



THE CONCEPT AND SCOPE OF EUROPEAN UNION CONSUMER POLICY

POJĘCIE I ZAKRES POLITYKI KONSUMENCKIEJ UNII EUROPEJSKIEJ

*Mira Malczyńska-Biały** 

— ABSTRACT —

The main focus of the article is the analysis of the concept of European Union consumer policy in the context of specific policy, economic policy and public policy. The scope of EU consumer policy is examined in terms of its subject matter and actors. The subject matter of EU consumer policy is a set of legal and organisational activities undertaken by EU institutions and international consumer NGOs in accordance with consumer policy programmes for a given period of time. One overarching subject, the consumer, is identified in the subjective context. The definition of the ‘consumer’ in a socio-legal context is analysed.

Keywords: European Union; consumer protection; consumer policy; concepts of consumer policy

— ABSTRAKT —

Artykuł koncentruje się w szczególności na analizie pojęcia polityki konsumenckiej Unii Europejskiej w kontekście polityki szczegółowej, polityki gospodarczej oraz polityki publicznej. Zakres polityki konsumenckiej Unii Europejskiej zbadano pod kątem przedmiotowym oraz podmiotowym. Przedmiotem polityki konsumenckiej Unii Europejskiej jest zespół działań prawno-organizacyjnych podejmowanych przez instytucje UE oraz międzynarodowe konsumenckie organizacje pozarządowe zgodnie z programami polityki konsumenckiej przewidzianymi na dany okres. W kontekście podmiotowym wskazano na podmiot nadrzędny, którym jest konsument. Dokonano analizy definicji „konsumenta” w kontekście społeczno-prawnym

Słowa kluczowe: Unia Europejska; ochrona konsumentów; polityka konsumencka; koncepcje polityki konsumenckiej

* University of Rzeszów, Institute of Political Science.

INTRODUCTION

The purpose of this article is to analyse the concept and scope of European Union consumer policy. The article critically examines the following research hypotheses: first, the classification of European Union consumer policy is related to its definition as a specific policy of the European Union, as an element of EU economic policy, and as a public policy of the European Union. Secondly, the scope of consumer policy is determined by its subject matter, defined in the form of objectives in the consumer policy strategies and programmes of the European Union for a given period of time, and by the entity. Thirdly, the overarching entity of consumer policy in the European Union is the consumer, other European Union actors (law-making institutions, advisory and consultative bodies, judicial institutions) are involved in the development and implementation of European Union consumer policy.

In order to address the research question, a number of research methods and techniques relevant to political science were used. Thus, the institutional-legal method was used to analyse the texts of normative acts in the field of consumer protection in the European Union. Elements of the comparative method were used to examine the concept of consumer policy as it was implemented in specific periods. Elements of the historical analysis method were also applied, in particular when examining consumer policy in the European Economic Community.

Consumer policy in the European Union must be defined in terms of its nature and its material and personal scope. In the material context, consumer policy in the European Union is identified primarily with programmes and strategies in the form of communications from the European Commission, the European Parliament and the European Economic and Social Committee of the European Union, regulations of the European Parliament and the Council of the European Union, which contain specific guidelines, courses of action and strategic objectives to be achieved over a certain period of time. The process of implementing consumer policy has been linked to the activities of EU and non-governmental institutions and bodies, the creation of relevant legislation to protect consumer interests, and education and information activities. Consumer policy in the European Union, as an action programme, defined the objectives of Community consumer policy, the principles of action, both general areas of intervention and precise priority actions. It developed strategies and programmes, as well as a normative framework for consumer law, which emphasised

a modern political economy of consumer protection and was based on a social vision in which the interests of consumers were sufficiently protected in the common market (Malczyńska-Biały, 2021, pp. 125–290).

The specific Community institutions have been given full legal authority to intervene in the consumer field and to act to integrate national consumer laws and rules in each Member State. In addition, the European Union has the instruments available to implement consumer policy, allowing the creation of a single set of rules directly applicable to all consumers throughout the EU. The obstacles to effective European Union action on consumer protection are therefore not the powers available, but the unwillingness of Member States or consumers to use them. The apparent egalitarian diversity of the national consumer laws and policies of the EU and former European Economic Community countries, the legal pluralism and the multiplicity of instruments used in each national system to ensure consumer protection thus became a generative factor in the integration process (Bourgoignie & Trubek, 1987, pp. 144–145).

