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**DSTI/CP/M(2008)2**

Organisation de Coopération et de Développement Économiques  
Organisation for Economic Co-operation and Development

**02-Dec-2008**

**English - Or. English**

**DIRECTORATE FOR SCIENCE, TECHNOLOGY AND INDUSTRY  
COMMITTEE ON CONSUMER POLICY**

**DSTI/CP/M(2008)2  
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**SUMMARY RECORD OF THE 76TH SESSION OF THE COMMITTEE ON CONSUMER POLICY**

**Held at the OECD headquarters, Paris  
21-22 October 2008**

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**English - Or. English**

**ITEM 1. ADOPTION OF THE DRAFT REVISED AGENDA****DSTI/CP/A(2008)2/REV2**

1. The Committee approved the draft agenda [DSTI/CP/A(2008)2/REV2].
2. The Chairman welcomed delegates from four of the five countries which are candidates for accession to the OECD: Chile, Estonia, Israel, and Slovenia. He noted changes in the Australian Delegation and agreed, at the request of the Committee, to write letters to Mr. Steven French and Ms. Louise Sylvan expressing appreciation for the significant contributions that they had made to the Committee.

**ITEM 2. APPROVAL OF THE SUMMARY RECORD OF THE 75<sup>TH</sup> SESSION (19-20 FEBRUARY 2008)****DSTI/CP/M(2008)1**

3. The Committee approved the summary record of its 75<sup>th</sup> session [DSTI/CP/M(2008)1].

**ITEM 3. STATEMENT BY THE SECRETARIAT**

4. Mr. Andrew Wyckoff, Head of the ICCP Division, reported on OECD management reforms and their implications for the Committee. Under the reforms, which would be effective on 1 January 2009, a report would be provided to the Committee every six months on the budget situation and progress made in the implementation of the programme of work and budget (PWB). The Committee's resource situation was also discussed. Staffing for the CCP would be reduced at the end of the year unless actions were taken; this would make it difficult to carry out the proposed PWB and could require changes in the way the Committee operated. Delegates were encouraged to discuss the situation with their permanent delegations. A report was also made on the status of the OECD's innovation project. A draft interim report was expected to be completed in January 2009; the report would then be finalised and presented to Ministers in July 2009. The completion of the project was envisaged in June 2010.

5. The Chairman reported on his presentation to the OECD Council on CCP activities in July, noting that the discussion had gone well with a significant number of positive reactions to the Committee's work from Ambassadors. On the budgetary front, he emphasised the importance for delegates to keep in close touch with their national authorities responsible for the OECD budget. He noted the importance of maintaining a core Secretariat capacity to support carrying out the proposed programme of work.

**ITEM 4. ECONOMICS FOR CONSUMER POLICY****DSTI/CP(2008)1/REV2****a) Policy toolkit**

6. The Delegate of Australia reported on the progress being made on the consumer policy toolkit. A meeting of the economics working group had been held earlier in the day to discuss how to advance the work. Attention had focused on the first four chapters as they were well advanced. Efforts would be made to strengthen the economic content in these chapters, and to provide clearer links between the chapters. Attempts would also be made to include examples from a larger number of countries. Considerable work would have to be done on the final chapter, which would present a step-by-step approach that governments could use in considering when and how they might want to intervene in a market to address a consumer problem.

7. The group would aim at completing a revised draft by end-December, or early in 2009. It would then be reviewed and refined by the group, with a view towards finalising the document at the Committee's first meeting in 2009. Australia agreed to continue to chair the working group.

**b) Energy markets**

8. The Delegate of Australia noted that the proposed PWB for 2009 and 2010 called for the toolkit to be tested in the field, elaborated and refined. He suggested that the retail energy market could provide a good case study as deregulation had occurred, but consumers had not benefited as much as anticipated. Moreover, such a case study would have links to the Committee's proposed work on sustainable consumption, and it could use and build on related work being carried out in the OECD's Environment Directorate and the International Energy Agency.

9. Presentations were then made by the IEA and Environment Secretariats on their work. The IEA indicated potential opportunities for collaboration with the CCP with regard to both its work on: *i*) consumer choice in electricity markets and *ii*) energy efficiency. A report on *Customer Choice in Electricity Markets* was expected to be completed by March 2009.

10. The Secretariat from the Environment Directorate reported on a web-based survey that had been carried out on household behaviour, in which energy issues were addressed. The ultimate goal was to develop a series of practical policy recommendations to assist governments in promoting environmental goals. Possible collaboration with the Committee was seen in the areas of: *i*) developing a new survey and *ii*) drawing on the work that the CCP may carry out on consumer empowerment in energy markets.

