

Mr. Didier Reynders
Commissioner for Justice
European Commission
Rue de la Loi 200

The Consumer Voice in Europe

B – 1049 Brussels

By e-mail

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16 January 2023

Subject: Consumers need better cooperation between EU and UK authorities.

Dear Commissioner Reynders,

Two years after the conclusion of the Trade and Cooperation Agreement (TCA) between the EU and the UK, consumer organisations are concerned by the lack of cooperation between authorities.

Now that a positive outcome of the discussions on EU access to UK customs data is within reach, we expect progress on cooperation between market surveillance authorities. This is a legal requirement under the TCA. It matters to consumers because it would enable authorities to alert each other about dangerous products entering our respective markets. This could prevent consumers from being harmed.

Moreover, we recommend a specific channel of cooperation between the EU Consumer Protection Cooperation Network (CPC-Network) and the UK Competition and Markets Authority (CMA). Such a cooperation is not a legal requirement under the withdrawal agreement or the trade and cooperation agreement. Nevertheless, consumers would benefit from it. Indeed, the EU and UK markets remain closely intertwined, consumers are facing similar challenges. Authorities in the EU and in the UK are working in parallel on similar market issues and challenges, such as misleading green claims. By exchanging information and best practices, authorities could better protect consumers.

The Commission has announced its intent to make a proposal revising Regulation 2017/2394 (the "CPC Regulation") in May 2023. In this context, co-operation with third countries in case of consumer law infringements are expected to be addressed. It is therefore the right time to advance on co-operation mechanisms with the CMA.

This cooperation is not happening today because there is not enough political will. We understand that the tensions around the complicated implementation of the withdrawal agreement and the trade and cooperation agreement (TCA) are making the cooperation challenging. But it is our role as consumer organisations to stress that not cooperating with the UK on enforcement of consumer law is detrimental to consumers on both sides. This is something that we mentioned during a meeting with Vice President Šefčovič on 15 December 2022, in the framework of the EU domestic advisory group under the TCA. We call on you to explore avenues to make such cooperation a reality.

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The BEUC network includes key consumer organisations in the EU but also in the UK and Northern Ireland. Our members share intelligence and best practices among themselves. They also cooperate with authorities. They stand ready to support you in establishing cooperation channels with the UK that will benefit consumers.

Best regards,

Monique Goyens
Director General