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16136/25

Interinstitutional File: 2024/0318 (COD)

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WORKING DOCUMENT

From:	General Secretariat of the Council			
To:	Delegations			
No. Cion doc.:	16776/24			
Subject:	Regulation on cross-border enforcement of rules against unfair trading practices (UTPs)			
	- Four-Column table			

Delegations will find attached an updated four-column table reflecting in its fourth column the comprehensive agreement on the abovementioned Regulation, as approved by the SCA on 1 December 2025. The text in the fourth column in the rows marked in green is the same as in 15780/25. The text still has to undergo legal-linguistic revision.

16136/25

EN

LIFE.1

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on cooperation among enforcement authorities responsible for the enforcement of Directive (EU) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain

2024/0318(COD)

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
Formula				
G 1	2024/0318 (COD)	2024/0318 (COD)	2024/0318 (COD)	2024/0318 (COD) Text Origin: Commission Proposal
Docume	ent Stage			

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	2	Proposal for a	Proposal for a	Proposal for a	Proposal for a
					Text Origin: Commission Proposal
	Docume	nt Type			
G	3	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
					Text Origin: Commission Proposal
	Docume	nt Purpose			
G	4	on cooperation among enforcement authorities			

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		responsible for the enforcement of Directive (EU) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain	responsible for the enforcement of Directive (EU) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain	responsible for the enforcement of Directive (EU) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain	responsible for the enforcement of Directive (EU) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain Text Origin: Commission Proposal
	Formula			I	
G	5	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
					Text Origin: Commission Proposal

		CLEAN	ommission roposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
	Citation	1							
G	6	Functioning o	I to the Treaty on the f the European particular Article	Functionin	gard to the Treaty on the g of the European I in particular Article eof,	Functionin	gard to the Treaty on the ng of the European d in particular Article eof,	Functionin Union, and 43(2) there	gard to the Treaty on the ag of the European d in particular Article eof,
	Citation	2							
G	7		I to the proposal pean Commission,		gard to the proposal uropean Commission,		gard to the proposal European Commission,	from the E	gard to the proposal uropean Commission,

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
	Citation	3			
G	8	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments, Text Origin: Commission Proposal
	Citation	4			
G	9	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C [], [], p. [].	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C [], [], p. [].	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ C [], [], p. [].	Having regard to the opinion of the European Economic and Social Committee ¹ ,

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				Text Origin: Commission Proposal
Citation	5			
G 10	Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C,, p	Having regard to the opinion of the Committee of the Regions ¹ ,	Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C , , p	Having regard to the opinion of the Committee of the Regions ¹ ; 1. OJC,,p Text Origin: Council and EP Mandate
Citation	6			
G 11	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					Text Origin: Commission Proposal
	Formula	1			
G	12	Whereas:	Whereas:	Whereas:	Whereas: Text Origin: Commission Proposal
	Recital 1	L			
G	13	(1) Directive (EU) 2019/6 of the European Parliament and the Council ¹ introduced a minimum Union standard of protection against unfair trading practices to reduce the occurred	of the European Parliament at the Council ¹ introduced a minimum Union standard of protection against unfair tradi	and food supply chain, significant imbalances in bargaining power between suppliers and buyers of	(1) Within the agricultural and food supply chain, significant imbalances in bargaining power between suppliers and buyers of agricultural and food products are likely to lead to unfair trading

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of practices which are likely to have a negative impact on the living standards of the agricultural community. 1. Directive (EU) 2019/633 of the European Parliament and of the Council of 17 April 2019 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain (OJ L 111, 25.4.2019, p. 59, ELI: http://data.europa.eu/eli/dir/2019/633/oj).	of practices which are likely to have a negative impact on the living standards of the agricultural community. 1. Directive (EU) 2019/633 of the European Parliament and of the Council of 17 April 2019 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain (OJ L 111, 25.4.2019, p. 59, ELI: http://data.europa.eu/eli/dir/2019/633/oj).	are likely to lead to unfair trading practices. Directive (EU) 2019/633 of the European Parliament and of the Council¹ introduced a minimum Union standard of protection against unfair trading practices to reduce the occurrence of such practices which are likely to—have a negative impact on the living standards of the agricultural community. 1. Directive (EU) 2019/633 of the European Parliament and of the Council of 17 April 2019 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain (OJ L 111, 25.4.2019, p. 59, ELI: http://data.europa.eu/eli/dir/2019/633/oj).	practices. Directive (EU) 2019/633 of the European Parliament and of the Council¹ introduced a minimum Union standard of protection against unfair trading practices to reduce the occurrence of such practices which are likely to have a negative impact on the living standards of the agricultural community. 1. Directive (EU) 2019/633 of the European Parliament and of the Council of 17 April 2019 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain (OJ L 111, 25.4.2019, p. 59, ELI: http://data.europa.eu/eli/dir/2019/633/oj).

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: Council Mandate
Recital 1	a			
с 13а		(1a) The first evaluation of Directive (EU) 2019/633 together with a report on the main findings should be presented by the Commission by 1 November 2025. The report from the Commission on Implementing the prohibition of unfair trading practices to strengthen the position of farmers and operators in the agricultural and food supply chain - State of play of 23 April 2024 highlighted the persistence of imbalances within the agri-food chain, which increases the need for a		(1a) The report from the Commission on Implementing the prohibition of unfair trading practices to strengthen the position of farmers and operators in the agricultural and food supply chain - State of play of 23 April 2024 highlighted the persistence of imbalances within the agri-food chain, which increases the need for new measures to step up protection for suppliers and ensure sufficient bargaining power to all operators.

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
			legislative proposal amending that Directive in order to further step up protection for suppliers and ensure sufficient bargaining power to all operators by broadening its scope.		
	Recital 2	2			
G	14	(2) Directive (EU) 2019/633 requires Member States to designate enforcement authorities that ensure the effective enforcement of the prohibitions laid down in that Directive. That Directive also requires the Commission and those enforcement authorities to cooperate closely to ensure a common approach with respect to	(2) Directive (EU) 2019/633 requires Member States to designate enforcement authorities that ensure the effective enforcement of the prohibitions laid down in that Directive. That Directive also requires the Commission and those enforcement authorities to cooperate closely to ensure a common approach with respect to	(2) Directive (EU) 2019/633 requires Member States to designate enforcement authorities that ensure the effective enforcement of the prohibitions laid down in that Directive. That Directive also requires the Commission and those enforcement authorities to cooperate closely to ensure a common approach with respect to	(2) Directive (EU) 2019/633 requires Member States to designate enforcement authorities that ensure the effective enforcement of the prohibitions laid down in that Directive. That Directive also requires the Commission and those enforcement authorities to cooperate closely to ensure a common approach with respect to

CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
the applicat	tion of the rules set out	the applicat	ion of the rules set out	the applica	tion of the rules set out	the applic	cation of the rules set out
in that Dire	ective. In particular, the	in that Dire	ctive. In particular, the	in that Dire	ective. In particular, the	in that Di	rective. In particular, the
enforcemen	nt authorities should	enforcemen	t authorities should	enforcemen	nt authorities should	enforcem	ent authorities should
provide eac	ch other with mutual	provide aim	to prevent or stop	provide ead	ch other with mutual	provide ai	im to prevent or stop
assistance,	including by sharing	<u>unfair trad</u>	ing practices that have	assistance,	including by sharing	unfair tro	ading practices that have
information	n and assisting in	a cross-bor	der dimension and	information	n and assisting in	a cross-b	order dimension and
investigation	ons that have a cross-	that are per	formed in whole or in	investigation	ons that have a cross-	that are p	performed on their
border dime	ension.	part on the	ir respective territories.	border dim	ension. While the	respective	e territories. They should
		They shoul	d do so by providing	scope and	the possibilities for	do so by	providing each other with
		each other v	with mutual assistance,	cooperatio	on under that Directive	mutual as	ssistance, including by
		including by	y sharing information	remain ful	lly available to the	sharing ir	nformation and assisting
		and assistin	g in investigations that	enforceme	ent authorities of the	in investi	gations that have a cross-
		have a cross	s-border dimension.	Member S	States, it is opportune	border di	mension. While the scope
				to address	some difficultites and	and the p	ossibilities for
				increase th	ne effectiveness of the	cooperati	ion under that Directive
				cooperatio	on mechanism.	<u>remain fi</u>	ully available to the
						enforcem	ent authorities of the
						Member	States, it is opportune to
						address s	ome difficulties and

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					increase the effectiveness of the cooperation mechanism.
					Text Origin: EP Mandate
	Recital 3	3			
G	15	(3) Due to the principle of territoriality, enforcement authorities may face difficulties gathering information, finding an infringement and imposing and enforcing fines and other equally effective penalties where a buyer is established in another Member State. Such difficulties affect the system of enforcement established by Directive (EU) 2019/633,	(3) _Due to the principle of territoriality, enforcement authorities may face difficulties gathering information, finding an infringement and imposing and enforcing fines and other equally effective penalties where a buyer or a supplier is established in another Member State or outside the Union, including when a buyer is member of one or more	(3) Due to the principle of territoriality, enforcement authorities may face difficulties gathering information, finding an infringement and imposing and enforcing fines and other equally effective penalties where a buyer is established in another Member State. Such difficulties affect the system of enforcement established by Directive (EU) 2019/633,	(3) Due to the principle of territoriality, enforcement authorities may face difficulties gathering information, finding an infringement and imposing and enforcing fines and other equally effective penalties where a buyer is established in another Member State, for example when operators of the food supply chain or their alliances have a cross-border
		which depends on cooperation	retail alliances, as those entities	which depends on cooperation	purchasing strategy. Such

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between enforcement authorities,	have an inherent cross-border	between enforcement authorities,	difficulties affect the system of	
and may lead to an uneven	purchasing strategy and might	and may lead to an uneven	enforcement established by	
enforcement of unfair trading	circumvent certain legal	enforcement of unfair trading	Directive (EU) 2019/633, which	
practices, undermining the	provisions, even when the	practices, undermining the	depends on cooperation between	
protection for suppliers of	acquired agricultural and food	protection for suppliers of	enforcement authorities, and may	
agricultural and food products	products are intended for the	agricultural and food products	lead to an uneven enforcement of	
intended by that Directive. It is	market of the Member State of	intended by that Directive. It is	unfair trading practices,	
therefore appropriate to establish	the supplier. Such difficulties	therefore appropriate to establish	undermining the protection for	
rules strengthening cooperation	affect the system of enforcement	certain rules strengthening	suppliers of agricultural and food	
between enforcement authorities	established by Directive (EU)	cooperation between enforcement	products intended by that	
in cross-border cases.	2019/633, which depends on	authorities in cross-border cases.	Directive. It is therefore	
	cooperation between enforcement	Strengthening that cooperation	appropriate to establish <u>certain</u> ,	
	authorities, and may lead to an	leads to a more effective	uniform rules strengthening	
	uneven enforcement of unfair	protection against unfair trading	cooperation between enforcement	
	trading practices, undermining the	practices with cross-border	authorities in cross-border cases.	
	protection for suppliers of	dimension and contributes to	Strengthening that cooperation	
	agricultural and food products	strengthening farmers' position	leads to a more effective	
	intended by that Directive. It is	in the supply chain and thus	protection against unfair trading	
	therefore appropriate to establish	ensuring a fair standard of	practices with cross-border	
	<u>uniform</u> rules strengthening		dimension and contributes to	

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
l.			cooperation between enforcement authorities in cross-border cases with the aim of reinforcing the position of farmers within the agricultural and food supply chain and of ensuring fairer standards of living for them.	living for the agricultural community.	strengthening farmers' position in the supply chain and thus ensuring a fair standard of living for the agricultural community. Text Origin: Council and EP Mandate
	Recital 4				
G	16	(4) Given that Directive (EU) 2019/633 allows Member States to maintain or introduce stricter national rules against unfair trading practices, it should be clarified that this Regulation does not cover those rules. However, the Regulation should allow the Member States to decide that their	(4) Given that Directive (EU) 2019/633 allows Member States to maintain or introduce stricter national rules against unfair trading practices, it should be clarified that this Regulation does not cover those rules. However, the Regulation should allow the Member States to decide that their	(4) Given that Directive (EU) 2019/633 allows Member States to maintain or introduce stricter national rules against unfair trading practices, it should be clarified that this Regulation does not cover those rules. However, the Regulation should allow the Member States to may decide that	(4) Given that Directive (EU) 2019/633 allows Member States to maintain or introduce stricter national rules against unfair trading practices, it should be clarified that this Regulation does not cover those rules. However, the Regulation should allow the Member States should be able to

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enforcement authorities can make use of the possibility to exchange information established under the mutual assistance mechanism set out by this Regulation in relation to such rules. In those cases, the enforcement authorities should still have the right to refuse to comply with such a request.	enforcement authorities can make use of the possibility to exchange information established under the mutual assistance mechanism set out by this Regulation in relation to such rules. In those cases, provided that a reason is given for the refusal, the enforcement authorities should still have the right to refuse to comply with such a request for assistance in the enforcement of Directive (EU)	their enforcement authorities can make use of the possibility to exchange information established under the mutual assistance mechanism set out by this Regulation in relation to such rules. In those cases, the enforcement authorities should still have the right to refuse to comply with such a request on the sole condition that they indicate the reason for the refusal.	decide that their enforcement authorities ean make use of the possibility to exchange information possibilities established under the mutual assistance voluntary cooperation mechanism set out by this Regulation in relation to such rules. This possibility can be important in particular when the stricter national rules are categorised in some Member
	2019/633, except when it concerns the breach of overriding mandatory provisions within the meaning of Article 9 of Regulation (EC) No 593/2008 of the European Parliament and of the Council ^{1a} that aim to guarantee the stable and		States as overriding mandatory provisions that aim to guarantee the stable and sustainable supply of food products to consumers. In those cases, the enforcement authorities should still have the right to refuse to comply with such a request.

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		sustainable supply of food products to consumers.		
Recit	tal 5			
s 17	(5) To ensure the effective application of their obligations under this Regulation, enforcement authorities should be provided with the necessary resources and expertise.	(5) To ensure the effective application of their obligations under this Regulation, enforcement authorities should be provided with the necessary resources and expertise, including to avoid any charge for suppliers for submitting a complaint, to ensure confidentiality and to make available, in particular to agricultural and food producers, regulatory bodies and other responsible authorities, clear and accessible information on the	(5) To ensure the effective application of their obligations under this Regulation, enforcement authorities should be provided with the necessary resources and expertise.	(5) To ensure the effective application of their obligations under this Regulation, enforcement authorities should be provided with the necessary resources and expertise. Text Origin: Commission Proposal

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
			possibilities for submitting a complaint.		
	Recital 6				
C	18	should have the power to provide one another with and use in evidence in accordance with their national law any matter of fact or of law, including confidential information. Information exchanged shall only be used in evidence for the purpose of applying the rules established by Directive (EU) 2019/633 and in respect of the subject-matter for	(6) Enforcement authorities should have the power to provide one another with and use in evidence in accordance with their national law any matter of fact or of law, including confidential information, while paying particular attention to the protection of that information, assuring confidentiality and anonymity if requested by the complainant and applying the	should have the power to provide one another with and use in evidence in accordance with their national law any matter of fact or of law, including confidential information. Information exchanged shall only be used in evidence for the purpose of applying this Regulation to enforce the rules established by Directive (EU) 2019/633 and in	(6) Enforcement authorities should have the power to provide one another with and use in evidence in accordance with their national law any matter of fact or of law, including confidential information. Information exchanged shall only be used in evidence for the purpose of applying this Regulation to enforce the rules established by Directive (EU) 2019/633 and in
		which it was collected by the transmitting authority.	rules established by Regulation (EU) 2016/679 of the European Parliament and of the Council ^{1a}	respect of the subject-matter for which it was collected by the transmittingrequested authority.	respect of the subject-matter for which it was collected by the transmittingrequested authority.

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		and by Directive (EU) 2019/633. Information exchanged shall only be used in evidence for the purpose of applying the rules established by Directive (EU) 2019/633 and in respect of the subject-matter for which it was collected by the transmitting authority.	The confidentiality of the information should be guaranteed with due regard to the legitimate interests of a natural person or legal person concerned. Requests of complainants for protection of information based on Article 5 (3) of Directive (EU) 2019/633 should be taken into account and protection should also be ensured in cross border enforcement.	The confidentiality of the information should be guaranteed with due regard to the legitimate interests of a natural person or legal person concerned. Requests of complainants for protection of information based on Article 5 (3) of Directive (EU) 2019/633 should be taken into account and protection should also be ensured in cross border enforcement.
Recital	7			
g 19	(7) Enforcement authorities should be empowered in their own	(7) Enforcement authorities should be empowered in their own	(7) Enforcement authorities should be empowered in their own	(7) With the aim to help stopping unfair trading practices

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territory to exercise the powers referred to in Article 6(1), points (b) and (c), of Directive (EU) 2019/633, in accordance with their national law, on behalf of and for the account of other enforcement authorities.	territory to exercise the powers referred to in Article 6(1), points (b), (c) and (d) and (e), of Directive (EU) 2019/633, in accordance with their national law, on behalf of and for the account of other enforcement authorities.	territory to exercise the powers referred to in Article 6(1), points (b) and (c), of Directive (EU) 2019/633, in accordance with their national law,conduct investigative measures on behalf of and for the account of other enforcement authorities. Such investigative measures should be carried out in accordance with the powers referred to in Article 6(1), points (a), (b) and (c) of Directive (EU) 2019/633 and in accordance with the national law of the requested enforcement authority.	that have a cross-border dimension, enforcement authorities should be empowered in their own territory to exercise the powers referred to in Article 6(1), points (b) and (c), of Directive (EU) 2019/633, in accordance with their national law,conduct investigative measures on behalf of and for the account of other enforcement authorities. Such investigative measures should be carried out in accordance with the powers referred to in Article 6(1), points (a), (b) and (c) of Directive (EU) 2019/633 and in accordance with the national law of the requested enforcement authority.

CLF	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: Council Mandate
Recital 7a				
б 19а		efficiency and effectiveness of this Regulation, to secure smooth cooperation between enforcement authorities and to avoid excessive costs for the requested enforcement authorities, rules on covering the costs of measures taken pursuant to this Regulation should be laid down. Moreover, enforcement authorities should be able to recover the costs incurred in relation to the	(7a) Cooperation between the enforcement authorities concerning the enforcement of final decisions imposing fines or other equally effective penalties and interim measures adopted in accordance with Article 6(1), first subparagraph, point (e) of Directive (EU) 2019/633 is very important in order to achieve an effective protection against unfair trading practices with cross-border dimension. For this	concerning the enforcement of final decisions imposing fines or other equally effective penalties and interim measures adopted in accordance with Article 6(1), first subparagraph, point (e) of Directive (EU) 2019/633 is very important in order to achieve an effective protection against unfair trading practices with cross-border dimension. For this

CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Council Mandate	VS.EC	Draft Agreement
		enforceme	ent from the fines	requested enforcement authority	requeste	d enforcement authority
		collected.		is vested with a power to enforce	is vested	with a power to enforce
				a final decision adopted by the	a final d	ecision adopted by the
				applicant enforcement authority	applican	t enforcement authority
				when the collection of the fines	when the	e collection of the fines or
				or the implementation of the	the imple	ementation of the equally
				equally effective penalty or	effective	penalty or interim
				interim measure by the	measure	by the applicant
				applicant enforcement authority	enforcen	nent authority is
				is unsuccessful. In case where	unsucces	ssful. In case where the
				the collection of fines or the	collection	n of fines or the
				implementation of equally	<u>impleme</u>	ntation of equally
				effective penalties or interim	effective	penalties or interim
				measures in the Member State	measure	s in the Member State of
				of the requested enforcement	the requ	ested enforcement
				authority is carried out by	authority	v is carried out by
				another authority, the requested	another	authority, the requested
				enforcement authority should	enforcen	nent authority should
				have the power to initiate the	have the	power to initiate the
				collection of the fine or the	collection	n of the fine or the

		CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
						implementation of the equally effective penalty or interim measures before that competent national authority.	implementation of the equally effective penalty or interim measures before that competent national authority. Text Origin: Council Mandate
	Recital 7	b					
G	19b					(7b) In order to secure smooth cooperation between enforcement authorities, rules on covering costs of measures taken pursuant to this Regulation should be laid down. In order to avoid that requests for mutual assistance result in excessive costs for the requested enforcement authorities, while	(7b) In order to increase the efficiency and effectiveness of this Regulation, to secure smooth cooperation between enforcement authorities and to avoid excessive costs for the requested enforcement authorities, rules on covering the costs of measures taken pursuant to this Regulation should be laid down.

