



**MINISTÈRE
DE L'ÉCONOMIE,
DES FINANCES
ET DE LA RELANCE**

*Liberté
Égalité
Fraternité*

LANDMARKS



Presentation of the DGCCRF

**Directorate General for Competition Policy,
Consumer Affairs and Fraud Control**

**DGCCRF**

Direction générale de la
concurrence, de la consommation
et de la répression des fraudes

DGCCRF FUNCTIONS



2,940 STAFF MEMBERS

at central government and devolved departments in both mainland and overseas France.

ASSISTANCE WITH SHAPING COMPETITION AND CONSUMER POLICIES

based on information gathered by its nationwide network.

INFORMATION AND SUPPORT

informing and assisting private individuals and professionals regarding applicable consumer law, fraud prevention and compliance with competition rules.

INVESTIGATIONS AND INSPECTIONS



as part of the National Investigation Programme.



at the initiative of investigators, especially in response to consumer complaints.

FOLLOW-UP ON FINDINGS



instructional follow-up



corrective follow-up



enforcement-related follow-up

ABOUT THE DGCCRF

The DGCCRF is involved in shaping and implementing economic policy, by ensuring that every aspect of the markets (competition, security, fairness) functions properly, to the benefit of consumers and business competitiveness.

The DGCCRF has a range of intervention means at its disposal that are adapted to specific economic sectors and to consumer expectations in a wide variety of situations. They include:

- assistance in defining the legal framework for competition and consumer affairs;
- informing and assisting both professionals and consumers, as well as encouraging self-regulation by economic sectors;
- monitoring compliance with competition and consumer protection regulations and defining measures to be pursued in the event of unlawful practices, in particular the implementation of protective measures in the event of risks to consumer health and safety,
- investigations to combat frauds that negatively affect markets and interests, and consumer health and safety.

History

The Directorate-General for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF) was created in 1985 by the merger of two administrations from two different ministries, both of which had a mandate to oversee the market and protect consumers:

- The Consumer Affairs and Fraud Control Directorate (Ministry for Consumption);
- The Directorate-General for Competition Policy and Consumer Affairs (Ministry for the Economy).

DGCCRF functions

A directorate that ensures that the economy operates smoothly and that consumers are protected.

The DGCCRF ensures that competition is upheld and fair, that consumers economic interests are protected and that consumer products and services are safe and in compliance.

MARKET REGULATION FROM A COMPETITION PERSPECTIVE

The aim of competition policy is to create conditions that foster the emergence of an open and fair market for the benefit of consumers, businesses and economic growth.

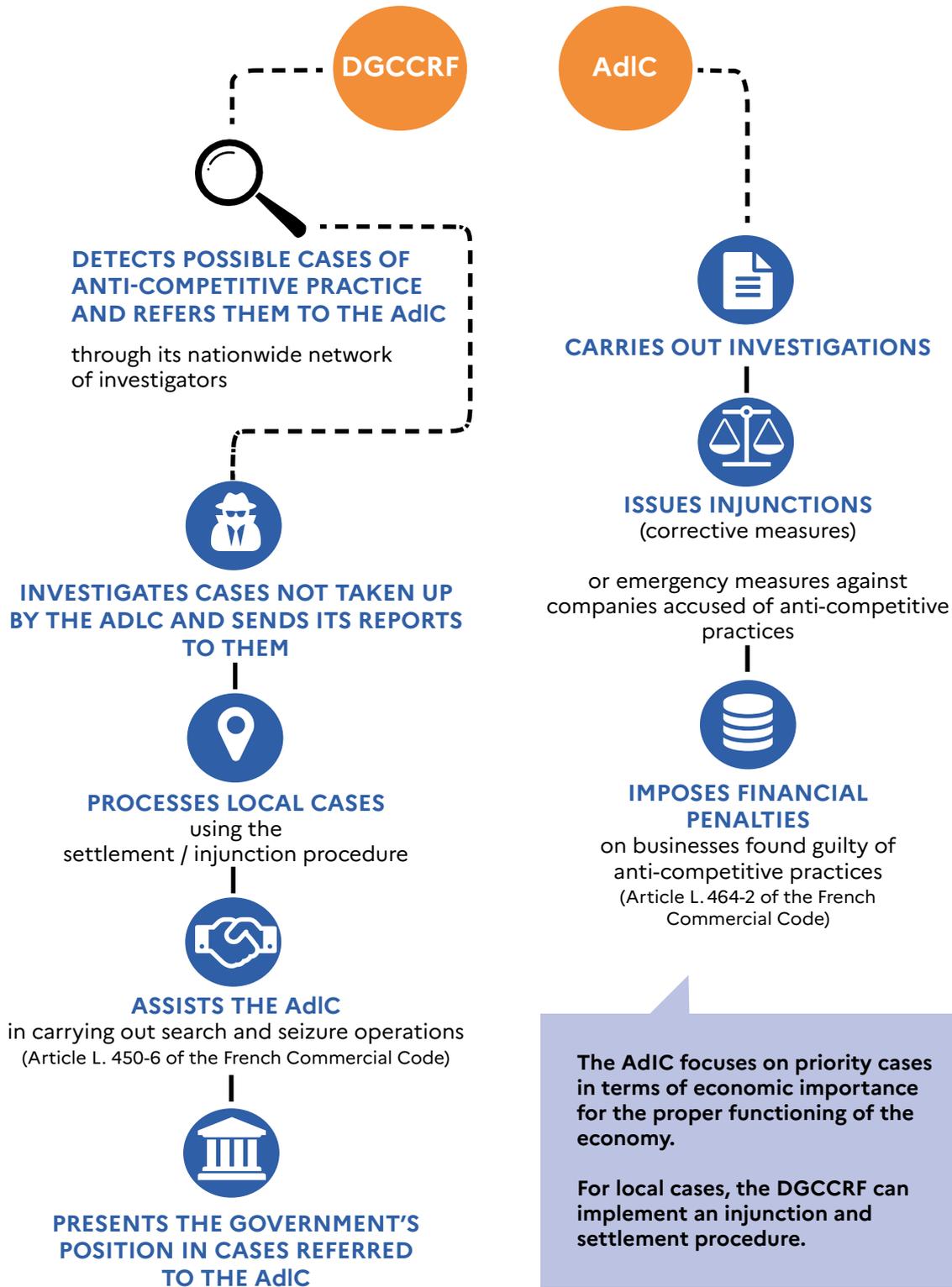
To this end, the DGCCRF:

