

# Newsletter

Issue 99 - January 2019

## CHAIR'S WISHES FOR 2019



I would like to wish everyone a very happy New Year and all the best for 2019. The past year has been busy. We have been working hard on many files in order to ensure a better functioning of the internal market and to provide a higher level of consumer protection. We managed to make new

rules on geoblocking, the free flow of personal data, a single digital gateway and the type-approval of motor vehicles.

However, there is still a lot of work in progress that needs to be finalised before the end of this mandate. Accessible products and services, clearer rules on contracts for the sale of goods and digital content and modernised consumer protection rules are only a few examples. Also in the field of customs, motor vehicles, cultural goods, digitisation and fertilising products, Members are working hard to take big steps forward.

With the elections around the corner, time is limited and we will all have to make an extra effort to ensure those files that are still pending are successfully concluded to the benefit of European businesses, citizens and consumers.

Anneleen Van Bossuyt  
IMCO Chair

## SELECTED NEWS

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

On 22 January, the IMCO Committee will vote on the adoption of Mr Dalton's draft report on the "Better enforcement and modernisation of EU consumer protection rules" proposal, part of the "New Deal for Consumers" package. 486 amendments were tabled and over 20 compromise amendments were proposed by the Rapporteur. Among these, the introduction of a new blacklisted unfair commercial practice relating to dual quality of products, clarifications on doorstep-selling, rules on more effective and dissuasive penalties to tackle breaches of consumer laws, as well as new rules on transparency of online marketplaces.

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

[Procedure file](#)

### Import of cultural goods

On 22 January, the joint committee INTA-IMCO will meet to receive feedback on the provisional political agreement reached on 18 December 2018 by Parliament, led by the co-rapporteurs Ms Mosca (INTA) and Mr Dalton (IMCO), and by Council, led by the Austrian Presidency, on the proposal for a regulation on the import of cultural goods. The outstanding points that were negotiated at that trilogue were the cases when certification and declaration of the importer should be necessary, as well as the list of goods to which these provisions would apply. The joint committee will subsequently vote on the provisional political agreement.

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

[Procedure file](#)

# NEXT COMMITTEE MEETINGS

(21-22 JANUARY 2019)

[Watch the committee meeting live](#)

## Fertilising Products

On 22 January, the IMCO committee will vote on the provisional agreement reached at the fourth trilogue on the Fertilising Products Regulation, held on 20 November 2018. The key terms of the agreement are a single limit for cadmium in phosphate fertilisers, which is set at 60 mg/kg, with the Commission to review this value no later than four years after the Regulation starts to apply. Coreper endorsed the provisional agreement on 12 December. The final vote in plenary is scheduled for the March II part-session.

**DRAFTSPERSON:** [Mihai Turcanu \(EPP\)](#) [Procedure file](#)

## Accessibility Act

On 22 January, IMCO will vote on the provisional agreement reached at the seventh Trilogue on the Directive on accessibility, held on 8 November 2018. The agreement was approved by the Member States' ambassadors (COREPER) on 19 December 2018. After the IMCO vote, the text is scheduled to be finally voted on in plenary during the part-session of March I. For more information on the content of the agreement, please see [Issue 97](#) of this newsletter.

**DRAFTSPERSON:** [Morten Løkkegaard \(ALDE\)](#) [Procedure file](#)

## Regulation laying down the Customs code

IMCO will vote on 22 January on the result of the interinstitutional negotiations on the modification of the Union Customs Code to adapt it to a number of international trade agreements signed recently by the Union, as well as to enlarge the territorial scope of application of the Code to the Italian municipality of Campione d'Italia and the Italian territorial waters of the lake Lugano. This aspect of the proposal stems from a request by Italy.

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

## Priorities of the Romanian Presidency

On 22 January, Nicolae Bădăläu, the Romanian Minister of Economy, will present the priorities of the incoming Romanian Council Presidency, which runs until 30 June 2019. The Presidency will be seeking to seal agreements on a wide range of legislative files in the next few months, ahead of European Parliament elections in May. For IMCO, this includes key files on 'contracts for the online sale of goods', the 'digital content' file and the 'new deal for consumers'. Innovation and digital transformation are among the policy areas most relevant for IMCO that the Presidency intends to focus on.

