

EuroCommerce on UTP cross-border enforcement regulation: common sense prevailed

EU Ministers [approved today](#) a [Regulation](#) on cross-border enforcement of the Directive on unfair trading practices (UTP Directive). The text was agreed by Member States and the European Parliament last November and largely retains the purpose of improving cross-border enforcement of the [UTP Directive](#) while preserving the integrity of the Single Market.

Christel Delberghe, the Director General of EuroCommerce, the trade association representing Europe's retail and wholesale sector, reflected on the outcome: *"We are reassured that the co-legislators listened to our concerns, introduced safeguards in the text to protect the Single Market and restrict Member States from applying their national law in other countries."*

EuroCommerce had warned from the [start](#) that allowing Member States to use the Regulation to enforce their stricter national rules in cross border cases would undermine the harmonisation brought by the UTP Directive and deter cross-border sourcing. Placing yet another [barrier](#) to cross-border sourcing would have worsened the effects of [territorial supply constraints](#) and hurt consumers with higher food prices and less choice.

The final text limits the possibility for Member States to use the Regulation for non-harmonised EU rules to voluntary cooperation in certain instances only. It also recognises the [evidence](#) that European Retail Alliances help consumers benefit from the Single Market.

During a parliamentary debate in Strasbourg on 12 February, the European Commission made it clear that the Regulation does not allow Member States to unilaterally enforce their national rules in other countries. With the Commission reinforcing the idea that there should be One Europe, One Market at the Alden Biesen summit, now is the time for the Commission to address the violation by France of Single Market rules with the Loi Descrozaille, [as we requested in 2023](#).

Attention now turns to the revision of the UTP Directive later this year. EuroCommerce advocates for a targeted review of the Directive focusing on improving the position of farmers and small processors in the chain. Strengthening large multinationals will not help small farmers and will hurt consumers whose purchasing power remains under strain.

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EuroCommerce is the principal European organisation representing the retail and wholesale sector. It embraces national associations in 28 countries and 5 million companies, including leading global players and many small businesses. Over a billion times a day, retailers and wholesalers distribute goods and provide an essential service to millions of businesses and individual customers. The sector generates 1 in 7 jobs, offering a varied career to 26 million Europeans, many of them young people. It also supports millions of further jobs throughout the supply chain, from small local suppliers to international businesses. EuroCommerce is the recognised European social partner for the retail and wholesale sector.