- **Proposes** and implements regulatory measures to stimulate competition between economic operators and to promote market access for new entrants.
- **Monitors** the functioning of the markets, so as to:
 - Ensure** compliance with fair practices in business-to-business relations and sanction the negative effects of imbalances in business relations between companies (restrictive business practices (RBP): e.g. significant imbalance in the negotiation and implementation of contracts, non-compliance with payment lead-times);
 - Together with the Competition Authority, **prevent** or sanction negative consequences in terms of prices or the exclusion of competitors from illegal cartels and abuses of a dominant position (anti-competitive practices).
- **Contributes** to the implementation of competition law in the field of economic concentration, by upholding the government's positions when examining transactions submitted for authorisation by the Competition Authority.

Example

In terms of anti-competitive practices, the DGCCRF has issued injunctions to companies that set up a cartel in order to split up the lots in local public procurement contracts. The companies had exchanged commercial information prior to submitting their bids, thus undermining competition to the detriment of the public purchaser. The companies in question responded to these injunctions and accepted the settlements they were offered.

COMPETENCE SHARING BETWEEN THE COMPETITION AUTHORITY (AdIC) AND THE DGCCRF IN TERMS OF ANTI-COMPETITIVE PRACTICES



PROTECTION OF CONSUMERS' ECONOMIC INTERESTS

The aim of consumer policy is to safeguard consumer confidence and support household consumption, which is an important driver of economic growth.

To this end, the DGCCRF:

- **Sets** national regulations on consumer information for products and services (pre-contractual information, labelling rules, composition and designation of goods, quality signs¹ and product and service attractiveness schemes) and helps to determine French positions during negotiations on European consumer law;
- **Checks** compliance with these rules and oversees the fairness of commercial practices (canvassing, unfair terms, misleading advertising, false discounts, abuse of weakness, etc.);
- **Combats** economic fraud, which is detrimental to consumers, damages a company's image and weakens professional areas of activity (substitution of foodstuffs, deception regarding the origin or quality of products, etc.).

Examples

The DGCCRF can thus fine an e-commerce website for pre-checking a box that signs consumers up for optional multi-risk insurance.

As regards economic fraud, if a professional misleads the consumer on the origin of food or non-food products by indicating that they are produced in France when they are imported, DGCCRF employees draw up an official report on the deception which is then sent to the public prosecutor.

The DGCCRF also takes action against scams targeting consumers (e.g. hidden subscriptions, aggressive practices by certain home repair companies, etc.).

CONSUMER SAFETY

The purpose of this policy is to ensure consumers' health and physical safety.

To this end, the DGCCRF:

- **Helps** draft clear regulations that are proportionate to the safety concerns of the public;
- **Monitors** the application of these regulations for all types of products (food and industrial) at all levels (production, import, distribution), as well as for services (health, leisure activities, transport).

Its actions are stepped up in high-risk areas, such as the safety of food, cosmetics and toys, and more generally the safety of certain industrial mass consumption products that require specific safety control procedures. Emerging risks such as endocrine disruptors, nanomaterials and low-dose chemical substances, known for their possible carcinogenic, mutagenic or reprotoxic (CMR) effects, are also subject to special monitoring.