**LINK:** [Romanian Presidency](#)

## Type-approval requirements for motor vehicles

On 22 January IMCO will consider the 292 amendments tabled to the Commission's proposed revision of the General Vehicle Safety Regulation, as well as the compromise amendments that Ms Thun (rapporteur) is actively negotiating with the shadow rapporteurs. The main areas of the legislative proposal that will feed the discussion are the systems of intelligent speed assistance, the event (accident) data recorder, the systems for recognition of drowsiness of the driver and the lane keeping assistance systems. IMCO is expected to vote on the draft report in its February meeting.

**DRAFTSPERSON:** [Róża Thun \(EPP\)](#) [Procedure file](#)

## Programme for single market, competitiveness of enterprises

The IMCO committee will vote on 22 January on the amendments tabled to the Commission's proposed "Programme for single market, competitiveness of enterprises, including small and medium-sized enterprises, and European statistics". Five committees delivered opinions, four of them (ITRE, ECON, ENVI and AGRI) under rule 54. The great majority of IMCO Committee amendments support the proposal to merge a number of existing MFF programmes in one to create synergies. Moreover, some amendments stress the need to avoid duplication. A number of amendments propose additional elements or further precision of the objectives of the programme or put further emphasis on some of the areas of the programme, such as market surveillance, public administration/public services, public procurement, improvement of the process of mutual recognition of professional qualifications, removal of barriers in cross border provision of services, digital developments, assisting and empowering consumers, ensuring proper enforcement, access to information and effective redress and tackling dual quality of products.

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

## Insurance against civil liability in respect of the use of motor vehicles

On 21 January, IMCO will consider the amendments tabled to the Commission's proposal to amend the Motor Insurance Directive 2009/103/EC. Several amendments address the definitions in the Directive (in particular "use of a vehicle"), a mandatory bonus-malus system, insolvency of the insurer, delegated acts, the evaluation and review of the Directive etc. Members are also expected to discuss certain draft compromise amendments proposed by the rapporteur, Ms Dita Charanzová, on the issues referred to above. The vote in IMCO is scheduled for the day after the discussion, 22 January.

**DRAFTSPERSON:** [Dita Charanzová \(ALDE\)](#) [Procedure file](#)

## Preventing the dissemination of terrorist content online

On 21 January, the IMCO Committee will consider the draft opinion by Ms Reda on the Commission's proposal for a regulation on Preventing the dissemination of terrorist content online. The main aim of the Commission proposal is to get terrorist content off the web, making sure that the same obligations are imposed in a uniform manner across the Union. The rapporteur points to the need for a well-functioning Digital Single Market taking into account the importance of fundamental rights, freedom and pluralism of the media as well as the right to privacy and protection of personal data.

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

## Exchange of views with Věra Jourová, Commissioner responsible for Justice, Consumers and Gender Equality

Following the European Parliament's resolution of 12 December 2018 on the single market package and as the end of the current legislative term approaches, the IMCO Committee will initiate a series of exchanges of views with the relevant Commissioners aimed at taking stock of progress made thus far and discuss the challenges ahead to unlock the full benefits of the internal market. On 22 January, the IMCO Committee will hold the first exchange of views with Věra Jourová, Commissioner responsible for Justice, Consumers, and Gender Equality.

# LAST COMMITTEE MEETINGS

(6 DECEMBER 2018)

## 'Customs' programme for cooperation in the field of customs

On 6 December, IMCO Members adopted the report of Ms Grapini on the "Customs" programme for cooperation in the field of customs (33 votes for, 2 against and 0 abstentions). The proposal is part of the MFF suite of proposals. All 9 compromises presented by the rapporteur were adopted. The compromises focussed on ensuring that the Customs programme is assisting IT capacity building, making sure that the programme helps facilitate trade, and that it is not used to finance costs relating to Brexit.

DRAFTSPERSON: [Maria Grapini \(S&D\)](#)

[Procedure file](#)

## Instrument for financial support for customs control equipment



On 6 December, IMCO Members adopted the report of Mr Pospíšil on the Instrument for financial support for customs control equipment (32 votes for, 2 against and 0 abstentions). The proposal is part of the MFF suite of proposals. All 10 compromises presented by the rapporteur were adopted. The compromises focussed on ensuring that the equipment

financed under the Instrument is used primarily for customs control, but may be used for additional purposes and that software directly necessary for the use of customs control equipment is included under the Instrument, as well as ensuring transparency of the actions and results of the Instrument.

