

Webinar on artificial intelligence and consumer protection:

Risks for consumers

1 February 2024

Cooperation Improving Consumers Law Enforcement

Presentation

Ms. Luisa Crisigiovanni

EU Grants Program Manager

Euroconsumers - Altroconsumo

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Luisa Crisigiovanni
Eu Grants Program manager
Euroconsumers - Altroconsumo



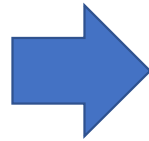
Cooperation Improving Consumers Law Enforcement
Support enforcement exploiting consumers complaints data
UNCTAD webinar 1.02.2024

This project was funded by the European Union's Consumer Programme (2014-2020) - Grant Agreement number 101018237

Consumer complaints data are real time resource for speeding up the journey to enforcement action

Problem at stake

Insufficient enforcement and risk that harmful business practices become normalized, eroding both the principles and practice of consumer law and consumer confidence.



Solution

Web Complaints gathering to become the engine of public and private enforcement actions

Overview of CICLE specific objectives

Upgrade of online interface and complaints monitoring

Improving surveillance enforcement tools

Supporting authorities' enforcement power

Develop coordinated actions

Sharing best practices



WP2 –
Upgraded
complaint
platform and
reporting tools

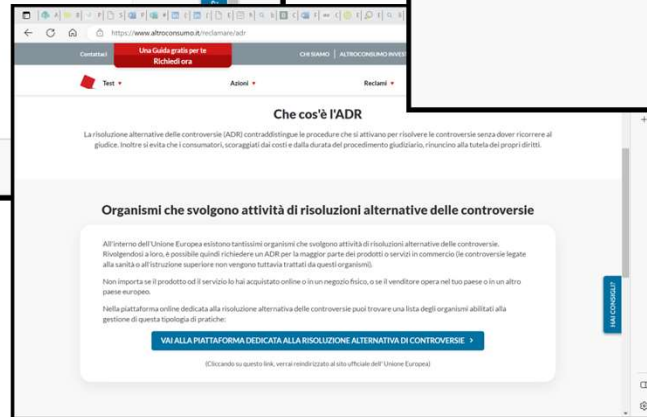
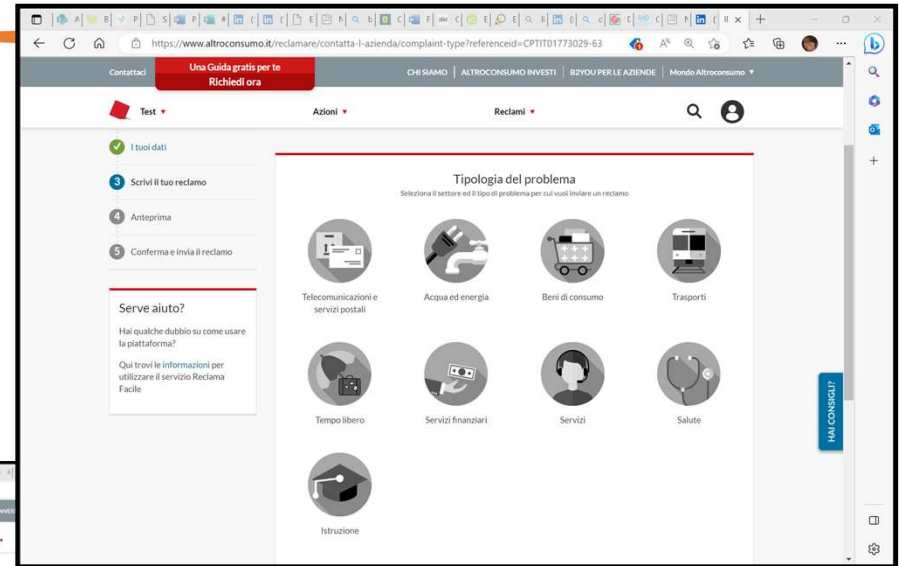
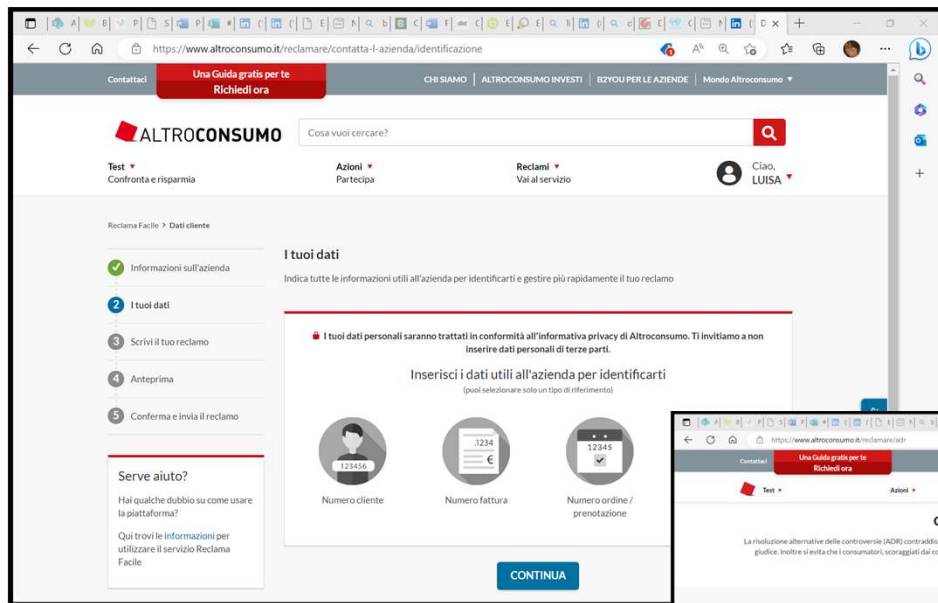
Complaint platform V2.0: Send a complaint to a third party with the support of the consumer association

