

## Newsletter

Issue 95 - September 2018

### SELECTED NEWS

#### Promoting fairness and transparency for business users of online intermediation services



On 24th September IMCO Members will exchange views on Mrs. Schaldemose draft report on the new proposal for a regulation on Fairness and transparency for business users of online intermediation services, one of the most important ongoing pieces of legislation for the completion of the Digital Single Market. The focus of the draft report is to promote transparency and fairness in the platform to business relationships, bearing in mind the increasingly important role of online platforms as vehicles for market access.

The report also aims at ensuring consumer's choice and consumer's welfare in the platform economy, provide opportunities and ensuring a level playing field for all actors, as well as to avoid abuses in the use of mediation mechanisms, and tackling fragmentation in the internal market. IMCO Members of the different political groups will exchange views on the draft report and will express their views on the matter.

**DRAFTSPERSON:** [Christel Schaldemose \(S&D\)](#)

[Procedure file](#)

#### DSM Working Group



IMCO will hold its 16th Meeting of the Working Group on the Digital Single Market on 15 October, entitled: "Artificial Intelligence and the Digital Single Market". Artificial intelligence is one of the most dynamic areas of information technologies. With the array of developments ranging from self-driving cars, robotics and digital personal assistants come concerns regarding interoperability, standards, consumer protection, data protection, liability and ethics as well as autonomy of AI. The aim of the meeting is to review the state of the art and forecasting future developments of artificial intelligence and to reflect on the areas that will require intervention of European legislator to ensure the proper functioning of the Digital Single Market.

**LINK:** [Subject file](#)

### CALENDAR OF IMCO MEETINGS FOR 2019

During its meeting of 3 September, the IMCO committee adopted the following calendar of meetings for 2019:

21 – 22 January and 29 January  
20 – 21 February  
4 March and 18 March  
1 – 2 April

11 July and 22 July  
2 – 3 September and 25 – 26 September  
7 – 8 October  
6 – 7 November  
4 – 5 December

The calendar of meetings is available on the [IMCO website](#).

# NEXT COMMITTEE MEETINGS

(24 SEPTEMBER 2018)

[Watch the committee meeting live](#)

## Representative actions for the protection of the collective interests of consumers

The draft opinion on the Commission's legislative proposal on representative actions for the protection of the collective interests of consumers will be presented by the IMCO rapporteur for opinion, Mr Dennis de Jong (GUE/NGL), during the IMCO meeting of 24 of September. In general, the Rapporteur welcomes the proposal and agrees with the approach followed. The Rapporteur proposes amendments seeking to facilitate representative actions without opening the door to abusive practices. The Rapporteur adds a number of legislative instruments in Annex I, thus broadening the scope of the Directive. JURI is the lead committee in the legislative procedure, while IMCO is associated under Rule 54 of the Rules of procedure.

**DRAFTSPERSON:** [Dennis De Jong \(GUE/NGL\)](#)

[Procedure file](#)

## Union Customs Code

Mr Selimovic's draft report on this legislative proposal has come to the stage of consideration of amendments and possible compromise amendments. IMCO will discuss the views of the groups, expressed through amendments of the Members to the draft report on the proposal of the Commission to extend the transitional period granted by the Union Customs Code for the Member States' customs administrations to keep using paper-based procedures. The current deadline is 2020 and the proposal suggests to extend it to 2025. Mr Selimovic suggests in his report to accord the extension on condition of receiving appropriate reporting on the progress of the development of the IT infrastructure necessary to abandon the paper-based procedures.

**DRAFTSPERSON:** [Jasenko Selimovic \(ALDE\)](#)

[Procedure file](#)

## Unfair trading practices in B2B relationships in the food supply chain



On 24 September, the IMCO Committee will vote on Mr Tarabella's opinion on the Commission's proposal for a directive on unfair trading practices in business-to-business relationships in the food supply chain. 252 amendments were tabled under the amendments deadline, making a total of 300 amendments. The rapporteur has proposed eight compromise amendments, covering inter alia the scope of the directive (Article 1), the definition of certain key terms, such as buyer and supplier (Article 2, together with a new recital 7a), the UTPs covered (Article 3), and cooperation between enforcement authorities (Articles 7 and 7a).

