



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from :	General Secretariat of the Council
to :	Delegations
Subject :	Summary on the meeting of the Hearing of the Commissioner-designate M MIMICA before the Committee on the Internal Market and Consumer Protection (IMCO) in conjunction with the Committee on the Environment, Public Health and Food Safety (ENVI) held in Brussels on 4 June 2013

The meeting was chaired by Mr HARBOUR (ECR, UK).

Mr HARBOUR welcomed Mr MIMICA and announced that he had received a letter from Mr LEHNE (EPP, DE) stating that the Committee of Legal Affairs had raised no objection to the candidate as for the code of conduct.

Mr MIMICA underlined the importance of consumer protection in making a positive difference in the daily life of EU citizens. He also underlined the role consumers can play in overcoming the economic crisis. Mr MIMICA underlined the important role played by IMCO in enhancing consumer protection, and agreed with the holistic approach taken by the committee in the consumer agenda, pledging to defend this.

Mr MIMICA stressed three priorities that would guide his sixteen month mandate, if he were appointed: (1) consolidation of legislation (in particular medical devices, product safety, alternative and online dispute resolution), (2) cooperation with the EP, and main partners: he mentioned in particular China in view of compliance with safety standards, (3) communication, that should remain continuous, concrete and simple in order to reach out to consumers and allow them to save money and spend more wisely.

Statements on behalf of political groups:

Mr SCHWAB (EPP, DE) focussed on the internal market, indicated that he was rapporteur for the Consumer Rights Directive and inquired about implementation of legislation and what specifically the Commissioner candidate would target. Mr MIMICA, after noting that consumer policy was a cross cutting policy and could only succeed if it was shared and supported in different horizontal and sectoral policies, underlined the importance of product safety, online trading and data protection. More generally, he considered that implementation of already adopted legislation was key.

Ms GEBHARDT (S&D, DE) considered that consumer rights do not exist if they cannot be properly enforced, and asked about future action for a collective redress. Mr MIMICA agreed that he was in favour of a collective redress system that respected national traditions and met the needs of consumers. Since a proposal was being discussed within the Commission, he would rather refrain from entering into details, but he undertook to take the requirements of the EP resolution before the College.

Mr LOKKEGAARD (ALDE, DK) raised the issue of discrimination on the basis of place of residence in e-commerce. The Commissioner candidate acknowledged that online shopping was an area to be addressed and undertook to work together with Commissioner BARNIER. Moreover he agreed that a level playing-field was needed for SMEs across the EU.

Ms RÜHLE (Greens, DE) focussed on the definition and assessment of risk. Mr MIMICA considered that risk assessment should remain with the national authorities, although guidelines should be adopted at EU level to enhance the exchange of good practices and information. In his view, science and research should contribute better to assessing and identifying risk.

Mr BIELAN (ECR, PL) inquired about when concrete steps to promote the consumer would be taken and about cooperation with MS. The Commissioner candidate considered that consumer protection had to be addressed whenever it came to a cross cutting EU initiative and stressed that the internal market and the protection of the consumer should be preferred to macroeconomic indicators. As for cooperation with MS, he considered that proactive initiatives within MS were key, even before transpositions had started.

Mr de JONG (GUE, NL) inquired about cooperation with fellow Commissioners, in particular on passengers' rights. Mr MIMICA replied that eleven Commissioners might have an influence on consumer protection and that travellers' rights were also on his agenda. He considered that travellers' rights had to be taken into account in industrial action.

Mr PASKA (EFD, SK) asked about the specific steps that would be taken for the protection of consumers' rights. Mr MIMICA underlined the fact that consumers needed empowerment to ensure a proper functioning of the internal market and announced that he would cooperate closely with Commissioner REDING on the matter, including on information to be provided to citizens for a quick dispute settlement.

Statements on behalf of ENVI

Mr MIMICA told Mr LIESE (EPP, DE) that he was ready to cooperate with the EP to enhance safety, in particular that of medical devices. He acknowledged that the Commission position was to keep an innovative cutting-edge approach, but told Ms ROTH-BEHRENDT (S&D, DE) that he would carefully consider amendments strengthening the procedures of notified bodies for high risk medical devices, although he noticed that provision was already made for an involvement of the medical authorities in those notification procedures. Mr MIMICA agreed with Mr SEEGER (EPP, AT) that the ban on animal testing of cosmetics should not be circumvented by the testing of their ingredients and considered it as a legal issue to be followed up.

Other statements:

Some other twenty MEPs took the floor, mainly putting further and more specific questions on the legislative dossiers. Mr MIMICA told Mr JUVIN (EPP, FR) that in his view punitive type class actions should be avoided in collective redressing. On price transparency in the energy sector, he told Mr CORREIA DE CAMPOS (S&D, PT) that the retail prices should reflect the wholesale ones, and recalled that the third energy package had strengthened the role of the regulators, whose role was also to assist consumers. Concerning online dispute resolution, he told Ms THUN UND HOHENSTEIN (EPP, PL) that time was short to ensure its functioning before 2014, and that a financing issue had to be solved before a platform could be set up in all languages.

As for the budget cuts, Mr MIMICA agreed with Mr ROCHEFORT (ALDE, FR) that his EUR 25 million yearly budget represented the smallest one for a Commissioner, but given that its policy field was not vertical, other programmes might help to ensure an appropriate impact. He told Mr KARAS (EPP, AT) that he would act to ensure leadership in order for consumer protection not to remain a scattered policy amongst Commissioners. He disagreed with Mr POUPAKIS (EPP, EL) that a price observatory might be the core solution to regulate prices.

To Ms LE GRIP (EPP, FR), who complained about what she considered as a lack of clarity in his answers, Mr MIMICA replied that he could only set out the current state of play of these dossiers, underlined the horizontal nature of consumer policy and undertook to take into account Parliament's wishes in his proposals to the College.

On Tuesday afternoon, MEPs on the Internal Market and Consumer Protection and Environment, Public Health and Food Safety committees assessed Mr MIMICA's performance *in camera*. Parliament's Conference of Committee Chairs discussed the issue on Wednesday 5 June, and the Conference of Presidents on Thursday, in order to determine Parliament's draft position, which will be put to a plenary vote on 12 June in Strasbourg.