11. The Committee discussed the possibility of pursuing work on energy markets. In the near term, it was suggested that priority should be placed on completing work on the policy toolkit. The issue of further work on energy could be considered at the next CCP meeting.

**c) Development of indicators**

12. The Delegate of Australia introduced the discussion on work to be carried out on indicators. He noted that the PWB called for the development of a series of indicators that would help track consumer issues. The PWB indicated that an inventory of statistics currently being collected by stakeholders would be compiled and that a report on the techniques and methodologies currently being employed would also be prepared. The final aim would be the development of practical guidelines for strengthening measurement.

13. The Delegate of the European Commission presented its work on indicators, including a consumer markets scoreboard published earlier in the year and, recently, a major report on consumer detriment.

14. The Committee discussed the upcoming work on indicators and decided to review it once more regarding the timing and content of the work were developed.

**ITEM 5. OECD MINISTERIAL MEETING ON THE FUTURE OF  
THE INTERNET ECONOMY: FOLLOW-UP**

**DSTI/ICCP(2007)16/FINAL  
DSTI/ICCP(2008)3  
Room document H**

15. The Chairman highlighted the CCP's significant contribution to the Ministerial meeting, which had included policy guidance in three areas: communication services; mobile commerce and online identity theft.

16. The Secretariat reported on the Ministerial outcomes and possible follow up work for the CCP. It highlighted that under the Seoul Declaration, a mandate is given to the OECD to *i*) "assess the application of current OECD instruments addressing consumer protection and empowerment... in light of changing technologies," which would include the CCP's work on mobile commerce and online identity theft; and to *ii*) "recommend the development of OECD instruments for the development... of converged communication networks," which would include the CCP's work on communication services.

17. The Committee discussed how it might respond to the mandate. It agreed, within the context of its future work on E-commerce, to explore further issues in mobile commerce and identity theft. It also agreed that the Secretariat should continue to collaborate with the United Nations Office on Drugs and Crime on recommendations it was developing on identity-related issues. With respect to communications services, the Committee agreed that it would not be able to carry out further work; there was potential, however, to develop the existing policy guidance document into a Council Recommendation, in co-operation with the Committee for Information, Computer and Communications Policy. Delegates agreed to notify the Secretariat by 28 November 2008 if they objected to the policy guidance being developed into a Recommendation.

#### **ITEM 6. PROPOSAL FOR A JOINT CCP/ICPEN MEETING**

18. On behalf of the French Presidency of ICPEN, Mr. Parent, Director General of the *Direction générale de la consommation, de la concurrence et de la répression des fraudes* (DGCCRF), introduced the discussion on a proposed joint meeting between ICPEN and the CCP in 2009.

19. The Committee discussed the proposal and agreed to a one-day joint meeting, to be held on 3 April 2009, at OECD Headquarters in Paris. Suggested themes for the meeting included: *i*) e-commerce issues, *ii*) consumer detriment (which would review consumer problems in markets and examine successful interventions that have helped to mitigate detriment), and *iii*) unfair commercial practices. It was agreed that the CCP's Secretariat would work together with the ICPEN's Secretariat and the French Presidency to develop a draft joint agenda.<sup>1</sup>

#### **ITEM 7. OECD UPDATES AND COORDINATION WITH EXTERNAL STAKEHOLDERS**

##### **a) Industry-led regulation**

20. The Delegate of New Zealand, Chair of the informal working group, reported on the status of the industry-led regulation project. Work was resuming and would intensify; participants would be conferring via a teleconference that would be organised in November 2008. A draft report was expected to be completed and distributed to the Committee, for consideration at the Committee's first meeting in 2009.

##### **b) Draft OECD Recommendation on Counterfeiting and Piracy      DSTI/IND(2008)15/REV1**

21. The Secretariat to the OECD Committee on Industry, Innovation and Entrepreneurship reported on the status of the project. A new draft reflecting all comments received had been prepared recently and had been circulated to the Committee. Delegations were invited to provide any comments on the revised draft to the Secretariat ([danny.scorpecci@oecd.org](mailto:danny.scorpecci@oecd.org)) by 24 October. The draft Recommendation was expected to be forwarded to the Council prior to the end of the year.

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<sup>1</sup> It has since been suggested by the US delegation that an informal group be formed within the CCP to work with the Secretariat and ICPEN on the agenda. Delegates interested in taking part in such a group should contact the Secretariat ([brigitte.acoca@oecd.org](mailto:brigitte.acoca@oecd.org)).