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	CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Coun	ncil Mandate	VS.EC	Draft Agreement
					ensuring that the	e enforcement		
					authorities devot	te sufficient		
					resources and eff	forts to the		
					requests, the req	uested authority		
					should be author	rised to ask that		
					the applicant enf	forcement		
					authority bears a	all additional		
					costs deriving fro	om the request,		
					unless the costs of	can be		
					considered as un	reasonable, for		
					example due to u	ınnecessary		
					actions. However	r, in case a fine		
					is collected on be	ehalf of the		
					applicant enforce	ement		
					authority, the fin	ne should in		
					principle be tran	sferred to the		
					applicant enforce	ement		
					authority. Never	theless the		
					requested enforc	cement authority		
					should be able to	recover the		

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				costs incurred in relation to the enforcement from the fine collected, either by it or by the national authority responsible for the collection of fines. If the fine could not be collected, the requested enforcement authority may request the reimbursement of the costs so incurred from the applicant enforcement authority.	
	Recital 8				
G	20	(8) Enforcement authorities should inform one another of an unfair trading practice with a cross-border dimension that has occurred or is occurring in their territory.	(8) Enforcement authorities should inform one another and the Commission through a system for notifying alerts of an unfair trading practice with a cross-border dimension that has	(8) Enforcement authorities should inform one another of an unfair trading practice with a cross-border dimension that has occurred or is occurring in their territory.	(8) Enforcement authorities should inform one another of an unfair trading practice with a cross-border dimension that has occurred or is occurring in their territory.

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
			occurred or is occurring in their territory.		
			termory.		Text Origin: Commission Proposal
	Recital 9)			
		(9) Enforcement authorities	(9) Enforcement authorities	(9) Enforcement authorities	(9) Enforcement authorities
		should be empowered in their own	should be empowered in their own	should be empowered in their own	should be empowered in their own
		territory and in accordance with	territory and in accordance with	territory and in accordance with	territory and in accordance with
		their national law to enforce, or	their national law to enforce, or	their national law to enforce, or	their national law to enforce, or
		initiate proceedings for the	initiate proceedings for the	initiate proceedings for the	initiate proceedings for the
		enforcement of, final decisions	enforcement of, final decisions	enforcement of, final decisions	enforcement of, final decisions
G	21	imposing fines or other equally	imposing fines or other equally	imposing fines or other equally	imposing fines or other equally
		effective penalties on behalf of	effective penalties on behalf of	effective penalties, or interim	effective penalties, or interim
		and for the account of other	and for the account of other	measures on behalf of and for the	measures on behalf of and for the
		enforcement authorities, provided	enforcement authorities, provided	account of other enforcement	account of other enforcement
		that those other enforcement	that those other enforcement	authorities, provided that those	authorities, provided that those
		authorities have made reasonable	authorities have made reasonable	other enforcement authorities have	other enforcement authorities have
		efforts to ascertain that the buyers	efforts to ascertain that the buyers	made reasonable efforts to	made reasonable efforts to
		against which the fines or other	against which ascertained that the	ascertain that the buyers against	ascertain that the buyers against

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
ı		equally effective penalties are to be enforced do not have sufficient assets in the Member States of those other enforcement authorities.	fines or other equally effective penalties are tocannot be enforced do not have sufficient assets in the Member States of those other enforcement authorities.	which the fines or other equally effective penalties, or the interim measures are to be enforced do not have sufficient assets in the Member States of those other enforcement authorities.	whichascertained that the fines or other equally effective penalties are to, or interim measures cannot be enforced do not have sufficient assets in the Member States of those other enforcement authorities. Text Origin: EP Mandate
	Recital 1	0			
G	22	(10) Enforcement authorities should be able to exchange and seek information from other enforcement authorities by issuing requests for information. These requests should specify what information is considered	(10) Enforcement authorities should be able to exchange and seek information from other enforcement authorities by issuing requests for information. These requests should specify what information is considered	(10) Enforcement authorities should be able to exchange and seek information from cooperate with other enforcement authorities by issuing requests for information mutual assistance. These requests should specify	(10) Enforcement authorities should be able to exchange and seek information from cooperate with other enforcement authorities by issuing requests for information mutual assistance. These requests should specify

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		necessary in each case to conduct investigations of unfair trading practices.	necessary in each case to conduct investigations of unfair trading practices.	what information or measure is considered necessary in each case to conduct investigations of unfair trading practices. To enable the requested enforcement authority to ascertain its role, the request should include all necessary information about the alleged unfair trading practice.	what information or measure is considered necessary in each case to conduct investigations of unfair trading practices. To enable the requested enforcement authority to ascertain its role, the request should include all necessary information about the alleged unfair trading practice. Text Origin: Council Mandate
	Recital 1	.0a			
G	22a		(10a) In order to increase the efficiency of cross-border cooperation between enforcement authorities, a procedural mechanism should be established		

	CLEAN	Commission Proposal	vs.ec EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
			to allow for the prioritisation of urgent requests. In this way, the requested enforcement authority will be better able to manage efforts to provide a response within the prescribed legal time limit, while respecting the principle of good cooperation and in the spirit of effective protection of the legitimate interests of the affected parties in the agricultural and food supply chain. In addition to this, it would be useful to establish a mechanism for managing subsequent requests for				
Recital			clarification, without retaining the 45-day time limit.				

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Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
(11) Enforcement authorities should not be entitled to refuse to comply with a request for information or to refuse to participate in enforcement measures unless it is likely that enforcement actions and administrative decisions taken at national level outside the mutual assistance mechanism would ensure cessation of the unfair trading practice with a cross-border dimension. Moreover, enforcement authorities should give reasons for such a refusal.	(11) Enforcement authorities should not be entitled to refuse to comply with a request for information or to refuse to participate in enforcement measures unless it is likely that enforcement actions and administrative decisions taken at national level outside the mutual assistance mechanism would ensure cessation of the unfair trading practice with a crossborder dimension. Moreover, enforcement authorities should give reasons for such a refusal.	(11) Enforcement authorities should not be entitled to refuse to comply with a request for information or to refuse to participate in enforcement measures unless it is likely that other enforcement actions and, administrative decisions or judicial proceedings taken at national level outside the mutual assistance mechanism would ensure cessation of the unfair trading practice with a cross-border dimension. Refusal should also be possible in case the request falls outside the scope of the Regulation or is in contradiction with the national law of the requested enforcement authority.	(11) Enforcement authorities should not be entitled to refuse to comply with a request for information or to refuse to participate in enforcement measures unless it is likely that other enforcement actions or indicial proceedings taken at national level outside the mutual assistance mechanism would ensure cessation of the unfair trading practice with a cross-border dimension. Refusal should also be possible in case the request falls outside the scope of the Regulation or is in contradiction with the national law of the requested enforcement authority. Moreover, enforcement

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Moreover, enforcement authorities should give reasons for such a refusal.	authorities should give reasons for such a refusal. Text Origin: Council Mandate
	Recital 1	12			
G	24	arrangements on the language regime may pose obstacles to the smooth cooperation between enforcement authorities. For this reason, rules allowing the enforcement authorities to agree on the language to be used in all notifications, requests and communications between them, as well as rules in case of	arrangements on the language regime may pose obstacles to the smooth cooperation between enforcement authorities. For this reason, rules allowing the enforcement authorities to agree on the language to be used in all notifications, requests and communications between them, as well as rules in case of	arrangements on the language regime may pose obstacles to the smooth cooperation between enforcement authorities. For this reason, rules allowing the enforcement authorities to agree on the language to be used in all notifications, requests and communications between them, as well as rules in case of	arrangements on the language regime may pose obstacles to the smooth cooperation between enforcement authorities. For this reason, rules allowing the enforcement authorities to agree on the language to be used in all notifications, requests and communications between them, as well as rules in case of

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		disagreement among them, should be laid down.	disagreement among them, should be laid down.	disagreement among them, should be laid down.	disagreement among them, should be laid down. Text Origin: Commission Proposal
	Recital 1	3			
G	25	uniform conditions for the implementation of the measures laid down in this Regulation, implementing powers should be conferred on the Commission to be able to develop standard forms for requests for information or requests for enforcement measures. Those powers should be exercised in accordance with	(13) With a view to ensuring uniform conditions for the implementation of the measures laid down in this Regulation, implementing powers should be conferred on the Commission to be able to develop standard forms for requests for information, requests for mutual assistance or requests for enforcement measures, as well as standard	(13) With a view to ensuring uniform conditions for the implementation of the measures laid down in this Regulation, implementing powers should be conferred on the Commission to be able to develop standard forms for requests for information or requests for enforcement measures. Those powers should be exercised in accordance with	G

Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
Regulation (EU) No 182/2011 of the European Parliament and of the Council ¹ . In the absence of standard forms developed by the Commission, the enforcement authorities should be entitled to develop such forms to facilitate the mutual assistance mechanism.	procedures for prioritising urgent requests and for the issuing of alerts, the transmission of notifications, communications and information among enforcement authorities. Those powers should be exercised in accordance with Regulation (EU)	Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁴ . In the absence of standard forms developed by the Commission, the enforcement authorities should be entitled to develop such forms to facilitate the mutual assistance mechanism. ¹	
1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).	No 182/2011 of the European Parliament and of the Council **. In the absence of standard forms developed by the Commission, the enforcement authorities should be entitled to develop such forms to facilitate the mutual assistance mechanism. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council	1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).[1]	

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
				rules and ge mechanisms of the Comn implementin p. 13, ELI:	ary 2011 laying down the meral principles concerning for control by Member States mission's exercise of powers (OJ L 55, 28.2.2011, puropa.eu/eli/reg/2011/182/oj).				
	Recital 1	.3a							
G	25a			cooperation a mediation coordinate Commission introduce to resolve or unjustic cooperate	s regards the refusal of on between authorities, on mechanism, ed or represented by the ion, should be d to clarify ambiguities, potential disagreements ified refusals to and to prevent of the mutual exprocess.				

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
Reci	ital 14	4			
G 20	6	unfair trading practice with a cross-border dimension, involving at least three Member States may be taking place, the enforcement authorities concerned by that practice should be able to issue alerts, engage in coordinated actions, and designate a coordinator to coordinate the cooperation among the relevant authorities in whose territories the practice may be taking place. To establish which enforcement authorities are concerned by a widespread unfair trading practice with a cross-border dimension, all relevant aspects should be	unfair trading practice with a cross-border dimension, involving at least three Member States may be taking place, the enforcement authorities concerned by that practice should be able to issue alerts <i>through a dedicated system</i> , engage in coordinated actions, and designate a coordinator to coordinate the cooperation among the relevant authorities in whose territories the practice may be taking place. To establish which enforcement authorities are concerned by a widespread unfair trading practice with a cross-border dimension, all relevant	unfair trading practice with a cross-border dimension, involving buyers and suppliers from at least three Member States may be taking place, the enforcement authorities concerned by that practice should be able to issue alerts, engage in coordinated actions, and designate a coordinator to coordinate the cooperation among the relevant authorities in whose territories the practice may be taking place. To establish which enforcement authorities are concerned by a widespread unfair trading practice with a cross-border dimension, all	unfair trading practice with a cross-border dimension, involving buyers and suppliers from at least three Member States may be taking place, the enforcement authorities concerned by that practice should be able to issue alerts through a dedicated system, engage in coordinated actions, and designate a coordinator to coordinate the cooperation among the relevant authorities in whose territories the practice may be taking place. To establish which enforcement authorities are concerned by a widespread unfair trading practice with a cross-

CLEAN	ommission roposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
considered, in	particular the place	aspects shou	ıld be considered, in	relevant as	pects should be	border di	mension, all relevant
where the buy	ver is established and	particular th	e place where the	considered	, in particular the place	aspects sh	nould be considered, in
the location of	f the suppliers that	buyer is esta	ablished and the	where the b	ouyer is established and	particular	the place where the
may be affecte	ed by the unfair	location of t	he suppliers that may	the location	n of the suppliers that	buyer is e	stablished and the
trading practic	ce. The detection of	be affected	by the unfair trading	may be affe	ected by the unfair	location o	of the suppliers that may
widespread un	nfair trading	practice. Th	e detection of	trading pra	ctice. The detection of	be affecte	d by the unfair trading
practices with	a cross-border	widespread unfair trading		widespread unfair trading		practice.	The detection of
dimension sho	ould be supported by	practices wi	th a cross-border	practices w	vith a cross-border	widesprea	nd unfair trading
exchanging in	formation between	dimension s	hould be supported by	dimension	should be supported by	practices	with a cross-border
enforcement a	nuthorities when	exchanging	information between	exchanging	g information between	dimension	n should be supported by
there is a reaso	onable suspicion of	enforcemen	t authorities when	enforcemen	nt authorities when	exchangii	ng information between
such unfair tra	ading practices with	there is a rea	asonable suspicion of	there is a re	easonable suspicion of	enforcem	ent authorities when
a cross-border	r dimension. The	such unfair	trading practices with	such unfair	trading practices with	there is a	reasonable suspicion of
coordinator sh	nould exercise its	a cross-bord	ler dimension. The	a cross-bor	der dimension. The	such unfa	ir trading practices with
competence w	vithin a framework of	coordinator	should exercise its	coordinato	r should exercise its	a cross-bo	order dimension. The
close cooperat	tion with the other	competence	within a framework of	competenc	e within a framework of	coordinat	or should exercise its
enforcement a	nuthorities	close coope	ration with the other	close coope	eration with the other	competen	ce within a framework of
concerned. Lil	kewise, all	enforcemen	t authorities	enforcemen	nt authorities	close coo	peration with the other
enforcement a	authorities concerned	concerned.	Likewise, all	concerned.	Likewise, all	enforcem	ent authorities
should activel	y engage in the	enforcemen	t authorities concerned	enforcemen	nt authorities concerned	concerned	l. Likewise, all

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		investigation at an early stage, and issue alerts to the Commission and to the enforcement authorities concerned by a widespread unfair trading practice with a crossborder dimension and share the necessary information available to them about such practices.	should actively engage in the investigation at an early stage, and issue alerts to the Commission and to the enforcement authorities concerned by a widespread unfair trading practice with a cross-border dimension and share the necessary information available to them about such practices.	should actively engage in the investigation at an early stage, and issue alerts to the Commission and to the enforcement authorities concerned by a widespread unfair trading practice with a cross-border dimension and share the necessary information available to them about such practices.	enforcement authorities concerned should actively engage in the investigation at an early stage, and issue alerts to the Commission and to the enforcement authorities concerned by a widespread unfair trading practice with a cross-border dimension and share the necessary information available to them about such practices. Text Origin: EP Mandate
	Recital 1	5			
G	27	(15) Procedures for the coordination of investigation and enforcement measures relating to widespread unfair trading	(15) Procedures for the coordination of investigation and enforcement measures relating to widespread unfair trading	(15) Procedures for the coordination of investigation and enforcement measures relating to widespread unfair trading	(15) Procedures for the coordination of investigation and enforcement measures relating to widespread unfair trading

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		practices with a cross-border dimension should be laid down. Coordinated actions against widespread unfair trading practices with a cross-border dimension should ensure that enforcement authorities are able to choose the most appropriate and efficient tools to stop those practices.	practices with a cross-border dimension should be laid down. Coordinated actions against widespread unfair trading practices with a cross-border dimension should ensure that enforcement authorities are able to choose the most appropriate and efficient tools to stop those practices.	practices with a cross-border dimension should be laid down. Coordinated actions against widespread unfair trading practices with a cross-border dimension should ensure that enforcement authorities are able to choose the most appropriate and efficient tools to stop those practices.	practices with a cross-border dimension should be laid down. Coordinated actions against widespread unfair trading practices with a cross-border dimension should ensure that enforcement authorities are able to choose the most appropriate and efficient tools to stop those practices. Text Origin: Commission Proposal
	Recital 1	6			
G	28	(16) It is necessary to list the cases where a concerned enforcement authority may decide	(16) It is necessary to list the cases where a concerned enforcement authority may decide	(16) It is necessary to list the cases where a concerned enforcement authority may decide	(16) It is necessary to list the cases where a concerned enforcement authority may decide

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		to refuse to participate in a coordinated action. In particular, lack of available resources on the part of an enforcement authority concerned by that unfair trading practice with a cross-border dimension should not be considered to justify refusing to participate in a coordinated action.	to refuse to participate in a coordinated action. In particular, lack of available resources on the part of an enforcement authority concerned by that unfair trading practice with a cross-border dimension should not be considered to justify refusing to participate in a coordinated action.	to refuse to participate in a coordinated action. In particular, lack of available resources on the part of an enforcement authority concerned by that unfair trading practice with a cross-border dimension should not be considered to justify refusing to participate in a coordinated action.	to refuse to participate in a coordinated action. In particular, lack of available resources on the part of an enforcement authority concerned by that unfair trading practice with a cross-border dimension should not be considered to justify refusing to participate in a coordinated action. Text Origin: Commission Proposal
	Recital 1	7			
G	29	(17) With a view to ensuring that the enforcement authorities concerned by the coordinated action have all the tools necessary	(17) With a view to ensuring that the enforcement authorities concerned by the coordinated action have all the tools necessary	(17) With a view to ensuring that the enforcement authorities concerned by the coordinated action have all the tools necessary	(17) With a view to ensuring that the enforcement authorities concerned by the coordinated action have all the tools necessary

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		to communicate, cooperate, and coordinate, this Regulation should lay down rules on language arrangements.	to communicate, cooperate, and coordinate, this Regulation should lay down rules on language arrangements.	to communicate, cooperate, and coordinate, this Regulation should lay down rules on language arrangements.	to communicate, cooperate, and coordinate, this Regulation should lay down rules on language arrangements.
					Text Origin: Commission Proposal
	Recital 1	17a			
G	29a			(17a) Since Directive (EU) 2019/633 also protects suppliers in the Union against unfair trading practices by buyers established outside the Union, this Regulation should also provide rules for the cooperation of enforcement authorities of Member States with each other	(17a) Since Directive (EU) 2019/633 also protects suppliers in the Union against unfair trading practices by buyers established outside the Union, as well as suppliers established outside the Union when they sell agricultural and food products into the Union, this Regulation

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		CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
						as regards unfair trading practices by buyers established outside the Union and which are prohibited by Directive (EU) 2019/633.	should also provide rules for the cooperation of enforcement authorities of Member States with each other as regards unfair trading practices involving buyers and suppliers established outside the Union and which are prohibited by Directive (EU) 2019/633. Text Origin: Council Mandate
	Recital 1	7b					
G	29b						(17b) Directive (EU) 2019/633 also protects suppliers in the Union against unfair trading practices by buyers established outside the Union. It is therefore

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
							enabling to condu- effectivel end, an e should be buyer des contact w primary j enforcem facilitate Enforcem also info	enforcement authorities enforcement authorities et investigations more ly in such cases. To that enforcement authority e able to request that a signates a point of within the Union to be the point of contact for the ment authority and the investigation. ment authorities should erm each other and the mion in cases where a es not comply with such
Recital 1	.7c							

		CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	29c					uniform conditions for the implementation of the measures laid down in this Regulation, implementing powers should be conferred on the Commission to develop standard forms for requests for mutual assistance and to laid done rules on the management of the notifications and communications among the enforcement authorities. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.	uniform conditions for the implementation of the measures laid down in this Regulation, implementing powers should be conferred on the Commission to develop standard forms for requests for mutual assistance. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council. 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of

		CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Counc	cil Mandate	VS.EC	Draft Agreement
						1. Regulation (EU) No European Parliament Council of 16 Februar down the rules and ge concerning mechanism Member States of the exercise of implement 55, 28.2.2011, p. 13, E. http://data.europa.eu/).	and of the ry 2011 laying meral principles ms for control by Commission's ing powers (OJ L LI:	28.2.2011, p.	g powers (OJ L 55, . 13, ELI: uropa.eu/eli/reg/2011/182/oj)
	Recital -1	L							
G	29d							have an ovapplication Regulation In addition should be effectivened	ne Commission should verview of the n of the rules under this n in the Member States. n, the Commission able to assess the ess of this Regulation. d, the enforcement s of the Member States

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
								should include in their annual reports to the Commission activities falling within the scope of this Regulation. In the interest of an effective implementation of the rules to strengthen the position of operators in the agrifood supply chain that are exposed to unfair trading practices, the report on the application of the rules under this Regulation should be used in the review process of Directive (EU) 2019/633.
	Recital -:	1a						
G	29e							(17e) To facilitate effective enforcement, the Commission should provide and manage a

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Coun	cil Mandate	VS.EC	Draft Agreement
										that allows the swift
										e of information or among the enforcement
										es and, where
										ate, with the
									Commiss	sion.
	Recital 1	8								
		(18) This	Regulation respects	(18) Th	is Regulation respects	(18)	This Regu	lation respects	(18)	This Regulation respects
		fundamental 1	rights and observes	fundament	al rights and observes	fundan	nental rights	s and observes	fundame	ntal rights and observes
		the principles	recognised in	the princip	les recognised in	the prin	nciples reco	gnised in	the princ	iples recognised in
		particular by	the Charter of	particular l	by the Charter of	particu	lar by the C	harter of	particula	r by the Charter of
		Fundamental	Rights of the	Fundamen	tal Rights of the	Fundar	nental Righ	ts of the	Fundame	ental Rights of the
G	30	European Uni	ion and present in the	European	Union and present in the	Europe	an Union a	nd present in the	Europear	union and present in the
		constitutional	l traditions of the	constitutio	nal traditions of the	constitu	utional tradi	itions of the	constituti	ional traditions of the
		Member State	es. Accordingly, this	Member S	tates. Accordingly, this	Membe	er States. A	ccordingly, this	Member	States. Accordingly, this
		Regulation sh	nould be interpreted	Regulation	should be interpreted	Regula	tion should	be interpreted	Regulation	on should be interpreted
		and applied in	n accordance with	and applied	d in accordance with	and app	plied in acco	ordance with	and appli	ied in accordance with
		those rights a	nd principles.	those right	s and principles.	those ri	ights and pr	inciples.	those rigi	hts and principles.

