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Europaudvalget
(Alm. del - bilag 1214)
forbrugerministerråd
(Offentligt)

Medlemmerne af Folketingets Europaudvalg

og deres stedfortrædere

Bilag	Journalnummer	Kontor	
1	400.C.2-0	EU-sekr.	17. maj 2001

Til underretning for Folketingets Europaudvalg vedlægges formandskabets opsummering af det uformelle forbrugerministermøde i Lund den 27.-28. april 2001.

Brussels, 11 May 2001

Ulrika Ihrfelt

Tel 02 289 5639

Kenneth Nordlander

Tel 02 289 58 14

Magnus Rydén

Tel 02 289 5728

April

Dear colleagues,

Please find enclosed the Presidency summary of the discussions taken place at the Informal Meeting between Ministers responsible for the Internal Market and Consumer Affairs in Lund 27-28 April.

Best regards,

Ulrika Ihrfelt Kenneth Nordlander Magnus Rydén

Legal Counsellor Legal Counsellor Counsellor

**Presidency
Summary
from the
informal
Internal
Market and
Consumer
minister
meeting in
Lund 27-28**

Informal meeting between ministers responsible for the Internal Market and Consumer Affairs in Lund 27-28 April 2001

8 May 2001

Ministry of Justice

Ministry for Foreign Affairs

Introduction

On April 27-28, the ministers for the internal market and consumer affairs, convened in the City of Lund to discuss consumer interests in the internal market. It was the first time in the history of the Union that these two policy areas met to jointly discuss, in an informal manner, topics of mutual interests. The Swedish presidency would like to thank all Member States, the Commission and the representatives of the EEA countries for the fruitful discussions and the truly informal atmosphere during these two intensive days in Lund.

The presidency feels that many interesting ideas were mooted. The Presidency sums up the outcome of the meeting as follows.

Consumer interests in the internal market

The overall theme of the meeting was consumer interests in the internal market. During the first session of the meeting issues were discussed from a more general political aspect. It was stressed by several delegations that we must all comply with the wording of Article 153 of the Treaty, which inter alia provides that consumer protection requirements shall be taken into account in defining and implementing other Community policies and activities. Impact assessment analyses and more regular follow-ups were mentioned as possible tools in this context.

It was acknowledged that there is not necessarily a contradiction between business and consumer interests on the internal market, nor between economic development and consumer needs. On the contrary, they are mutually supportive.

Further, the need and importance of combining consumer protection and the functioning of the internal market in order to achieve increased and better competition, and hence lower prices for the consumers, was clearly indicated.

It was stressed that, in order to boost consumer confidence, the consumers' position must be strengthened and their influence become more concrete. The stakeholders concerned must be given increased opportunities to participate in the regulatory process. Another important step, which the Commission as well as several delegations pointed out, is to ensure a more effective implementation of Community Directives. This would lead to a higher degree of legal certainty in the internal market.

The general discussion during the first session was followed up by a session, which addressed more practical aspects of consumer interests in the internal market.

Price surveys and parallel import

Delegations expressed a very positive attitude towards price studies. It was agreed that these are a useful instrument for measuring the functioning of the internal market and for showing European consumers that

there are economic gains to be made by taking advantage of the vast opportunities which the internal market offers.

Several Member States recognized the need to make use of the knowledge we have acquired and, as a complement to price studies, to carry out an analysis of the results in order to identify the underlying reasons for existing differences.

Member States also welcomed the joint UK/Swedish international price comparison study on branded goods, which provides valuable information about the extent of existing price differences between EU member states and the US. The study demonstrates the scale of potential benefits to EU consumers if retailers were free to get their products from the cheapest source.

Many Member States also recognized that one reason for high prices within the EU is the barrier to parallel imports from third countries, and that further evaluation of this issue should be carried out in the Council. The Swedish presidency and the incoming Belgian presidency will discuss ways of carrying this issue forward. At the meeting, the Belgian delegation expressed its intention to continue to focus on the matter.

New forms of regulation and good market behaviour

The discussion concerned the possible need for new forms of regulation concerning good market behaviour. A letter from Commissioner David Byrne on the subject had been distributed beforehand.

Considering the fast development of the market, it was generally agreed that a new and more flexible method for regulation, including a general legal framework, should be further examined. The purpose should be to achieve more complete consumer protection on a high level and to avoid further fragmentation of market regulations as well as to remove existing barriers to trade. The overriding aim would be to improve the situation for consumers and to help reinforce consumer trust, as well as to create a "level playing field" for business.

It was emphasized that the traditional way of regulating through detailed vertical directives is time consuming and often tends to target the problems of yesterday's market. The importance of regarding new forms of regulation as a complement to traditional legislation was stressed in this context.

As a complement to a legal framework, self-regulation and 'co-regulation'- where the stakeholders concerned participate in the regulatory process together with public authorities - were discussed. The need to safeguard the interest of legal certainty was strongly emphasized. The necessity to define the notion "fairness" as well as the need for a well functioning enforcement process were mentioned.

The coming green paper from the Commission on these issues was generally welcomed.

The Belgian delegation expressed its interest in this topic for its coming presidency. The Swedish presidency stated that it intended to get back to the issue at the Council meeting in May.

Consumer confidence in goods and services, administrative issues

Partly linked to the discussion about new forms of regulation, some Member States put forward the importance of effective market surveillance and control as well as a clear division of responsibilities between the national, regional and EU levels.

In order to improve the follow-up of how consumer legislation is carried out in practice, an exchange of experiences and best practices was generally welcomed by several delegations.

The issue of food safety was mentioned as one of the most important examples where the need for consumer confidence is a prerequisite for a functional internal market and many Member States stressed the importance of a successful completion of the work in the Council on this issue.

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On the first day of the meeting a statement prepared by consumer organisations participating in the seminar "Voice of the European Consumer 2001" was presented to the ministers. The statement is available on the Presidency web site www.eu2001.se