



EUROPEAN COMMISSION

Brussels, 18.10.2012
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Dear President,

The Commission would like to thank you for transmitting the Opinion of the Senato della Repubblica on the proposal for a Regulation on a Common European Sales Law {COM(2011) 635 final} and apologises for the delay in replying.

The European Commission very much appreciates the Senato's support for this proposal and shares its views that the proposal has great potential for stimulating the growth of the European Union economy. Small and medium-sized enterprises in particular would benefit by being able to reduce transaction costs when selling their products across borders and by exploiting economies of scale, while consumers would benefit from more product choice at lower prices, and from a high level of consumer protection.

The level of consumer protection in the proposal has been deliberately set at a high level in order to ensure consumers' confidence in using it. It is in any case comparable to the level of consumer protection in Italian law.

The Commission also welcomes the Senato's view that Article 114 of the Treaty on the Functioning of the European Union is the correct legal base. Indeed the Common European Sales Law can be based on Article 114 as it helps to tackle contract law related obstacles by offering parties the possibility to use a uniform set of contact law rules across the European Union.

At the same time, the Commission takes note of the suggestions of the Senato that it should be ensured that the adopted regulation contains effective guarantees for the consumer, that it will not lead to the fragmentation of the applicable rules, that it will be properly publicised in the Member States once adopted and that it does not prejudice the right to collective action of consumers in the Member States.

I look forward to continuing our political dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*

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Presidente
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