**c) Co-ordination with other OECD bodies and external stakeholders**

22. The Secretariat to the Competition Committee reported on developments regarding the competition toolkit, pointing out two revised documents: *i*) the draft Competition Assessment Toolkit [DAF/COMP/WP2(2008)3/REV2] which includes a new section on policies that adversely affect consumer choice and decision-making and *ii*) a Draft Competition Assessment Recommendation [DAF/COMP/WP2(2008)5/REV1], which includes a provision recommending that governments pay attention to policies that limit the choices and information available to consumers when performing competition assessment. Delegates were invited to provide comments on both drafts to the Competition Committee Secretariat ([sean.ennis@oecd.org](mailto:sean.ennis@oecd.org)) by the end of November 2008.

23. The Delegate of Consumers International (CI) presented a draft of the Global Energy Charter [Room document F] and invited the Committee to provide comments. He also reported on several other initiatives including: *i*) co-operation with ISO-COPOLCO on energy/water standards; *ii*) ethical trade, claims and labelling, *iii*) the Global Consumer Action Day, held on 15 October 2008, the theme of which was to promote the adoption of the UNEP guidelines for education for sustainable consumption; and *iv*) a study on marketing of breakfast cereals to children in 32 countries.

24. The Delegate of the Consumer Federation of America in the United States reported on the Trans Atlantic Consumer Dialogue's activities in areas including: *i*) the regulation of financial services; *ii*) nanotechnology; *iii*) sustainable consumption; *iv*) product safety; and *v*) intellectual property rights.<sup>2</sup>

25. The Delegate of ISO-COPOLCO presented its work on product and service safety. Recent efforts had been made to increase co-ordination and consumer representation in the standard development process. Other issues that have been worked on recently included social responsibility, improved consumer trainers' training and guidance on recommendations for addressing consumer issues in the area of service standards. In 2008, ISO-COPOLCO organised a workshop on the development of standards for a sustainable world, focusing on consumer influence on energy services.

**ITEM 8. E-COMMERCE**

**DSTI/CP(2008)1/REV2  
Room document C**

26. The Chairman of the US Federal Trade Commission, Mr. William Kovacic, introduced the discussion the Committee would have on E-commerce, underscoring the importance for policy makers to be responsive to the changes that were occurring in technology and the opportunities and challenges that these would present to consumers.

27. The Delegate of the United States then presented an overview of work that had been carried out by the CCP since the adoption of the 1999 E-commerce Guidelines and a possible way forward to examine their effects and effectiveness in OECD countries and non-member economies. Such reassessment would be carried out through *i*) the preparation of an analytical report by the Secretariat, with the assistance of interested countries, and *ii*) a Conference to be hosted by the US FTC following the Committee's second meeting in 2009.

28. In addition to the five areas of work contained in the PWB for 2009-2010 [DSTI/CP(2007)1/REV2] and Room document C, Delegations suggested that the following issues be examined in the report and at the Conference: *i*) the level of consumer information in the Guidelines, consumer awareness of their rights and of the challenges they face in engaging in E-commerce; *ii*) M-commerce; *iii*) ID theft; *iv*) enforcement experiences in applying principles in the Guidelines; *v*) consumer-to-consumer transactions; *vi*) consumer-driven innovation; and *vii*) sustainable consumption.

<sup>2</sup> See <http://www.tacd.org>.

29. In carrying out the work, it was suggested that the CCP collaborate with the business community to get views on the obstacles that they face when trading across borders and how the Guidelines could be effectively adapted to address these challenges. It was also suggested that a questionnaire be developed to help assess the effectiveness of the Guidelines. Co-operation with ICPEN through the 2009 joint meeting was also mentioned as a useful input to the project as it could help to identify enforcement challenges. To carry out the proposed work, Finland, France, Israel, Japan, Mexico, Spain, UK, US, BIAC, CI and UNCTAD agreed to take part in an informal working group; New Zealand indicated that it too may join the group. Delegates wishing to provide any further comments were invited to do so by 28 November 2008.

30. The Delegate of UNCTAD reported on current work it was carrying out on E-commerce. He expressed interest in exploring how the United Nations Guidelines on Consumer Protection could draw on the OECD's work on E-commerce, thereby contributing revision of the UN Guidelines.

### ITEM 9. CONSUMER EDUCATION<sup>3</sup>

DSTI/CP (2007)11/REV3

31. The Secretariat presented the report on consumer education, which had been revised to respond to comments from delegations. The Committee agreed that the document should be edited and then circulated to the Committee for declassification under the written procedure.

