



EUROPEAN COMMISSION

*Brussels, 24.7.2018
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Dear Chairman,

The Commission would like to thank the Poslanecká sněmovna for its Opinion on the 'Goods Package', including the proposals on reinforcing trust in the single market {COM(2017) 787, 795 and 796 final}.

By presenting the 'Goods Package', the Commission is delivering on its promise in the Single Market Strategy of 28 October 2015 to strengthen the Single Market for goods.

The Commission welcomes the Poslanecká sněmovna's general support for the package. It has taken due note of the views expressed by the Poslanecká sněmovna, in particular the reservation on the scope of the minimum powers for market surveillance authorities as laid down in Article 14 of the proposal for a Regulation laying down rules and procedures for compliance with and enforcement of Union harmonisation legislation on products {COM(2017) 795 final}. The Commission has carefully considered this issue in the preparation of the proposal and finds it necessary to equip market surveillance authorities with investigative and enforcement powers to cover new players in global and e-commerce supply chains.

Furthermore, the Commission would like to stress that the Union Product Compliance Network established by the proposal is a support structure for cooperation and for coordinating and helping to implement Member States' joint enforcement activities. It does not affect Member States' competences in market surveillance. The priorities for common market surveillance actions are set by the Board, which is composed of representatives of the Member States and of the Commission. Representatives of business and consumers associations can only be part of the administrative coordination groups and, as the proposal specifies, only where this is appropriate.

The proposal includes several provisions empowering the Commission to adopt implementing acts. These proposed empowerments are however of limited scope as they allow the Commission to establish procedures, time limits, standard forms, models and details of data. Furthermore, the Committee to be established pursuant to Article 63 of

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the proposal would consist of representatives of Member States and would assist the Commission in the preparation of these implementing acts.

Regarding the issues raised by the Poslanecká sněmovna on the proposal for a Regulation on the mutual recognition of goods lawfully marketed in another Member State {COM(2017) 796 final}, the Commission recalls that the aim of the problem-solving procedure is to offer a business friendly alternative to national proceedings, if the economic operator wishes so. The problem solving procedure therefore remains an alternative and does not prevent economic operators from using the national remedies at their disposal.

The points made above are based on the initial proposals presented by the Commission, which are currently in the legislative process involving the European Parliament and the Council.

The Commission hopes that these clarifications address the issues raised by the Poslanecká sněmovna and looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Elżbieta Bieńkowska
Member of the Commission*