

**Question for written answer P-004652/2011
to the Commission**
Rule 117
Carl Haglund (ALDE)

Subject: Prevention of parallel imports on the internal market?

A Finnish company has been buying Mercedes Benz components from German retailers for over 30 years, with the aim of producing cars in small, tailor-made series or as unique specimens. This year, the German retailing company Walter Burmaister GmbH refused to sell any more spare parts or components, claiming that the company Mercedes Benz had banned all its subcontractors from selling Mercedes Benz parts abroad, with the threat of removing the Mercedes Benz stars from the German subcontractors and annulling their status as Mercedes Benz dealers. Faced with this information, the Finnish company asked Mercedes Benz for an official, printed decision that they do not allow the selling of car parts to other EU countries on the internal market than Germany. The customer service of Mercedes Benz replied to the Finnish company that such a paper cannot be delivered, making references to the 'internal rules' of Mercedes Benz, which prohibit all German subcontractors from selling spare parts 'abroad'.

Recalling the answer given by the Commission to Written Question E-1873/03, I would like to ask: What are the legal prerequisites for restrictions, such as those described above, on the internal market? What is the Commission's legal assessment of the described situation? Should this amount to prevention, restriction or distortion of competition within the common market, which are the legal or other remedies that the Finnish company can seek to rectify the situation?