**DRAFTSPERSON:** [Marc Tarabella \(S&D\)](#)

[Procedure file](#)

## Application of the Euro 5 step to the type-approval of two- or three- wheel vehicles and quadricycles



IMCO decided to follow the simplified procedure in the committee phase of this proposal. This implies that the exchange among the groups during the first discussion in committee will be the basis on which the rapporteur, Mr Dalton, will draft his position in the form of amendments. A subsequent period will be given to the groups, represented by the shadow rapporteurs, to comment on the amendments, and either support them or express opposition. The goal of the proposal is to introduce into the type-approval procedure of motorcycles and quadricycles the standards of the Euro 5 step, in order for it to be mandatory for the approval of new types of vehicles in these categories.

**DRAFTSPERSON:** [Daniel Dalton \(ECR\)](#)

[Procedure file](#)

## Autonomous driving in European Transport



IMCO will consider the 42 amendments tabled by the Members to the draft opinion of Mr Kohn to TRAN'S own-initiative report on the topic of "Autonomous driving in European transport". The opinion of the rapporteur in IMCO makes a series of proposals to the attention of the lead committee on the aspects directly related with Internal Market concerns –such as the setting of coherent standards for the industrial development of the vehicles and of the communication methods with other vehicles and infrastructures– and with consumer protection –such as the necessary ethical analysis of the algorithms that rule the functioning of the systems, the necessary level of protection of the data collected and its sharing.

**DRAFTSPERSON:** [Arndt Kohn \(S&D\)](#)

[Procedure file](#)

# LAST COMMITTEE MEETINGS

(11-12 JULY; 3 SEPTEMBER 2018)

## General budget of the European Union for the financial year 2019

IMCO voted its contribution to the budgetary procedure 2019. The Members agreed on a limited number of modifications with the general aim to preserve the level of commitment and payment appropriations that the Commission had devised in its Draft Budget, so as to maintain the budgetary support to the budget lines under the responsibility of IMCO at similar spending levels than in the previous budgetary exercises.

**DRAFTSPERSON:** [Jasenko Selimovic \(ALDE\)](#) [Procedure file](#)

## Dual quality of products in the Single Market



On 11 July, the IMCO Committee adopted its report on the dual quality of products in the single market, with a final vote of 33 in favour, three against and one abstention. The report addresses the recently-adopted EU harmonised testing methodology, and highlights the importance of enhanced Member State cooperation and better involvement of consumer organisations. It links to the Commission's proposal for legislative changes to the Unfair Commercial Practices Directive, adopted as part of the New Deal for consumers.

**DRAFTSPERSON:** [Olga Sehnalová \(S&D\)](#) [Procedure file](#)

## Single Market Information Tool



On 11 July, the IMCO Committee adopted its report on the Single Market Information Tool (SMIT) with 31 votes in favour, four against and two abstentions. A single amendment was adopted, changing the legal basis for the proposal to Article 337 TFEU. This legal basis does not provide for a legislative role for Parliament. The opinion of the JURI Committee on the legal basis for the proposal is awaited before the file can go to plenary.

**DRAFTSPERSON:** [Eva Maydell \(EPP\)](#) [Procedure file](#)

## Re-use of public sector information (recast)

On 3 September, the IMCO Committee considered the 111 amendments tabled on Ms Reda's opinion on the Commission's proposal for a directive on the Re-use of public sector information, making a total of 141 amendments. The rapporteur has proposed several amendments, covering a definition of high-value datasets, as well as addressing barriers to data services, such as charging and licensing. Amendments, tabled by other groups focus mainly on strengthening the role of SMEs and on facilitating access to information, while keeping the regime voluntary for public undertakings.

**DRAFTSPERSON:** [Julia Reda \(Greens/EFA\)](#) [Procedure file](#)

## Rules and procedures for compliance with and enforcement of Union harmonisation legislation on products

On 3 September the IMCO committee voted on the draft report on the Rules and procedures for compliance with and enforcement of Union harmonisation legislation on products (rapporteur N. Danti, S&D), which was adopted with 28 votes in favor, 5 against and 1 abstention. The Rapporteur proposed 39 compromise amendments in total, most of which were supported by the majority of the political groups. The mandate to enter into interinstitutional negotiations was adopted with 24 votes in favor and 10 against.