32. The Delegate of Japan presented a proposal for developing the policy recommendations that were part of the Committee's PWB for 2007 and 2008. Based on the analytical report and the outcomes of the joint conference on consumer education, to be held on 24 October 2008, recommendations for effective consumer education policy would be developed by the Committee, focusing on ways to: *i*) enhance consumer education strategies; *ii*) enhance the quality of education; *iii*) increase coherence in education initiatives, and *iv*) motivate educators and students to teach and learn about consumer topics.

33. The Committee agreed that the informal working group that helped prepare the joint education conference (Canada, Finland, Japan, the United Kingdom, the United States, and BIAC, joined by Norway and Portugal) would prepare a first draft of the recommendations by the end of 2008 and circulate it among Committee members for comment in early 2009. The draft would be discussed at the next Committee meeting and then finalised.

### ITEM 10. ACCESSION AND ENHANCED ENGAGEMENT

*(Restricted to member countries)*

DSTI/CP(2008)8<sup>4</sup>  
DSTI/CP(2008)14<sup>1</sup>  
and its Annexes I, II, III and IV<sup>1</sup>  
DSTI/CP(2008)15<sup>1</sup>

34. A summary of the discussion on accession is contained in document DSTI/CP/ACS(2008)2, which is confidential.

35. The Secretariat informed the Committee about the OECD enhanced engagement programme with Brazil, China, India, Indonesia and South Africa. It indicated that the process was a flexible one. In the case of the CCP, it was noted that the five countries had been invited to attend the Seoul Ministerial and to participate in the Roundtable on Consumer Product Safety held on 23 October 2008.

<sup>3</sup> Since the meeting, the Netherlands delegation communicated information on two consumer education initiatives being carried out in the country, aimed at (i) stimulating safe and responsible use of media through a newly established Medialiteracy Center of Expertise (see <http://mediawijshheidexpertisecentrum.nl>), and (ii) increasing financial insights and skills of consumers through CentiQ, a platform managed by the government, financial service providers, social agencies, municipalities and academia, and chaired by the Dutch ministry of Finance (for more information see [centiq@minfin.nl](mailto:centiq@minfin.nl)).

<sup>4</sup> Confidential document.

**ITEM 11. CONSUMER PRODUCT SAFETY****DSTI/CP(2008)1/REV2  
Room document E**

36. The Director of the Consumer Product Safety Bureau at Health Canada, Mr. Robert Ianiro, provided the Committee with a presentation on the international consumer product safety landscape, focusing on non-food products. The CCP was encouraged to leverage the work being done in the area by other international bodies, such as the International Consumer Product Safety Caucus (ICPSC), which had met on 22 October 2008, and the International Consumer Product Safety and Health Organisation (ICPSHO), PROSAFE and ISO-COPOLCO. The ICPSC was especially interested in working with the CCP on an improved and more structured approach to information sharing on emerging issues across jurisdictions, an item which would be discussed by the ICPSHO at its meeting in Brussels on 18-19 November 2008. Such work could constitute a preliminary step for further collaboration in: *i*) improved and coordinated market surveillance efforts; *ii*) standards harmonisation; and *iii*) education for consumers and the training of officials and to assist industry in complying with regulations.

37. The Committee agreed that the scope of its work in 2009-2010 would be limited to non-food products and supported the involvement of non-member economies. It welcomed the proposals made by the ICPSC on future collaboration of the CCP with international consumer product safety bodies, in particular in the area of information sharing on emerging risks and improved market surveillance. In that regard, suggestions were made by Japan to conduct work on *i*) the monitoring of recalls; *ii*) co-operation with industry associations; *iii*) ways to support SMEs in the event of recalls. The Chair noted that a more focused work plan would need to be developed. This would be done by the existing informal working group<sup>5</sup>, in consultation with the ICPSC and other international bodies, and in light of the outcomes of the OECD Roundtable on Consumer Product Safety, held the next day on 23 October 2008.

**ITEM 12. HORIZONTAL WORK: PRIORITIES AND OBJECTIVES****a) Sustainable consumption****Room document D**

38. The Delegate of the UK presented an outline of the work that the CCP could carry out through 2011 in the area of sustainable consumption. The close links of this project with the policy toolkit, work on consumer education and work of other OECD bodies, such as the AMSDE were pointed out. The proposed project would be overseen by an informal working group and would involve two seminars. It would be carried out in a three stages: *i*) evidence gathering; *ii*) analysis; and *iii*) development of policy guidance. The UK would be amenable to provide resources to help carry out the work in the first and second stages and could host one of the seminars. Assistance from the Secretariat would be required for the third stage.