In a subjective context, the overarching subject of European Union consumer policy is the consumer. It is their rights and interests that need to be protected. Other actors in consumer policy include businesses, Member States, EU, national and international institutions, governmental and non-governmental organisations.

THE CONCEPT OF EU CONSUMER POLICY

European Union consumer policy can be defined in different ways: as one of the EU's specific policies, as part of economic policy, or as public policy.

The Treaties establishing the European Communities provided the Member States with a basis for common action. This has led to the emergence of a number of specific European Union policies. Consumer policy as a specific policy of the EU can only be referred to after the entry into force of the Maastricht Treaty, which significantly amended the provisions of the Treaty of Rome (Dinan, 1998, p. 98).

In the Treaty of Rome, consumer policy was not recognised as a common EEC policy, there was no mention of consumers in the Treaty, nor was there any provision for representation of this particular interest group among the other interest groups included in the EEC Social and Economic Committee (Jagielska, 2000, p. 209). With the entry into force of the Maastricht Treaty, consumer protec-

tion became a clearly defined Community competence. This provided a potential constitutional basis for the development of EU consumer policy strategies. These were independent of policy harmonisation and market integration (Weatherill, 2005, p. 6).

The Treaty on the Functioning of the European Union (TFEU) devotes Title XV to consumer protection. Article 169 states that the EU shall seek to promote the interests of consumers and to ensure a high level of consumer protection. It also clarified the objective of this policy. From then on, the EU contributed to protecting the health, safety and economic interests of consumers and to promoting their right to information, education and to organise themselves in order to safeguard their interests. These objectives have been achieved through measures aimed at completing the internal market and supporting and monitoring the policies pursued by the Member States. According to Article 114(1) of the Treaty, these are measures for the approximation of the provisions laid down by law, regulation or administrative action in Member States which have as their object the establishment and functioning of the internal market (*Consolidated Version of the Treaty...*, 2012).

The European Commission's legislative proposals in the field of consumer protection have been based on a high level of protection, taking account in particular of any developments based on scientific evidence. Within their respective powers, the European Parliament and the Council of the European Union also sought to achieve this objective (Article 114(3) of the Treaty). In the field of consumer protection, the European Union shared competences with the Member States (Article 4 of the Treaty). In principle, Member States developed their definitions of consumer rights in accordance with their national legal systems, embedded in their domestic socio-economic environment. Member States have been able to develop a so-called broad approach to consumer affairs. The effectiveness of such approaches depended largely on cultural and socio-economic factors specific to each country. However, an important part of these approaches was to define the scope of the definition of consumer (Schüller, 2012, pp. 123–124).

Consumer policy can also be analysed as one of the policies of the EU – an element of economic policy. Economic policy is an umbrella term for many component policies: trade policy, monetary policy, agricultural policy, customs policy, budgetary policy, industrial policy, transport policy, or consumer policy (Druesne, 1996, pp. 23–27). In this context, economic policy was understood as the deliberate influence of state authorities and institutions of international

organisations on the economy – its dynamics, structure, functioning and economic relations (Bajan, 2005, p. 34). The EU Member States conducted their economic policies in accordance with the principle of the free market and free competition, contributing to the achievement of Community objectives. The task of EU economic policy was to promote harmonious economic development within the internal market (Ruszkowski, 2004).

The development of consumer policy in the European Union has been linked to the creation and integration of the internal market. Differences in the extent and nature of consumer protection in the systems of the Member States, as well as the lack of consumer confidence necessary for the smooth functioning of the internal market, were perceived as obstacles to the effective completion of the internal market integration process (Wiewiórowska-Domagalska, 2005, p. 24). A distinctive feature of EU consumer policy was that it did not operate independently, but was closely linked to the objectives of the internal market. Consumer law created minimum standards and affected each Member State in a way that corresponded to the position of its legal system (Twigg-Flesner, 2005, p. 415).