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: Commission Proposal
Recita	119			
6 31	(19) Criminal investigations and judicial proceedings in Member States should not be affected by the application of this Regulation.	(19) Criminal investigations and judicial proceedings in Member States should not be affected by the application of this Regulation.	(19) Criminal investigations and judicial proceedings in Member States should not be affected by the application of this Regulation. Likewise, Council Decision 2008/976/JHA, Framework Decision 2005/214/JHA and Directive 2014/41/EU should have precedence over this Regulation if the unfair trading practice concerned falls under their scope.	(19) Criminal investigations and judicial proceedings in Member States should not be affected by the application of this Regulation. Likewise, Council Decision 2008/976/JHA, Framework Decision 2005/214/JHA and Directive 2014/41/EU should have precedence over this Regulation if the unfair trading practice concerned falls under their scope.

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: Council Mandate
Recital 2	20			
	(20) Since the objective of this Regulation, namely cooperation between the enforcement authorities responsible for the enforcement of the prohibition of unfair trading practices under	(20) Since the objective of this Regulation, namely cooperation between the enforcement authorities responsible for the enforcement of the prohibition of unfair trading practices under	(20) Since the objective of this Regulation, namely to strengthen the cooperation between the enforcement authorities responsible for the enforcement of the prohibition of unfair trading	(20) Since the objective of this Regulation, namely <i>to strengthen the</i> cooperation between the enforcement authorities responsible for the enforcement of the prohibition of unfair trading
32	Directive (EU) 2019/633, cannot be sufficiently achieved by the Member States because they cannot ensure cooperation and coordination by acting alone, but can rather, by reason of its territorial and personal scope, be	Directive (EU) 2019/633, cannot be sufficiently achieved by the Member States because they cannot ensure cooperation and coordination by acting alone, but can rather, by reason of its territorial and personal scope, be	practices under Directive (EU) 2019/633 in cross border cases, cannot be sufficiently achieved by the Member States because they cannot ensure cooperation and coordination by acting alone, but can rather, by reason of its	practices under Directive (EU) 2019/633 <i>in cross border cases</i> , cannot be sufficiently achieved by the Member States because they cannot ensure cooperation and coordination by acting alone, but can rather, by reason of its
	better achieved at the Union level,	better achieved at the Union level,	territorial and personal scope, be	territorial and personal scope, be

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	better achieved at the Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	better achieved at the Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. Text Origin: Council Mandate
	Recital 2	1			
G	33	(21) In order to give the enforcement authorities the time needed to be able to implement the rules laid down in this Regulation,	(21) In order to give the enforcement authorities the time needed to be able to implement the rules laid down in this Regulation,	(21) In order to give the enforcement authorities the time needed to be able to implement the rules laid down in this Regulation,	(21) In order to give the enforcement authorities the time needed to be able to implement the rules laid down in this Regulation,

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
	its application should be deferred by 1 year after its entry into force,	its application should be deferred by 1 year after its entry into force,	its application should be deferred by 1 year 18 months after its entry into force,	its application should be deferred by <u>I year 18 months</u> after its entry into force, Text Origin: Council Mandate
Formul	a			
s 34	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
СНАРТІ	FR I			Text Origin: Commission Proposal
CHAPTI	EN I			
g 35	CHAPTER I	CHAPTER I	CHAPTER I	CHAPTER I

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		INTRODUCTORY PROVISIONS	INTRODUCTORY PROVISIONS	INTRODUCTORY PROVISIONS	INTRODUCTORY PROVISIONS
					Text Origin: Commission Proposal
	Article 1	L			
		Article 1	Article 1	Article 1	Article 1
	36	Subject matter	Subject matter	Subject matter	Subject matter
6	30				Text Origin: Commission Proposal
	Article 1	, first paragraph			
G	37	This Regulation lays down certain rules under which the enforcement	With a view to combating practices that grossly deviate	This Regulation lays down certain rules under which the enforcement	With a view to combating practices that grossly deviate from

Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
authorities, having been designated by their Member States as responsible for the enforcement of the prohibition of unfair trading practices in business-to-business relationships in the agricultural and food supply chain under Directive (EU) 2019/633, cooperate and coordinate actions with each other.	from good commercial conduct, that are contrary to good faith and fair dealing and that are unilaterally imposed by one trading partner on another, this Regulation lays down certain rules under which the enforcement authorities, having been designated by their Member States as responsible for the enforcement of the prohibition of unfair trading practices in business-to-business relationships in the agricultural and food supply chain under	authorities, having been designated by their Member States as responsible for the enforcement of the prohibition of unfair trading practices in business-to-business relationships in the agricultural and food supply chain under Directive (EU) 2019/633, cooperate and coordinate actions with each other.	good commercial conduct, that are contrary to good faith and fair dealing and that are unilaterally imposed by one trading partner on another, this Regulation lays down certain rules under which the enforcement authorities, having been designated by their Member States as responsible for the enforcement of the prohibition of unfair trading practices in business-to-business relationships in the agricultural and food supply chain under
	Directive (EU) 2019/633, cooperate and coordinate actions with each other and with the Commission, in order to ensure compliance, to safeguard sound competition and to maintain a		Directive (EU) 2019/633, cooperate and coordinate actions with each other, in order to ensure the effectiveness of that Directive.

		Commission CLEAN Proposal	VS.EC	EP Mandate	vs.ec Cou	ncil Mandate	VS.EC	Draft Agreement
			level play market.	ring field in the internal			Text Ori	gin: EP Mandate
	Article 2							
		Article 2		Article 2	Arti	icle 2		Article 2
		Scope	Scope		Scope			Scope
G	38							G
							Text Ori	gin: Commission
	Article 2	(1), first subparagraph						
		1. This Regulation app		This Regulation applies to		gulation applies to		his Regulation applies to
		the enforcement of the prohi of unfair trading practices in		cement of the prohibition trading practices in	the enforcement of unfair trading	of the prohibition practices in		trading practices in
G	39	business-to-business relation		to-business relationships		ness relationships		to-business relationships
		in the agricultural and food		ricultural and food supply		and food supply		icultural and food supply
		chain laid down in Article 3	(1) and chain laid	d down in Article 3(1) and	chain laid down i	in Article 3(1) and	chain laid	down in Article 3(1) and

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		(2) of Directive (EU) 2019/633 with a cross-border dimension.	(2) of Directive (EU) 2019/633 with a cross-border dimension, including when those unfair trading practices originate from operators whose practices have an inherent cross-border component, such as those of retail alliances.	(2) of Directive (EU) 2019/633 with a cross-border dimension which occur in relation to sales of agricultural and food products between buyers and suppliers referred to in Article 1(2) of Directive (EU) 2019/633.	(2) of Directive (EU) 2019/633 with a cross-border dimension which occur in relation to sales of agricultural and food products between buyers and suppliers referred to in Article 1(2) of Directive (EU) 2019/633. Text Origin: Council Mandate
	Article 2	(1), second subparagraph			
G	40	However, Article 5 of this Regulation also applies in relation to national rules within the meaning of Article 9 of Directive (EU) 2019/633 if the Member State so decides in accordance with paragraph 4 of that Article.	However, Article 5Articles 5, 6 and 7 of this Regulation also appliesapply in relation to national rules within the meaning of Article 3(1), point (b), and Article 9 of Directive (EU) 2019/633 if thein cases involving Member State so	However, Article 5 of this Regulation also applies in relation to national rules adopted on the basis within the meaning of Article 93(1), point (b), third sentence or maintained or adopted on the basis of Article	However, Article 5Chapter IIIa of this Regulation also applies in relation to periods set on the basis of Article 3(1), point (b), third sentence or national rules within the meaningmaintained or adopted on the basis of Article

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
			decides States where those Member States mutually so decided in accordance with paragraph 4 of that Article 5(4), Article 6(3a) and Article 7(4a) of this Regulation.	9(1) of Directive (EU) 2019/633 if the Member State so decides in accordance with paragraph 4 of that Article 5(4) of this Regulation. Article 20a of this Regulation applies in relation to unfair trading practices involving buyers established outside the Union.	99(1) of Directive (EU) 2019/633 if the Member State so decides in accordance with paragraph 4 of that Article 12a and Article 12b of this Regulation. Chapter IVa of this Regulation applies in relation to unfair trading practices involving suppliers or buyers established outside the Union. Text Origin: Council Mandate
	Article 2	2(2)			
G	41	2. This Regulation is without prejudice to the Union and national rules on private international law, in particular	2. This Regulation is without prejudice to the Union and national rules on private international law, in particular	2. This Regulation is without prejudice to the Union and national rules on private international law, in particular	2. This Regulation is without prejudice to the Union and national rules on private international law, in particular

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		rules related to court jurisdiction and applicable laws.	rules related to court jurisdiction and applicable laws.	rules related to court jurisdiction and applicable laws.	rules related to court jurisdiction and applicable laws. Text Origin: Commission Proposal
	Article 2	2(3)			
G	42	3. This Regulation is without prejudice to the application in the Member States of measures relating to judicial cooperation in civil and criminal matters, in particular the operation of the European Judicial Network established by Council Decision 2008/976/JHA ¹ .	3. This Regulation is without prejudice to the application in the Member States of measures relating to judicial cooperation in civil and criminal matters, in particular the operation of the European Judicial Network established by Council Decision 2008/976/JHA ¹ .	3. This Regulation is without prejudice to the application in the Member States of measures relating to judicial cooperation in civil and criminal matters, in particular the operation of the European Judicial Network established by Council Decision 2008/976/JHA¹and to the application of Council Framework Decision	3. This Regulation is without prejudice to the application in the Member States of measures relating to judicial cooperation in civil and criminal matters, in particular the operation of the European Judicial Network established by Council Decision 2008/976/JHA¹and to the application of Council Framework Decision

CLEAN	Commission Proposal	vs.ec El	P Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
December 2 Network (C ELI:	Decision 2008/976/JHA of 16 2008 on the European Judicial J L 348, 24.12.2008, p. 130, uropa.eu/eli/dec/2008/976/oj).	December 2008 of Network (OJ L 34) ELI:	ion 2008/976/JHA of 16 on the European Judicial 48, 24.12.2008, p. 130, a.eu/eli/dec/2008/976/oj).	2005/214/JHA ² and of Directive 2014/41/EU ³ . 1. Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network (OJ L 348, 24.12.2008, p. 130, ELI: http://data.europa.eu/eli/dec/2008/976/oj). 2. Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties (OJ L 76, 22/03/2005, p. 16, ELI: http://data.europa.eu/eli/dec_framw/200 5/214/oj) 3. Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the	2005/214/JHA² and of Directive 2014/41/EU³. 1. Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network (OJ L 348, 24.12.2008, p. 130, ELI: http://data.europa.eu/eli/dec/2008/976/oj). 2. Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties (OJ L 76, 22/03/2005, p. 16, ELI: http://data.europa.eu/eli/dec_framw/2005 /214/oj) 3. Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters

cr	European Investigation Order in criminal matters	Text Origin: Council Mandate
Article 3		
Article 3		
Article 3	Article 3	Article 3
D	Definitions	Definitions
		Text Origin: Commission
oses of this Fo	For the purposes of this	For the purposes of this
		Regulation, the definitions referred to in Article 2 of Directive (EU)
oly. In addition, the	2019/633 apply. In addition, the	2019/633 apply. In addition, the following definitions apply:
	oses of this he definitions referred 2 of Directive (EU) oly. In addition, the	Definitions Definitions Poses of this he definitions referred 2 of Directive (EU) 2019/633 apply. In addition, the

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
								Text Ori	igin: Commission
	Article 3	, first paragra	aph, point (a)						
G	45	means the national aut	forcement authority' national authority or chorities designated by State pursuant to of Directive (EU)	means the national a Member	nforcement authority' national authority or uthorities designated by State pursuant to 1) of Directive (EU)	means the national a	enforcement authority' ea national authority or authorities designated by er State pursuant to (1) of Directive (EU) 3;	means the national a Membe Article 4(2019/633	enforcement authority' ea national authority or authorities designated by or State pursuant to (1) of Directive (EU) s;
	Article 3	, first paragra	aph, point (b)						

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
46	(b) 'applicant enforcement authority' means the enforcement authority that makes a request for mutual assistance;	(b) 'applicant enforcement authority' means the enforcement authority that makes a request for mutual assistance;	(b) 'applicant enforcement authority' means thean enforcement authority that makes a request for mutual assistance;	(b) 'applicant enforcement authority' means thean enforcement authority that makes a request for mutual assistance; Text Origin: Council Mandate
Article 3	3, first paragraph, point (c)			
47	(c) 'requested enforcement authority' means the enforcement authority that receives a request for mutual assistance;	(c) 'requested enforcement authority' means the enforcement authority that receives a request for mutual assistance;	(c) 'requested enforcement authority' means the enforcement authority that receives a request for mutual assistance;	(c) 'requested enforcement authority' means the enforcement authority that receives a request for mutual assistance; Text Origin: Commission
				Proposal
Article 3	3, first paragraph, point (d)			Proposal

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G 48	(d) 'unfair trading practice with a cross-border dimension' means any unfair trading practice within the meaning of Directive (EU) 2019/633 involving one supplier and one buyer that are located in different Member States;	(d) 'unfair trading practice with a cross-border dimension' means any unfair trading practice within the meaning of Directive (EU) 2019/633 involving one supplier and one buyer that are located in at least two different Member States or involving one supplier or buyer that is located within the Union and one supplier or buyer that is located within the Union, or involving any unfair trading practice covered by stricter national rules that qualify as overriding mandatory provisions within the meaning of Article 9 of Regulation (EC) No 593/2008;	(d) 'unfair trading practice with a cross-border dimension' means anyan unfair trading practice within the meaning of Directive (EU) 2019/633 involving one supplier and one buyer that are located inestablished in two different Member States;	(d) 'unfair trading practice with a cross-border dimension' means anyan unfair trading practice within the meaning of Directive (EU) 2019/633 involving one supplier and one buyer that are located inestablished in two different Member States; Text Origin: Council Mandate
Article 3	3, first paragraph, point (e)			

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	49	(e) 'widespread unfair trading practice with a cross-border dimension' means any unfair trading practice within the meaning of Directive (EU) 2019/633 involving at least three Member States;	(e) 'widespread unfair trading practice with a cross-border dimension' means any unfair trading practice within the meaning of Directive (EU) 2019/633 involving parties located in at least three Member States or parties located in at least two Member States and outside the Union;	(e) 'widespread unfair trading practice with a cross-border dimension' means anyan unfair trading practice within the meaning of Directive (EU) 2019/633-involving suppliers and buyers established in at least three Member States;	(e) 'widespread unfair trading practice with a cross-border dimension' means anyan unfair trading practice within the meaning of Directive (EU) 2019/633-involving suppliers and buyers established in at least three Member States;
	Article 3	, first paragraph, point (f)			
G	50	(f) 'final decision' means a decision that cannot be, or that can no longer be, appealed by ordinary means.	(f) 'final decision' means a decision that cannot be, or that can no longer be, appealed by ordinary means.	(f) 'final decision' means a decision that cannot be, or that can no longer be, appealed by ordinary means.	(f) 'final decision' means a decision that cannot be, or that can no longer be, appealed by ordinary means.

		CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
						Text Origin: Commission Proposal
	Article 3	, first parag	raph, point (fa)			
G	50a			(fa) 'EU Responsible Person' means any natural or legal person established within the Union who is designated by a buyer located outside the Union to act on the buyer's behalf in relation to the obligations set out under Directive (EU) 2019/633 and this Regulation.		G
	Article 3	a				
G	50b			Article 3a General principle		Article 3a General principle

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		CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council	Mandate	vs.ec Draft Agreement
	Article 3	a, first para	agraph				Text Origin: EP Mandate
G	50c			1 Member States shall take appropriate administrative and judicial steps to prevent or stop the unfair trading practices referred to in Article 3(1) and (2) of Directive (EU) 2019/633 that have a cross-border dimension and that are performed in whole or in part on their respective territories.			The enforcement authorities shall cooperate with each other in order to prevent or stop unfair trading practices with a cross-border dimension on their territories. Text Origin: EP Mandate
	СНАРТЕ	R II			,		
G	51		CHAPTER II	CHAPTER II	СНАРТЕК	RII	CHAPTER II

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		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		RESOURCES AND EXPERTISE	RESOURCES AND EXPERTISE	RESOURCES AND EXPERTISE	RESOURCES AND EXPERTISE
					Text Origin: Commission Proposal
	Article 4	1		,	
		Article 4	Article 4	Article 4	Article 4
G	52	Resources and expertise	Resources and expertise	Resources and expertise	Resources and expertise
					Text Origin: Commission Proposal
	Article 4	1, first paragraph			
G	53	Member States shall ensure that enforcement authorities have the	Member States shall ensure that enforcement authorities have the	Member States shall ensure that enforcement authorities have the	Member States shall ensure that enforcement authorities have the

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
	necessary resources and expertise for the application of this Regulation.	necessary resources, including technical, financial and human resources, and expertise necessary for the application of this Regulation and for promoting awareness of the rights and obligations that it lays down, including making available clear, accessible and detailed information about its provisions to persons concerned and providing to them the advisory services needed for its application.	necessary resources and expertise for the application of this Regulation.	necessary resources and expertise for the application of this Regulation and for promoting awareness among buyers and suppliers of the provisions it lays down. Text origin: Council and EP mandate
Article	4a			
6 53a		<u>Article 4a</u>	Article 4a	Article 4a Confidentiality of information

		CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Implementation and confidentiality of information	Confidentiality of information	Text Origin: Council Mandate
	Article 4	a, first para	graph			
G	53b			1 Member States shall ensure that enforcement authorities do not impose any charges on suppliers for submitting a complaint regarding an unfair trading practice with a cross-border dimension.		Text origin: Council mandate/Commission proposal
	Article 4	a, second p	aragraph			
G	53c			2 For the purposes of this Regulation, the enforcement authorities shall have the power to provide one another with	1. For the purposes of this Regulation, the enforcement authorities shall have the power to provide one another with	1. For the purposes of this Regulation, the enforcement authorities shall have the power to provide one another with

		CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Council Mand	date	VS.EC	Draft Agreement
				any fact or	on and use in evidence r matter of law, confidential on.	information and use in evi any matter of fact or of law including confidential information.		any matter	n and use in evidence of fact or of law, confidential n.
	Article 4	a, third para	agraph					Text Orig	in: Council and EP
G	53d			shall only for which requested It shall on	formation exchanged be used for the purpose it was collected by the enforcement authority. ly be used in evidence rpose of applying this 1.	2. Information exchashall only be used in evider for the purpose of applying Regulation and in respect subject-matter for which is collected by the requested enforcement authority.	ence ng this of the it was	shall only the purpos Regulation subject-ma	formation exchanged be used in evidence for e of applying this and in respect of the atter for which it was by the requested ant authority.

	CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Counc	il Mandate	VS.EC	Draft Agreement
							Text On	rigin: Council Mandate
Article 4	la, forth para	agraph						
6 53e			provided j 2, enforce have due interests of persons, i	When using information pursuant to paragraph ement authorities shall regard to the legitimate of natural or legal including protection of rets and intellectual rights.	3. The information provided pursuant 1 shall only be used enforcement authorized to the language of a natural legal person, include protection of trade intellectual proper	t to paragraph d by the orities with legitimate ral person or ding e secrets and	pursuan only be authoria legitima person o protectia intellect	The information provided Int to paragraph 1 shall Used by the enforcement Ities with due regard to the Interests of a natural Interests of a natural Interest of trade secrets and Itual property rights.
Article 4	la, fifth para	graph						
6 53f				n cases where a ant requests the	4. In cases wh			In cases where a inant requests the

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
				including identity of pursuant t Directive (enforcement the completed agreement provide the	of information, the protection of the the complainant, to Article 5(3) of (EU) 2019/633, the ent authority receiving that shall ask for the tof the complainant to the protected information the enforcement authority.	pursuant Directive enforcement the comple agreement provide the information	to Article 5(3) of 2019/633, the ent authority receiving aint shall ask for the t of the complainant to be protected on to another ent authority.	pursuant to Directive 2 enforcement the complete agreement provide the to another	of information to Article 5(3) of 2019/633, the ent authority receiving aint shall ask for the t of the complainant to e protected information e enforcement authority.
	Article 4	b							
G	53g				icle 4b ponsible Person				
	Article 4	b, first para	ngraph						

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
6 53h		1 Buyers located outside the Union shall designate an EU Responsible Person before entering into a contractual relation on agricultural and food products within the meaning of Article 1(2) of Directive (EU) 2019/633 with a supplier located within the Union.		
Article	e 4b, second paragraph			
6 53i		2 The terms of the designation shall constitute the EU Responsible Person's mandate. That mandate shall be valid from the moment that it is accepted in writing by the EU Responsible Person until its expiration or termination.		

