Internal market: sales promotions and consumer protection, transparency

2001/0227(COD) - 02/07/2002

The committee adopted the report by Eduard BEYSEN (ELDR, B) broadly welcoming the Commission proposal, subject to a number of amendments adopted under the codecision procedure (1st reading). It wanted to allow Member States to decide whether to ban discounts on fixed-price products and on 'sales below cost' (i.e. below the retailer's actual costs), arguing that these discounts were not a form of sales promotion but an anti-competitive commercial practice and hence, under the subsidiarity principle, a matter for national governments. MEPs also voted to allow Member States to restrict or ban discounts prior to seasonal sales, believing that this not only served consumer interests but also helped to prevent unfair trade practices and boost competition. The committee further felt that, in order to encourage Member States to support the fight against smoking, tobacco products and brands should be exempted from the Commission's broad aim of preventing Member States from imposing restrictions on sales promotions. Other amendments went further than the Commission in safeguarding children's health and protecting minors from the sale or promotion of alcohol. Yet other changes sought to tighten up and clarify the text and to put back the entry into force of the regulation by one year to 1 January 2005.