39. The Secretariat working with the Annual Meeting of Sustainable Development Experts noted that the work outlined by the UK Delegate would fit well with the OECD project on sustainable development. The proposed timeframe paralleled work being carried out by the United Nations on sustainable development; this work will focus on sustainable consumption and production in 2010-2011, leading to the development of policy recommendations in 2011. With respect to the OECD, it was suggested that the Committee might want to participate in a panel on sustainable consumption and production, to be held in October 2009.

40. The Chairman concluded that the Committee could agree, in principle, to the proposed outline of the project and invited the UK delegation to develop it further with a view to discussing it at the next Committee meeting.

<sup>5</sup> The working group currently includes Australia, Canada, EC, France, India, Japan, Sweden, US and BIAC.

**b) Financial credit**DAF/CMF(2008)14  
DSTI/CP(2008)9

41. The Secretariat reported on work being done by the OECD Committee on Financial Markets (CMF) on financial credit. The Committee had been invited to comment on the CMF's analytical report and guidelines that the CMF intends to forward to Council as a Recommendation. A revised draft of the Recommendation had been prepared, for discussion at the Committee's meeting in November 2008. The CCP Secretariat would liaise with the CMF Secretariat and share any developments in relation to this work with the CCP.<sup>6</sup>

**c) Consumer-driven innovation**

42. The Secretariat reported on progress made on the OECD innovation strategy, highlighting the important role that consumers can play in the innovation process. The Committee discussed how it might best contribute to the project. While there were a number of possibilities, the Chair concluded that it would be beneficial to get further information from the project staff team as to how they saw the work of the CCP fitting in with their work. Further consideration could be given to possibilities at the Committee's next meeting.

**d) Corporate responsibility**

DAF/INV/WP/WD(2008)7

43. The Secretariat to the Working Party of the OECD Investment Committee informed the CCP about the organisation, in mid-June 2009, of a Roundtable that would focus on Chapter VII of the OECD Guidelines for Multinational Enterprises, which addresses consumer interests. The Committee welcomed the event and agreed to play an active role in its organisation.

**ITEM 13. OECD-WIDE INITIATIVES**

C(2008)61/REV1

**a) The political economy of reform**

Room document A

44. Deputy-Secretary General de Geus presented the OECD horizontal project on the political economy of reform. He encouraged the Committee to consider PER issues in its future work programme. The Committee discussed the issue, noting its importance to various aspects of its work.

**b) Policy coherence and development**

Room document B

45. The Chair referred to a letter received from Deputy-Secretary General Amano calling the attention of OECD committees of the importance of policy coherence in their work. In that regard, an OECD Ministerial Declaration on Policy Coherence and Development had been adopted by Ministers in June 2008.

**ITEM 14. DESIGNATION OF THE BUREAU FOR 2009**

DSTI/CP(2008)16

46. The Secretariat conducted the election of the Committee's officers. Mr. Michael Jenkin was re-elected as Chair, and the following were re-elected, as vice-chairs: Mr. Graham Branton (UK), Mr. David Martin (Australia), Ms. Nicole Nespoulous (France), Ms. Anja Peltonen (Finland), Mr. Hugh Stevenson (US), and Mr. Yoshiaki Takahashi (Japan).

<sup>6</sup> Since the CCP meeting, delegates have been notified and asked to review the revised draft Recommendation [DAF/CMF(2008)21] and provide any comments to the CMF Secretariat ([Bruno.Levesque@oecd.org](mailto:Bruno.Levesque@oecd.org)), by 28 November 2008.

**ITEM 15. OTHER BUSINESS**

47. The Delegate of Canada indicated that they were developing information on the activities of non-governmental consumer organisations in countries. A short survey had been drafted that would be sent to selected delegations at the end of November; they hoped that delegations would be able to respond.

48. The Delegate of Japan presented the country's *Plan for Promoting Consumer Policy and the Progress of the Discussion on the Establishment of Consumer Affairs Agency*, indicating that the new Agency would be set up by the summer of 2009.

49. The Secretariat indicated that the analytical report on consumer product safety that was prepared by Australia with the support the Secretariat and France was classified *For official use* [DSTI/CP(2008)18]. The Committee agreed that delegates should provide comments on the draft by 28 November 2008, following which it would be subject to declassification by the written procedure.

50. The Committee:

- Confirmed 31 March to 3 April 2009, at the OECD Headquarters in Paris, as the dates and venue for its 77<sup>th</sup> session; and
- Considered 20-21 October 2009 for its 78<sup>th</sup> session.

**Participants list for Committee on Consumer Policy (CCP)/Liste des participants  
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**21-22 October 2008**

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