Redirect the consumer to the competent public ADR points of contact thanks to an online finder

Monitor complaint activity and develop e-enforcement monitoring tools

Create a moderate alert system to detect any new alarming activity or breach

Advice & templates available



CONSUMER GOODS	EDUCATION	HEALTH	POSTAL SERVICES & TELECOMMUNICATIONS
Debt collection	Payment issues	Debt collection	Activation of the service
Delivery	Other	Other	Delivery
Installation			Interruption of service
Invoice	WATER & ENERGY	CONSUMER SERVICES	Invoice
Order	Activation of the service	Contract	Other
Other	Interruption of service	Delay	Parcels
Related services	Invoice	Execution of the work	Registered letter
Repair	Other	Laundry services	Sale
Sale	Supply disruption	Other	Supply disruption
Warranty	Switching	Payment issues	Supply issues
Withdraw	Termination of the service	Voucher	Switching
			Termination of the service
LEISURE SERVICES	FINANCIAL SERVICES		TRANSPORTATION SERVICES
Booking	Other		Baggage
Cancellation	Bank account		Booking modifications
Contract	Cards		Cancellation
Extra services	Financing		Car damages
Other	Termination of the service		Delay
Passes	Contract		Denied boarding
Payment issues	Invoice		Ferry cancellation
Quality	Sale		Ferry delay
			Flight cancellation
			Flight delay
			Other
			Passes
			Train cancellation
			Train delay

Complaint dashboards

The methodology behind:

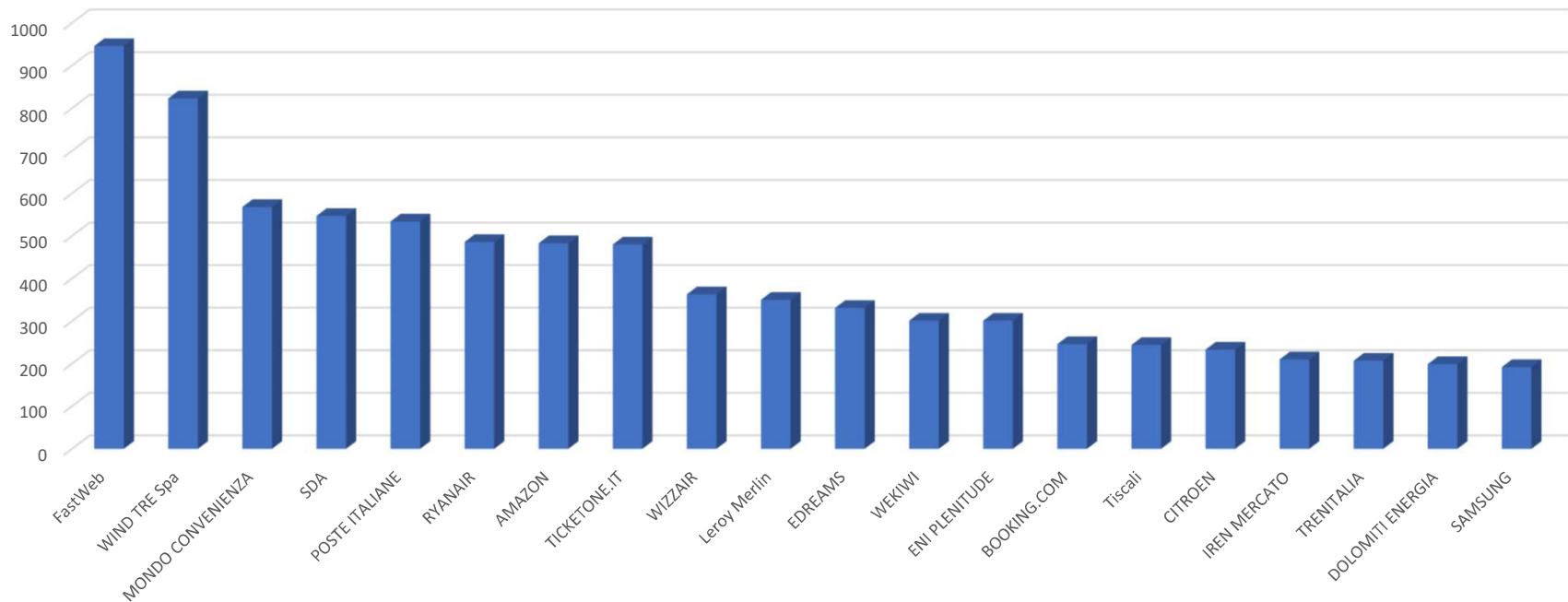
- **Top 20 companies with most complaints.**
- **Top 20 companies with the highest number of unanswered complaints.**
- **Nature of problems** per sector, per company, monthly based.