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
A	rticle 4l	b, third par	agraph						
G	53j			specifie with the Respon a copy of enforce request	The EU Responsible shall perform the tasks d in the mandate agreed buyer. The EU sible Person shall provide of the mandate to the ment authority, upon The mandate shall at least the following				
А	rticle 4l	b, third par	agraph, point a						
G	53k				to act as the primary f contact for enforcement ties and the Commission;				
А	rticle 4l	b, third par	agraph, point b						

		CLEAN	Commission Proposal	vs.ec EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
G 5.	31			(b) to assume full financial and legal liability for the buyer's compliance with the obligations set out in Directive (EU) 2019/633 and in this Regulation;				
Arti	icle 4k	o, third par	agraph, point c					
s 53	3m			(c) to maintain up-to-date records of the transactions in the Union of the buyer established outside the Union;				
Arti	icle 4k	o, third par	agraph, point d					
6 53	3n			(d) to facilitate investigations, including providing documents, data and testimony to enforcement authorities or the Commission;				

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
Article	4b, third pa	ragraph, point e						
s 530			with fine penaltie	to ensure compliance al decisions, fines or s issued under the ork of Directive (EU) 3 and of this Regulation;				
Article	4b, third pa	ragraph, point f						
6 53p			if the bu obligation (EU) 20 Regulation ensure to Person of its mana	to terminate the mandate eyer acts contrary to its ons set out in Directive 19/633 and in this ion; the buyer shall hat the EU Responsible complies with the terms of late in respect of those m required tasks.				

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
				terminate ground re 3, point (f inform th of the Me establishe	esponsible Person who s its mandate on the eferred to in paragraph c), shall immediately e enforcement authority mber State in which it is ed of the termination of tate and of the reasons				
	Article 4l	b, fourth para	agraph						
G	53q			Article 3 of 2019/633 established	When an unfair trading within the meaning of of Directive (EU) is committed by a buyer ad outside the Union, the onsible Person may be by and severally liable				

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
			for the fines imposed on the person who designated it.		
	СНАРТЕ	R III			
G	54	CHAPTER III MUTUAL ASSISTANCE MECHANISM	CHAPTER III MUTUAL ASSISTANCE MECHANISM	CHAPTER III MUTUAL ASSISTANCE MECHANISM	CHAPTER III MUTUAL ASSISTANCE MECHANISM Text Origin: Commission Proposal
	Article 5				
		Article 5	Article 5	Article 5	Article 5
G	55	Requests for information	Requests for information	Requests for information	Requests for information

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					Text Origin: Commission Proposal
	Article 5	(1)			
G	56	1. At the request of an applicant enforcement authority, a requested enforcement authority shall, without delay, and within 60 days unless otherwise agreed, provide the applicant enforcement authority with the information requested to establish whether an unfair trading practice in the Member State of the applicant enforcement authority with a cross-border dimension has occurred or is occurring.	1. At the request of an applicant enforcement authority, a requested enforcement authority shall, without delay, and within 60 days unless otherwise agreed 45 days from the date of receiving the request, provide the applicant enforcement authority with the information requested to establish whether an unfair trading practice in the Member State of the applicant enforcement authority with a cross-border dimension has	1. At the request of an applicant enforcement authority, a requested enforcement authority shall, without delay, and within 6090 days unless otherwise agreed, provide the applicant enforcement authority with the information requested to establish whether an unfair trading practice with a cross-border dimension has occurred or is occuring in the Member State of the applicant enforcement authority with a eross-border dimension has	1. At the request of an applicant enforcement authority, a requested enforcement authority shall, without delay, and within 60 days unless otherwise agreed 90 days, provide the applicant enforcement authority with the information requested to establish whether an unfair trading practice in the Member State of the applicant enforcement authority with a cross-border dimension has occurred or is occurring in the
			occurred or is occurring. Where the applicant enforcement	occurred or is occurring.	Member State of the applicant enforcement authority. Where the

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
			authority and the requested enforcement authority agree to an extension of that period of 45 days, it may be extended by an additional period of 45 days.		applicant enforcement authority and the requested enforcement authority agree to an extension of that period of 90 days, it may be extended by an additional period of 30 days. Text Origin: Council and EP Mandate
	Article 5	5(2)			
G	57	2. The applicant enforcement authority shall, when sending a request for information to the requested enforcement authority, state as legal basis this Regulation, the national law transposing Directive (EU) 2019/633, and the	2. The applicant enforcement authority shall, when sending a request for information to the requested enforcement authority, state as legal basis this Regulation, the national law transposing Directive (EU) 2019/633, and the	2. The applicant enforcement authority shall, when sending a request for information to Where the requested enforcement authority, state as legal basis this Regulation, the national law transposing Directive (EU)	2. The applicant enforcement authority shall, when sending a request for information to Where the requested enforcement authority, state as legal basis this Regulation, the national law transposing Directive (EU)

Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
Directive (EU) 2019/633, the purpose of the request, and specify	corresponding provisions of Directive (EU) 2019/633, the purpose of the request, and specify what information is required.	2019/633, and the corresponding provisions of Directive (EU) 2019/633, the purpose is not in possession of the request, and specify what information is required requested, the reply referred to in paragraph 1 may be limited to stating the absence of such information. The requested enforcement authority may still decide to collect that information.	2019/633, and the corresponding provisions of Directive (EU) 2019/633, the purpose is not fully in possession of the request, and specify what information requested, the reply referred to in paragraph 1 may contain only partial information or be limited to stating the absence of such information is required indicating the reason for such a reply. The requested enforcement authority may still decide to collect the missing information, in which case it shall inform the applicant enforcement authority of its decision and share the information collected with that authority.

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text origin: Council mandate
Article 5	5(3)			
58	3. The information provided shall only be collected by the requested enforcement authority and used by the applicant enforcement authority in accordance with their national law	shall only be collected by the requested enforcement authority and used by the applicant enforcement authority in	3. The information to be provided shall only be collected by the requested enforcement authority and used by the applicant enforcement authority in accordance with their respective national law.	3. The information to be provided shall only be collected by the requested enforcement authority and used by the applicant enforcement authority in accordance with their respective national law. Text Origin: Council Mandate

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	59	4. Member States may decide that enforcement authorities can make use of the possibilities referred to in this Article in relation to national rules within the meaning of Article 9 of Directive (EU) 2019/633.	4. Member States may decide that enforcement authorities can make use of the possibilities referred to in this Article in relation to national rules within the meaning of Article 3(1), point (b), and Article 9 of Directive (EU) 2019/633 that do not qualify as overriding mandatory provisions within the meaning of Article 9 of Regulation (EC) No 593/2008.	4. Member States may decide that enforcement authorities can make use of the possibilities referred to in this Article in relation to national rules within the meaningadopted on the basis of Article 93(1), point (b), third sentence or on the basis of Article 9(1) of Directive (EU) 2019/633.	G
	Article 5	(4), subparagraph 1 a			
G	59a		When an applicant enforcement authority makes use of the possibility provided for in subparagraph 1, it shall cite this Regulation as a legal basis, as	When an applicant enforcement authority makes use of the possibility provided in subparagraph 1, it shall:	G

		CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				well as the national law laying down the prohibition of the unfair trading practice concerned. It shall also state the purpose of the request, specify what information is required and describe the unfair trading practice concerned.		
	Article 5	(4), first sul	oparagraph a, point (a)			
G	59b				(a) state this Regulation as legal basis;	G
	Article 5	(4), first sul	oparagraph a, point (b)			
G	59c				(b) indicate the national law laying down the prohibition of the unfair trading practice concerned that goes beyond	G

	CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Council Mandate	VS.EC	Draft Agreement
					Directive (EU) 2019/633, and if that national law is based on Article 3(1), point (b), third sentence or Article 9(1) of Directive (EU) 2019/633;		
Article 5	5(4), first sul	bparagraph a, point (c)					
s 59d					(c) describe the purpose of the request;		
Article 5	5(4), first sul	bparagraph a, point (d)					
6 59e					(d) describe the unfair trading practice concerned and specify how this goes beyond the Directive (EU) 2019/633;		
Article 5	5(4), first sul	bparagraph a, point (e)					

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
59f			(e) specify what information is required.	
Article 5	5(4), second subparagraph			
	When an applicant enforcement authority makes use of the	When an applicant enforcement authority makes use of the	When an applicant enforcement authority makes use of the	
	possibility provided in	possibility provided <i>for</i> in	possibility provided in	
	subparagraph 1, the requested	subparagraph 1, the requested	subparagraph 1, the requested	
	enforcement authority may refuse	enforcement authority may	enforcement authority may refuse	
	to provide information, indicating	provide only partial information	to provide information, indicating	
	the reasons for the refusal.	<u>or</u> refuse to provide information.	the reasons for the refusal. In this	
60		In such case, the requested	case, Article 10 shall not apply.	
		enforcement authority shall duly		
		justify, indicating the reasons for		
		the <u>incomplete response or for the</u> refusal <u>in a reasoned and</u>		
		objective reply. That reply shall		
		be sent to the applicant		
		enforcement authority within 45		

		CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Coun	cil Mandate	VS.EC	Draft Agreement
				days of the submission of its request.				
	Article 5	(4a)						
G	60a			4a In order to increase the efficiency of cross-border cooperation between enforcement authorities in the field of combating unfair commercial practices, a special procedural mechanism shall be established to enable urgent requests submitted by competent authorities in other Member States to be prioritised.				gin: Council Commission proposal
	Article 5(4b)							
G	60b			4b The Commission may adopt implementing acts laying				G

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
				mechanismof urgent paragraph implemen adopted in	special procedural m for the prioritisation requests provided for in a 4a. Those ting acts shall be a accordance with the on procedure referred le 21.				gin: Council Commission proposal
	Article 6								
		Requests	Article 6 for enforcement	Requests f	Article 6 For enforcement	Requests f	Article 6 or enforcement		Article 6 Requests for
G	61	measures		measures		_	ive measures		gin: Council Mandate
	Article 6	(1)		1					

CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
author enforce exercination the po	At the request and on of an applicant enforcement ity, the requested ement authority shall se, in accordance with the al rules of its Member State, wers set out in Article 6(1), abparagraph, points (a), (b) of Directive (EU) 633.	1. At the request and on behalf of an applicant enforcement authority, the requested enforcement authority shall exercise, in accordance with the national rules of its Member State, the powers set out in Article 6(1), first subparagraph, points (a), (b), (c) and (d) and (e), of Directive (EU) 2019/633.	1. At the request and on behalf of an applicant enforcement authority, the requested enforcement authority shall exerciseconduct investigative measures, in accordance with the national rules of its Member State, the powers set out in Article 6(1), first subparagraph, points (a), (b) and (c), of Directive (EU) 2019/633 and with its national law.	1. At the request and on behalf of an applicant enforcement authority, the requested enforcement authority shall exerciseconduct investigative measures, in accordance with-the national rules of its Member State, the powers set out in Article 6(1), first subparagraph, points (a), (b) and (c), of Directive (EU) 2019/633 and with its national law, in order to determine whether an unfair trading practice with a cross-border dimension has occurred or is occurring.

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
Articl	e 6(2)			
c 63	2. When a requested enforcement authority exercises the powers set out in Article 6(1), first subparagraph, points (a), (b) and (c), of Directive (EU) 2019/633 at the request and on behalf of an applicant enforcement authority, officials and other accompanying persons authorised or appointed by the applicant enforcement authority shall be permitted to attend and assist the requested enforcement authority, under the supervision of the officials of the requested enforcement authority.	2. When a requested enforcement authority exercises the powers set out in Article 6(1), first subparagraph, points (a), (b), (c) and (d) and (e), of Directive (EU) 2019/633 at the request and on behalf of an applicant enforcement authority, officials and other accompanying persons authorised or appointed by the applicant enforcement authority shall be permitted to attend and assist the requested enforcement authority, under the supervision of the officials of the requested enforcement authority.	2. When a requested enforcement authority exercises the powers set out in Article 6(1), first subparagraph, points (a), (b) and (c), of Directive (EU) 2019/633 at the request and on behalf of an applicant enforcement authority, officials and other accompanying persons authorised or appointed by the applicant enforcement authority shall be permitted to attend and assist the requested enforcement authority, upon informing the requested enforcement authority in advance and under the supervision of the officials of the requested enforcement authority.	2. When a requested enforcement authority exercises the powers set out in Article 6(1), first subparagraph, points (a), (b) and (c), of Directive (EU) 2019/633 at the request and on behalf of an applicant enforcement authority, officials and other accompanying persons authorised or appointed by the applicant enforcement authority shall be permitted to attend and assist the requested enforcement authority, upon informing the requested enforcement authority in advance and under the supervision of the officials of the requested enforcement authority.

	Clean Propo	mission osal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
							Text Or:	igin: Council Mandate
Article	6(3)							
G 64	3. The reque enforcement author the applicant enfo authority about the measures taken an measures that it in	ority shall inform rement e steps and ad the steps and	enforceme the applica authority v steps and r	ne requested ent authority shall inform ent enforcement evithout delay about the eneasures taken and the eneasures that it intends	enforcem the applic authority measures	The requested nent authority shall inform cant enforcement about the steps and a taken and the steps and a that it intends to take.	enforcement the applicant authority steps and steps and to take.	The requested ment authority shall inform cant enforcement without delay about the measures taken and the measures that it intends
Article	6(3a)							

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement				
G	64a		3a. Member States may decide that enforcement authorities can make use of the possibilities referred to in this Article in relation to national rules within the meaning of Article 3(1), point (b), and Article 9 of Directive (EU) 2019/633 that do not qualify as overriding mandatory provisions within the meaning of Article 9 of Regulation (EC) No 593/2008.		G				
	Article 7	Article 7							
	65	Article 7	Article 7	Article 7	Article 7				
G	03	Requests for the enforcement of decisions imposing fines or other	Requests for the enforcement of decisions imposing fines or other	Requests for the enforcement of decisions imposing fines or other	Requests for the enforcement of decisions imposing fines or other				

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement	
		equally effective penalties and interim measures	equally effective penalties and interim measures	equally effective penalties and interim measures	equally effective penalties and interim measures Text Origin: Commission Proposal	
	Article 7	7(1)				
G	66	1. At the request of an applicant enforcement authority, the requested authority shall enforce, in accordance with its national law, final decisions imposing fines or other equally effective penalties and interim measures adopted in accordance with Article 6(1), first subparagraph, point (e), of Directive (EU) 2019/633.	1. At the request of an applicant enforcement authority, the requested authority shall enforce, without delay and in accordance with its national law, final decisions imposing fines or other equally effective penalties and interim measures adopted in accordance with Article 6(1), first subparagraph, point (e), of Directive (EU) 2019/633 by the	1. At the request of an applicant enforcement authority, the requested enforcement authority shall-enforce, in accordance with its national law, enforce or initiate proceedings for the enforcement of final decisions imposing fines or other equally effective penalties and interim measures adopted in accordance with Article 6(1), first	1. At the request of an applicant enforcement authority, the requested <i>enforcement</i> authority shall <i>enforce</i> , in accordance with its national law, <i>enforce or initiate, without delay, the proceedings for the enforcement of</i> final decisions imposing fines or other equally effective penalties and interim measures adopted in accordance	

		CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Cou	ncil Mandate	VS.EC	Draft Agreement
					tate of the applicant ent authority.	subparagraph, po Directive (EU) 2 Member State of enforcement au	2019/633 by the of the applicant	subparagr Directive <u>Member S</u> <u>enforcem</u>	cle 6(1), first caph, point (e), of (EU) 2019/633 by the State of the applicant ent authority.
	Article 7	(1a)							
G	66a			framework 2019/633 c on buyers Union ma	nes imposed in the k of Directive (EU) and of this Regulation established outside the y be enforceable eir EU Responsible				
	Article 7	(2)							

only to the extent that, after having made reasonable efforts in its own territory, the applicant enforcement authority has ascertained that the buyer against which the fine and the other penalties and interim measures are enforceable does not have sufficient assets in the territory of its Member State. only to the extent having only to the extent having made reasonable are its own territory enforcement au ascertained that which the fine and the other penalties and interim measures are enforceable does not have sufficient assets in the territory of its Member State.	made reasonable efforts in its own territory, the applicant enforcement authority has ascertained that the buyer against which the fine and the other terim measures are does not have in the territory of made reasonable efforts in its own territory, the applicant enforcement authority has ascertained that the buyer against which the fine and the other equally effective penalties and interim measures are enforceable does not have sufficient assets in

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
6 67a		2a. This Regulation shall be without prejudice to national rules laying down sanctions and penalties for engaging in unfair trading practices, as provided for in Directive (EU) 2019/633.		Text origin: Council mandate/Commission proposal
Article 7	(3)			
G 68	3. The applicant enforcement authority may request only the enforcement of a final decision.	3. The applicant enforcement authority may request only the enforcement of a final decision.	3. The applicant enforcement authority may request only the enforcement of a final decision.	3. The applicant enforcement authority may request only the enforcement of a final decision. Text Origin: Commission Proposal
Article 7	(4)			

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	69	4. Questions regarding limitation periods for the enforcement of fines, other equally effective penalties and interim measures shall be governed by the national law of the Member State of the requested authority.	4. Questions regarding limitation periods for the enforcement of fines, other equally effective penalties and interim measures shall be governed by the national law of the Member State of the requested <i>enforcement</i> authority.	4. Questions regarding limitation periods for the enforcement of fines, other equally effective penalties and interim measures shall be governed by the national law of the Member State of the requested enforcement authority.	4. Questions regarding limitation periods for the enforcement of fines, other equally effective penalties and interim measures shall be governed by the national law of the Member State of the requested enforcement authority.
	Article 7	(4a)			
G	69a		4a. Member States may decide that enforcement authorities can make use of the possibilities referred to in this Article in relation to national		G

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
				Article 3(19 of Direction of the mandator meaning of the meaning o	in the meaning of 1), point (b), and Article tive (EU) 2019/633 that alify as overriding y provisions within the of Article 9 of n (EC) No 593/2008.				
	Article 7	a							
					Article 7a		Article 7a		Article 7a
G	69b			Costs		Costs		Text Orig	Costs gin: Council and EP
	Article 7	a(1a)							

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	69c		1 Member States shall waive all claims for the reimbursement of costs incurred in applying this Regulation, with the exception of measures taken pursuant to Articles 5, 6 and 7.	1. In relation to measures taken pursuant to Article 5 or 6, when requested by the requested enforcement authority, the applicant enforcement authority shall bear all reasonable additional costs in full, including translation, labour and administrative costs, arising from the request.	1. Enforcement authorities shall not impose any fees on suppliers to recover costs related to the cross-border dimension of an unfair trading practice.
	Article 7	a, second paragraph			
G	69d				2. The enforcement authorities shall waive all claims between them for the reimbursement of costs incurred in applying this Regulation, with the exception of the costs they incur as requested enforcement

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
								pursuan or 12b as paragrap	y for measures taken t to Articles 5, 6, 7, 12a s referred to in ohs 3 and 4 of this Article igin: EP mandate (row
	Article 7	a(2)							
G	69e			taken pursons ta	relation to measures suant to Articles 5 and wested enforcement may recover from the State of the applicant ent authority any costs s, including translation, d administrative costs, om measures that have	taken put when req enforcem applicant shall bear additiona	n relation to measures rsuant to Article 5 or 6, quested by the requested nent authority, the t enforcement authority r all reasonable al costs in full, including on, labour and	taken pu 12a or 1 enforcen request t authority additiona	In relation to measures ersuant to Article 5, 6, 2b the requested ment authority may the applicant enforcement y to bear reasonable al costs in full or in part, g translation, labour and trative costs, arising from

	CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
			been dismissed and held to be unfounded in a final decision by a court, as far as the substance of the infringement is concerned.	administrative costs, arising from the request.	the request. In such case, the applicant enforcement authority shall fulfil the request. Text Origin: EP Mandate
Article	e 7a(3)				reac origin. Br manage
c 69f			<u>an The requested</u> <u>enforcement authority shall</u> <u>recover the amounts due in the</u> <u>currency of its Member State, in</u> <u>accordance with its national law.</u>	3. The requested enforcement authority shall recover the amounts due in the currency of its Member State, in accordance with its national law.	4. The requested enforcement authority may recover the full costs incurred in relation to measures taken pursuant to Article 7 from the fine payments collected on behalf of the applicant enforcement authority, including translation, labour and administrative costs. Only if the fine amount does not cover the reasonable additional

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
							costs incurred, or the requested enforcement authority is unsuccessful in collecting the fines, provided that it has made all reasonable efforts to collect them, it may request the applicant authority to bear the costs incurred in full or in part. In such case, the applicant enforcement authority shall fulfil the request. Text Origin: Council and EP Mandate
Article	7a(4)						
6 69g				relation to measures		ne requested ent authority may	5. The requested enforcement authority shall

	CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
			requested enforcement authority may recover the full costs incurred from the fines collected on behalf of the applicant enforcement authority, including translation, labour and administrative costs.	recover the full costs incurred in relation to measures taken pursuant to Article 7 from the fine payments collected on behalf of the applicant enforcement authority, including translation, labour and administrative costs. If the requested enforcement authority is unsuccessful in collecting the fines, it may request the applicant authority to bear the costs incurred.	recover the amounts due in the currency of its Member State, in accordance with its national law. Text Origin: EP Mandate
Article	7a(5)				
6 69h			5 If necessary, the requested enforcement authority shall, in accordance with its national law, convert the fines	4. The requested enforcement authority shall, if necessary, in accordance with its national law, convert the fines	6. The requested enforcement authority shall, if necessary, in accordance with its national law, convert the fines

		CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				into the currency of its Member State at the rate of exchange applying on the date on which the fines were imposed.	into the currency of its Member State at the rate of exchange applying on the date on which the fines were imposed.	into the currency of its Member State at the rate of exchange applying on the date on which the fines were imposed Text Origin: Council Mandate
	Article 8					
			Article 8	Article 8	Article 8	Article 8
G	70	Notification	on mechanism	Notification mechanismand alert system	Notification mechanism	Notification mechanism
						Text Origin: Council mandate/Commission Proposal
	Article 8	, first parag	raph		,	

An enforcement authority shall notify all other enforcement authorities within 1 month after adopting a decision establishing the occurrence of an unfair trading practice with a cross-border dimension in its Member State. I An enforcement authority shall notify all other enforcement authorities within 1 month after adopting a decision establishing the occurrence of an unfair trading practice with a cross-border dimension in its Member State. I An enforcement authority shall notify all other enforcement authorities within 1 month 30 days after adopting a decision establishing unfair trading practice with a cross-border dimension in its might be taking place is hereby established as a network. The Commission and the enforcement authorities within 1 month 30 days after adopting a decision establishing unfair trading practice with a cross-border dimension in its Member State. Member State. Text Origin: Council Mandate for managing the network in order to aggregate complaints and identify patterns of abuse.		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
	s 71	notify all other enforcement authorities within 1 month after adopting a decision establishing the occurrence of an unfair trading practice with a cross-border	shall notify all other enforcement authorities within 1 month after adopting a decision establishing the occurrence of A system for notifying alerts that an unfair trading practice with a cross- border dimension in its might be taking place is hereby established as a network. The Commission and the enforcement authorities shall each designate a single point of contact, which shall be a member State of the network. The Commission shall be responsible for managing the network in order to aggregate complaints	notify all other enforcement authorities within 1 month30 days after adopting a decision establishing the occurrence of an unfair trading practice with a cross-border dimension in its	notify the Commission and all other enforcement authorities within 1-month 30 days after adopting a decision establishing the occurrence of an unfair trading practice with a cross-border dimension in its Member State.

		CLEAN	Commission Proposal	vs.ec EP M a	andate	VS.EC	Council Mandate	VS.EC	Draft Agreement
G	71a			An enforce shall notify the Coall other enforceme within 30 days using laid down in paragunfair trading practices border dimentating place in its regardless of whete place only within the taking place both the Union and in one countries.	ent authorities ing the system graph 1 that an ctice with a insion might be Member State, ther it is taking the Union or is within the				gin: Council Commission proposal
	Article 8	(1b)							
G	71b			1b The enforce authority shall, whe alert referred to in provide information	nen issuing an paragraph 1,				

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
				with a cr	d unfair trading practice oss-border dimension by this Regulation, at the following:			Text Origin: Council mandate/Commission proposal
	Article 8	(1b), point	a					
G	71c			the unfat	a detailed description of ir trading practice with a reder dimension ed under Directive (EU) and by reference to law;			Text Origin: Council mandate/Commission proposal
	Article 8	(1b), point	b					
G	71d			concerne by the un	he Member States ed or possibly concerned nfair trading practice coss-border dimension;			

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
									gin: Council Commission proposal
	Article 8	(1b), third inde	ent						
G	71e			or buyers	he identity of the buyer s suspected of ng the unfair trading with a cross-border n;				gin: Council Commission proposal
	Article 8	(1b), fourth in	dent						
G	71f			proceedin measures taken con trading p	description of any legal ngs, enforcement s or other measures ncerning the unfair ractice with a cross-				gin: Council Commission proposal

		CLEAN	Commission Proposal	vs.ec EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
				and duration, as well as the status thereof;			
	Article 8	(1b), fifth ir	ndent				
G	71g			(e) the identities of the enforcement authorities bringing the proceedings and taking other measures.			Text Origin: Council mandate/Commission proposal
	Article 8	(1c)					
G	71h			Where a member of the network has information that an unfair trading practice with a cross- border dimension might be taking place, this information shall be notified to the Commission through the alert system within			Text Origin: Council mandate/Commission proposal

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
				transmit t immediate the netwo may supp with any i to facilitat	The Commission shall shis information ely to the members of rk. The Commission lement the notification information that is likely te rapid, appropriate enforcement				
	Article 8	(1d)							
G	71i			when issuenforcement Member Separate on a separate of the sepa	rcement authority may, using an alert, request ent authorities in other States to verify whether, information that is or accessible to the enforcement authorities, unfair trading practices				gin: Council Commission proposal

CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
	Proposal	might be to territory of States or very proceeding enforcement already be unfair trace. Member States of the notion under the Commission of the commission o	ss-border dimension aking place in the f those other Member whether any gs are pending or any ent measures have ten taken against those ding practices in those states. The enforcement states shall inform the on without delay of the taken following receipt efications transmitted alert system. The on shall transmit that on without delay to the				
			of the network.				

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
Article 8	8(1e), first p	paragraph						
s 71j			may be on or internative basis of the Union	tion in the alert system pened to third countries utional organisations, on of agreements between a and those countries or onal organisations.				gin: Council Commission proposal
Article 8	8(1e), secor	nd paragraph						
s 71k			subparage shall ensu and intered do not ha	urposes of the first raph, the Commission ure that third countries national organisations we direct access to the f natural persons.				gin: Council Commission proposal
Article 9	9							

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	72	Article 9 Procedure for requests for mutual assistance	Article 9 Procedure for requests for mutual assistance	Article 9 Procedure for requests for mutual assistance	Article 9 Procedure for requests for mutual assistance Text Origin: Commission Proposal
G	Article 9	1. The applicant enforcement authority shall, when making a request for mutual assistance, provide any relevant information necessary to enable the requested enforcement authority to fulfil that request, including any information that can be obtained only in the	1. The applicant enforcement authority shall, when making a request for mutual assistance, <u>cite</u> this Regulation as a basis, state the national law laying down the prohibition of the unfair trading practice concerned and the purpose of the request, specify the information required under	1. The applicant enforcement authority shall, when making a request for mutual assistance: (a) state as legal basis this Regulation, the national law transposing Directive (EU) 2019/633, the corresponding provisions of Article 1(2) and Article 3(1) and (2) of Directive	1. The applicant enforcement authority shall, when making a request for mutual assistance, provide any relevant information necessary to enable the requested enforcement authority to fulfil that request, including any information that can be obtained only in the

Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
Member State of the applicant enforcement authority.	Article 5(1) or the enforcement measures requested under Article 6 or 7, describe the unfair trading practice concerned and provide any relevant information necessary to enable the requested enforcement authority to fulfil that request, including any information that can be obtained only in the Member State of the applicant enforcement authority.	(EU) 2019/633, the purpose of the request, including a description of the cross-border dimension of the alleged unfair trading practice, and specify the information requested under Article 5(1) or the enforcement measures requested under Articles 6 or 7; (b) provide any additional relevant information necessary to enable the requested enforcement authority to fulfil that request, including any information that can be obtained only in the Member State of the applicant enforcement authority.	Member State of the applicant enforcement authority.: Text Origin: Council Mandate
Article 9(1), point (a)			

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council N	Mandate	VS.EC	Draft Agreement
G 7:	3a								Regulation transpose 2019/63 provision Article 3 (EU) 20 request, of the cuthe allegoractice informal Article 3	state as legal basis this ion, the national law ing Directive (EU) 3, the corresponding as of Article 1(2) and 3(1) and (2) of Directive 19/633, the purpose of the including a description coss-border dimension of sed unfair trading and specify the tion requested under 5(1) or the enforcement as requested under 6 or 7;
Arti	icle 9((1), point (l	0)							
6 73	3b									provide any additional information necessary to

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Counc	cil Mandate	VS.EC	Draft Agreement
									authorit includin can be o	the requested enforcement by to fulfil that request, ag any information that obtained only in the r State of the applicant ment authority.
	Article 9	0(2)							I	
G	74	assistance	equests for mutual and all communications them shall be made in sing standard forms.	assistance linked to t writing us down by to	equests for mutual and all communications hem shall be made in ing standard forms laid he Commission in ce with Article 12.	linked writing the re assista they h	to them shall gusing Stand quests for mance shall be ave been lainission in ac	communications Il be made in dard forms for	assistand linked to writing the requishall be been laid	Requests for mutual ce and all communications of them shall be made in using. Standard forms for mutual assistance used when they have down by the sion in accordance with 20b.

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					Text Origin: Council Mandate
	Article 1	0			
G	75	Article 10 Refusal to comply with a request for mutual assistance	Article 10 Refusal to comply with a request for mutual assistance	Article 10 Refusal to comply with a request for mutual assistance	Article 10 Refusal to comply with a request for mutual assistance Text Origin: Commission Proposal
	Article 1	0(1)			
G	76	1. A requested enforcement authority may refuse to comply with a request for information under Article 5 only if one or both of the following applies:	1. A requested enforcement authority may refuse to comply with a request for information under Article 55(1) in accordance with Article 4a, only if at least	1. A requested enforcement authority may refuse to comply with a request for information under Article 55(1) only if one or both of the following applies:	1. A requested enforcement authority may refuse to comply with a request for information under Article 55(1) only if one or both of the following applies:

Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
	one or both of the following applies:		Text Origin: Council Mandate
Article 10(1), point (a)			
(a) following a consultation with the applicant enforcement authority, the information requested is not needed by the applicant enforcement authority establish whether an unfair transpractice with a cross-border dimension has occurred or is occurring;	with the applicant enforcement authority, both enforcement authorities agree that the information requested is not	(a) following a consultation with the applicant enforcement authority, both enforcement authorities agree that the information requested is not needed by the applicant enforcement authority to establish whether an unfair trading practice with a cross-border dimension has occurred or is occurringor that a new request may be made at a later stage;	(a) following a consultation with the applicant enforcement authority, both enforcement authorities agree that the information requested is not needed by the applicant enforcement authority to establish whether an unfair trading practice with a cross border dimension has occurred or is occurringor that a new request may be made at a later stage;

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: Council Mandate
Article 1	10(1), point (b)			
G 78	(b) criminal investigations or judicial proceedings have already been initiated against the same buyer in respect of the same unfair trading practice before the authorities in the Member State of the requested enforcement authority or of the applicant enforcement authority.	(b) criminal investigations or judicial proceedings have already been initiated against the same buyer in respect of the same unfair trading practice towards the same supplier and in the same period before the authorities in the Member State of the requested enforcement authority or of the applicant enforcement authority.	(b) criminal investigations or judicial proceedings have already been initiated against the same buyer in respect of the same unfair trading practice before the authorities in the Member State of the requested enforcement authority or of the applicant enforcement authority.	(b) criminal investigations or judicial proceedings have already been initiated against the same buyer in respect of the same unfair trading practice towards the same supplier and during the same period of the unfair trading practice covered by these criminal investigations or judicial proceedings, before the authorities in the Member State of the requested enforcement authority or of the applicant enforcement authority.

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					Text Origin: EP Mandate
	Article 1	0(2)			
G	79	2. A requested enforcement authority may refuse to comply with a request for enforcement measures under Articles 6 and 7 only if, having consulted with the applicant enforcement authority, one or both of the following applies:	2. A requested enforcement authority may refuse to comply with a request for enforcement measures under Articles 6 and 7Article 6 in accordance with Article 4a, only if, having consulted with the applicant enforcement authority and the Commission, at least one or both of the following applies:	2. A requested enforcement authority may refuse to comply with a request for enforcement measures under Articles 6 and 7 Article 6 only if, having consulted with the applicant enforcement authority, at least one-or both of the following applies:	2. A requested enforcement authority may refuse to comply with a request for enforcement measures under Articles 6 and 7Article 6 only if, having consulted with the applicant enforcement authority, at least one or both of the following applies:
	Article 1	0(2), point (a)			
G	80	(a) criminal investigations or judicial proceedings have already	(a) criminal investigations or judicial proceedings have already	(a) criminal investigations or judicial proceedings have already	(a) criminal investigations or judicial proceedings have already

in respect of the same unfair tradetrading practice before the judicial authorities in the Member State of the requested enforcement authority; practice before the judicial investigations or judicial proceedings, or a court settlement has been reached with the same buyer in respect of the same unfair tradetrading practice before the judicial authorities in the Member	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
tradetrading practice before the judicial authorities in the Member State of the requested enforcement authority; authorities in the Member State of the requested enforcement authority; authorities in the Member State of the requested enforcement authority; authorities in the Member State of the requested enforcement authority; authorities in the Member State of the requested enforcement authority; buyer in respect of the same unfair tradetrading practice before the judicial authorities in the Member State of the requested enforcement authority;	been given, or a court settlem has been reached in respect o same unfair trade practice bef the judicial authorities in the Member State of the requeste	been given <u>against the same</u> the <u>buyer in respect of the same</u> ore <u>unfair trading practice towards</u> the same supplier and in the same period, or a court settlement has been reached <u>with the same buyer</u>	been given against the same buyer in respect of the same unfair trading practice, or a court settlement has been reached with the same buyer in respect of the same unfair tradetrading	been given against the same buyer in respect of the same unfair trading practice towards the same supplier, and during the same period of the unfair trading practice covered by these criminal
		tradetrading practice before the judicial authorities in the Member State of the requested enforcement	authorities in the Member State of the requested enforcement	proceedings, or a court settlement has been reached with the same buyer in respect of the same unfair tradetrading practice before the judicial authorities in the Member State of the requested enforcement authority;

Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
(b) the exercise of the necessary enforcement powers already been initiated, or an administrative decision has already been adopted in respect the same intra-Union infringent and against the same trader in the Member State of the requested authority in order to bring about the swift and effective cessation the same unfair trade practice;	already been initiated, or an administrative decision has already been adopted <i>against the</i> ent same buyer in respect of the same intra-Union infringement and against unfair trading practice towards the same tradersupplier	(b) the exercise of the necessary enforcement powers including administrative proceedings has already been initiated, or an administrative decision has already been adopted against the same buyer in respect of the same intra Union infringement and against the same traderunfair trading practice in the Member State of the requested authority in order to bring about the swift and effective cessation of the same unfair tradetrading practice;	(b) the exercise of the necessary enforcement powers including administrative proceedings has already been initiated, or an administrative decision has already been adopted against the same buyer in respect of the same intra Union infringement and against unfair trading practice towards the same tradersupplier, and during the same period of the unfair trading practice covered by the investigations or the administrative decision in the Member State of the requested enforcement authority in order to bring about the swift and effective

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
	12						cessatio	on of the same unfair
							trade tra	ading practice;
							Eleant O	rigin: EP Mandate
							lext of	rigin. EP Mandate
Articl	e 10(2), point	(c)						
	(c) a	criminal investigation or	(c) a	criminal investigation or	(c)	a criminal investigation or	(c)	a criminal investigation or
	judicial p	roceedings have already	judicial pr	roceedings have already	judicial	proceedings have already	judicial	proceedings have already
	been initi	ated as regards the same	been initia	ated as regards against	been ini	tiated as regards against	been ini	itiated as regards against
	buyer in r	respect of the same unfair	the same l	ouyer in respect of the	the same	e buyer in respect of the	the sam	e buyer in respect of the
0.0	trade prac	ctice before the judicial	same unfa	nir tradetrading practice		fair tradetrading practice	same ur	nfair tradetrading practice
g 82	authoritie	s of the applicant;	towards ti	he same supplier before	before th	he judicial authorities in	towards	s the same supplier, and
				al authorities <u>in the</u>	the Mer	mber State of the	during	the same period of the
			Member S	State of the applicant	applican	nt enforcement authority;	<u>unfair t</u>	trading practice covered by
			<u>enforcem</u>	ent authority;			the crin	ninal investigation or
							<u>judicial</u>	proceedings before the
							judicial	authorities in the Member

		CLEAN	nmission posal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
								<u>State</u> of the <u>authority</u>	ne applicant <u>enforcement</u> ;
								Text Ori	gin: EP Mandate
	Article 1	0(2), point (ca)							
G	82a					enforceme reasonabl requested are in con (EU) 2019 the reques rules adop Article 30 sentence of	e requested ent authority issues e doubts whether the enforcement measures upliance with Directive 0/633 or can show that est concerns national oted on the basis of 1), point (b), third of Directive (EU) or maintained or	enforcem demonstr enforcem provided (b), (c) of 2019/633, request co the basis third sent 2019/633	ne requested ent authority can ate that the requested ent measures are not in Article 6(1) points (a), Directive (EU) or can show that the encerns periods set on of Article 3(1), point (b), ence of Directive (EU) or national rules ed or adopted on the

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				adopted on the basis of Article 9(1) of Directive (EU) 2019/633;	basis of Article 9(1) of Directive (EU) 2019/633;
					text origin: Council mandate
	Article 1	.0(2), point (cb)			
G	82b			(cb) the requested enforcement authority cannot:	(cb) the requested enforcement authority cannot:
					Text Origin: Council Mandate
	Article 1	.0(2), point (cb)(i)			
G	82c			(i) ensure the appropriate protection of the relevant information in accordance with Article 5(3) of Directive	(i) ensure the appropriate protection of the relevant information in accordance with Article 5(3) of Directive 2019/633

		CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
						2019/633 that has been provided pursuant to Article 4a(4) of this Regulation and on the protection of which the complainant insists, or	that has been provided pursuant to Article 4a(4) of this Regulation and on the protection of which the complainant insists, or Text Origin: Council Mandate
	Article 10	0(2), point	(cb)(ii)				
G	82d					(ii) fulfil the request without having access to the information that the complainant did not agree to provide pursuant to Article 4a(4) of this Regulation;	(ii) fulfil the request without having access to the information that the complainant did not agree to provide pursuant to Article 4a(4) of this Regulation; Text Origin: Council Mandate
	Article 10	0(2), point	(d)		'		

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	83	(d) the applicant enforcement authority has not provided the information that is necessary in accordance with Article 5.	(d) the applicant enforcement authority has not provided the information that is necessary <i>to act on a complaint</i> in accordance with Article 5.	(d) the applicant enforcement authority has not provided the information that is necessary in accordance with Article 59 .	(d) the applicant enforcement authority has not provided the information that is necessary in accordance with Article 59.
	Article 1	0(2a)			
G	83a			2a. A requested enforcement authority may refuse to comply with a request for enforcement measures under Article 7 only if, having consulted with the applicant enforcement authority, at least one of the following applies:	2a. A requested enforcement authority may refuse to comply with a request for enforcement measures under Article 7 only if, having consulted with the applicant enforcement authority, at least one of the following applies:

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: Council Mandate
Article 1	0(2a), point (a)			
6 83b			(a) criminal investigations or judicial proceedings have already been initiated or a judgment has been given against the same buyer in respect of the same unfair trading practice, or a court settlement has been reached with the same buyer in respect of the same unfair trading practice before the judicial authorities in the Member State of the requested enforcement authority;	(a) criminal investigations or judicial proceedings have already been initiated or a judgment has been given against the same buyer in respect of the same unfair trading practice, or a court settlement has been reached with the same buyer in respect of the same unfair trading practice before the judicial authorities in the Member State of the requested enforcement authority;

	CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
Article 1	0(2a), poin	t (b)				
83c					(b) the exercise of the necessary enforcement powers including administrative proceedings has already been initiated, or an administrative decision has already been adopted against the same buyer in respect of the same unfair trading practice in the Member State of the requested authority in order to bring about the swift and effective cessation of the same unfair trading practice;	(b) the exercise of the necessary enforcement powers including administrative proceedings has already been initiated, or an administrative decision has already been adopted against the same buyer in respect of the same unfair trading practice in the Member State of the requested authority in order to bring about the swift and effective cessation of the same unfair trading practice; Text Origin: Council Mandate
Article 1	0(2a), poin	t (c)				

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
G	83d					or judic already the same same un before t	a criminal investigation ial proceedings have been initiated against e buyer in respect of the afair trading practice he judicial authorities in mber State of the at enforcement ty;	(c) a criminal investigation or judicial proceedings have already been initiated against the same buyer in respect of the same unfair trading practice before the judicial authorities in the Member State of the applicant enforcement authority; Text Origin: Council Mandate
	Article 1	0(2a), poin	t (d)					
G	83e					enforcer reasona final dec with Dir	the requested ment authority issues ble doubts whether the cision is in compliance rective (EU) 2019/633 or w that the final decision	(d) the requested enforcement authority can demonstrate that the final decision concerns periods set on the basis of Article 3(1), point (b), third sentence of Directive (EU)

		CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
						concerns national rules adopted on the basis of Article 3(1), point (b), third sentence of Directive (EU) 2019/633 or maintained or adopted on the basis of Article 9(1) of Directive (EU) 2019/633, or could not have been taken or cannot be enforced in compliance with its national law;	2019/633 or national rules maintained or adopted on the basis of Article 9(1) of Directive (EU) 2019/633, or could not have been taken or cannot be enforced in compliance with its national law; Text Origin: Council Mandate
	Article 1	0(2a), point	: (e)				
G	83f					(e) the applicant enforcement authority has not provided the information that is necessary in accordance with Article 9.	(e) the applicant enforcement authority has not provided the information that is necessary in accordance with Article 9. Text Origin: Council Mandate

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement		
	Article 10(3)						
G	84	3. The requested enforcement authority shall inform the applicant enforcement authority of any refusal to comply with a request for mutual assistance, together with the reasons for that refusal.	3. The requested enforcement authority shall inform without delay the applicant enforcement authority and the Commission of any refusal to comply with a request for mutual assistance, together with the reasons for that refusal.	3. The requested enforcement authority shall inform the applicant enforcement authority of any refusal to comply with a request for mutual assistance, together with the reasons for that refusal.	3. The requested enforcement authority shall inform without delay the applicant enforcement authority of any refusal to comply with a request for mutual assistance, together with the reasons for that refusal. Text Origin: EP and Council Mandate		
	Article 1	1					
O	85	Article 11 Language arrangements	Article 11 Language arrangements	Article 11 Language arrangements	Article 11 Language arrangements		

	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: Commission Proposal
Article	e 11(1)			
s 86	1. The languages used by enforcement authorities for requests, notifications and all of communications covered by this Chapter which are linked to the mutual assistance mechanism, shall be agreed upon with the enforcement authorities concerned.	enforcement authorities for ther requests, notifications and all other communications covered by this	1. The languages used by the enforcement authorities for requests, notifications and all other communications covered by this Chapter which are linked to the mutual assistance mechanism, shall be agreed upon with the enforcement authorities concerned.	1. The languages used by the enforcement authorities for requests, notifications and all other communications covered by this Chapter which are linked to the mutual assistance mechanism, shall be agreed upon with the enforcement authorities concerned. Text Origin: Commission Proposal

	(Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
Arti	cle 11(2	2)			
e 8'	au m th of Si au la th	ached between the enforcement authorities concerned, requests for nutual assistance shall be sent in the official language, or one of the applicant enforcement authority and replies in the official languages, of the Member state of the Applicant enforcement authority and replies in the official language, or one of the official languages, of the Member State of the requested enforcement authority.	2. If no agreement can be reached between the enforcement authorities concerned, requests for mutual assistance shall be sent in the official language, or one of the official languages, of the Member State of the applicant enforcement authority, <i>accompanied by a courtesy translation in English</i> , and replies in the official language, or one of the official languages, of the Member State of the requested enforcement authority, <i>accompanied by a courtesy translation in English</i> .	2. If no agreement can be reached between the enforcement authorities concerned, requests for mutual assistance shall be sent in the official language, or one of the official languages, of the Member State of the applicant enforcement authority and replies in the official language, or one of the official languages, of the Member State of the requested enforcement authority.	2. If no agreement can be reached between the enforcement authorities concerned, requests for mutual assistance shall be sent in the official language, or one of the official languages, of the Member State of the applicant enforcement authority, accompanied by a courtesy translation in English, if requested and replies in the official languages, or one of the official languages, of the Member State of the requested enforcement authority, accompanied by a courtesy translation in English, if requested.

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: EP Mandate
Article 1	2			
	Article 12	Article 12	Article 12	
6 88	Implementing powers	Implementing powers	Implementing powers	
			This article is now article 20b	
Article 1	.2, first paragraph			
	The Commission may adopt	By [6 months from the entry	The Commission may adopt	
	implementing acts laying down standard forms for the requests of	into force of this Regulation], the Commission mayshall adopt	implementing acts laying down standard forms for the requests of	
s 89	mutual assistance under Article	implementing acts laying down	mutual assistance under Article	
	9(2).	standard forms for the requests of	9(2).	
		mutual assistance under Article		
		9(2). :		

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
Article 1	2, first para	agraph, point a					•	
89a				lard forms for the f mutual assistance icle 9(2);				
Article 1	2, first para	agraph, point b						
s 89b			implement particular and stand applicable and the transification and information and informaticular and info	ting Article 8, in the specific conditions ard procedures to the issuing of alerts ansmission of ons, communications mation among ent authorities.				
Article 1	2, second p	paragraph						

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
s 90	The implementing acts referred to in the first paragraph shall be adopted in accordance with the examination procedure referred to in Article 21.	The implementing acts referred to in <i>the first paragraphthis Article</i> shall be adopted in accordance with the examination procedure referred to in Article 21.	The implementing acts referred to in the first paragraph shall be adopted in accordance with the examination procedure referred to in Article 21.	
Chapter	r IIIa			
6 90a				Chapter IIIa VOLUNTARY COOPERATION
Article 2	12a			
s 90b				Article 12a Requests for information in relation to national rules
Article :	12a(1)	,		

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
G	90c							1. Member States may decide that enforcement authorities can make use of the possibilities referred to in Article 5 in relation to periods set on the basis of Article 3(1), point (b), third sentence or national rules maintained or adopted on the basis of Article 9(1) of Directive (EU) 2019/633.
	Article 12	2a(2)						
G	90d							2. When an applicant enforcement authority makes use of this possibility, the requested enforcement authority may provide only partial information or refuse to provide information. The requested enforcement

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
								authority shall indicate the reasons for the partial reply or for the refusal. In this case Article 10 shall not apply.
	Article 1	2b						
G	90e							Article 12b Requests for investigative measures in relation to national rules
	Article 1	2b(1)						
G	90f							1. When a Member State has set periods on the basis of Article 3(1), point (b), third sentence or maintained or adopted national rules on the basis of Article 9(1) of Directive

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
							the same operators unfair tra periods se State on t point (b), national t State mai the basis Directive enforcem agree to n possibiliti 6(1) in re- unfair tra	9/633, that provide for threshold for the or the same type of ading practices as the ext by another Member the basis of Article 3(1), third sentence or as the rules of another Member entained or adopted on of Article 9(1) of (EU) 2019/633, their ent authorities may make use of the less referred to in Article elation to one or more ending practices under ional rules.
Article 1	2b(2)							

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
G	90g							2. When an applicant enforcement authority makes use of this possibility the requested enforcement authority may refuse to conduct investigative measures, without indicating the reasons for the refusal. In this case, Article 10 shall not apply.
	Article 1	2c						
G	90h							Article 12c Procedure for request
	Article 1	2c, first par	ragraph					
G	90i							When an applicant enforcement authority makes use of the possibility provided in Article 12a

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
								and 12b, it shall send a request to the requested enforcement authority which:
	Article 1	.2c, first par	ragraph, point (a)					
G	90j							(a) states this Regulation as legal basis;
	Article 1	.2c, first par	ragraph, point (b)					
G	90k							(b) indicates the national law laying down the prohibition of the unfair trading practice concerned that goes beyond Directive (EU) 2019/633, and if that national law is based on Article 3(1), point (b), third sentence or Article 9(1) of Directive (EU) 2019/633;

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
	Article 12	2c, first par	agraph, point (c)					
G	901							(c) describes the purpose of the request;
	Article 12	2c, first par	agraph, point (d)					
G	90m							(d) describes the unfair trading practice concerned and specify how this goes beyond the Directive (EU) 2019/633;
	Article 12	2c, first par	agraph, point (e)					
G	90n							(e) specifies what information or which investigative measure is requested.
	CHAPTER	RIV						

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		CHAPTER IV	CHAPTER IV	CHAPTER IV	CHAPTER IV
G	91	INVESTIGATION AND ENFORCEMENT MECHANISMS FOR WIDESPREAD UNFAIR TRADING PRACTICES WITH A CROSS-BORDER DIMENSION	INVESTIGATION AND ENFORCEMENT MECHANISMS FOR WIDESPREAD UNFAIR TRADING PRACTICES WITH A CROSS-BORDER DIMENSION	INVESTIGATION AND ENFORCEMENT MECHANISMS FOR WIDESPREAD UNFAIR TRADING PRACTICES WITH A CROSS-BORDER DIMENSION	INVESTIGATION AND ENFORCEMENT MECHANISMS FOR WIDESPREAD UNFAIR TRADING PRACTICES WITH A CROSS-BORDER DIMENSION Text Origin: Commission Proposal
Ar	rticle 1	3			
G	92	Article 13 Launch of a coordinated action and designation of the coordinator	Article 13 Launch of a coordinated action and designation of the coordinator	Article 13 Launch of a coordinated action and designation of the coordinator	Article 13 Launch of a coordinated action and designation of the coordinator

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: Commission Proposal
Article	13(1)			
93	1. Where there is a reasonable suspicion that there may be a widespread unfair trading practice with a cross-border dimension, the enforcement authorities concerned by that practice shall launch a coordinated action which shall be based on an agreement between them. The launch of the coordinated action shall be notified to the Commission without delay.	1. Where there is a reasonable suspicion that there may be a widespread unfair trading practice with a cross-border dimension, the enforcement authorities concerned by that practice shall launch a coordinated action which shall be based on an agreement between them. The launch of the coordinated action shall be notified to the Commission without delay.	1. Where there is a reasonable suspicion that there may be a widespread unfair trading practice with a cross-border dimension, the enforcement authorities concerned by that practice shall launch a coordinated action which shall be based on an agreement between them. The launch of the coordinated action shall be notified to the Commission without delay.	1. Where there is a reasonable suspicion that there may be a widespread unfair trading practice with a cross-border dimension, the enforcement authorities concerned by that practice shall launch a coordinated action which shall be based on an agreement between them. The launch of the coordinated action shall be notified to the Commission without delay.

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: Commission Proposal
Article 1	13(2)			
s 94	2. The enforcement authorities concerned by the widespread unfair trading practice with a cross-border dimension shall designate an enforcement authority to be the coordinator.	2. The enforcement authorities concerned by the widespread unfair trading practice with a cross-border dimension shall designate, by common agreement, an enforcement authority to be the coordinator. If those enforcement authorities are unable to reach an agreement on that designation, the enforcement authority that has issued the alert pursuant to Article 19 shall be the coordinator. That enforcement authority shall be assisted in the exercise of its powers by the other	2. The enforcement authorities concerned by the widespread unfair trading practice with a cross-border dimension shall designate an enforcement authority to be the coordinator. If those enforcement authorities are unable to reach an agreement on that designation, the enforcement authority that has issued the alert pursuant to Article 19 shall be the coordinator.	2. The enforcement authorities concerned by the widespread unfair trading practice with a cross-border dimension shall designate an enforcement authority to be the coordinator. In order to reach an agreement in the designation of the coordinator, the Commission may, when necessary, facilitate the discussions among the enforcement authorities. If those enforcement authorities are unable to reach an agreement on that designation, the enforcement

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
			enforcement authorities concerned and by the Commission, in order to facilitate efficient cooperation among enforcement authorities, safeguard fair competition and protect vulnerable suppliers.		authority that has issued the alert pursuant to Article 19 shall be the coordinator. Text origin: EP and Council mandate
	Article 1	3. The enforcement	3. The enforcement	3. The enforcement	3. The enforcement
G	95	authorities concerned by the widespread unfair trading practice with a cross-border dimension shall conduct investigations on the	authorities concerned by the widespread unfair trading practice with a cross-border dimension shall conduct investigations on the	authorities concerned by the widespread unfair trading practice with a cross-border dimension shall conduct investigations on the	authorities concerned by the widespread unfair trading practice with a cross-border dimension shall conduct investigations on the
		basis of information that is available to them. They shall notify the results of such investigations to the other	basis of information that is available to them. <i>TheyThe</i> coordinator shall notify the results of such investigations to the other	basis of information that is available to them. They shall notify the results of such investigations to the other	basis of information that is available to them. They shall notify the results of such investigations to the other

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		enforcement authorities, pursuant to Article 19.	enforcement authorities, pursuant to Article 19.	enforcement authorities, pursuant to Article 19.	enforcement authorities concerned, pursuant to Article 19. Text Origin: Council Mandate
	Article 1	.3(4)			
G	96	4. An enforcement authority shall join the coordinated action if it becomes apparent during that coordinated action that the enforcement authority is concerned by the widespread unfair trading practice with a cross-border dimension.	4. An enforcement authority shall join the coordinated action if it becomes apparent during that coordinated action that the enforcement authority is concerned by the widespread unfair trading practice with a cross-border dimension.	4. An enforcement authority shall join the coordinated action if it becomes apparent during that coordinated action that the enforcement authority is concerned by the widespread unfair trading practice with a cross-border dimension.	4. An enforcement authority shall join the coordinated action if it becomes apparent during that coordinated action that the enforcement authority is concerned by the widespread unfair trading practice with a cross-border dimension.

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
	Article 1	3(5)			
G	97	5. In order to establish that an enforcement authority is concerned by a widespread unfair trading practice with a crossborder dimension all elements shall be taken into account and in particular:	5. In order to establish that an enforcement authority is concerned by a widespread unfair trading practice with a crossborder dimension all elements shall be taken into account and in particular:	5. In order to establish that an enforcement authority is concerned by a widespread unfair trading practice with a crossborder dimension all elements shall be taken into account and in particular:	5. In order to establish that an enforcement authority is concerned by a widespread unfair trading practice with a crossborder dimension all elements shall be taken into account and in particular: Text Origin: Commission Proposal
	Article 1	3(5), point (a)			
G	98	a) the Member States where the buyers are established;	a) the Member States or the third country where the buyers are established;	a) the Member States where the buyers are established;	a) the Member States where the buyers are established;

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: Council Mandate/Commission proposal
Article 1	13(5), point (b)			
s 99	b) the Member States where the suppliers that may be affected by the unfair trading practice are established.	b) the Member States where the suppliers that may be affected by the unfair trading practice are established.	b) the Member States where the suppliers that may be affected by the unfair trading practice are established.	b) the Member States where the suppliers that may be affected by the unfair trading practice are established. Text Origin: Commission Proposal
Article 1	14			
g 100	Article 14 Reasons for refusing to take part in the coordinated action	Article 14 Reasons for refusing to take part in the coordinated action	Article 14 Reasons for refusing to take part in the coordinated action	Article 14 Reasons for refusing to take part in the coordinated action

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					Text Origin: Commission Proposal
	Article 1	4(1)			
G	101	1. An enforcement authority may refuse to take part in a coordinated action only if any of the following applies:	1. An enforcement authority may refuse to take part in a coordinated action only if any of the following applies:	1. An enforcement authority may refuse to take part in a coordinated action only if any of the following applies:	1. An enforcement authority may refuse to take part in a coordinated action only if any of the following applies: Text Origin: Commission Proposal
	Article 1	.4(1), point (a)	,		
9	102	(a) a criminal investigation or judicial proceedings have already been initiated, a judgment has	(a) a criminal investigation, administrative or judicial proceedings have already been	(a) a criminal investigation-or, judicial proceedings or administrative proceedings have	(a) a criminal investigation, or judicial <i>or administrative</i> proceedings have already been

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
	has been re same buye same unfai	a, or a court settlement eached in respect of the er and concerning the ir trading practice in that ent authority's Member	given, or a been reach same buyer concerning practice to supplier or same period	judgment has been court settlement has ed in respect of the ror buyers and the same unfair trading wards the same suppliers and in the od in that enforcement Member State;	has been a settlement respect of buyers are unfair trace	een initiated, a judgment given, or a court thas been reached in the same buyer or ad concerning the same ding practicepractices in cement authority's State;	given, or been read same buy concerning practice to supplier, period of practice of investigate administration.	a judgment has been a court settlement has thed in respect of the rer or buyers and ing the same unfair trading towards the same and during the same the unfair trading covered by this criminal tion, or judicial, or rative proceedings in that then authority's Member
Article 1	4(1), point (b)					Text Ori	igin: EP Mandate

Clean Propos	VS.EC	EP Mandate	vs.ec Council M	Mandate	VS.EC	Draft Agreement
(b) the enforcer has already initiated before the issuing of referred to in Article administrative decis adopted against the respect of the same practice in that enforauthority's Member about the cessation of widespread unfair the with a cross-border of the same about the cessation of widespread unfair the with a cross-border of the same about the cessation of widespread unfair the with a cross-border of the same about the cessation of widespread unfair the with a cross-border of the same about the cessation of the same about the cessat	f an alert before to referred administration has been administration adopted buyers unfair trading rement state to bring of the rading practice dimension; before the same substitution of the vertical process.	the enforcement authority ady initiated investigations the issuing of an alert I to in Article 19, or an strative decision has been I against the same buyer or in respect of the same rading practice towards the applier or suppliers and in that ment authority's Member bring about the cessation videspread unfair trading with a cross-border ion;	has already initiated in before the issuing of an referred to in Article 19 administrative decision adopted against the same buyers in respect of the unfair trading practice part that enforcement author. Member State to bring cessation of the widespart trading practice with a border dimension;	vestigations has been and has been and buyer or e same bractices in ority's about the oread unfair cross-	has already before the is referred to it administration adopted againstrated in the same supplies ame period practice covered investigation administrate enforcements of the wides	enforcement authority initiated investigations sauing of an alert in Article 19, or an ave decision has been ainst the same buyer or espect of the same ing practice towards the iter, and during the id of the unfair trading evered by the ins or the itve decision in that it authority's Member ing about the cessation spread unfair trading the a cross-border

Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
			Text Origin: EP Mandate
Article 14(1), point (c)			
(c) the widespread unfair trading practice with a cross-border dimension has not occurred in that enforcement authority's Member State and therefore no enforcement measures need to be adopted by that enforcement authority.	(c) the widespread unfair trading practice with a cross-border dimension has not occurred in that enforcement authority's Member State and therefore no enforcement measures need to be adopted by that enforcement authority.	(c) the widespread unfair trading practice with a cross-border dimension has not occurred in that enforcement authority's Member State and therefore no enforcement measures under Article 6 of Directive (EU) 2019/633 need to be adoptedtaken by that enforcement authority.	(c) the widespread unfair trading practice with a cross-border dimension has not occurred in that enforcement authority's Member State and therefore no enforcement measures under Article 6 of Directive (EU) 2019/633 need to be adoptedtaken by that enforcement authority.