European Union consumer policy can be classified as public policy. Public policy is the action of public authorities to solve problems of collective (public) interest. The focus is not on the struggle for authority, but on the choice of one of the available ways to solve public problems (Wołek, 2021, p. 11). Consumer policy is a public regulatory policy. It places a strong emphasis on standardisation and the creation of appropriate regulations to protect consumers. It includes a complex system of legal acts regulating the functioning of this market. This system of legislation, which starts with the regulation of the market itself, for example through the standardisation of goods or market turnover, has also been incorporated into consumer policy, which is important for the European Union and its internal market. It relates directly to individual consumer behaviour. Its meaning can be reduced to the reduction of undesirable behaviour or to the encouragement of certain behaviour from the point of view of the consumer policy objective. An example of such a policy could be measures related to the creation and functioning of the European internal market, such as the prohibition of unfair market practices. Regulatory policy in the context of consumer protection is constantly evolving (Danel, 2009, pp. 108–109).

The above classifications of consumer policy as a specific policy of the European Union, as an element of the economic policy of the European Union, as a public policy, contained definitional deficiencies. They did not take into

account the subject, object, determinants, or mechanisms of action of consumer policy. On the basis of the analyses and research carried out, European Union consumer policy was considered to be a set of legal and organisational measures taken by the European Union institutions and international consumer NGOs in accordance with consumer policy programmes over a given period of time. They were aimed at protecting the rights of consumers in terms of health, economic interests, redress, information and education, and organisation. The determinants of the European Union's consumer policy can be divided into two groups: historical-organisational, relating to the development of consumerism and the consumer movement in Europe, and legal-economic, relating to the development of different models of consumer protection in the Member States, as well as the adaptation of Member State legislation to the legal standards shaped in the European Union (Malczyńska-Biały, 2021, pp. 49–70).

Consumer policy is of great importance not only for the individual citizen of the Union (protection of his or her economic interests of the right to security, the possibility of redress, the right to representation, or the right to education and information) but also for the economy of the Member States, the EU itself, and even the world (Goldsmith & Lee, 2021).

SCOPE OF EUROPEAN UNION CONSUMER POLICY

The scope of EU Consumer Policy needs to be analysed according to what is covered and by which entities. The subject matter of EU consumer policy is the set of legal and organisational activities undertaken by the institutions of the European Union and international consumer NGOs in accordance with consumer policy programmes for a given period of time. These are aimed at protecting consumer rights in the areas of health, economic interests, redress, information and education, and organisation. These tasks are defined in terms of objectives to be achieved and form the concepts contained in the European Union's consumer policy programmes and strategies. They have been included in all consumer policy programmes since 1992 (*Consumer Policy...*, 1993; *Communication from the Commission – Priorities for Consumer...*, 1995; *Communication from the Commission. Consumer Policy Action...*, 1998; *Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, Consumer Policy Strategy...*, 2002; *Communication from the Commission to the Council, the European Parliament*

and the European Economic and Social Committee – EU Consumer Policy Strategy 2007–2013..., 2007; Regulation (EU) No 254/2014..., 2014; Communication from the Commission to the European Parliament and the Council New Consumer Agenda..., 2020). They took on different dimensions and were developed into strategic goals to be achieved during the strategy period. Each objective of a given concept contained guidelines and ways of achieving it, adapted to the threats and consumer problems of the time (Ślusarczyk, 2007, p. 80).

Four concepts can be distinguished in European Union consumer policy. The first is the concept of strengthening consumer safety and protection. This has led to the development of two categories of action. Firstly, measures to ensure the health safety of consumers. Secondly, measures to protect consumers' economic interests. Accordingly, actions were undertaken to improve product safety regulation, standardisation and labelling, market surveillance and national consumer policy (Malczyńska-Biały, 2020, p. 95).

The second approach concerns enforcement and consumer redress. It related to improving consumers' access to justice, implementing consumer redress legislation and advocating a more sophisticated dialogue, pointing to elements of self-regulation between consumers and traders. The need to effectively enforce and implement consumer protection rules and to provide better means of enforcement and redress was consistently highlighted (Malczyńska-Biały, 2016, pp. 34–47).

The third concept has as its scope the objectives related to the provision of consumer information and education. They related to the development of legislation to promote consumer information and education, as well as the activities of consumer policy actors in developing consumer education and information. They concerned the planning and implementation of activities related to the effective implementation and enforcement of consumer protection rules, the proper involvement of consumer organisations in the EU, better information and education of consumers.

