

Brussels, 26/02/2018

## Sales of consumer goods – The Parliament lost the occasion to create a real single market

After more than 2 years of debate, on the 22<sup>nd</sup> of February, the IMCO committee has adopted a draft that will represent the Parliament's position during the upcoming trilogue negotiations. Despite the remarkable efforts made by the MEPs to align the conflicting interests of the different stakeholders involved, the text fails to meet the declared objective of the proposal: to enable the uptake of cross-border sales of consumer goods in the EU (both face-to-face and online) through the establishment of a harmonised and well-balanced regulatory framework.

On the 22<sup>nd</sup> of February, after a long internal debate of more than 2 years, the IMCO committee of the European Parliament adopted its report on the proposal concerning contracts for the sales of consumer goods.

CECRA, on behalf of the European Automotive Dealers and Repairers, has been following closely the Parliament debate, warmly welcoming the initial intention of the European Commission to take all the necessary steps to prevent discrepancies between different national legislations and between different sales channels and ensure that both businesses and consumers can rely on a single and coherent set of rules when making cross-border transactions.

CECRA recognises the numerous attempts made by the members of the IMCO committee, especially the proposal's rapporteur (Pascal Arimont - EPP - Belgium), trying to bridge the very large gap between stakeholders coming from different countries with different sets of rules. CECRA welcomes, for example, that the lifespan guarantee principle did not appear in the final version of the compromise, that the minimum length of legal guarantee at European level has not been raised and that the burden of proof of one year has been proposed, a compromise between the current length and what was proposed by the European Commission.

However, we must also acknowledge that, despite all the efforts made, the Parliament has failed to achieve the only and sole objective that made this proposal relevant to the European consumers and businesses: create a real European single market, with uniform and harmonised rules, allowing consumers and businesses to buy and sell products throughout the EU without having to know and to comply with different rules and standards.

The numerous exceptions allowed to Member States, and an incomprehensible differentiation of the rules applicable to second-hand goods when they are sold online, are just two of the elements that make this text no longer fit to the initial purpose of boosting the uptake of cross-border consumer transactions (both off-line and on-line-).

CECRA, along with its members, is interested in the benefits that may stem from the full harmonisation of guarantees and remedies at European level but is also fully aware of the concrete political difficulties lying on the way to it. Therefore, while keeping its hope alive for a better compromise text that could be achieved during the trilogue, CECRA wants to make clear that a new Directive on the sales of consumer goods should only be adopted if the expected benefits for the European consumers and businesses exceed the drawbacks.

CECRA does not advocate for the adoption of this proposal at any cost.

CECRA will address the specific issues in the next steps of the legislative process.

For more information:

**Giuseppe Marotta**

Policy Adviser

[giuseppe.marotta@cecra.eu](mailto:giuseppe.marotta@cecra.eu)

**Bernard Lycke**

Director General

[bernard.lycke@cecra.eu](mailto:bernard.lycke@cecra.eu)

---

Mobile: +32 494 79 16 35

Mobile: +32 475 932 693



CECRA, established in 1983, is the European federation bringing together national professional associations, which represent the interests of motor trade and repair businesses and European Dealer Councils. CECRA represents on a European scale 336,720 motor trade and repair businesses. Together they employ 2.9 million people.

Boulevard de la Woluwe 46, box 9 · 1200 Brussels - Belgium · t. : +32 (0) 2 771 96 56 · f. +32 (0) 2 772 65 67 · mail@cecra.eu · cecra.eu