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	105	2. Where an enforcement authority refuses to take part in the coordinated action, it shall inform the Commission and the other enforcement authorities concerned by the widespread unfair trading practice with a cross-border dimension about its decision without delay, stating the reasons for its decision and providing any necessary supporting documents.	2. Where an enforcement authority refuses to take part in the coordinated action, it shall inform the Commission and the other enforcement authorities concerned by the widespread unfair trading practice with a cross-border dimension about its decision without delay, stating the reasons for its decision and providing any necessary supporting documents.	2. Where an enforcement authority refuses to take part in the coordinated action, it shall inform the Commission and the other enforcement authorities concerned by the widespread unfair trading practice with a cross-border dimension about its decision without delay, stating the reasons for its decision and providing, where any necessary, supporting documents.	2. Where an enforcement authority refuses to take part in the coordinated action, it shall inform the Commission and the other enforcement authorities concerned by the widespread unfair trading practice with a cross-border dimension about its decision without delay, stating the reasons for its decision and providing any necessary supporting documents. Text Origin: Commission Proposal
	Article 1	4(a)			
G	105a		Article 14a		

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
				Mediation	on mechanism			Text Origin: Council mandate/Commission proposal
	Article 1	4(a), first pa	ragraph					
G	105b			as a medic resolution disagreem States and for no obj	ne Commission shall act ution mechanism for the of potential ents between Member d refusals of cooperation ective reason, and to ockages in the mutual process.			Text Origin: Council mandate/Commission proposal
	Article 1	5						
G	106		Article 15		Article 15		Article 15	Article 15

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		Investigation measures in coordinated actions	Investigation Investigative measures in coordinated actions	Investigation measuresInvestigations in coordinated actions	Investigation measures Investigations in coordinated actions Text Origin: Council Mandate
	Article 1	.5(1)			
G	107	1. The enforcement authorities concerned by the coordinated action shall ensure that investigations and inspections are conducted in a coordinated manner. They shall seek to conduct investigations and inspections and, to the extent that national law so allows, to apply	1. The enforcement authorities concerned by the coordinated action shall ensure that investigations and inspections are conducted in a <i>timely</i> , <i>effective</i> , <i>and</i> coordinated manner. They shall seek to conduct investigations and inspections and, to the extent that national law so	1. The enforcement authorities concerned by the coordinated action shall ensure that investigations and inspections are conducted in a coordinated manner. They shall seek to conduct investigations and inspections and, to the extent that national law so allows, to apply	1. The enforcement authorities concerned by the coordinated action shall ensure that investigations and inspections are conducted in a <i>timely</i> , effective, and coordinated manner. They shall seek to conduct investigations and inspections and, to the extent that national law so

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
I		interim measures simultaneously with one another.	allows, to apply interim measures simultaneously with one another.	interim measures simultaneously with one another.	allows, to apply interim measures simultaneously with one another. Text Origin: EP Mandate
	Article 1	.5(2)			
(108	2. The enforcement authorities concerned by the coordinated action shall set out the outcome of the investigation and the assessment of the widespread unfair trading practice with a cross-border dimension in a common position, summarising the national decisions adopted.	2. The enforcement authorities concerned by the coordinated action shall set out the outcome of the investigation and the assessment of the widespread unfair trading practice with a cross-border dimension in a common positionjoint statement, summarising the national decisions adopted.	2. The enforcement authorities concerned by the coordinated action shall set out the outcome of the investigation and the assessment of the widespread unfair trading practice with a cross-border dimension in a common positionstatement, summarising the national decisions adopted measures taken and, where applicable, the	2. The enforcement authorities concerned by the coordinated action shall set out the outcome of the investigation and the assessment of the widespread unfair trading practice with a cross-border dimension in a common positionstatement, summarising the national decisions adopted measures taken and, where applicable, the

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				different opinions of the enforcement authorities.	different opinions of the enforcement authorities.
A	rticle 1	5(3)			Text Origin: Council Mandate
G	109	3. Without prejudice to the rules on confidentiality and on professional and trade secrecy laid down in Directive (EU) 2016/943 of the European Parliament and of the Council ¹ , the enforcement authorities concerned by the coordinated action shall publish the common position or parts thereof on their websites and inform the Commission of the publication.	3. Without prejudice to the rules on confidentiality and on professional and trade secrecy laid down in Directive (EU) 2016/943 of the European Parliament and of the Council of, the enforcement authorities concerned by the coordinated action shall publish the common positionjoint statement or parts thereof on their websites and inform the Commission of the publication.	3. Without prejudice to the rules on confidentiality and on professional and trade secrecy laid down in Directive (EU) 2016/943 of the European Parliament and of the Council ¹ , the enforcement authorities concerned by the coordinated action shall publish the common positionstatement or parts thereof on their websites and inform the Commission of the publication.	3. Without prejudice to the rules on confidentiality and on professional and trade secrecy laid down in Directive (EU) 2016/943 of the European Parliament and of the Council ¹ , the enforcement authorities concerned by the coordinated action shall publish the common positionstatement or parts thereof on their websites and inform the Commission of the publication.

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		1. Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1, ELI: http://data.europa.eu/eli/dir/2016/943/oj).	1. Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1, ELI: http://data.europa.eu/eli/dir/2016/943/oj).	1. [1] Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1, ELI: http://data.europa.eu/eli/dir/2016/943/oj).	1. Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1, ELI: http://data.europa.eu/eli/dir/2016/943/oj).
					Text Origin: Council Mandate
	Article 1	16			
G	110	Article 16 Enforcement measures in coordinated actions	Article 16 Enforcement measures in coordinated actions	Article 16 Enforcement measures in coordinated actions	Article 16 Enforcement measures in coordinated actions

Article 16(1) 1. The enforcement authorities concerned by the coordinated action shall take within their jurisdiction all necessary enforcement measures under Article 6 of Directive (EU) 2019/633 against the buyer responsible for the widespread 1. The enforcement authorities concerned by the coordinated action shall take within their jurisdiction all within their jurisdiction all mecessary enforcement measures under Article 6 of Directive (EU) 2019/633 against the buyer or buyers responsible for the proposal 1. The enforcement authorities concerned by the authorities concerned by the coordinated action shall take within their jurisdiction all within their jurisdiction all mecessary enforcement measures under Article 6 of Directive (EU) under Article 6 of Directive (EU) authorities concerned by the coordinated action shall take within their jurisdiction all mecessary enforcement measures under Article 6 of Directive (EU) authorities concerned by the coordinated action shall take within their jurisdiction all mecessary enforcement measures under Article 6 of Directive (EU) authorities concerned by the authorities concerned by the coordinated action shall take within their jurisdiction all within their jurisdiction all mecessary enforcement measures under Article 6 of Directive (EU) authorities concerned by the	Agreement
1. The enforcement authorities concerned by the coordinated action shall take within their jurisdiction all necessary enforcement measures under Article 6 of Directive (EU) 2019/633 against the buyer responsible for the widespread 1. The enforcement authorities concerned by the authorities concerned by the coordinated action shall take coordinated action shall take within their jurisdiction all within their jurisdiction all necessary enforcement measures under Article 6 of Directive (EU) 2019/633 against the buyer or buyers responsible for the buyers res	mission
authorities concerned by the coordinated action shall take within their jurisdiction all necessary enforcement measures under Article 6 of Directive (EU) 2019/633 against the buyer responsible for the widespread authorities concerned by the coordinated action shall take coordinated action shall take within their jurisdiction all within their jurisdiction all within their jurisdiction all necessary enforcement measures under Article 6 of Directive (EU) 2019/633 against the buyer or buyers responsible for the authorities concerned by the coordinated action shall take coordinated action within their jurisdiction all necessary enforcement measures under Article 6 of Directive (EU) 2019/633 against the buyer or buyers responsible for the buyers responsible for the	
unfair trading practice with a cross-border dimension to bring about the cessation of that unfair trading practice. widespread unfair trading practice widespread unfair trading practices with a cross-border dimension to bring about the cessation of that unfair trading practice. widespread unfair trading practices with a cross-border dimension to bring about the cessation of that unfair trading practice. the cessation of that unfair trading practice. the cessation of that unfair trading practice. practicepractices with a cross-border dimension to bring about the cessation of that unfair trading practice.	ed by the shall take etion all nent measures Directive (EU) ne buyer or for the rading with a cross-to bring about

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
								Text O	Origin: Council Mandate
	Article 1	6(2)							
G	112	pursuant to taken by th authorities national rul State and in to bring abovidespread with a cross The enforce concerned to	forcement measures paragraph 1 shall be e enforcement in accordance with the les of their Member n a coordinated manner out the cessation of the l unfair trading practice s-border dimension. ement authorities by the coordinated	pursuant to taken by the authorities national ru State and it to bring ab widespread with a cross The enforce concerned	inforcement measures to paragraph 1 shall be the enforcement of in accordance with the ales of their Member of a coordinated manner bout the cessation of the d unfair trading practice ass-border dimension.	pursuant taken by authoriti national State and to bring widespre with a cr The enfo	Enforcement measures t to paragraph 1 shall be the enforcement tes in accordance with the rules of their Member d in a coordinated manner about the cessation of the tead unfair trading practice tross-border dimension. To broken the coordinated	taken b authori nationa State an to bring widesp with a c	Enforcement measures int to paragraph 1 shall be by the enforcement ities in accordance with the al rules of their Member ind in a coordinated manner g about the cessation of the iread unfair trading practice cross-border dimension. forcement authorities ined by the coordinated
		enforcement simultaneous	I seek to take In the measures It is the Member It is the member is t	enforceme simultaneo	Il seek to take ent measures ously in the Member cerned by that	enforcer simultan	nall seek to take ment measures neously in the Member concerned by that	enforce simulta	shall seek to take ement measures aneously in the Member concerned by that

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		widespread cross-border infringement.	widespread cross-border infringement.	widespread cross-border infringement.	widespread cross-border infringement. Text Origin: Commission Proposal
	Article 1	7			
		Article 17	Article 17	Article 17	Article 17
G	113	Cessation of coordinated action	Cessation of coordinated action	Cessation of coordinated action	Cessation of coordinated action
					Text Origin: Commission Proposal
	Article 1	7(1)			
G	114	1. A coordinated action shall cease if the enforcement	1. A coordinated action shall cease if the enforcement	A coordinated action shall cease if the enforcement	1. A coordinated action shall cease if the enforcement

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
l		authorities concerned by the coordinated action conclude that the widespread unfair trading practice with a cross-border dimension has ceased in all Member States concerned, or that no such widespread unfair trading practice with a cross-border dimension was committed.	authorities concerned by the coordinated action conclude that the widespread unfair trading practice with a cross-border dimension has ceased in all Member States concerned, or that no such widespread unfair trading practice with a cross-border dimension was committed.	authorities concerned by the coordinated action conclude that the widespread unfair trading practice with a cross-border dimension has ceased in all Member States concerned, or that no such widespread unfair trading practice with a cross-border dimension was committed.	authorities concerned by the coordinated action conclude that the widespread unfair trading practice with a cross-border dimension has ceased in all Member States concerned, or that no such widespread unfair trading practice with a cross-border dimension was committed. Text Origin: Commission Proposal
	Article 1	7(2)			
G	115	2. The coordinator referred to in Article 13(2) shall notify, where applicable, the enforcement authorities of the Member States	2. The coordinator referred to in Article 13(2) shall notify, where applicable <i>and without undue delay</i> , the enforcement	2. The coordinator referred to in Article 13(2) shall notify, where applicable, the enforcement authorities of the Member States	2. The coordinator referred to in Article 13(2) shall notify, where applicable <i>and without delay</i> , the enforcement authorities

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		concerned by the coordinated action of the cessation of the coordinated action without delay.	authorities of the Member States concerned by the coordinated action and the Commission of the cessation of the coordinated action without delay.	concerned by the coordinated action of the cessation of the coordinated action without delay.	of the Member States concerned by the coordinated action and the Commission of the cessation of the coordinated action without delay. Text Origin: EP Mandate
	Article 1	8			
		Article 18 Role of the coordinator	Article 18 Role of the coordinator	Article 18 Role of the coordinator	Article 18 Role of the coordinator
G	116				Text Origin: Commission Proposal
	Article 1	8(1), first subparagraph			

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
с 117	1. The coordinator appointed in accordance with Article 13 shall in particular:	1. The coordinator appointed in accordance with Article 13 shall in particular:	1. The coordinator appointed in accordance with Article 13 shall in particular:	1. The coordinator appointed in accordance with Article 13 shall in particular: Text Origin: Commission Proposal
Article	18(1), first subparagraph, point (a)		<u>I</u>	
G 118	(a) ensure that the enforcement authorities concerned are duly informed, in a timely manner, of the progress of the investigation or of the enforcement action, and informed of any anticipated next steps and the measures to be adopted;	(a) ensure that the enforcement authorities concerned and the Commission are duly informed, in a timely manner, of the progress of the investigation or of the enforcement action, and informed of any anticipated next steps and the measures to be adopted;	(a) ensure that the enforcement authorities concerned are duly informed, in a timely manner, of the progress of the investigation or of the enforcement action, and informed of any anticipated next steps and the measures to be adopted;	(a) ensure that the enforcement authorities concerned are duly informed, in a timely manner, of the progress of the investigation or of the enforcement action, and informed of any anticipated next steps and the measures to be adopted;

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					Text Origin: Council mandate/Commission Proposal
	Article 1	8(1), first subparagraph, point (b)			
G	119	(b) coordinate and monitor the investigation measures taken by the enforcement authorities concerned in accordance with this Regulation;	(b) coordinate and monitor the investigation measures taken by the enforcement authorities concerned in accordance with this Regulation;	(b) coordinate and monitor the investigation measures taken by the enforcement authorities concerned in accordance with this Regulation;	(b) coordinate and monitor the investigation measures taken by the enforcement authorities concerned in accordance with this Regulation; Text Origin: Commission Proposal
	Article 1	8(1), first subparagraph, point (c)			
G	120	(c) coordinate the preparation and sharing of all necessary	(c) coordinate the preparation and sharing of all necessary	(c) coordinate the preparation and sharing of all necessary	(c) coordinate the preparation and sharing of all necessary

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		documents among the enforcement authorities concerned;	documents among the enforcement authorities concerned;	documents among the enforcement authorities concerned;	documents among the enforcement authorities concerned; Text Origin: Commission Proposal
	Article 1	L8(1), first subparagraph, point (d)			
G	121	(d) maintain contact with the buyer and other parties concerned by the investigation or enforcement measures, as applicable, unless otherwise agreed by the enforcement authorities concerned and the coordinator;	(d) inform the buyer or buyers about the launch of a coordinated action and maintain contact with the buyer or buyers and other parties concerned by the investigation or enforcement measures, as applicable, unless otherwise agreed by the enforcement authorities concerned and the coordinator;	(d) inform the buyer or buyers about the launch of a coordinated action and maintain contact with the buyer or buyers and other parties concerned by the investigation or enforcement measures, as applicable, unless otherwise agreed by the enforcement authorities concerned and the coordinator;	(d) inform the buyer or buyers about the launch of a coordinated action and maintain contact with the buyer or buyers and other parties concerned by the investigation or enforcement measures, as applicable, unless otherwise agreed by the enforcement authorities concerned and the coordinator;

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					Text Origin: EP and Council Mandate
	Article 1	L8(1), first subparagraph, point (e)			
G	122	(e) where applicable, coordinate the assessment, the consultations and the monitoring by the enforcement authorities concerned as well as other steps necessary to implement the commitments proposed by the buyer concerned;	(e) where applicable, coordinate the assessment, the consultations and the monitoring by the enforcement authorities concerned as well as other steps necessary to implement the commitments proposed by the buyer concerned;	(e) where applicable, coordinate the assessment, the consultations and the monitoring by the enforcement authorities concerned as well as other steps necessary to implement the commitments proposed by the buyer concerned;	(e) where applicable, coordinate the assessment, the consultations and the monitoring by the enforcement authorities concerned as well as other steps necessary to implement the commitments proposed by the buyer concerned; Text Origin: Commission Proposal
	Article 1	L8(1), first subparagraph, point (f)			

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
g 123	(f) where applicable, coordinate enforcement measures adopted by the enforcement authorities concerned;	(f) where applicable, coordinate enforcement measures adopted by the enforcement authorities concerned;	(f) where applicable, coordinate enforcement measures adopted by the enforcement authorities concerned;	(f) where applicable, coordinate enforcement measures adopted by the enforcement authorities concerned; Text Origin: Commission Proposal
Article 1	L8(1), first subparagraph, point (g)			
g 124	(g) coordinate requests for mutual assistance submitted by the enforcement authorities concerned pursuant to Chapter III.	(g) coordinate requests for mutual assistance submitted by the enforcement authorities concerned pursuant to Chapter III.	(g) coordinate requests for mutual assistance submitted by the enforcement authorities concerned pursuant to Chapter III.	(g) coordinate requests for mutual assistance submitted by the enforcement authorities concerned pursuant to Chapter III. Text Origin: Commission Proposal

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
Article 1	L8.1a							
s 124a							assisted tasks set points b other en concern	The coordinator shall be in the exercise of the tout in paragraph 1,), c), e), f) and g) by the eforcement authorities ed rigin: EP mandate from row 94)
Article 1	18(2)							
c 125	be held resorthe omisenforceme	sponsible for the actions ssions of the other authorities concerned make use of the powers	be held resort or the omi	the coordinator shall not sponsible for the actions assions of the other ent authorities concerned that was use of the powers	be held resort or the omisenforceme	possible for the actions ssions of the other nt authorities concerned make use of the powers	be held in or the or enforcer	The coordinator shall not responsible for the actions missions of the other ment authorities concerned ey make use of the powers

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		set out in Article 6 of Directive (EU) 2019/633 and in the rules laid down in this Regulation.	set out in Article 6 of Directive (EU) 2019/633 and in the rules laid down in this Regulation.	set out in Article 6 of Directive (EU) 2019/633 and in the rules laid down in this Regulation.	set out in Article 6 of Directive (EU) 2019/633 and in the rules laid down in this Regulation. Text Origin: Commission Proposal
	Article 1	9			
	126	Article 19 Alerts	Article 19 Alerts	Article 19 Alerts	Article 19 Alerts Alert system
6	120				Text Origin: Commission Proposal
	Article 1	9(1)			

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	127	1. An enforcement authority shall without delay alert the Commission and the other enforcement authorities that a widespread unfair trading practice with a cross-border dimension may be taking place.	1. An enforcement authority shall without delay alert the Commission and the other enforcement authorities that a widespread unfair trading practice with a cross-border dimension maymight be taking place, regardless of whether it is only taking place within the Union or is taking place both within the Union and in one or more third countries. For that purpose, the enforcement authority shall use the system laid down in Article 8, which shall apply mutatis mutandis.	1. An enforcement authority shall without delay alert the Commission and the other enforcement authorities that a widespread unfair trading practice with a cross-border dimension may be taking place.	1. An enforcement authority shall without delay alert the Commission and theall other enforcement authorities that a widespread unfair trading practice with a cross-border dimension may be taking place, regardless of whether it is only taking place within the Union or is taking place both within the Union and in one or more third countries. The Commission may supplement the alert with any information that is likely to facilitate rapid, appropriate action by enforcement authorities.
	Article 1	9(2)			

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	128	2. The enforcement authority shall, when issuing an alert referred to in paragraph 1, provide information about the suspected widespread unfair trading practice with a cross-border dimension covered by this Regulation, including, the following:	2. The enforcement authority shall, when issuing an alert referred to in paragraph 1, provide information about the suspected widespread unfair trading practice with a cross-border dimension covered by this Regulation, including, the following:	2. The enforcement authority shall, when issuing an alert referred to in paragraph 1, provide information about the suspected widespread unfair trading practice with a cross-border dimension covered by this Regulation, including, the following:	2. The enforcement authority shall, when issuing an alert referred to in paragraph 1, provide information about the suspected widespread unfair trading practice with a cross-border dimension covered by this Regulation, including, the following: Text Origin: Council mandate/Commission Proposal
	Article 1	9(2), point (a)			
G	129	(a) a description of the widespread unfair trading practice with a cross-border dimension;	(a) a description of the widespread unfair trading practice with a cross-border dimension;	(a) a detailed description of the widespread unfair trading practice with a cross-border dimension;	(a) a <u>detailed</u> description of the widespread unfair trading practice with a cross-border dimension;

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					Text Origin: Council Mandate
	Article 1	9(2), point (b)			
G	130	(b) details of the subject matter of the widespread unfair trading practice with a crossborder dimension;	(b) details of the subject matter of the widespread unfair trading practice with a cross- border dimension;	(b) details of the subject matter of the widespread unfair trading practice with a cross border dimension;	(b) details of the subject matter of the widespread unfair trading practice with a cross- border dimension; Text Origin: EP and Council mandate
	Article 1	9(2), point (c)			
G	131	(c) the Member States concerned or possibly concerned by the widespread unfair trading	(c) the Member States concerned or possibly concerned by the widespread unfair trading	(c) the Member States concerned or possibly concerned by the widespread unfair trading	(c) the Member States concerned or possibly concerned by the widespread unfair trading

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		practice with a cross-border dimension;	practice with a cross-border dimension;	practice with a cross-border dimension;	practice with a cross-border dimension; Text Origin: Council mandate/Commission Proposal
	Article 19	9(2), point (d)			
G	132	(d) the identity of the buyer or buyers suspected of committing the widespread unfair trading practice with a cross-border dimension;	(d) the identity of the buyer or buyers suspected of committing the widespread unfair trading practice with a cross-border dimension;	(d) the identity of the buyer or buyers suspected of committing the widespread unfair trading practice with a cross-border dimension;	(d) the identity of the buyer or buyers suspected of committing the widespread unfair trading practice with a cross-border dimension; Text Origin: Council mandate/Commission Proposal
	Article 19	9(2), point (e)			