The last concept concerned the development of consumer representation in the European Union. It was synonymous with empowering consumers to participate in the development and implementation of consumer policy. It included financial, organizational, and educational support for consumer associations in the EU, nationally and internationally (Malczyńska-Biały, 2017a).

In the subjective context, we can refer to the overarching subject, the consumer, and to the actors involved in the creation or implementation of the European Union's consumer policy, namely the legislative institutions (the European

Parliament, the European Commission, and the Council of the European Union), the advisory and consultative institutions – the European Economic and Social Committee (EESC), the consumer NGOs (e.g., BEUC – Bureau Européen des Unions de Consommateurs, ANEC – European Association for the Coordination of Consumer Representation in Standardisation), the judicial institutions (the Court of Justice of the European Union), and the European Ombudsman and the European Consumer Centres (ECC) (Malczyńska-Biały, 2017b).

Consumers are an overarching subject of European Union consumer policy. The definition of the consumer has been considered in the context of European Union legislation or the level of research related to the chosen area of science. There is no single definition of the consumer in EU legislation (Krämer, 1986, p. 1). It can be found in the secondary legislation of the European Union and in the case law of the European Court of Justice. The concept varies according to the subject matter and scope of the legal act. For example, in the Unfair Commercial Practices Directive (*Directive 2005/29/EC...*, 2005), a consumer is defined as any natural person who, in the context of a commercial practice covered by the Directive, is acting for purposes which are outside his trade, business, craft, or profession. The Consumer Rights Directive (*Directive 2011/83/EU...*, 2011) defines him as any natural person who, in contracts covered by this act, is acting for purposes which are outside his trade, business, craft, or profession. Article 2.2 of the Directive on certain aspects of contracts for the sale of goods (*Directive (EU) 2019/771...*, 2019) defines a ‘consumer’ as any natural person who, in contracts covered by this Directive, is acting for purposes which are outside his trade, business, craft, or profession. Similar principles can be found in directives on financial services such as payments (*Directive 2007/64/EC...*, 2007). According to Article 4 para. 11 of the Payment Services Directive, ‘consumer’ means a natural person who, in the context of payment service contracts defined in the Regulation, is acting for purposes which are outside his trade, business, or profession. The Consumer Credit Directive (*Directive 2008/48/EC...*, 2008) defined a ‘consumer’ as a natural person who, in transactions covered by the Directive, was acting for purposes which are outside his trade, business, or profession. Article 2(1) of the Regulation laying down the general principles and requirements of food law (*Regulation (EC) No 178/2002...*, 2002) provided a definition of ‘final consumer’. It means the ultimate consumer of a foodstuff who does not use the food as part of a food business operation.

There are some common elements in the secondary legislation defining the consumer, which classify the consumer as a natural person who has acted for

purposes which are outside his trade or profession. There were differences in the legal definition of a consumer in the EU Member States. In general, the definition of consumer was very broad, ranging from the inclusion of legal persons to a very strict understanding of natural persons. The concepts of natural and legal persons in contract law depended on the legal system of the Member State concerned. Nor did a single definition or interpretation of natural person exist at EU level. The legal definition of the consumer, taking into account the findings of other scientific fields on consumer behaviour, questioned how the consumer could be defined as a natural person, given that the mere fact of purchasing consumer goods specified him. Consumers were not defined by their nature but by their behaviour. The need for protection arose from the special situation and specificity of the behaviour associated with the sale of consumer goods (Schüller, 2012, p. 123).

The definition of a consumer has also been shaped by the case law of the European Court of Justice (ECJ). It has taken on a narrow or a broad scope. The narrow scope was interpreted, *inter alia*, in the *Idealservice* case (ECJ, 2001). The Court ruled that, under the terms of Article 2 of Directive 93/13 (*Council Directive 93/13/CEE...*, 1993), a consumer can only be a natural person. The Court's decision was in line with the Commission's view that the term consumer refers only to natural persons (*Opinion of Advocate General Mischo...*, 2001). The basis of the system of protection was the idea that the consumer was in a weak position vis-à-vis the seller in terms of his bargaining power and his level of knowledge. Therefore, only a specific category of persons would be protected as the weaker party, in this case, the consumer acting for purposes unrelated to his commercial, business, or professional activity. They were considered economically more powerful, more knowledgeable about the law, stronger and better organised and therefore less vulnerable. Moreover, in its case law, the European Court of Justice has interpreted the term 'consumer' as meaning an 'informed final consumer' (ECJ, 1993).