*The ranking refers however to complaints to companies that have joined the Reclama Facile or Reclamar platform in a collaborative spirit. It is therefore not to be considered exhaustive of the complaints we receive on a daily basis via other channels and which also concern many other market players.

Top 20 companies with most complaints - Italy

TOP 20 COMPANIES WITH MOST COMPLAINTS - ITALY

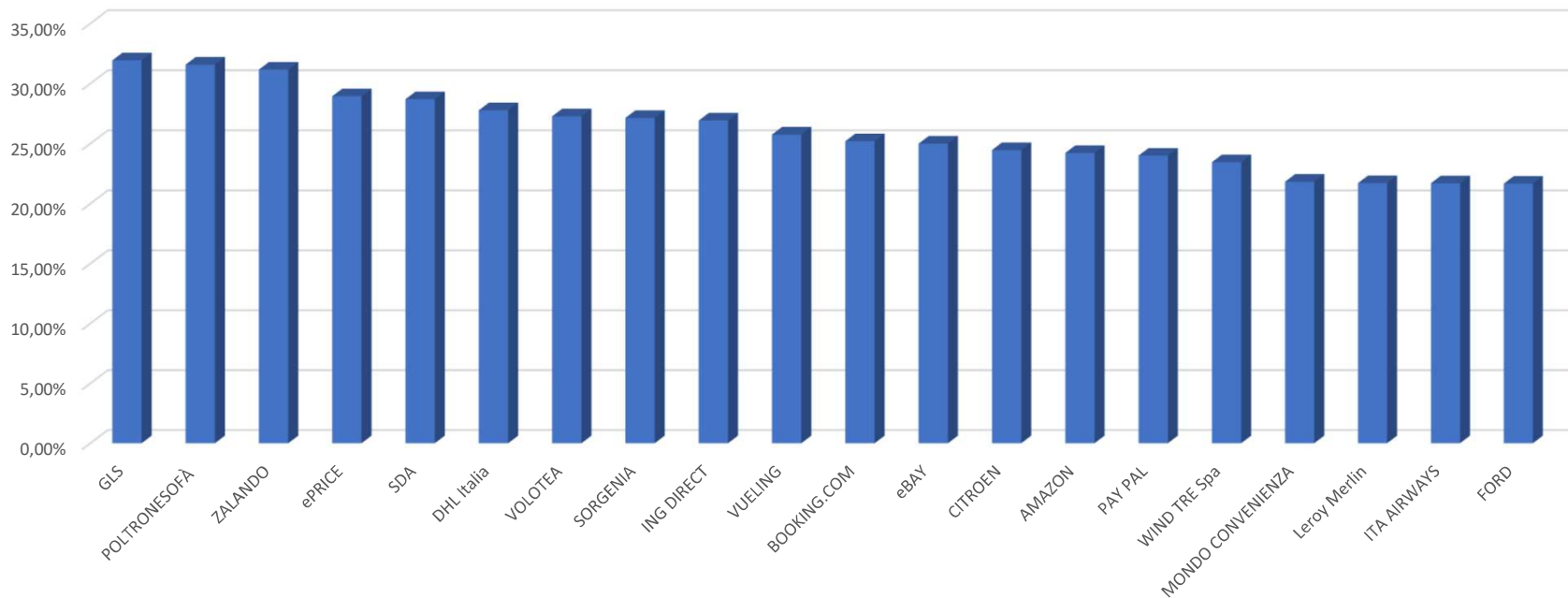


Here the top 20 companies by total number of complaints in the given period (May – December 2022)

