Consumer Protection Issues in the Market Economy

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Abstract. Consumers or end users is "public" the most important in the market. Currently, consumer demand as the carrier of cargo has become a real marketing partner, whose positions occupied in the market is strengthened with the development of society. Under these circumstances, consumer protection has become a priority worldwide, European and national. The work consists of the following problems: general theoretical issues concerning consumer, consumption, consumer behavior; consumer-protection organization in Europe; principles for the protection; consumer rights and obligations. Conclusions reflect the fact that current European consumers be informed of his rights, is informed on the products they wish to exit by and not to turn any shortcomings that might appear in its protective actions. Must be said that the Romanian consumer and is more demanding and more aware of his rights, which is a positive.

Key words: consumer, choice, decision, legislation, shopping

INTRODUCTION

The end consumer market is very big in it included millions of people, many families with needs, desires and their preferences and especially their purchasing power and organizations, state government institutions that buy products or services their needs. As a carrier of freight demand, the consumer plays an important role in the market mechanism framework, constituting a reference of action in the processes of production and marketing of goods.

MATERIALS AND METHODS

Stages of decision making reflects key moments by the buyer to browse generally the decision purchase. Now, all marketing professionals agree that "buying process begins and ends well before the actual purchase, the influenced by a multitude of factors. The choice is a buyer is the result of the combination of cultural, social, personal and psychological factors. Some of these factors can be influenced by marketing actions, while others may be influenced by providing clues on how to be created a certain product or provide a private service.

In the decision to purchase a person can carry five roles (Dobre, 2000):
- Initiator- the person who first suggest the idea of purchase;
- Influential people- whose wises or advice influences the buying decision;
- Decides- person acting in the decision to purchase various goods;
- Buyer person-making a purchase;
- User- the person who consumes or uses one items.

Consumer organization as a complex process that involves both public power and consumer himself is considering:
- secured national legislation and international underlying the consumer;
- Public institutions specifically designed to ensure the protection of consumers in each country;
- Ministries, departments, or other governmental bodies in charge and Consumer Protection;
- national research institutions;
- organizations or associations of consumers;
- consumer advisory councils;
- international consumers organizations.

Consumer protection in U.E. U.E. established new principles of consumer protection. EU Commission adopted a Communication on EU Strategy for the European consumer protection for 2007-2013, the first strategy developed by the European Commission in the interests of consumers. The document contains 10 basic principles (Bulletin informativ ANPC, 2009) concerning how the EU protects as a consumer, no matter where we live in the Union. The content is the minimum level of protection that all EU Member States should, under Community law to ensure they necessarily.

1. Buy what you want, where you want. People tempts a shopping trip in another EU member state? European law gives the right to buy how we want without having to pay additional customs duty or VAT when you return home. These rules apply whether we are physically present in the other country to shop or buy goods online, by mail or telephone. In general, the authorities in Europe country can not stop to bring home items that you legally purchased in another EU member state. However, some exceptions apply for some products such as firearms or articles of morally offensive.

2. If not working, send it back. What happens if we purchase a television and it immediately fails? Under European law, if we buy a product that is not consistent with the understanding that you did it with the seller at the time of purchase, we can go back to be repaired or replaced. We can also request a price reduction or a refund of the amount paid. These rules are valid for two years since your product was delivered. And for the first six months of delivery, the burden of proof is the seller, not the consumer, which means that the seller has to prove that the product was in accordance with the contract. The principle that the product must " according to contract " protects you and if what you get is not what you agreed to buy.

3. High standards for food and consumer goods. The EU has rules to ensure that the products they buy are safe. Although no legal system can not guarantee consumers a zero degree of risk or 100% safety, EU countries have among the highest standards of safety in the world. Food safety is based on the principle that we must have regard to all "food chain" to ensure safety. EU food safety laws determine therefore how farmers produce food (including what types of chemicals used when growing plants or as animal feed), as processed foods, what types of colorants and additives can be used and sold as food. European law takes into account food safety and imported into the EU from other parts of the world.

