

Consumer Protection Cooperation Regulation

The European Commission has proposed the revision of the Consumer Protection Cooperation (CPC) Regulation, to broaden its scope and strengthen the powers of the national authorities cooperating on cross-border EU consumer-law infringements. Three rounds of trilogue negotiations produced a provisional agreement in June 2017, now awaiting a first-reading vote in plenary in November.

Background

A high level of consumer protection is a key element of the [digital single market strategy](#), which notes that, while 61 % of EU consumers felt confident about buying online from a retailer in their own Member State, only 38 % felt the same about shopping across their country's borders. A 2014 screening of more than 2 500 e-commerce websites, conducted by the Commission, found that 37 % were in breach of EU consumer law, with the Commission estimating that the detriment to consumers amounted to €770 million per year. Of all cross-border [complaints](#) received by European Consumer Centres in 2015, 68 % were related to e-commerce.

European Commission proposal

The current CPC Regulation [2006/2004/EC](#) already enables national authorities to cooperate on ongoing infringements of consumer law, through alerts and a mutual-assistance mechanism. However, the [revised regulation](#), proposed on 25 May 2016 as part of the [e-commerce package](#), would make it better fit the challenges of the digital economy. Cooperation would also be possible on infringements that have already ended, and new notions of widespread infringement (affecting at least two Member States) and widespread infringement with a Union dimension (affecting at least three quarters of Member States with three quarters of the EU population) would be introduced. The regulation would be applicable to a broader set of consumer-related legislation, while national authorities should have additional minimum powers, such as the right to undertake [mystery shopping](#) and to order the restitution of profits or compensation to consumers.

European Parliament position

The Committee for Internal Market and Consumer Protection (IMCO) adopted its [report](#) on 21 March 2017. It voted to strengthen the role of consumers' and traders' organisations, and clarify the national authorities' powers – so for instance, as a last resort, they could take down an infringing website.

Three rounds of trilogues took place from April to June 2017. According to the provisional [agreement](#), when national authorities suspect that an infringement of consumer rights on their territory may affect consumers in other Member States, they are required to issue an alert. Consumer organisations and associations can also send an 'external alert' to other Member States. In case of a widespread infringement that affects consumers in multiple Member States, their national authorities are required to launch a coordinated action. If a widespread infringement has a Union dimension, this action is coordinated by the Commission. The agreement lowers the threshold for the widespread infringement with a Union dimension to two thirds of Member States with two thirds of the EU population, and so strengthens the role of the Commission. If the number of affected Member States does not reach the threshold for a widespread infringement, national authorities can use the mutual-assistance mechanism and request help with investigation and enforcement from other Member States. The first-reading plenary vote on the agreed text is scheduled for the November I plenary.

First-reading report: [2016/0148\(COD\)](#); Committee responsible: IMCO; Rapporteur: Olga Sehnalová (S&D, Czech Republic). For further information, see our '[EU Legislation in Progress](#)' briefing'.

