

Statement

Today's plenary vote on cross-border enforcement of unfair trading practices is a black day for the Single Market

Now that the AGRI Committee's negotiating mandate goes into the trilogue negotiations unchanged, we call on the **EU Council and the European Commission** to step in decisively to protect the Single Market, defend private international law and the EU acquis, and restore legal certainty in cross-border situations.

The AGRI Committee negotiating mandate, if not amended in inter-institutional negotiations:

- **Creates legal chaos** by allowing Member States to apply non-harmonised national UTP rules beyond their borders on cross-border contracts which are normally not bound by their laws.
- **Undermines certainty** for all businesses - large and small - who would face multiple, conflicting national laws applicable to the same contract. Compliance would become impossible in the single market whenever national rules contradict each other.
- **Deters cross-border contracts**, making cross-border trade within the Single Market far riskier and facilitating the imposition of Territorial Supply Constraints (TSCs) by large wealthy manufacturers to extract even higher profits.
- **Drives up food prices for consumers**, who will ultimately pay the cost market fragmentation, the resulting re-nationalisation of sourcing, and reduced competition.

The Commission has already identified TSCs as one of the "Terrible Ten" barriers in the Single Market and promised to act next year. Today's decision by the European Parliament plays directly into the hands of global manufacturers who profit from fragmentation of the single market and oppose actions on TSCs to impose higher food prices. There is no way to ensure affordable food prices without a strong and coherent Single Market.

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About Independent Retail Europe:

Independent Retail Europe is the European association that acts as an umbrella organisation for groups of independent retailers in the food and non-food sectors. Our members are groups of independent retailers, associations representing them as well as wider service organizations built to support independent retailers. Independent Retail Europe represents 24 groups and their over 501.000 independent retailers, who manage more than 764.000 sales outlets, with a combined retail turnover of more than 1,411 billion euros and generating a combined wholesale turnover of 621 billion euros. This represents a total employment of more than 6.440.000 persons.

