

**Question for written answer E-000304/2015
to the Commission**
Rule 130
Philippe Juvin (PPE)

Subject: Rules governing the advertising of price reductions

In a judgment delivered on 10 July 2014 (in Case C-421/12), the Court of Justice of the European Union found that Belgium, by maintaining in force legislation in breach of Directive 2005/29/EC concerning unfair business-to-consumer commercial practices in the internal market (the Unfair Commercial Practices Directive), had failed to fulfil its obligations under EU law.

Like the Belgian legislation in question, the relevant French law (Order of 31 December 2008 on the advertising of price reductions to the consumer) requires traders advertising price reductions to follow a specific method of setting reference prices.

The rules have helped to counter the practice of simply inventing reference prices and thereby deceiving consumers. If they are called into question, traders who have adopted fair commercial practices when advertising price reductions will find themselves in a position of legal uncertainty and they will be exposed to fierce competition from companies freed of the obligations imposed by the 2008 order.

Does the Commission consider the French rules on the advertising of price reductions to the consumer to be in breach of the provisions of the Unfair Commercial Practices Directive, which prohibits Member States from adopting measures more restrictive than those set out in the directive itself? If so, does it intend to take proceedings against France for failure to fulfil its obligations?