Examples

When they find a batch of hair dryers suspected of being hazardous to the consumer, DGCCRF staff will take a sample and, pending the results, they will impound the entire batch, thus preventing them from being sold.

The DGCCRF also checks for the presence of nanomaterials in foodstuffs and cosmetics.

Regulations relating to competition and consumption are primarily set out in the Consumer Code and the Commercial Code (Book IV «On the freedom of pricing and competition»).

1. Registered Designation of Origin (RDO), Protected Designation of Origin (PDO) and Protected Geographical Indications (PGIs), for example.

PLEASE NOTE

The DGCCRF does not have jurisdiction in matters of unfair competition, so it cannot punish practices by a company that constitute an abuse of the freedom of enterprise and cause prejudice to another professional (e.g. denigration, practices tending to create confusion between companies in customers' minds, etc.). The victim may ask the court to put an end to these practices or to compensate for the prejudice suffered.

Furthermore, the DGCCRF cannot intervene in the settlement of contractual disputes. It is not competent to deal with the non-performance or poor execution of an agreement that is otherwise in conformity with the law. Thus, in the event of a contractual dispute, the consumer must directly apply to the civil courts to obtain satisfaction or refer the matter to the competent consumer ombudsman with a view to finding an amicable settlement of the dispute. This is the case, for example, if repair work on a car or a washing machine has been carried out incorrectly or has not been completed, or if clothes have been damaged when being cleaned at the dry cleaner's. For contractual disputes between professionals arising in the course of their business, the commercial courts have jurisdiction; if an amicable settlement of the dispute is possible, the Business Mediation Department can also be approached.

SignalConso: a platform for active consumers

SignalConso is an online platform where consumers can report any shortcomings they notice (use-by dates, price displays, errors at the checkout, etc.) to the DGCCRF, in complete transparency with the professional in question, who then has the opportunity to correct the shortcoming and inform the consumer. The DGCCRF can use the data obtained to better target its investigations.

How the DGCCRF is organised: a network covering the whole of France, both on the mainland and overseas

The DGCCRF consists of centralised departments and four departments with national scope, as well as an Alert Unit, all of which perform operational or management duties.

The regional level (DREETSs²) takes action to combat anti-competitive practices that undermine fair relations between companies and coordinates the activities of the *département*-level departments (DDETSs³ and DEETS-PPs⁴) in the area of business-consumer relations. The regional level may intervene, in support or in addition to *département*-level bodies, to implement actions relating to business-consumer relations.

When it comes to informing consumers, the DGCCRF oversees the National Consumer Institute (INC). To fulfil its safety-related duties, it relies on the expertise of the National Agency for Food, Environmental and Occupational Safety (ANSES), which assesses the risks associated with consumer products.

CENTRAL GOVERNMENT LEVEL

The central government level proposes legislative and regulatory changes within the DGCCRF's remit. It establishes the general direction of actions and controls entrusted to the devolved departments. It is responsible for leading, steering and reviewing the activities of all the DGCCRF's sections.

2. Regional Directorates for the Economy, Employment, Labour and Solidarity.

3. *Département* Directorates for Employment, Labour and Solidarity.

4. *Département* Directorates for the Economy, Employment, Labour, Solidarity and Citizen/Consumer Protection.

THE FOUR DEPARTMENTS WITH NATIONAL SCOPE

The National Investigation Department (SNE)

The SNE is responsible for conducting investigations of national scope that are exploratory in nature or that require specific skills or nationwide inspections. The SNE has an E-Commerce Monitoring Centre (CSCE) in Morlaix, a National Motorway Inspection Unit and a Slaughterhouse Inspection Unit.

The IT Department (SICCRF)

Located at three sites (Paris, Lyon, Montpellier), the SICCRF is responsible for the operation and development of the DGCCRF's computer system and is supported by a network of user assistants in the regions and at the central government level.

The National Academy (ENCCRF)

Located in Montpellier, the ENCCRF provides introductory training for trainee inspectors and controllers and in-service training for staff. It also houses a department in charge of answering questions from consumers.

The Joint Laboratory Department (SCL)

Placed under the joint authority of the DGCCRF and the DGDDI, the SCL comprises a Paris-based management unit and 11 laboratories spread throughout the country (Bordeaux, Le Havre-Rouen, Paris-Massy, Lille, Lyon-Oullins, Marseille, Montpellier, Rennes, Strasbourg- Illkirch, Saint-Denis-de La Réunion, Antilles⁵). It assists the inspection departments and carries out product analyses (315,000 analyses per year on average), expert assessments, scientific and technical support and applied studies and research.