The concept of consumer was linked to the exercise of a profession. Activities relating to a business, profession, or occupation were excluded. With regard to the protection of economic interests, in particular contract law, a consumer was a natural person who, when concluding a contract, is acting for purposes which are not related to his trade, business, or profession. It did not include legal entities (ECJ, 1991).

The perception of the consumer as a passive market participant, generally characterised only by his or her physical personality, explains the narrow scope

of the definition of the consumer in EU law. The actions of consumers had to be distinguished from those of businesses, the self-employed and employees, in accordance with the fundamental freedoms of international law. The applicability of consumer legislation to “mixed purposes” should depend on the predominance of one or the other purpose. In line with ECJ case law, there was no presumption that the consumer, as a private person, was acting for private purposes. The consumer’s role was not limited to personal activities, but could also be for the consumption of others, provided that this was done in the context of his trade, profession, or business. In the field of the non-economic protection of legal interests, the term ‘consumer’ was independent of any activity and could be applied to a natural person (ECJ, 2005).

The broader interpretation of the definition of consumer was related to the possibility of its extension by national law, in the sense of minimum harmonisation (Semeniuk, 2011, pp. 219–220), to other persons deserving protection. This referred to specific types of consumer contracts, for example, in the area of financial services, particularly in insurance or investment law. The term ‘consumer’ was also broadly interpreted to include customers, policyholders, and investors. Therefore, the specific purpose of the activity did not matter. In the field of product liability, it was of paramount importance to protect any person who might come into contact with a defective or dangerous product. However, it was irrelevant what function they performed in doing so. Consumer protection meant protecting everyone, regardless of their job. It only applied to damage caused by death or personal injury (Reich, 2009, p. 48).

This political definition has been associated with recognition of users as vulnerable market participants whose economic interests must be safeguarded. The First Programme of the European Economic Community on Consumer Protection and Information Policy (*Preliminary Programme of the European Economic Community...*, 1975), introduced in 1975 by a resolution of the Council of the European Communities, in para. 3 contained a definition of the consumer as not only the purchaser and user of goods and services for personal, family or group purposes, but also as a person with an interest in various aspects of society which may affect him or her directly or indirectly. Consumers were to be guaranteed the protection of five fundamental rights reaffirmed in successive EU consumer policy programmes: to health and safety, to protection of economic interests, to redress, to information and education, and to representation. Alongside the economic justification of consumer sovereignty and the perception of the consumer as a rational actor with free choice as the driving force of the single

market, there was a more political justification for equating consumers with citizens. Only individuals could be citizens of the EU. Consumer law provided special rights exclusively for them. On the one hand, consumers should include the widest possible range of purchasers. On the other hand, the definition had to be limited to EU citizens. This ambivalence has characterised the definition of consumer. The first part related to the political approach and the second to the economic approach. Prior to the emergence of the political rationale, the restriction of consumers to natural persons was a constant feature of the various EU consumer directives. Initially, however, the economic rationale was the sole driver of EU consumer policy and coincided with the judicial justification of the consumer definition. Both approaches used basic principles of contract law: economic reasoning and legal reasoning. The shift in focus from economic to political, with a strong reference to citizenship, broke the link between economic and legal reasoning. This led to even greater differences between the EU and member state approaches (Schüller, 2012, p. 124).

The concepts of ‘consumer’ and ‘citizen of the Union’ were essentially the same. Each described a subject with a specific legal status under Community law that went beyond the scope of the classical fundamental freedoms of the EU. For the citizen, freedom of movement and, for the consumer, rights based on information and the protection of legitimate interests, were central reference points for the granting of subjective rights that could be further developed through the network of secondary law (Davies, 2011, p. 5). Both benefited from the Community principle of effective legal protection and access to justice, but this had to be provided by the Member States themselves, not by the European Union (Reich, 2009, p. 48).