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	133	(e) the unfair trading practice concerned under Directive (EU) 2019/633 and by reference to national law;	(e) the unfair trading practice concerned under Directive (EU) 2019/633 and by reference to national law;	(e) the unfair trading practice concerned under Directive (EU) 2019/633 and by reference to national law;	(e) the unfair trading practice concerned under Directive (EU) 2019/633 and by reference to national law; Text Origin: Council mandate/Commission Proposal
	Article 1	.9(2), point (f)			
G	134	(f) a description of any legal proceedings, enforcement measures or other measures taken concerning the widespread unfair trading practice with a crossborder dimension and their dates and duration, as well as the status thereof;	(f) a description of any legal proceedings, enforcement measures or other measures taken concerning the widespread unfair trading practice with a cross-border dimension and their dates and duration, as well as the status thereof;	(f) a description of any legal proceedings, enforcement measures or other measures taken concerning the widespread unfair trading practice with a cross-border dimension and their dates and duration, as well as the status thereof;	(f) a description of any legal proceedings, enforcement measures or other measures taken concerning the widespread unfair trading practice with a crossborder dimension and their dates and duration, as well as the status thereof;

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					Text Origin: Council mandate/Commission Proposal
	Article 1	.9(2), point (g)			
G	135	(g) the identities of the enforcement authorities bringing the proceedings and taking other measures.	(g) the identities of the enforcement authorities bringing the proceedings and taking other measures.	(g) the identities of the enforcement authorities bringing the proceedings and taking other measures.	(g) the identities of the enforcement authorities bringing the proceedings and taking other measures. Text Origin: Council mandate/Commission Proposal
	Article 1	9(3)			
G	136	3. The enforcement authorit may, when issuing an alert, request enforcement authorities in	may, when issuing an alert,	3. The enforcement authority may, when issuing an alert, request enforcement authorities in	3. The enforcement authority may, when issuing an alert, request enforcement authorities in

	CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
	other Men	nber States to verify	other Member States to verify	other Member States to verify	other Member States to verify
	whether, b	pased on information that	whether, based on information	whether, based on information that	whether, based on information that
	is available	e or easily accessible to	that is available or easily	is available or easily accessible to	is available or easily accessible to
	the relevar	nt enforcement	accessible to the relevant	the relevant enforcement	the relevant enforcement
	authorities	s, the same widespread	enforcement authorities, the same	authorities, the same widespread	authorities, the same widespread
	unfair trad	ling practices may be	widespread unfair trading	unfair trading practices practice	unfair trading practices practice
	taking plac	ce in the territory of	practices may be taking place in	with a cross-border dimension	with a cross-border dimension
	those other	r Member States or	the territory of those other	may be taking place in the territory	may be taking place in the territory
	whether ar	ny proceedings are	Member States or whether any	of those other Member States or	of those other Member States or
	pending or	r any enforcement	proceedings are pending or any	whether any proceedings are	whether any proceedings are
	measures l	have already been taken	enforcement measures have	pending or any enforcement	pending or any enforcement
	against suc	ch unfair trading	already been taken against such	measures have already been taken	measures have already been taken
	practices in	n those Member States.	unfair trading practices in those	against suchthat unfair trading	against such that unfair trading
	The enforce	cement authorities in	Member States. The enforcement	practices practice in those Member	practices practice in those Member
	those other	r Member States shall	authorities in those other Member	States. The enforcement	States. The enforcement
	reply to the	e request without delay.	States shall reply to the request	authorities in those other Member	authorities in those other Member
			without delay.	States shall reply to the request	States shall reply to the request
				without delay.	without delay.

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Text Origin: Council Mandate
Article 2	20			
	Article 20	Article 20	Article 20	Article 20
6 137	Language arrangements	Language arrangements	Language arrangements	Language arrangements Text Origin: Commission Proposal
Article 2	20(1)			
6 138	1. The languages used by the enforcement authorities for notifications, as well as for all other communications covered by this Chapter which are linked to the coordinated actions, shall be	1. The languages used by the enforcement authorities for notifications, as well as for all other communications covered by this Chapter which are linked to the coordinated actions, shall be	1. The languages used by the enforcement authorities for notifications, as well as for all other communications covered by this Chapter which are linked to the coordinated actions, shall be	1. The languages used by the enforcement authorities for notifications, as well as for all other communications covered by this Chapter which are linked to the coordinated actions, shall be

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		agreed upon by the enforcement authorities concerned.	agreed upon by the enforcement authorities concerned.	agreed upon by the enforcement authorities concerned.	agreed upon by the enforcement authorities concerned. Text Origin: Commission Proposal
	Article 2	20(2)			
G	139	2. If no agreement can be reached between the enforcement authorities concerned, notifications and other communications shall be sent in the official language or one of the official languages of the Member State making the notification or other communication.	2. If no agreement can be reached between the enforcement authorities concerned, notifications and other communications shall be sent in the official language or one of the official languages of the Member State making the notification or other communication. accompanied by a courtesy translation in English.	2. If no agreement can be reached between the enforcement authorities concerned, notifications and other communications shall be sent in the official language or one of the official languages of the Member State making the notification or other communication.	2. If no agreement can be reached between the enforcement authorities concerned, notifications and other communications shall be sent in the official language or one of the official languages of the Member State making the notification or other communication, accompanied by a courtesy

		CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
							translation in English, if requested.
							Text Origin: EP Mandate
	Chapter	IVa					
G	139a					Chapter IVa Cooperation in relation to buyers established outside the Union	Chapter IV Cooperation in relation to suppliers or buyers established outside the Union
	Article 2	0a, title					Text Origin: Council Mandate
G	139b				Article 20a	Article 20a	Article 20a

		CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				Cooperation in relation to suppliers or buyers established outside the Union	Cooperation in relation to buyers established outside the Union	Cooperation in relation to suppliers or buyers established outside the Union
						Text Origin: EP Mandate
	Article 2	0a, paragra	ph 1			
G	139c			1. This Article applies to unfair trading practices within the meaning of Article 3(1) and (2) of Directive (EU) 2019/633 with a cross-border dimension that occur between buyers and suppliers referred to in Article 1(2) of Directive (EU) 2019/633 where either the supplier or the	In relation to unfair trading practices laid down in Article 3(1) and (2) of Directive (EU) 2019/633 with a cross-border dimension which occur in relation to sales of agricultural and food products between buyers and suppliers referred to in Article 1(2) of Directive (EU) 2019/633 where the buyers are established	In relation to unfair trading practices laid down in Article 3(1) and (2) of Directive (EU) 2019/633 which occur in relation to sales of agricultural and food products between buyers and suppliers referred to in Article 1(2) of Directive (EU) 2019/633 where the suppliers or buyers are established outside the

		CLEAN	nmission posal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
				buyer is est Union.	tablished outside the		he Union an nent authority may:	<u>Union,</u> may:	an enforcement authority
								Text O	rigin: Council Mandate
	Article 20	0a, point (a)							
G	139d			establishin trading pro- is occurring Member Sta authority in information authority of State. Artica and (3), An	th a view to g whether an unfair actice has occurred or g in the territory of its tate, an enforcement may request in from an enforcement of another Member cle 4a, Article 5(1), (2) ticle 7a, Article 8, Article 10(1) and Article	from an of another establish trading prices is occurred to the enforcement of the enforce	request information enforcement authority er Member State to whether an unfair practice has occurred or ring in the Member the applicant ment authority. For such t, Articles 4a, 5(1), (2) 7a, 8, 9, 10(1) and 11 oly mutatis mutandis.	another establis trading is occur of the a authori Articles 8, 9, 10	request information from orcement authority of remember State to whether an unfair practice has occurred or rring in the Member State applicant enforcement ity. For such a request, s 4a, 5(1), (2) and (3), 7a, o(1) and 11 shall apply mutandis.

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
				11 shall ap	oply to such requests utandis.			Text O	Origin: Council Mandate
A	rticle 20	Da(b)							
					hen it suspects that an	()	lert the Commission	<u>(b)</u>	alert the Commission and
					ding practice by a spective of its place of		r enforcement es concerned when it		nforcement authorities ned when it suspects that
				<u>establishm</u>	ent, takes place and	suspects t	that an unfair trading	an unf	air trading practice
					r trading practice might	_	by a buyer established		s a supplier established
					t least three Member enforcement authority		he Union takes place that unfair trading		the Union or by a buyer shed outside the Union
G	139e				the Commission and		may concern suppliers		lace and that that unfair
				other enfo	rcement authorities	establish	ed in at least three	trading	g practice may concern
				concerned	of those suspicions.	Member	States. For such alerts,	<u>buyers</u>	or suppliers established in
				Article 4(a), Article 19 and Article	Articles 4	4a, 19 (2) and (3) and 20	at least	t three Member States. For
				20 shall ap	pply to those alerts	shall app	ly mutatis mutandis.	such al	lerts, Articles 4a, 19 (2)
				mutatis m	utandis.			and (3)	and 20 shall apply
								mutatis	s mutandis.

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
								Text Ori	gin: Council Mandate
	Article 2	0(b), title							
G	139f			Re	Article 20b porting			Text Ori	gin: EP Mandate
	Article 2	0(b), paragra	ph 1						
G	139g			ensure the authoritie report refe of Directiv	Tember States shall at their enforcement s include in the annual erred to in Article 10(2) we (EU) 2019/633 details their activities falling			Text Ori	gin: EP Mandate

	CLEAN	Commission Proposal	vs.ec EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
			Regulation. Those details shall, inter alia, include the number of requests received by applicant enforcement authorities, in accordance with Articles 5, 6, 7 and 9 of this Regulation, as well as the number of coordinated actions for widespread unfair trading practices with a crossborder dimension, in accordance with Article 13 of this Regulation, opened or closed during the previous year. For each request or action that has been concluded, the report shall contain a summary description of the matter and of the steps and measures taken.				
Article	20b						

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
G	139h							Contact p	Article 20b erson responsible for
	Article 2	0b(1)							
G	139i							authority measures establishe relation to practices and (2) of 2019/633, the buyer it, it may designate responsib	There an enforcement takes investigative against a buyer ed outside the Union in o an unfair trading laid down in Article 3(1) f Directive (EU) and if it considers that is not cooperating with request the buyer to as its contact person le for the EU a natural erson established within

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
								the territory of the European Union.
	Article 2	0b(2)						
G	139j							2. The contact person responsible for the EU referred to in paragraph 1 shall:
	Article 2	0b(2), point	t (a)					
G	139k							(a) act as the primary point of contact for that enforcement authority;
	Article 2	0b(2), point	t (b)					
G	1391							(b) facilitate investigations, including by providing the requested documents, records of

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
ļ								transactions, data and witness statements to that enforcement authority.
	Article 2	0b(3)						
G	139m							3. Where the buyer established outside the Union does not fulfil the request referred to in paragraph 1 the enforcement authority that issued the request shall without delay alert the Commission and all other enforcement authorities that that buyer has failed to designate a contact person responsible for the EU. The Commission may supplement the alert with any information that is likely to facilitate rapid,

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				appropriate action by enforcement authorities.
СНАРТЕ	R V			
	CHAPTER V		CHAPTER V	CHAPTER V
б 140	FPROCEDURAL PROVISIONS		FPROCEDURAL PROCEDURA L PROVISIONS	FPROCEDURAL PROCEDURAL PROVISIONS
				Text Origin: EP Mandate
Article 2	20c			
140			Article 20b	Article 20c
6 140a			Implementing powers	Implementing powers

		CLEAN	Commission Proposal	VS.EC	EP Mandate	vs.ec Coun	cil Mandate	VS.EC	Draft Agreement
								Text Or:	igin: Council Mandate
	Article 2	Oc paragra	oh						
G	140b					The Comadopt implement down:	mission may ing acts laying	adopt im down sta requests pursuant	The Commission may plementing acts laying ndard forms for the for mutual assistance to Article 9(2);
	Article 2	0c(a)							
G	140c					(a) standard requests for mutu pursuant to Artic			
	Article 2	0c(b)							

	Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
s 140d			(b) arrangements for the management of the notifications and communications among the enforcement authorities pursuant to Articles 8, 9, 13,14, 15, 17, 19 and 20a.	
Article 2	Oc second paragraph			
б 140е			The implementing acts referred to in the first paragraph shall be adopted in accordance with the examination procedure referred to in Article 21.	The implementing acts referred to in the first paragraph shall be adopted in accordance with the examination procedure referred to in Article 21. Text Origin: Council Mandate
Article 2	1			

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		Article 21	Article 21	Article 21	Article 21
G	141	Committee procedure	Committee procedure	Committee procedure	Committee procedure Text Origin: Commission Proposal
	Article 2	1(1)			
G	142	1. The Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article 229 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council ¹ . That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article 229 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council ¹ . That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article 229 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council ¹ . That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article 229 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council ¹ . That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		1. Regulation (EU) No 1308/2013 of the	1. Regulation (EU) No 1308/2013 of the	1. [1] Regulation (EU) No	1. Regulation (EU) No 1308/2013 of the
		European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671, ELI: http://data.europa.eu/eli/reg/2013/1308/oj)	European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671, ELI: http://data.europa.eu/eli/reg/2013/1308/oj)	1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671, ELI: http://data.europa.eu/eli/reg/2013/1308/oj)	European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671, ELI: http://data.europa.eu/eli/reg/2013/1308/oj)
		nttp://data.europa.eu/en/reg/2013/1308/0J)	nttp://data.europa.eu/en/reg/2013/1308/oj)	nttp://data.europa.eu/en/reg/2013/1308/0J)	Text Origin: Commission Proposal
	Article 2	1(2)			
G	143	2. Where reference is made to this paragraph, Article 5 of	2. Where reference is made to this paragraph, Article 5 of	2. Where reference is made to this paragraph, Article 5 of	2. Where reference is made to this paragraph, Article 5 of

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
		Regulation shall apply.	(EU) No 182/2011	Regulation shall apply	i (EU) No 182/2011	Regulation shall apply	(EU) No 182/2011	shall apply	n (EU) No 182/2011
	Article 2	1(a), title							
G	143a			Eva	Article 21a			Reporting Commissi	Article 21a obligation of the on
	Article 2	1(a), paragra	ph 1, first subparagraph						
G	143b			adoption of Commission of Comm	o [+ 3 years from the of this Regulation], the on shall carry out the ation of this Regulation present a report on the			applicatio Commissi report on	y 4 years from the n of this Regulation, the on shall present a the application of this n to the European

	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
		main findings of that evaluation to the European Parliament and to the Council, as well as to the European Economic and Social Committee and the Committee of the Regions. That report shall be accompanied, if appropriate, by a legislative proposal.		Parliament and to the Council, as well as to the European Economic and Social Committee and the Committee of the Regions. The Commission shall take this report into account when carrying out the evaluation of Directive (EU) 2019/633. That evaluation shall be accompanied if appropriate by a legislative proposal concerning this Regulation. Text Origin: EP Mandate
Article	21(a), paragraph 1, second su	bparagraph		
6 143c		The Commission shall base the report on the annual		2. The Commission shall base the report on the annual

		CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
				reports referred to in Article 10(2) of of Directive (EU) 2019/633. The Commission may, if necessary, request additional information from Member States.		reports referred to in Article 10(2) of Directive (EU) 2019/633. The Commission may, if necessary, request additional information from Member States. Text Origin: EP Mandate
	Article 2	1(a), parag	raph 2			
G	143d			2 That report shall include an assessment of:		3. That report shall describe the evolution of the cooperation mechanisms established under this Regulation and of enforcement activity, in particular the identification of the most frequent types of cross-border unfair trading practices, the most affected sectors, and buyer or

		CLEAN	Commission Proposal	vs.ec EP M	andate	VS.EC	Council Mandate	VS.EC	Draft Agreement
								establishe most com	ed outside the Union, monly involved. gin: EP Mandate
	Article 2	1(a), parag	raph 2, point a						
G	143e			a the effective proportionality of mechanisms estabe this Regulation in rules laid down in 2019/633;	lished under enforcing the				gin: Council Commission proposal
	Article 2	1(a), parag	raph 2, point b						
G	143f			b any significing the level of adm	icant changes inistrative				G

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
				Member S	nd compliance costs for States and businesses, small and medium- erprises and primary			Text origin: Council mandate/Commission proposal
	Article 2	1(a), paragi	raph 2, point c					
G	143g			enforcem the identi frequent to unfair tra affected s	ne evolution of ent activity, including fication of the most types of cross-border uding practices, the most ectors, and buyer or the most commonly			Text origin: Council mandate/Commission proposal
	Article 2	1aa						
G	143h							Article 21aa

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
							Reporting	g by Member States
Article 2	21aa(1)							
6 143i							referred to Directive include do activities of this Residual, into number of applicant authoritic Articles 5 Regulation of coordinative widespreading practices	the annual report to in Article 10(1) of (EU) 2019/633 shall tetails of any of the falling within the scope regulation. Those details ter alia, include the of requests received by tenforcement tes, in accordance with the scordance with

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council 1	Mandate	VS.EC	Draft Agreement
									opened of previous or action conclude contain a	3 of this Regulation, r closed during the year. For each request that has been d, the report shall s summary description of r and of the steps and s taken.
	Article 2	1b								
G	143j								Internal . System	Article 21b Market Information
	Article 2	1c(1)								
G	143k								Informat	The Internal Market ion System (IMI), ed by Regulation (EU)

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
							the purpo 6, Article Article 10 12b, Article Article 14 Article 17 and Artic European I of 25 Octob cooperation Information Commission	2012 ¹ , shall be used for sees of Article 5, Article 7, Article 8, Article 9, Article 12a, Article 12c, Article 13, 4, Article 15, Article 16, 7, Article 19, Article 20a le 20b of this Regulation on (EU) No 1024/2012 of the Parliament and of the Council er 2012 on administrative athrough the Internal Market in System and repealing in Decision 2008/49/EC ('the attion'), OJ L 316, 14.11.2012,
Article 2	1d							

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
G 1	431							<u>Delegation</u>	Article 21c us of power
Art	ticle 2	1d(1)		I					
G 14	43m							empowere acts to am concernin managem and comm	he Commission shall be d to adopt delegated end article 21b g the tool for the ent of the notifications unications among the ent authorities to take f future technical needs.
Art	ticle 2	1e							
G 14	43n							Exercise o	Article 21d of the delegation

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
Article 2	1e(1)						
s 143o							1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
Article 2	1e(2)						
6 143p							2. The power to adopt delegated acts referred to in Article 21c shall be conferred on the Commission for a period of 5 years from [date of entry into force of the basic legislative act]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
								year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period
	Article 2	1e(3)						
G	143q							3. The delegation of power referred to in Article 21c may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of

		CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
								the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
	Article 21	1e(4)						
G	143r							4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
	Article 21	1e(5)						

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	vs.ec Draft Agreement
6 143s							5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
Article	21e(6)						
6 143t							6. A delegated act adopted pursuant to Article 21c shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.
	CHAPTER	R VI			
		CHAPTER VI FINAL PROVISIONS	CHAPTER VI FINAL PROVISIONS	CHAPTER VI FINAL PROVISIONS	CHAPTER VI FINAL PROVISIONS
G	144				Text Origin: Commission Proposal
	Article 2	2			
G	145	Article 22	Article 22	Article 22	Article 22

Article 22, first paragraph This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. European Union. European UnionOfficial Journal European UnionOfficial Journal		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. This Regulation shall enter into force on the twentieth day force on the twentieth day following that of its publication in the Official Journal of the European Union. European UnionOfficial Journal		Entry into force and application	Entry into force and application	Entry into force and application	Entry into force and application Text Origin: Commission Proposal
force on the twentieth day following that of its publication in the Official Journal of the European Union. force on the twentieth day following that of its publication in the Official Journal of the European Union. force on the twentieth day force on the twentieth day following that of its publication in the Official Journal of the European Union. European Union Official Journal European Union Official Journal	Article 2	22, first paragraph			
Text Origin: Counc	s 146	force on the twentieth day following that of its publication in the Official Journal of the	force on the twentieth day following that of its publication in the Official Journal of the	force on the twentieth day following that of its publication in the Official Journal of the European UnionOfficial Journal	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union Official Journal of the European Union. Text Origin: Council Mandate

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
G	147	It shall apply from [+ 1 year from the adoption].	It shall apply from [+ 1 year from the adoption].	It shall apply from [+ 1 year18 months from the adoptionentry into force].	It shall apply from [+ 1 year 18 months from the adoptionentry into force].
	Article 22, third paragraph				
G	148	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.
					Text Origin: Commission Proposal
	Formula				
G	149	Done at Brussels,	Done at Brussels,	Done at Brussels,	Done at Brussels,

		Commission CLEAN Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
					Text Origin: Commission Proposal
	Formula	1			
G	150	For the European Parliament Text Origin: Commission Proposal			
	Formula	1			
G	151	The President	The President	The President	The President Text Origin: Commission Proposal

	CLEAN	Commission Proposal	vs.ec EP Mandate	vs.ec Council Mandate	vs.ec Draft Agreement
Form	ula				
	For the C	ouncil	For the Council	For the Council	For the Council
6 152					Text Origin: Commission Proposal
Form	ula				
6 153	The Presi	dent	The President	The President	The President
					Text Origin: Commission Proposal