Internal market: sales promotions and consumer protection, transparency

2001/0227(COD) - 02/10/2001 - Legislative proposal

PURPOSE : proposal for a Regulation to facilitate the free movement of goods that benefit from the use of sales promotion. CONTENT : Sales promotions, such as premium offers and free gifts, are key to the growth of businesses in the Community and are particularly important tools for small and medium-sized businesses. The use of sales promotions within the Community is hampered by several legal obstacles, which are due to divergences in national legislation and legal uncertainty. This Regulation introduces uniform rules for sales promotions, and provides for a high level of consumer protection in order to enhance trust in the Internal Market. Certain national bans or limitations are removed, in order to elimiminate barriers to establishment and the export of services. Other cross-border barriers to the use and commercial communication of sales promotions are submitted to the application of the principle of mutual recognition. In order to protect children, the proposal prohibits promoters of free gifts or premiums from sending promotional products to children. The proposal also bans the offer of free alcoholic beverages as promotional gifts to minors. In the event that promoters breach the rules on sales promotions, the proposal ensures that complainants will be able to identify the promoter and have easy acess to in-house redress systems.