The consumer can be defined as a passive market citizen – *homo oeconomicus passivus* – who transacts to satisfy his needs without producing a product or service himself. EU legislation seems to have recognised this extension of the consumer concept in some areas dealing with the protection of users in general. In the Directive on Services in the Internal Market (*Directive 2006/123/EC...*, 2006), Article 4 para. 3, the recipient is not only the consumer, but also any natural person who is a national of a Member State or who benefits from rights conferred on him by Community acts, or any legal person established in a Member State who uses or intends to use a service for professional or non-professional purposes. Similar principles have been developed in the area of the protection of tourists and passengers (*Directive (EU) 2015/2302...*, 2015). Article 3 para. 6 of the Package Travel Directive defines a ‘traveller’ as any person seeking to

conclude a contract or entitled to travel on the basis of a contract concluded within the scope of this Directive.

There is no doubt that the consumer is the most important actor in any free-market economy. They are the largest economic group in the economy, influencing and being affected by almost every public and private economic decision.

CONCLUSION

Researchers have neglected the issue of European Union consumer policy in the context of conceptual analysis. The development of consumer protection in the European Economic Community shaped the concepts of consumer policy in the European Union. In 1993, with the entry into force of the Treaty on European Union, consumer policy took on a new dimension and became one of the strategic objectives of the Community. From then on, consumer policy aimed at protecting the rights of weaker market players was developed in programmes and strategies. Within this framework, policies have been developed which set out a general plan of action for a given level of protection over a given period of time.

In summary, the classification of European Union consumer policy is related to its definition as a specific policy of the European Union, as an element of EU economic policy and of European Union public policy. It is a set of legal and organisational activities carried out by the European Union institutions and international consumer NGOs in accordance with consumer policy programmes.

The scope of consumer policy is determined by its subject matter, which is defined in terms of objectives in the European Union's consumer policy strategies and programmes for a given period and for a given entity. The European Union's consumer policy programmes set out consumer policy concepts and how they are to be implemented. They aim to protect consumer rights in relation to health, economic interests, redress, information and education, and organisation.

The overarching subject of consumer policy in the European Union is the consumer. Although there is no single definition of a consumer in EU law, it is generally accepted that a consumer is a natural person who enters into a legal transaction which is not related to his or her economic, professional, or commercial activity. Other consumer policy entities are involved in the development and implementation of EU consumer policy: the European Parliament, the European

Commission and the Council of the European Union, the European Economic and Social Committee, consumer NGOs, the Court of Justice of the European Union, the European Ombudsman, and the European Consumer Centres.

The outlook for the development of contemporary European Union consumer policy, its guidelines and direction of change is illustrated by the Consumer Programme 2020–2025. Today's consumer policy challenges are related to the ongoing environmental transformation, digital transformation, the need to develop ways of redressing and enforcing consumer rights, taking into account individual consumer needs, consumer protection in a global context. The effectiveness of consumer policy is determined not only by the creation of appropriate legal regulations in the EU, but above all by increasing consumer education from an early age (*Communication from the Commission to the European Parliament and the Council New Consumer Agenda...*, 2020).

Consumer policy is one of the EU's policies – one that is important and in some respects even setting global standards for consumer protection. The most important here are the EU product safety regulations being developed that influence the dynamics of specific interest groups (Bradford, 2020, pp. 171–196).

A controversial element of contemporary consumer policy is the lack of tangible EU action at the supra-national level in the wake of the increasing financial instability of many households, triggered by the COVID-19 crisis and inflation caused by, among other things, the war in Ukraine. Financial distress can lead to consumer over-indebtedness and threats to their economic interests (Keane & Neal, 2021).

REFERENCES:

- Bajan, K. (2005). *Polityka gospodarcza i społeczna. Polska w Unii Europejskiej*. Łódź: Wyższa Szkoła Kupiecka.
- Bourgoignie, T., & Trubek, D. (1987). *Consumer Law, Common Markets and Federalism in Europe and the United States*. Berlin: De Gruyter.
- Bradford, A. (2020). *The Brussels Effect: How the European Union Rules the World*. Oxford: Oxford University Press.
- Communication from the Commission – Priorities for Consumer Policy 1996–1998*. (1995, October 31). COM(95)519.
- Communication from the Commission. Consumer Policy Action Plan 1999–2001*. (1998, January 14). COM(98)0696.

- Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, Consumer Policy Strategy 2002–2006.* (2002, May 7). COM(2002)0208.
- Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee – EU Consumer Policy Strategy 2007–2013 – Empowering Consumers, Enhancing Their Welfare, Effectively Protecting Them.* (2007, March 13). COM(2007)0099.
- Communication from the Commission to the European Parliament and the Council New Consumer Agenda Strengthening Consumer Resilience for Sustainable Recovery.* (2020, November 13). COM(2020)696.
- Consolidated Version of the Treaty on the Functioning of the European Union.* (2012, October 26). OJ EU C 326/47.
- Consumer Policy – Second Commission Three-Year Action Plan 1993–1995.* (1993, July 28). COM(93)378.
- Council Directive 93/13/EEC of 5 April 1993 on Unfair Terms in Consumer Contracts.* (1993, April 21). OJ L 95.
- Danel, Ł. (2009). Wybrane współczesne teorie systemu politycznego Unii Europejskiej. *Zeszyty Naukowe Uniwersytetu Ekonomicznego w Krakowie*, 803, 107–117.
- Davies, J. (2011). *The European Consumer Citizen in Law and Policy*. Northampton: Palgrave Macmillan UK.
- Dinan, D. (1998). Consumer Policy. In: D. Dinan (Ed.). *Encyclopedia of the European Union* (pp. 98–113). London: Palgrave Macmillan.
- Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 Concerning Unfair Business-to-Consumer Commercial Practices in the Internal Market and Amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council.* (2005, June 11). OJ L 149.
- Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on Services in the Internal Market.* (2006, December 27). OJ L 376.
- Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on Payment Services in the Internal Market Amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and Repealing Directive 97/5/EC.* (2007, December 5). OJ L 319.
- Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on Credit Agreements for Consumers and Repealing Council Directive 87/102/EEC.* (2008, May 22). OJ L 133.
- Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on Consumer Rights, Amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and Repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council Text with EEA Relevance.* (2011, November 22). OJ L 304.
- Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on Package Travel and Linked Travel Arrangements, Amending Regulation (EC)*

- No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and Repealing Council Directive 90/314/EEC.* (2015, December 11). OJ L 326.
- Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on Certain Aspects Concerning Contracts for the Sale of Goods, Amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and Repealing Directive 1999/44/EC.* (2019, May 22). OJ L 136.
- Druesne, G. (1996). *Prawo materialne i polityki wspólnot i Unii Europejskiej*. Warszawa: Scholar.
- ECJ. (1991). Judgment of 14 March 1991. *Criminal Proceedings against Patrice Di Pinto. Reference for a Preliminary Ruling: Cour d'appel de Paris – France*. Case C-361/89.
- ECJ. (1993). Judgment of the Court of 19 January 1993. *Shearson Lehman Hutton Inc. v TVB Treuhandgesellschaft für Vermögensverwaltung und Beteiligungen mbH*, Case C-89/91.
- ECJ. (2001). Judgment of 22 November 2001. *Cape Snc v. Idealservice Srl (C-541/99) and Idealservice MN RE Sas v. OMAI Srl (C-542/99)*.
- ECJ. (2005). Judgment of 20 January 2005. *Johann Gruber v. Bay Wa AG. Application for a Ruling for a Preliminary Ruling: Oberster Gerichtshof – Austria*, Case C-464/01.
- Goldsmith, K., & Lee, A.Y. (2021). View from Inside: Insights on Consumer Behavior during a Global Pandemic. *Journal of the Association for Consumer Research*, 6(1), 142–148. DOI: 10.1086/711896.
- Jagielska, M. (2000). Ewolucja europejskiego prawa konsumenckiego. In: M. Pazdan (Ed.). *Valeat aequitas. Księga pamiątkowa ofiarowana Księdzu Profesorowi Remigiuszowi Sobańskiemu* (pp. 202–219). Katowice: Wydawnictwo Uniwersytetu Śląskiego.
- Keane, M., & Neal, T. (2021). Consumer Panic in the COVID-19 Pandemic. *Journal of Econometrics*, 220(1), 86–105. DOI: 10.1016/j.jeconom.2020.07.045.
- Krämer, L. (1986). *EEC Consumer Law*. Brussels: Story-Scientia.
- Malczyńska-Biały, M. (2016). *Alternatywne sposoby pozasądowego rozwiązywania sporów konsumenckich w województwie podkarpackim*. Rzeszów: Wydawnictwo Uniwersytetu Rzeszowskiego.
- Malczyńska-Biały, M. (2017a). Non-Governmental Consumer Organizations in European Union: Selected Aspects. *World Scientific News*, 72(2), 442–447.
- Malczyńska-Biały, M. (2017b). The Schemes for Institutional Consumer Protection in the European Union. *Przegląd Politologiczny*, 22(3), 191–197. DOI: 10.14746/pp.2017.22.3.14.
- Malczyńska-Biały, M. (2020). European Union Consumer Policy on Product Safety in Years 2002–2014. *Przegląd Politologiczny*, 25(1), 93–102. DOI: 10.14746/pp.2020.25.1.7.
- Malczyńska-Biały, M. (2021). *Polityka konsumencka Unii Europejskiej po 2002 roku*. Rzeszów: Wydawnictwo Uniwersytetu Rzeszowskiego.
- Opinion of Advocate General Mischo Delivered on 14 June 2001.* (2001). Case C-541/99, *Cape v Idealservice*.

