Subject: Unfair practices in the container shipping industry continue to disrupt entire supply chains

Although the Commission recently prolonged the Consortia Block Exemption Regulation (CBER) in order to increase the efficiency of the container shipping market with a view to bringing lower prices and better quality of service to consumers (1), current practices in the container shipping market reveal that quite the opposite is happening. Latest figures show that while trade volumes are returning to pre-COVID-19 levels, container prices continue to rise (2). As such, while the Commission is continuing its monitoring with a view to identifying measures to facilitate a return to normal operations — as stated in its reply of 13 September 2021 to an earlier parliamentary question (3) — unprecedented distorted practices in the container shipping market continue to affect the maritime and logistic supply chain and other parties down the supply chain.

1. Is the Commission of the opinion that the current EU regulatory framework is fit for purpose to ensure a well-functioning container shipping market that uses fair practices?

2. What is the Commission’s view on the exemptions from normal competition protections provided by the CBER in the light of the current distortion of the container shipping supply chain?

3. When can we expect the Commission to take the aforementioned necessary measures to facilitate the return to normal operations and fair practices in the container shipping supply chain?

Answer given by Executive Vice-President Vestager on behalf of the European Commission

(14 January 2022)

The monitoring of the container shipping sector carried out by the Commission, in cooperation with other regulatory and competition authorities since the start of the pandemic, has not led to identifying anti-competitive behaviour from alliances aimed at increasing freight rates.

As a consequence, the Commission does not currently consider that the applicable EU regulatory framework, including the Consortia Block Exemption Regulation, would fail to prevent unfair practices or distortions of competition in the sector.

Considering the multiplicity of the causes for the price hikes and service disruptions linked to the pandemic, the Commission is still exchanging information and analyses with all relevant stakeholders to identify whether specific measures may be needed to increase the system’s resilience.

The Commission is preparing for the process of review of the Consortia Block Exemption Regulation, which will expire in 2024.