**DRAFTSPERSON:** [Nicola Danti \(S&D\)](#) [Procedure file](#)

## Regulation on health technology assessment



On 11 July, the IMCO Committee adopted its Opinion on the Proposal for a regulation of the European Parliament and of the Council on health technology assessment and amending Directive 2011/24/EU (Rapporteur Mr Buşoi) with 26 votes in favour, 8 votes against and 4 abstentions. All 19 compromises, presented by the Rapporteur, were adopted, including on transparency and confidentiality, consultation, delegated and implementing acts and the inclusion of medical devices in the scope of the proposal.

**DRAFTSPERSON:** [Cristian-Silviu Buşoi \(EPP\)](#) [Procedure file](#)

## Mutual Recognition of Goods

On 3 September the IMCO committee voted on the draft report on the Mutual recognition of goods lawfully marketed in another Member State (rapporteur Ivan Štefanec, EPP), which was adopted with 31 votes in favour, 1 against and 1 abstention. The Rapporteur has negotiated 21 compromise amendments, all of which were supported by the majority of the political groups. The mandate to enter into interinstitutional negotiations was adopted with 28 votes in favour and 5 against.

**DRAFTSPERSON:** [Ivan Štefanec \(EPP\)](#) [Procedure file](#)

## IMCO DELEGATION TO CHINA

A delegation of six IMCO Members, led by Mrs M. Mizzi, visited Shanghai and Guangzhou, China on 17th -19th July. The main topics discussed during the mission were EU-China customs cooperation, customs controls and checks of safety of products, combatting counterfeiting, standardisation, market surveillance, consumer protection and e-commerce as well as issues relevant for current dossiers, such as the goods package.



The IMCO delegation held meetings with local government representatives and members of Shanghai municipal People's Congress, local customs authorities, a local authority in charge of consumer protection, Guangzhou Port Authority, the European Union Chamber of Commerce in China, and participated in on-site visit to a local technology business lab in Shanghai. The mission was concluded by a tour of the Nansha port, Guangzhou.

## IMCO EVENTS

### The impact and the state of implementation of the Late Payment Directive in the Member States

On 12 July IMCO held a public hearing on the implementation of the Late Payment Directive. The first panel of speakers featured representatives from business associations and concentrated on business-to-business (B2B) transactions, focusing on the elements of legislation that could be improved or better enforced. The second panel of speakers addressed public authorities-to-businesses transactions (PA2B), where speakers reported problems on the ground, but also described certain best practices adopted in Member States. The hearing provided useful input for an IMCO implementation report, to be elaborated later this year.

LINK: [Hearing](#)

### Better enforcement and modernisation of EU consumer protection rules

The public hearing on consumer protection held on 11 July allowed four experts to present their views on the Commission proposal on modernisation and better enforcement of EU consumer law. The debate mostly focussed on the data (or lack thereof) underpinning the amendments to the consumer's right of withdrawal. It examined the need to find EU versus national enforcement solutions to problems experienced with unsolicited doorstep selling in several Member States, the adequacy of the proposed new transparency requirements for online market places and of the proposed solution for dual quality of products in the Unfair Commercial Practices Directive, as well as on the calculation method for the proposed new penalties.

LINK: [Hearing](#)

#### ABOUT THE EDITOR:

European Parliament  
Directorate General for Internal Policies of the Union  
Internal Market and Consumer Protection Committee  
Head of Unit / Editor: Panos Konstantopoulos  
Responsible administrator: Atanaska Koleva  
Layout: Julia Pourceau

#### SUBSCRIPTION:

If you wish to receive the IMCO newsletter, please [subscribe](#)

To [unsubscribe](#)

#### FOLLOW US:



[IMCO WEB-SITE](#)



[IMCO on Twitter](#)



Closure date of the current issue: 10 September 2018

**Disclaimer:** The items contained herein are drafted by the Secretariat of the Internal Market and Consumer Protection Committee and are provided for general information purposes only. The opinions expressed in this document are the sole responsibility of the author(s) and do not necessarily represent the official position of the European Parliament. The IMCO Newsletter may contain links to websites that are created and maintained by other organisations. The IMCO Secretariat does not necessarily endorse the view expressed on these websites.