This project was funded by the European Union's Consumer Programme (2014-2020)

Top 20 companies with most unanswered complaints - Italy

TOP 20 COMPANIES WITH MOST UNANSWERED COMPLAINTS - ITALY



Here the top 20 companies by % of unanswered complaints in the given period (May – December 2022)

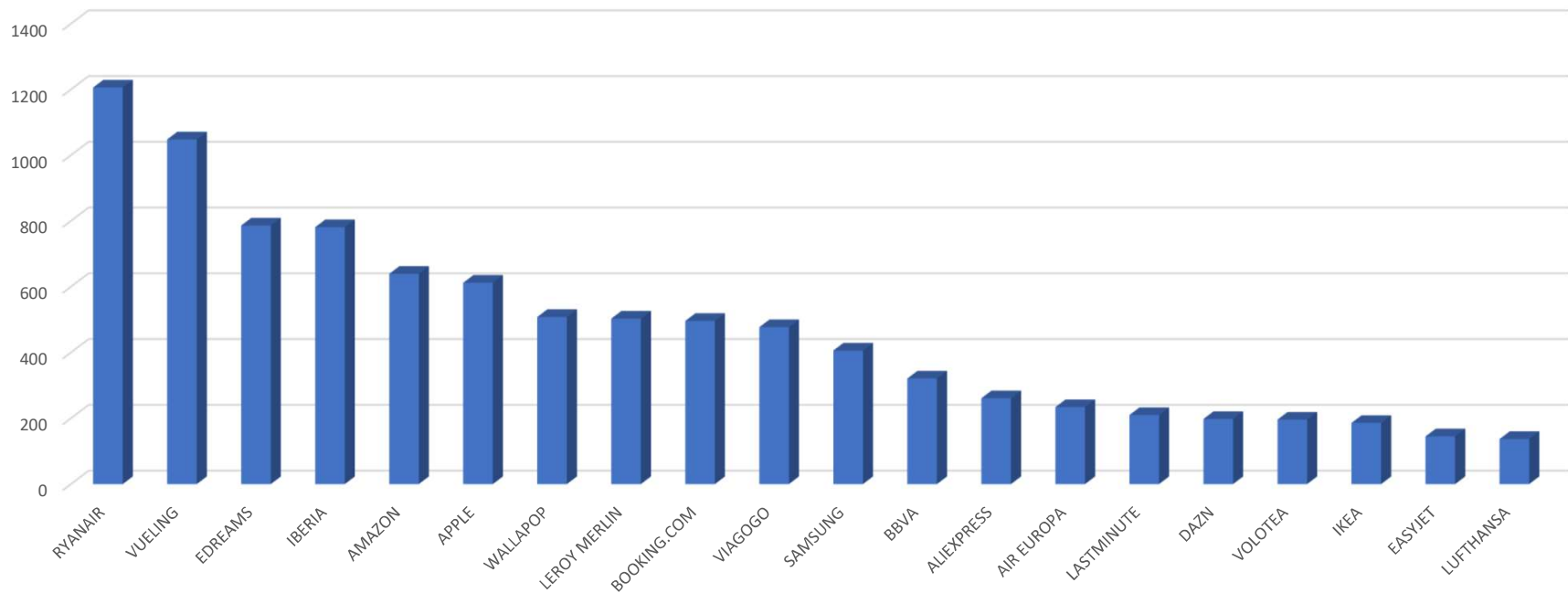
This project was funded by the European Union's Consumer Programme (2014-2020)

Nature of problem

CONSUMER GOODS	MAG	VAR %	GIU	VAR %	LUG	VAR %	AGO	VAR %	SET	VAR %	OTT	VAR %	NOV	VAR %	DIC	VAR %
Debt collection	71	13%	56	-21%	48	-14%	37	-23%	47	27%	52	11%	48	-8%	49	2%
Delivery	183	17%	159	-13%	181	14%	167	-8%	140	-16%	171	22%	187	9%	240	28%
Installation	42	14%	49	17%	49	0%	41	-16%	45	10%	33	-27%	36	9%	39	8%
Invoice	14	27%	8	-43%	11	38%	7	-36%	8	14%	9	13%	12	33%	7	-42%
Order	130	10%	100	-23%	105	5%	88	-16%	117	33%	108	-8%	120	11%	151	26%
Related services	17	113%	27	59%	18	-33%	16	-11%	10	-38%	13	30%	12	-8%	17	42%
Repair	97	11%	97	0%	120	24%	72	-40%	98	36%	150	53%	138	-8%	106	-23%
Sale	109	54%	78	-28%	92	18%	91	-1%	70	-23%	98	40%	101	3%	90	-11%
Warranty	144	31%	122	-15%	129	6%	112	-13%	139	24%	147	6%	148	1%	115	-22%
Withdraw	134	19%	139	4%	146	5%	93	-36%	114	23%	124	9%	118	-5%	105	-11%
Other	136	26%	138	1%	143	4%	112	-22%	117	4%	137	17%	126	-8%	142	13%
Grand Total	1077	22%	973	-10%	1042	7%	836	-20%	905	8%	1042	15%	1050	1%	1066	2%

