope. It also adopted more detailed definitions, particularly of the terms 'sale price', 'products sold in bulk', 'trader' and 'consumer'. It stated clearly that advertising was included. - to take into account the difficulties faced by certain businesses in applying the new provisions: Member States which so wished were to remain free to exempt certain small businesses from the requirement to indicate price per unit of measurement. Not more than 3 years after the expiry of the deadline for transposition, the Commission was to submit a report and, if appropriate, a specific proposal concerning small businesses.

Consumer protection: indication of prices of products offered to consumers

1995/0148(COD) - 20/12/1995 - Economic and Social Committee: opinion, report

Consumer protection through the supply of accurate information on prices of goods offered for retail sale to consumers is governed by Directive 79/581 /EEC, as amended by Directive 88/315/EEC, and by Directive 88/314/EEC. The ESC's point of departure in drawing up this Opinion was the conviction that the interests of all those involved in the market are better served when conditions of transparency and proper operation prevail. Moreover, such conditions provide equal protection for both the consumer and healthy competition. The ESC accepts the breaking of the link between the obligation to indicate the unit price and the existence of "ranges". For the transitional period when the single Community currency is being introduced, the ESC proposes that three prices be indicated for each product: a) the selling price in the national currency; b) the selling price in the single currency; c) the unit price in the single currency. The ESC proposes as a practical, uniform approach the listing of each item according to its Common Customs Tariff number (NIMEXE). The ESC calls upon the Commission to ensure that the two-year period of adaptation to the new Directive runs from the date of its publication and not as from 7 June 1995. It also asks the Commission to take measures to oblige the Member States to transpose the Directive into

their national laws within six months of the date of its publication. The ESC proposes that three reports (instead of two) be drawn up on the implementation of the Directive, with the active participation of the ESC itself: the first one year, the second two years and the third four years after the date of publication of the Directive.

Consumer protection: indication of prices of products offered to consumers

1995/0148(COD) - 16/02/1998 - Final act

OBJECTIVE: to adopt a new measure to improve consumer information about prices of products offered for sale by traders. COMMUNITY MEASURE: European Parliament and Council Directive 98/6/EC on consumer protection in the indication of the prices of products offered to consumers.

SUBSTANCE: the Directive establishes the general principle that selling prices and unit prices should both be indicated when traders offer products to consumers. The main points of the Directive are as follows: -both the selling price and the unit price must be indicated for products covered by the Directive (the unit price need not be indicated if it is the same as the selling price); -where products are sold in bulk, only the unit price need be indicated; -the selling price and the unit price must be unambiguous, easily identifiable and clearly legible; -the unit price must refer to a declared quantity. The Directive authorizes Member States not to apply the principle that both the selling price and the unit price must be indicated: -in the case of products supplied in the course of the provision of a service, -in the case of sales by auction and sales of works of art and antiques. The Directive also permits Member States to waive the obligation to indicate the unit price in the case of products in relation to which such an indication would not be useful because of the products' nature or purpose or would be liable to create confusion. If the obligation to indicate the unit price would be liable to constitute an excessive burden for certain small retail businesses, Member States may, during a transitional period, stipulate that the obligation for them to indicate the unit price of products other than those sold in bulk shall not apply. ENTRY INTO FORCE: 18/03/1998 DEADLINE FOR TRANSPOSITION: 18/03/2000

Consumer protection: indication of prices of products offered to consumers

1995/0148(COD) - 12/07/1995 - Legislative proposal

OBJECTIVE: to adopt new arrangements for improving consumer information and simplifying existing law to allow the Community to propose a standard level of price information for consumers, based on national policies. COMMUNITY MEASURE: proposal for a European Parliament and Council Directive on consumer protection in the indication of the prices of products offered to consumers. SUBSTANCE: the proposal contains simplified arrangements to replace the mechanism for the indication of product prices established by Directive 79/581/EEC and 88/314/EEC for foodstuffs and non-food products respectively, application of which has proved very complex for many Member States. The transitional period for implementation has just been extended by two years by means of a postponement directive. - The proposal for a Directive enshrines the general consumer information principle of indicating the selling price and unit price of both foodstuffs and non-food products. - The obligation to display prices is incumbent on sellers offering wares to the public, in other words the final consumer, a natural person who is not purchasing in the course of business. The rules on price indication do not apply to dealings between suppliers and retailers. - For bulk products, only the unit price has to be indicated. - The selling price and unit price must be unambiguous, easily identifiable and clearly legible. They must relate to the final price of the product. - Member States must lay down practical procedures for marking and labelling. - The Directive stipulates the role of Member States in making exemptions for certain products where indication of the unit price would not be meaningful in terms of consumer information (e.g. non-food products). - The obligation to indicate the unit price applies from 7 July 1997. Member States may extend, by a maximum of four years, the period of adaptation to the new mechanism for certain small retail businesses. - Member States must lay down penalties for infringements of national provisions adopted in application of the Directive. These penalties must be effective, proportionate and dissuasive. - Member States will submit details of any exemptions they adopt. - The Commission will submit a report to the European Parliament and Council no later than four years after the final date for transposition. This will be preceded, after two years, by an interim report relating to small retail businesses.

Consumer protection: indication of prices of products offered to consumers

1995/0148(COD) - 24/06/1996 - Modified legislative proposal

The amended proposal by the Commission on consumer protection in the indication of the prices of products offered to consumers incorporated 14 of the 22 amendments adopted by the European Parliament. The main changes made by the Commission concerned: - clarification of the text: auctions and private sales would be excluded from the directive. The obligation to indicate the price per unit measurement was not to apply to: foodstuffs sold in hotels, cafes, restaurants, public houses, cinemas and theatres, teaching institutions, leisure centres, staff shops, hospitals, canteens and similar establishments; itinerant traders; products sold in means of transport; products sold in vending machines; - the treatment of small retail businesses: the Commission was in favour, not of an exemption, but of a generous adjustment period of six extra years after the date of application of the Directive. It did not adopt the idea of financial support for information programmes for small retail businesses.

