Resolution on misleading business directories

2011/2682(RSP) - 09/06/2011 - Text adopted by Parliament, single reading

Following the debate which was held in plenary on 9 June 2011, the European Parliament adopted a resolution tabled by the Committee on Petitions on misleading business directories (Petitions 0045/2006, 1476/2006, 0079/2003, 0819/2003, 1010/2005, 0052/2007, 0306/2007, 0444/2007, 0562/2007 and others).

It regrets that Directive 2006/114/EC on misleading and comparative advertising, which applies to business-to-business transactions, appears to be either insufficient in providing an effective remedy or inadequately enforced by Member States.

Members note that Parliament has received more than 400 petitions concerning widespread misleading business practices by business directory companies affecting thousands of mostly small businesses in the EU, with a significant financial impact. The misleading business practices in question typically consist in luring businesses, as well as professionals and non-profit entities, into being listed in a business directory free of charge, with signatories later discovering that they have signed up to a contract with a fee. These business directory companies are often established in a different Member State from that of their victims, making it difficult for the latter to seek protection and/or redress from national authorities.

Parliament calls on the Commission to:

- proactively verify Member States' transposition, implementation and national enforcement of Directive 2006/114/EC and take corrective action where needed;
- speed up its activities with regard to revising and improving the Directive and other relevant legislation so as to put an end to the misleading practices of business directory companies as soon as possible, notably by specifically black-listing misleading practices by business directories.

Members recall that, although the Commission has no power to enforce the Directive directly against individuals or companies, it does have a duty to ensure that the Directive is adequately implemented by Member States.