Top 20 companies with most complaints - Spain

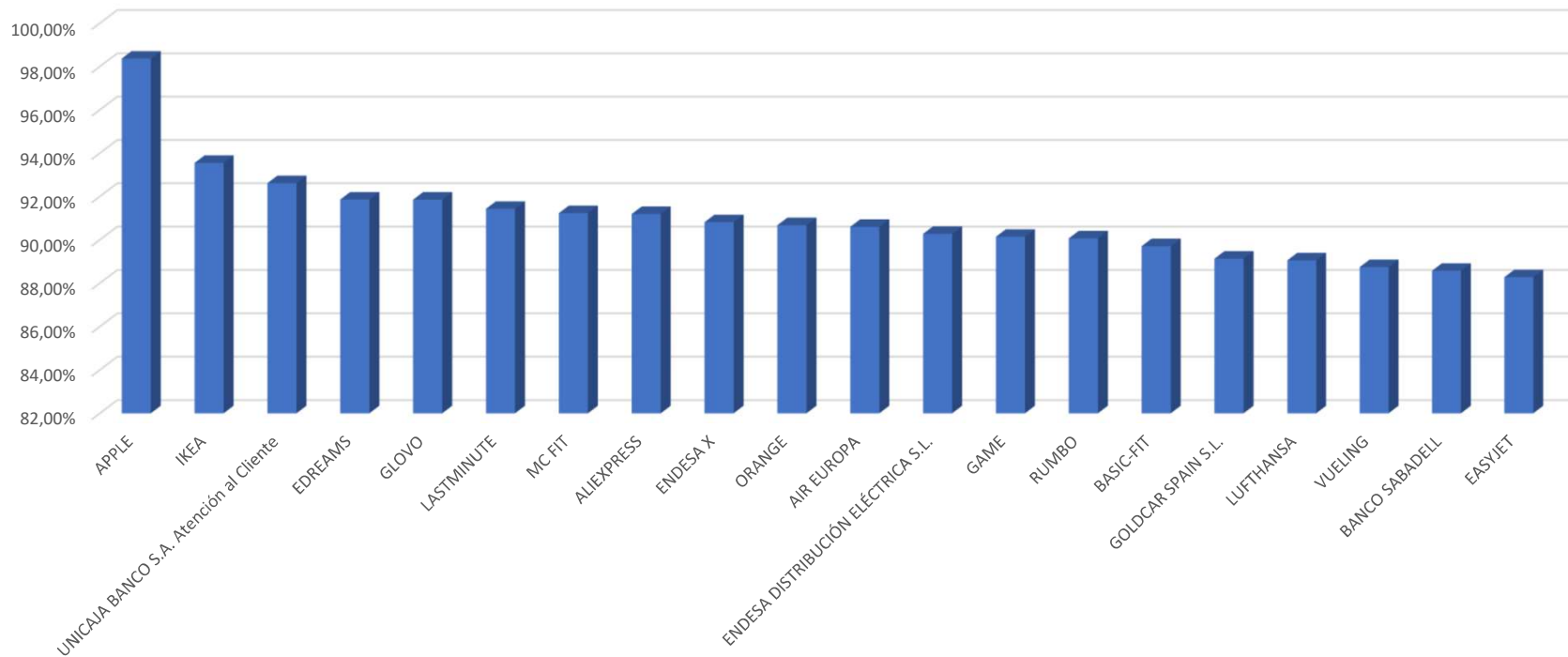
TOP 20 COMPANIES WITH MOST COMPLAINTS - SPAIN



This project was funded by the European Union's Consumer Programme (2014-2020)

Top 20 companies with most unanswered complaints - Spain

TOP 20 COMPANIES WITH MOST UNANSWERED COMPLAINTS - SPAIN



This project was funded by the European Union's Consumer Programme (2014-2020)