4. We know what we eat. Full details of the ingredients used to manufacture a food must appear on the label, along with information on colors, conservation, sweeteners or other food additive that was introduced in food. If an ingredient used is one that some consumers are allergic - for example, nuts - it must be marked on the label, even if used very small amounts. European legislation lays down that goods can be called "organic" and the use of names associated with quality products in certain European regions - for example, if labeled Prosciutto di Parma you can be sure that the ham comes from Parma, and if you can be sure it is labeled Kalamata the olives are from Kalamata. Due to European legislation, and if you
find your foods are genetically modified or contain genetically modified ingredients. If so, then be labeled as genetically modified.

5. Contracts should be fair to consumers. Have we ever signed a contract without reading and you write very small letters? What if what is written in small letters says that the deposit that you paid is non-refundable - even if the company does not fulfill its obligations? But if you say that you can not cancel the contract unless they pay the company an exorbitant amount as compensation? European legislation requires that these types of unfair terms are prohibited. Regardless of the Member State which sign the agreement, EU legislation protects such abuses.

6. Sometimes consumers can change their mind. What happens when a seller is presented unexpectedly at our house door and convinces us to sign a contract for household items. As a general principle, we can cancel such within seven days. There are some exceptions: for example, these rules do not apply to insurance contracts and, in some Member States for products that cost 60 euros. European law protects you, the consumer, when buying by mail order, Internet or Teleshoping companies and other "remote sellers".

7. It is easier to compare prices. How can you compare the prices of two brands of cereal when one is presented in boxes of 375g, 500g and the other in boxes? EU law requires supermarkets to offer "unit price" of products - such as cost per kilogram or per liter - to help you see which is best in terms of price. European law obliges and companies providing financial services to you provide certain information in a standardized form. For example, companies that offer loans and credit card companies to your community that is the annual interest rate that you pay - not only are the amounts to be paid monthly.

8. Consumers should not be misled. Is possible, as a consumer to receive letters from a mail order company which are congratulated for winning the grand prize in a lottery which organized it. It turns out however that there is nothing but a hoax to convince you to contact them and buy something from them. In fact you did not win any prize. Such advertising is legal? No. Misleading advertising or which deceives consumers is prohibited under European law. Moreover, in the case of Teleshoping, mail order or Internet sales, vendors must be open and honest with you. European law obliges them to give you full information about who I am, I sell, how much it costs (including taxes and delivery costs) and as long as necessary for performance.

9. Protection during holidays. What happens if we go into the purchase of a vacation package and tour operator goes bankrupt? What if the brochure presentation package holiday you promised a luxury hotel and are staying in one location in the building? In both cases, European law protects you. Tour-operators must have contracts to bring home if you fail when you are on holiday. Also, you have to provide compensation if your holiday does not correspond with what they promised the presentations. If touroperatorul trying to increase prices or to change the holiday destination without your permission, European legislation allows you to cancel the reservation. And if you wake up at the airport because you can not get in the airplane because it was overbooked, European legislation gives a right to compensation.

10. Effective for resolving border disputes. Consumer recognition that key economic factors in the Internal Market is one of the basic principles of European consumer policy. Consumers should be able to make fully informed choices on goods and services they purchase. Their interests must be promoted and protected, particularly having regard to the growing complexity of the markets in which it operates. The purpose and size of markets has increased incredibly in recent years due to the euro, economic development and growth of intra-European mobility. In addition to the benefits it brings to companies, It gives consumers
ample opportunity for choice and better quality. This means that consumers will have to trust to find the best products and services. European Consumer Centers Network (ECC-Net) extends across the European Union in order to increase consumer confidence in advice to citizens about their rights as consumers in the EU and support for their problems. These centers can give advice on your rights when buying from other Member States and help you solve your problems you have with a trader in another EU member state.