- Preliminary Programme of the European Economic Community for Consumer Protection and Information Policy.* (1975, April 25). OJ EC C 92.
- Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 Laying Down the General Principles and Requirements of Food Law, Establishing the European Food Safety Authority and Laying Down Procedures in Matters of Food Safety.* (2002, February 1). OJ L 31.
- Regulation (EU) No 254/2014 of the European Parliament and of the Council of 26 February 2014 on a Multiannual Consumer Programme for the Years 2014–20 and Repealing Decision No 1926/2006/EC.* (2014, March 20). OJ L 84.
- Reich, N. (2009). Economic Law, Consumer Interests and EU Integration. In: H.M. Micklitz, N. Reich, & P. Rott, *Understanding EU Consumer Law* (pp. 1–60). Antwerp–Oxford–Portland: Intersentia.
- Ruszkowski, J. (2004). Polityka gospodarcza. In: J. Ruszkowski, E. Górnicz, & M. Żurek (Eds.). *Leksykon integracji europejskiej* (pp. 291–292). Warszawa: Wydawnictwo Wyższej Szkoły Bankowej.
- Schüller, B. (2012). The Definition of Consumers in EU Consumer Law. In: J. Deveney, & M. Kenny (Eds.). *European Consumer Protection: Theory and Practice* (pp. 123–142). New York: Cambridge University Press.
- Semeniuk, A. (2011). Harmonizacja prawa prywatnego w Unii Europejskiej. *Kwartalnik Prawa Publicznego*, 11(1–2), 219–255.
- Ślusarczyk, Z. (2007). Polityka ochrony konsumentów w Unii Europejskiej: podstawowe informacje. *Zeszyty Naukowe – Almamater Wyższa Szkoła Ekonomiczna*, 1, 143–157.
- Twigg-Flesner, C. (2005). Innovation and EU Consumer Law. *Journal of Consumer Policy*, 28(4), 409–432. DOI: 10.1007/s10603-005-3301-0.
- Weatherill, S. (2005). *EU Consumer Law and Policy*. Cheltenham–Northampton: Edward Elgar Publishing Limited.
- Wiewiórowska-Domagalska, A. (2005). Europejskie prawo konsumenckie – rozwój, problemy, pytanie o przyszłość. In: E. Nowińska, & P. Cybula (Eds.). *Europejskie prawo konsumenckie a prawo polskie* (pp. 20–32). Kraków: Kantor Wydawniczy Zakamycze.
- Wołek, A. (2021). Polityka, polityka publiczna, nauki o polityce publicznej: w poszukiwaniu tożsamości. In: W. Pasierbek, & B. Szlachta (Eds.). *Słowniki społeczne*. Vol. 2: *Polityki publiczne* (pp. 11–26). Kraków: Wydawnictwo Naukowe Akademii Ignatianum w Krakowie.