Nature of problem

CONSUMER GOODS	MAY	VAR %	JUN	VAR %	JUL	VAR %	AUG	VAR %	SEP	VAR %	OCT	VAR %	NOV	VAR %	DEC	VAR %
Baggage									1							
Debt collection	27	108%	15	-44%	17	13%	23	35%	29	26%	23	-21%	24	4%	24	0%
Delivery	213	73%	178	-16%	209	17%	200	-4%	181	-10%	193	7%	214	11%	373	74%
Installation	33	-15%	58	76%	73	26%	49	-33%	35	-29%	20	-43%	43	115%	34	-21%
Invoice	47	2%	46	-2%	56	22%	64	14%	62	-3%	53	-15%	66	25%	64	-3%
Order	301	33%	259	-14%	322	24%	367	14%	317	-14%	387	22%	366	-5%	487	33%
Other	137	28%	133	-3%	150	13%	148	-1%	148	0%	276	86%	213	-23%	242	14%
Related services	30	-6%	36	20%	34	-6%	36	6%	36	0%	55	53%	46	-16%	46	0%
Repair	121	-7%	151	25%	166	10%	168	1%	179	7%	182	2%	176	-3%	209	19%
Sale	110	1%	136	24%	117	-14%	134	15%	139	4%	194	40%	191	-2%	184	-4%
Supply issues									1							
Termination of the service													1			
Warranty	147	24%	160	9%	181	13%	176	-3%	204	16%	213	4%	218	2%	198	-9%
Withdraw	102	34%	71	-30%	98	38%	100	2%	100	0%	107	7%	131	22%	128	-2%
Grand Total	1268	24%	1243	-2%	1423	14%	1465	3%	1432	-2%	1703	19%	1689	-1%	1989	18%

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Main problems identified – Aggregated 1



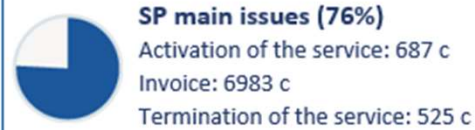
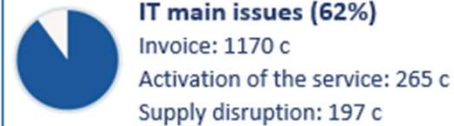
CONSUMER GOODS
Tot. Complains: 20.412 c



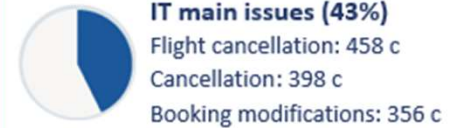
POSTAL SERVICES &
 TELECOMMUNICATIONS
14.489 c



WATER & ENERGY
10.233 c



TRANSPORTATION SERVICES
9.603 c



Main problems identified – Aggregated 2



LEISURE SERVICES
7.050 c



IT main issues (50%)
 Cancellation: 625 c
 Booking: 359 c
 Payment issues: 201 c



SP main issues (58%)
 Booking: 878 c
 Cancellation: 1883 c
 Passes: 583 c



FINANCIAL SERVICES
5.329 c



IT main issues (40%)
 Bank account: 201 c
 Financing: 167 c
 Termination of the service: 167 c



SP main issues (45%)
 Bank account: 923 c
 Invoice: 618 c
 Termination of the service: 887 c



CONSUMER SERVICES
7.783 c



IT main issues (41%)
 Payment issues: 462 c
 Contract: 458 c
 Execution of the work: 339 c



SP main issues (58%)
 Contract: 993 c
 Execution of the work: 1615 c
 Payment issues: 1011 c



EDUCATION *
682 c



HEALTH *
1.302 c

*Few complaints to establish main issues

Authorities' enforcement power support

Classification of complaints enabled us to better support with evidences the CPC authority's investigations, starting alerts and supporting coordinated actions.

CPC authorities' enforcement priorities can be supported by consumers data. Possibility of becoming part of infringement procedures: providing elements of proof, replying to traders' observations.

Once widespread infringements are detected, in-deep legal analysis and exchange within the network

SAMSUNG CASE



Legal Analysis

- SAMSUNG launched a **promotion** that offered up to 200 euros of direct discount + the valuation of the device + one year of free insurance.
- Consumers could buy a new smartphone by trading in their old device
- Reality is different...
- In relation to the direct discount: when you follow the steps to finalize the purchase, the discounts are changing the amount (100 euros instead of 200 euros) or disappearing (the only discount you can get is the promotional gift, amounting to 29.90 euros).

The screenshot shows the Samsung Renew website interface. At the top, there are navigation links for 'SAMSUNG RENOVE', 'CÓMO FUNCIONA', 'RENOVE PARA TV', 'PREGUNTAS FRECUENTES', and 'OFERTAS TOP'. Below this, four promotional cards are visible for different devices: Galaxy Z Flip4 5G, Galaxy Z Fold4 5G, Galaxy Watch 5 | Watch 5 Pro, and Galaxy Tab S8 Ultra. The main content area features a large banner with the text '¿Tienes un dispositivo? ¡Tienes un descuento! Hasta 200€ de DTO. DIRECTO + la valoración de tu antiguo dispositivo'. Below the banner, there is a form to select 'Si' or 'No' to the trade-in offer, with a value of 185.00 € shown. A comparison table shows the price difference between the standard Galaxy Z Flip4 (1,199.00 €) and the Galaxy Z Flip4 Bespoke Edition (1,169.10 €). The checkout summary at the bottom right shows a total price of 1,199.00 € and a 29.90 € discount applied, resulting in a final price of 1,169.10 €.