Consumer protection organization. Consumer policy supports EU efforts Quality improvement life. It also helps to stimulate and modernize the EU’s internal market. The European Union is committed to ensuring a high level of protection. Consumers can be best protected by a complete and accurate information on products. Informed consumers can compare products and prices and take informed decisions. Sometimes the most important effort is needed, including rules applicable in each member. All policies must take account of consumer interests and national approaches should be similar. Consumer protection is a joint effort involving all political sectors and at all levels: regional, national and European level.

Consequently, the law assigns economic responsibilities. Some of these are obligations to be met before the goods or services to be offered for sale, others are responsible which traders must comply when goods and services are unreliable or do not comply with specific conditions or reported.

In Romania it is the duty ANPC to monitor and verify compliance with the laws of the economic trader. Trader's obligation to know the law before starting commercial activity. Knowing law is not an excuse for her failure. As a result of low compliance, operators will have to bear costs arising from repair of goods or a refund them, banning the marketing or market withdrawal and penalties and other legal measures.

National Authority for Consumer Protection (ANPC) will set up offices in major commercial centers where consumers can lodge complaints. In agreement with representatives of supermarkets and hypermarkets operating in the country and districts will establish their premises ANPC one information desk, which will take the consumer notifications. Thus, it can quickly resolve any customer complaints related to various products.

If you buy a product from another EU member state, and it will not meet the technical data specified by the manufacturer, the situation should be reported to the office of Romania's European Consumer Center (ECC). Institution will verify the details of the case and provide specialized support for his resolution, including recovery of damages if the product can not be repaired or the buyer does not want his replacement. The rules are valid for two years from the date the product was delivered to the customer.

RESULTS AND DISCUSSION

Consumer behavior is a component of the human and economic environment in general and can be defined as acts of decisions taken at the individual or group, directly related to the acquisition and use of goods and services to meet current and future including the decision processes that precede it and determine these acts.

Consumer purchase decision depends on:
- Degree of novelty of the product, or a previous purchase,
- Testing, product testing,
- Routine in buying a product.

Based on new consumer protection rules established within the EU as well as how it is organized in terms of institutional protection in Europe and Romania could loosen these significant issues related to consumer protection in Europe:
Areas where the EU has strengthened consumer protection include misleading advertising, security products, door to door sales, consumer credit from the public and part-time employment contracts.

EU policy objectives of consumer protection for the next five years include (Ghidul consumatorului ANPC, 2009):

- ensure that all products meet essential health and safety standards;
- ensuring fair trade standards and consumer awareness of their rights;
- ensuring that consumer views may influence policy in this area and assist them in understanding the measures taken;
- ensure that they have full confidence in products coming from any part of the European Union.

Consumers have five basic rights (Ghidul consumatorului, ANPC, 2009). They are:

- the right to be protected against the risk of purchasing a product or to receive a service that could endanger their life, health or safety, or affect their legitimate rights and interests;
- the right to be informed fully, fairly and accurately the essential characteristics of products and services so that a decision taken in relation to them as well to meet their needs and to be educated as consumers;
- right of access to markets that provide a wide range of quality products and services;
- the right to be compensated for damage caused by poor quality of products and services, using for this purpose means provided by law;
- the right to organize themselves into associations for consumer protection in order to protect their interests.

Consumer Code has added two more rights for the economic interests of consumers (Buletin informativ ANPC, 2009):

1. right to refuse the conclusion of contacts that contain unfair terms in accordance with law;
2. right not to be restricted by an operator in obtaining a benefit which is due by law.

Protection is specific depending on the products to which we refer.

CONCLUSIONS

1. The analysis of consumer behavior should be known and studied elements of purchasing decision: before and after purchase.
2. Consumer protection is part of social policy pursued by any Member. However, it should be, given the importance they have, to set up an independent policy with objectives and priorities.
3. Standards are necessary for a fair trade for greater transparency and full information to consumers. Consumer associations should participate in all phases of decision-making process.
4. Consumer successes at European level are important.
5. Law gives consumers a level of legal protection on the basis that the trader holds a sound understanding of goods and services it offers.

REFERENCES

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