Consumer protection: indication of prices of products offered to consumers

1995/0148(COD) - 18/02/1997 - Text adopted by Parliament, 2nd reading

In adopting the report by Mrs Ria OOMEN-RUIJTEN (PPE, NL) Parliament amended at second reading the Council's common position on consumer protection in the indication of the prices of products. In order to assist small retail businesses Parliament proposes granting them a deadline of a maximum of six years to conform to this directive. It asks that the Commission submit an assessment report on the situation one year before the last deadline provided for the generalized application of the provision. The report also calls for the Member States to be allowed not to apply the obligation to indicate the unit price to: - sales of products in vending machines; - itinerant traders and personal in-home sales; - foodstuffs sold in catering

establishments, cinemas and theatres, educational establishments, recreational establishments, staff shops at the workplace, hospitals, canteens and similar institutions. The selling price and the unit price shall be indicated on the product offered for sale or on the shelf where the product is located, in such a manner as to be clearly legible for the consumer. In small retail businesses the prices may also be indicated on a price list displayed in a prominent place in the shop. Parliament also stressed that following the introduction of the Euro, the following three prices may be indicated: - selling price in the national currency, - selling price in the single currency, - unit price in the single currency. If a temporary special offer or discount applies an indication of other prices, for information purposes, shall be optional. It was also proposed that Member States may waive the obligation to indicate the unit price of products for which such indication is meaningless because of the products' nature or purpose or would be liable to create confusion.

Consumer protection: indication of prices of products offered to consumers

1995/0148(COD) - 21/06/2006 - Follow-up document

The purpose of this Communication is to examine how Member States have implemented Directive 1998/6/EC on consumer protection in the indication of prices of products offered to consumers. It is limited to this question on which public consultation is sought. All the Member States have adopted national legislative measures transposing the Directive 98/6/EC on consumer protection in the indication of the prices of products offered to consumers. The Commission here reports on the application of this Directive, as provided by its article 12.

At this stage, however, the Commission does not consider appropriate to put forward any proposal under article 12 of the Directive. In fact it has no evidence that the current divergences between national laws on price indications raise significant internal market barriers, which would justify a regulatory intervention. This issue will be decided in the light of the consultation. According to the Directive, a proposal in the field of price indications should take into account, in particular, the experience gained in the application of the Directive by small retail business, regarding technological developments and the introduction of the single currency. The Commission has carried out a study, which took place prior to enlargement and limited to the 15 old Member States, aimed to assess the actual impact of the provisions of article 6 and their implementation on small retail businesses, the functioning of the internal market and the overall level of consumer protection.

The Directive did not give rise to any major transposition problems in any of the Member States. It has been implemented by all Member States, though in some cases after the date set by article 11(1) - that is 18 March 2000. The study carried out by the Commission shows a wide agreement that the Directive has contributed to increase the protection of consumer economic interests, although the actual extent of its impact remains unclear. The Directive allows Member States a remarkable level of discretion when drafting their transposition measures. Several articles introduce open regulatory options for national legislators: as a result, national laws implementing the Directive are for some aspects significantly diverging. This is not always the case, however: for some provisions, the vast majority of Member States have adopted the same normative solutions at national level.

As a result of this discretion, Member States have not relied extensively on the minimum harmonisation clause in article 10, whereby they can adopt or maintain provisions which are more favourable as regards consumer information and comparison of prices than those contained in the Directive. In the light of a possible revision of the Directive, the Commission intends therefore to consider whether there is a need to maintain the minimum harmonization clause in article 10.

As far as the possibility to waive the obligation to indicate the unit price of products for which this indication would not be useful because of their nature or purpose, the transposition checks reveal a very fragmented scenario: while some categories of products are exempted in most Member States, there are a number of quite specific exceptions, which are not always readily justifiable under the wording of article 5(1). This creates an unwelcome inequality in the level of consumer protection across Europe, which may require further guidance as to what products or categories of products may be subjected and/or exempted from the obligation to indicate the unit price.

The Commission intends to hear the view of the interested parties on the application of article 6, with particular reference to its impact on the commercial activity of small retail businesses. The Commission welcomes particularly any submission on the continuing need for the temporary derogation provided in the Directive and/or the opportunity to introduce a European definition of small retailers in the legislation.

The annex lists some of the questions that need to be addressed in the general review process. On the basis of the outcome of the consultation process, in the light of the result of the ongoing process of review of the consumer acquis, the Commission will consider the need of further legislative initiatives in the field of price indications.

All interested parties are invited to submit replies to the European Commission by 1 September 2006.

Consumer protection: indication of prices of products offered to consumers

1995/0148(COD) - 15/10/1996 - Commission communication on Council's position

With regard to the scope of the directive (exemptions, definitions and editorial amendments), the Commission considered that a common point of view would soon be reached. As far as small shops were concerned, the Commission was closer to the position of the European Parliament, i.e. permanent monitoring and financial support, together with a generous period of adaptation, than that of the Council, which recommends the possibility of exemption for the Member States. The Council and the European Parliament therefore continue to take a different approach.

Consumer protection: indication of prices of products offered to consumers

1995/0148(COD) - 16/12/1997 - Text adopted by Parliament, 3rd reading

In adopting the report by Mrs Ria OOMEN-RUIJTEN (EPP, NL) Parliament approved the joint text which provides in particular for Member States to have the option for a three year transitional period of exempting certain small retail businesses from the obligation to indicate the unit price in addition to the sales price.