This project was funded by the European Union's Consumer Programme (2014-2020)

The case in Italy

- More than 75% of complaints received about Samsung in July in Altroconsumo's «Reclama Facile» platform (70 in total) were about the *“Cambia con Galaxy”* (= Trade In) promotion.
- After receiving numerous complaints, on the 7th of July of 2022 the Italian Competition Authority (AGCM) has opened an **investigation proceeding against Samsung Electronics S.p.A** for alleged misleading and aggressive conduct.
- Altroconsumo filed a request to participate in the proceeding providing **consumers complaints evidence**.



The CPC network alerts

- On September 30th 2022 Altroconsumo filed an alert in the **CPC network platform**.
- On October 5th OCU filed a second alert for Spain.
- Legal basis: Directive 2005/29/CE.
- Unfair commercial practice
- Misleading information

Sintesi della segnalazione

Selezione degli Stati membri

Stati membri destinatari:	Spagna
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Base giuridica

Base giuridica europea

Legislazione dell'UE applicabile:	Direttiva 2005/29/CE sulle pratiche commerciali sleali
	Articoli pertinenti della legislazione UE selezionata
Direttiva 2005/29/CE	(c) Artt. 5, 6, 7, 8, 9

Base giuridica nazionale

Dettagli della base giuridica nazionale:	(c) Violazione degli artt. 20, 21, 22, 24 e 25 del Codice del Consumo
Link alla base giuridica nazionale:	

Dati dell'operatore

Nome dell'operatore

Nome dell'operatore:	Nota
Il nome dell'operatore include dati personali?	Sì
Nome dell'operatore (con i dati personali):	Samsung Electronics Italia spa
L'operatore ha altre denominazioni commerciali?	No

IMI REPORT
Número: 444424.1
CPC - Alerta externa (artículo 27, apartados 1 y 2)

Extracto de la alerta

Selección del Estado miembro

Estados miembros destinatarios:	España Italia
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Base jurídica

Base jurídica europea

Legislación de la UE aplicable:	Directiva 2005/29/CE sobre prácticas comerciales desleales
	Artículos pertinentes de la legislación de la UE seleccionada
Directiva 2005/29/CE	(es) Artículos 5 a 9, ambos incluidos

**CITROËN
CASE**



Complaints vs Citroen



AGOSTO	N°	VAR %	ALERT
Wind Tre	92	12%	no alert
Fastweb	89	-19%	no alert
SDA	87	9%	no alert
Mondo Convenienza	74	-3%	no alert
Booking.com	57	39%	no alert
Poste Italiane	56	-24%	no alert
Ryanair	53	-46%	no alert
Wizzair	49	-14%	no alert
Ticketone	46	-34%	no alert
eDreams	45	-13%	no alert
Amazon	43	-40%	no alert
Leroy Merlin	31	-46%	no alert
Volagratis	28	17%	no alert
Trenitalia	26	0%	no alert
MSC Crociere	26	-30%	no alert
Eni Plenitude	26	18%	no alert
Vodafone	25	67%	Alert!
Lastminute	25	-29%	no alert
Citroen	22	83%	Alert!
Rentalcars	21	62%	Alert!

SETTEMBRE	N°	VAR %	ALERT
Fastweb	154	69%	Alert!
Wind Tre	97	4%	no alert
Poste Italiane	71	22%	no alert
Mondo Convenienza	67	-9%	no alert
Eni Plenitude	62	121%	Alert!
SDA	59	-34%	no alert
Ryanair	57	-2%	no alert
Wizzair	55	10%	no alert
Amazon	50	14%	no alert
Iren Mercato	44	120%	Alert!
Ticketone	42	-9%	no alert
eDreams	40	-13%	no alert
Dolomiti Energia	40	233%	Alert!
Tiscali	37	76%	Alert!
Wekiwi	32	88%	Alert!
Booking.com	32	-46%	no alert
Leroy Merlin	31	-9%	no alert
Iliad	30	43%	no alert
Tim	28	65%	Alert!
Citroen	27	17%	no alert