DRAFTSPERSON: [Jiří Pospíšil \(EPP\)](#)

[Procedure file](#)

## Late Payment Directive



On 6 December, IMCO adopted the own-initiative report (rapporteur Lara Comi, EPP) on the implementation of the Late Payments Directive (33 votes in favour, 2 against, 0 abstentions). All 21 compromise amendments were adopted and the report received the support of nearly all political groups. The report calls on the Member States to ensure the proper implementation of the Late Payment Directive and invites the Commission to take certain measures, including where appropriate legislative initiatives, with the aim of creating a punctual payment culture. The adoption in plenary is scheduled for the January I session.

DRAFTSPERSON: [Lara Comi \(EPP\)](#)

[Procedure file](#)

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



On 6 December, the IMCO committee adopted the report of Ms Schaldemose on the Commission's proposal for a regulation on Fairness and transparency for business users of online intermediation services (P2B Regulation) (26 votes in favour, 6 against, 3 abstentions). The file is one of the most important ongoing pieces of legislation for the completion of the Digital Single Market. A total of 38 compromise amendments were adopted. 3 other committees provided opinions: JURI (under rule 54 shared competences), ITRE (Rule 53+) and TRAN (rule 53).

The compromise amendments promoted broadly more transparency and fairness in P2B relations, ensured market access and ultimately consumers choice and consumer welfare in the platform economy, avoiding abuses and ensuring a level playing field for all actors, as well as the best use of mediation mechanisms to guarantee the effectiveness and transparency of these processes are among the main improvements brought by this piece of legislation.

Members also adopted the mandate to start trilogue negotiations with Council, and the first trilogue, at which there was a general exchange of views, took place on 12 December. The next trilogue is scheduled to take place on 28 January.

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

[Procedure file](#)

## Discontinuing seasonal changes of time

On 6 December, the IMCO committee discussed the draft opinion of the IMCO rapporteur, Mr Šoltes, on the Commission's proposal to discontinue seasonal changes of time. On 29 January 2019, IMCO will consider the 83 amendments tabled to the proposal. The amendments focus mainly on the need to carry out a proper assessment of the effects of the proposal on the internal market, on the consultation of stakeholders and other Member States concerned in order ensure the harmonised implementation of the proposal, as well as on the date of application of the Directive, allowing for sufficient time to coordinate Member States' approach. IMCO is due to vote its opinion 22 February 2019.

DRAFTSPERSON: [Igor Šoltes \(Greens/EFA\)](#)

[Procedure file](#)

## High level forum for a better functioning food supply chain

On 6 December, *suiveurs* heard feedback on the plenary meeting of the High Level Forum for a better functioning food supply chain, which took place on 28 November. The Commission was represented by the head of cabinet of Commissioner Bierkowska, Tomasz Husak, with assistance from Franz Ulberth from the Joint Research Centre. Discussion focused on the issue of dual quality of products. Members raised concerns as to progress tackling the issue, funding and Parliament's involvement in the pilot project.

## UPDATE ON IMCO TRILOGUES

### Contracts for the supply of digital content

On 21 January, IMCO co-rapporteur, Ms Gebhardt, is to give feedback on the 8th trilogue on digital content and sale of goods, which took place on 12 December (IMCO and JURI have joint competence under Rule 55). At the trilogue, Parliament and Council reached an agreement on the key common political issues including legal guarantee period, reversal of burden of proof and the level of harmonisation hereof. However, concerning digital content, the Council reopened the agreement on the trader's compensation in

the case of early termination of long-term contracts and could not agree with the Parliament's wish to introduce, in the sales of goods text, a provision requesting traders to supply updates to consumers during a "reasonable period of time" for a single act of supply, which exists in the agreed text on digital content. It is hoped that the next trilogue, scheduled for 22 January, will yield an agreement on these two remaining issues.

LINK: [Subject file](#)

## HEARING: HARMONISATION AS PRINCIPLE FOR SINGLE MARKET LEGISLATION



On 22 January 2019, IMCO will hold a Public Hearing on "Harmonisation as a principle for Single Market legislation - A key to EU competitiveness." The Hearing will be chaired by the IMCO

Chair, Ms Anneleen Van Bossuyt. Two panels will discuss the actual benefits of the harmonisation of national rules and the possible future framework for harmonisation in the EU Single Market.

Business and consumer representatives together with policy-making representatives from the EU Council and the European Commission will delve into the issues of reducing regulatory obstacles, bringing transparency for consumers, attracting investments and competing at the global level through harmonisation. The aim is to further strengthen the Single Market as the best asset to generate growth and foster competitiveness of European companies in globalised markets, meeting the challenges of technological developments, emerging economic trends and new growth models.

LINK: [Hearing](#)

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Closure date of the current issue: 15 January 2019

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