THE ALERT UNIT (UA)

Reporting to the office of the Director General, the Alert Unit coordinates actions taken to put an end to reported hazards relating to consumer products (food or non-food) and to protect consumers (measures to withdraw and recall products, information campaigns, etc.). It ensures the responsiveness and coherence of the central government's action and works closely with the devolved departments, the other ministries concerned and risk assessment and management bodies at both national and European level.

5. The Jarry Laboratory in Guadeloupe.

ORGANISATIONAL STRUCTURE

AT REGIONAL LEVEL

DIRECCTEs

Regional Directorates for Businesses, Competition Policy, Consumer Affairs, Labour and Employment



ECONOMIC REGULATION OF MARKETS

- The Business-to-Business Relations Units ensure compliance with the rules relating to the fairness of business relations between companies.
- The Interregional Competition Investigation Units deal with anti-competitive practices.



INVESTIGATION COORDINATION AND SUPPORT

- The departments tasked with coordination and management:
- Coordinate the activity of the DDPPs and the DDCSPPs with regard to policies relating to the DGCCRF;
 - Provide support for investigations carried out by the DDPPs and DDCSPPs.

On 1 April 2021, the DIRECCTEs (Regional Directorates for Businesses, Competition Policy, Consumer Affairs, Labour and Employment) and the devolved departments tasked with social cohesion merged and became the DREETSs (Regional Directorates for the Economy, Employment, Labour and Solidarity).

AT DÉPARTEMENT LEVEL

DDPPs / DDCSPPs

Département Directorates for Citizen / Consumer Protection /
Département Directorates for Social Cohesion and Citizen /
Consumer Protection



CARRYING OUT CONSUMER AND COMPETITION INVESTIGATIONS

- With their specific investigative power, investigators investigate and write up breaches and violations of competition and consumer rights.
- Consumer health and safety protection.
 - Protection of consumer's economic interests.
 - Regulation of markets by ensuring equal access to public procurement for businesses and the fair exercise of competition by combating, inter alia, the underground economy and counterfeits.

As from 1 April, the departments of the DGCCRF within the DDCSPPs have integrated into the Département Directorates for the Economy, Employment, Labour, Solidarity and Citizen/Consumer Protection (DEETS-PPs). There has been no change for the DDPPs.

IN OVERSEAS FRANCE

In Guadeloupe, Martinique, Réunion and Mayotte, the Directorates for the Economy, Employment, Labour and Solidarity (DEETSs) handle the assignments of the Directorates for Enterprise, Competition Policy, Consumer Affairs, Labour and Employment (DIECCTEs) and those of the Social Cohesion Directorates (DCSs).

STRUCTURES RESULTING FROM THE REGIONAL GOVERNMENT REFORM (OTE)

Since 1 April 2021, a reform of the government's devolved departments has been implemented in the areas of the economy, employment, labour and solidarity. The aim of this reform is to reorganise the government's devolved network to ensure greater accessibility and efficiency in implementing the government's priority policies.

IN MAINLAND FRANCE

At regional level, the Regional Directorates for the Economy, Employment, Labour and Solidarity (DREETs) group together the duties previously carried out by the Regional Directorates for Businesses, Competition Policy, Consumer Affairs, Labour and Employment (formerly DIRECCTEs).

The newly-created DREETs are organised into clusters and include a «competition, consumption and measurement» cluster. In the Greater Paris region, this directorate is known as the Regional and Inter-*Département* Directorate for the Economy, Employment, Labour and Solidarity (DRIEETS).

At *département* level, depending on the case, the Directorates for Citizen/Consumer Protection (DDPPs, unaffected by the reform), or the new *Département* Directorates for the Economy, Employment, Labour, Solidarity and Citizen/Consumer Protection (DEETS-PPs) will integrate the former '*département* units' of the DIRECCTEs into the *Département* Directorates for Social Cohesion and Citizen/Consumer Protection (DD(CS)PPs). The CCRF departments within the DD(CS)PPs are therefore now integrated into the new DEETS-PPs.

IN OVERSEAS FRANCE

In Guadeloupe, Martinique, Réunion and Mayotte, you can contact the Directorates for the Economy, Employment, Labour and Solidarity (DEETS).

For information on the investigative services' resources, see the brochure on investigative and disciplinary powers.

GOVERNMENT-FUNDED INSTITUTIONS

The INC

The National Consumer Institute, a government-funded industrial and commercial institution under the exclusive supervision of the DGCCRF, is distinguished by the coexistence of «public service» missions (informing consumers of their rights, legal monitoring, educational activities), which are in line with and complement those of the DGCCRF, and media activities in the competition sector (production and sale of the magazine «60 Million Consumers»).

The ANSESS

The DGCCRF co-supervises the National Agency for Food, Environmental and Occupational Safety (ANSES), which assesses the risks associated with consumer products.

For more information

www.economie.gouv.fr/dgccrf



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