OTTOBRE	N°	VAR %	ALERT
Fastweb	153	-1%	no alert
Wind Tre	114	18%	no alert
Wekiwi	114	256%	Alert!
Dolomiti Energia	94	124%	Alert!
Amazon	73	43%	no alert
Ryanair	71	22%	no alert
Mondo Convenienza	67	0%	no alert
Citroen	63	133%	Alert!
Eni Plenitude	63	2%	no alert
Wizzair	53	-4%	no alert
Poste Italiane	52	-27%	no alert
Iren Mercato	46	5%	no alert
SDA	45	-24%	no alert
Ticketone	40	-5%	no alert
eDreams	35	-13%	no alert
Leroy Merlin	33	6%	no alert
Trenitalia	32	52%	Alert!
Tiscali	27	-27%	no alert
Booking.com	26	-19%	no alert
Iliad	25	-17%	no alert

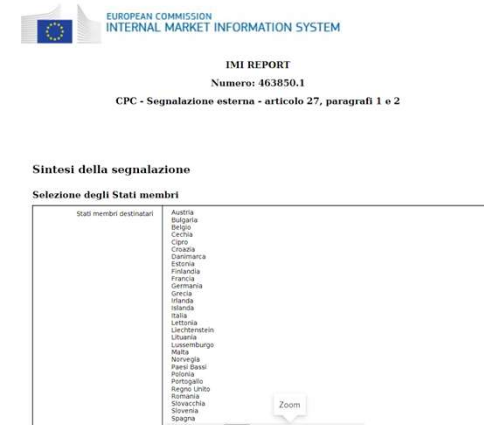
Background

- According to what was reported by the consumers, the malfunctions were caused by a design and / or manufacturing defect of the system tank (or even part of the injection pump of the AdBlue® additive, or of the control units).
- The maintenance solution proposed by the authorized Citroën centers provides for the **replacement of the tank** with a new component supplied by the parent company at high costs varying from **800 to 1,200.00 euros**.
- From the seriality, contextuality and similarity of the failure reports, it can be assumed that **the component (the tank) is defective from its origin**.
- Precisely the fact that each user indiscriminately has detected the same type of malfunctioning excludes, for probabilistic reasons, its traceability to random events or to normal deterioration deriving from use and wear, and instead connects the malfunctioning to a congenital anomaly of the product

*** Presentation based on the legal opinion provided by LTF Consulting (Maurizio Gualdieri and Giorgia Vommaro, attorneys at law)*

CPC & national Antitrust alerts

- At the end of November 2022, Altroconsumo and Ocu raised an alert to their respective national Authorities (Italian AGCM and Spanish CNMC).
- On 01/12/2022, Altroconsumo and OCU also raised an alert to the CPC network ex art. 27 of CPC Regulation 2017/2794 against Citroen and PSA Stellantis Group. The alert was directed to all EU countries.



Opening of the investigation

- On January 11th 2023, the Italian Competition Authority (AGCM) has opened a proceeding against Citroën Automobiles SA e Groupe PSA Italia S.p.A. **for misleading and aggressive practices.**
- Altroconsumo is still collecting complaints by affected consumers (through the 'Reclama Facile' platform) and evidences to support the Competition authority work.



Cosa fare se è capitato anche a te

La problematica è comune a diverse auto Citroen e si presenta con le stesse modalità. Per questo motivo, in seguito alle tante segnalazioni arrivate, abbiamo deciso di farci portavoce di chi ha dovuto sborsare in media 1.000 euro per sostituire un pezzo difettoso della propria auto, intervento che è necessario per poter continuare a utilizzare la vettura. Se è capitato anche a te invia subito un reclamo utilizzando la piattaforma [Reclama facile](#) e chiedi la sostituzione gratuita del pezzo o, se hai già sostenuto la spesa, il rimborso di quanto pagato ingiustamente (ricorda di allegare la **fattura o la ricevuta di pagamento**).

[Invia ora un reclamo a Citroen](#)

Utilizzeremo tutte le segnalazioni degli utenti per contattare Citroen e chiedere quanto ti spetta.

Learnings

Consumer complaints data are real time resource for speeding up the journey to enforcement actions

IT Integration raises technical and organisational challenges

Build twin back-end systems across different countries starts sharing a vision of a future data driven consumer justice



Cooperation Improving Consumers Law Enforcement

What's about the future ?

- We started a new project EISMEA – GRANT AGREEMENT No. 101102229
- We are going to develop a **light solution available to other consumers orgs in other Member States** willing to benefit from the opportunity to **launch a light complaint box** which will collect the consumers' issues.
- Based on the collected data we will be able to **report on infringements and raise the alert to competent authorities** in a more effective way.
- Thanks to a **new dashboard with more advanced capabilities**, it will be possible to **report transversally** for all involved countries on most common natures of problems per sector



This project was funded by the European Union



ALTROCONSUMO



La fuerza de tus decisiones



testachats
testaankoop



THANK YOU !

Luisa.Crisigiovanni@euroconsumers.org