



EUROPEAN COMMISSION

Brussels, 2. 8. 2013
C(2013) 5122 final

Dear President,

The Commission would like to thank the Senat for its Opinion concerning the Green Paper on unfair trading practices in the business-to-business food and non-food supply chain in Europe {COM(2013) 37 final}.

The Commission welcomes the support the Senat has expressed for the public stakeholder consultation that was launched on the basis of the Green Paper and wishes to thank the Senat for providing its views on the questions included in the Green Paper.

The Commission takes note of the Senat's view that unfair trading practices (UTPs) in the business-to-business supply chain are best addressed at European level. The views submitted by stakeholders on the impact of the applicable national law are useful for the Commission's analysis. As a matter of fact, one of the key purposes of the on-going consultation on the basis of the Green Paper is to assess the sufficiency and effectiveness of national mechanisms addressing UTPs on the basis of broad feedback of concerned parties throughout the EU. The Commission also takes note of the Romanian competition authority's concerns about the exchange of sensitive information related to the competition.

The Commission has yet to perform its final assessment of the occurrence and severity of problems stemming from UTPs throughout the EU. The results of the Green Paper consultation will be instrumental for this purpose and any conclusion as to whether action at EU level is required and which policy option the Commission might recommend depends on the outcome of this analysis. In this context, the Commission considers a broad range of alternative options for the purpose of addressing UTPs, including the possibility for a self-regulatory mechanism at European level or a legislative framework. In any event, possible future policy recommendations would be based on a thorough Impact Assessment.

The Commission looks forward to continuing our political dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*

*Mr George CRIN LAURENȚIU
ANTONESCU
President of the Senat
Calea 13 Septembrie nr. 1-3, sector 5
RO – 050711 BUCHAREST*