



Malta-EU Steering & Action Committee

# COMPETITIVENESS AND CONSUMER AFFAIRS

Sectoral Committee  
Weekly Update  
15.01.10

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## **Hearing of Joaquín Almunia, Commissioner Designate for Competition**

*– the need for fair competition to tackle the crisis*

During his hearing before the European Parliament, Mr Almunia, who held the economic and monetary affairs portfolio in the outgoing Commission, underlined the importance of taking the interests of citizens affected by the crisis into account and the role of competition in the coordinated crisis exit strategy, underlining the importance of the budgetary discipline.

MEPs asked Mr Almunia what he thought about competition and state aid to the banking and transport sectors as well as other services of general economic interest; fines for anti-competitive practices and fiscal races to the bottom. Mr Almunia underlined the importance of competition in the transport sector and said that competition policy is only an instrument, not an end in itself. He added that the EU has a "competition policy that is unique in the world, but it has to be enforced and explained".

*For a detailed summary of Mr Almunia's hearing go to:*

[http://www.europarl.europa.eu/news/expert/infopress\\_page/008-67141-012-01-03-901-20100112IPR67140-12-01-2010-2010-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/008-67141-012-01-03-901-20100112IPR67140-12-01-2010-2010-false/default_en.htm)

## **Hearing of Máire Geoghegan-Quinn, Commissioner Designate for research, innovation and science**

*- innovation goes right across every EU policy area*

Máire Geoghegan-Quinn, the Irish commissioner designate for Research, Innovation and Science said during her hearing that the EU must become a true innovation union. She stressed her task will be to put research, innovation and science at the heart of EU policies.

Ms Geoghegan-Quinn, who is a former member of European Court of Auditors, proposed that the three priorities for her term of office should be that of completing the European Research Area, addressing major challenges such as climate change, and creating an innovation research culture since, she claims, there are not enough researches in Europe.

Regarding funding, the commission designate said that the 7th Research Framework Programme would support all kinds of research, adding that she intends to simplify the bureaucracy for private companies who wish to take part in this programme.

*For a detailed summary of Ms Geoghegan-Quinn's hearing go to:*

[http://www.europarl.europa.eu/news/expert/infopress\\_page/008-67165-012-01-03-901-20100112IPR67164-12-01-2010-2010-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/008-67165-012-01-03-901-20100112IPR67164-12-01-2010-2010-false/default_en.htm)

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## Hearing of John Dalli, Commissioner Designate for Health and Consumer policy

*-information is the key to empowering consumers - the earlier the better*

Regarding consumer affairs Mr Dalli stressed the importance of having "well-informed consumers who can take educated decisions on the goods and services they consume".

Replying to a question by Renate Sommers (a German MEP from the political group EPP) about negotiations on the food information issue, he said that the aim is to empower the consumer, adding that consumers "must be informed, so they can decide for themselves what is good or bad for them".

Mr Dalli pledged before the European Parliament that he will be "the consumer's guardian in the college<sup>1</sup>". He said he would be responsible for co-ordinating consumer issues within the Commission and would make sure that any proposal had an input from a consumer angle.

Regarding the issue of collective redress, which has been proposed by the Commission<sup>2</sup>, the commission designate said that he believed that "there is not only the will but also a movement for this" and added that he would work together with other Commissioners to develop the legislation.

*For a detailed summary of Mr Dalli's hearing go to:*

[http://www.europarl.europa.eu/news/expert/infopress\\_page/008-67215-013-01-03-901-20100113IPR67206-13-01-2010-2010-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/008-67215-013-01-03-901-20100113IPR67206-13-01-2010-2010-false/default_en.htm)

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<sup>1</sup> Referring to the College of Commissioners

<sup>2</sup> The Commission issued a Green Paper on Consumer Collective Redress in 2008 – COM(2008)794



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## **News from the Commission - Directorate General Competition**

### **Commission launches monitoring of patent settlements concluded between pharmaceutical companies**

This week the European Commission addressed requests for information to certain pharmaceutical companies asking them to submit copies of their patent settlement agreements. The Commission is in particular looking at patent settlements where an originator company pays off a generic competitor in return for delayed market entry of a generic drug. These types of patent settlements may have negative effects on European consumers by depriving them of a broader choice of medicines at lower prices.

For more info go to:

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/12&format=HTML&aged=0&language=EN&guiLanguage=en>

## **News from the Court of Justice of the European Union**

### **Case C-304/08: *Zentrale zur Bekämpfung unlauteren Wettbewerbs eV v Plus Warenhandels-gesellschaft mbH***

In this judgement the Court held that allowing customers to take part in a lottery free of charge following a certain number of purchases does not automatically constitute an unfair commercial practice.

The Court held that promotional campaigns which enable consumers to take part free of charge in a lottery subject to their purchasing a certain quantity of goods or services constitute commercial acts which form part of an operator's commercial strategy. This practice is not listed in Annex I to the Directive on unfair business-to-consumer commercial practices which exhaustively lists the only commercial practices which can be prohibited without a case-by-case assessment. Consequently, the Court concluded that the practise does not automatically constitute an unfair commercial practise.

The Court pointed out that the Directive fully harmonises the rules relating to unfair business to-consumer commercial practices. Consequently, Member States may not adopt stricter rules than those provided for in that directive, even in order to achieve a higher level of consumer protection.

To read the full text of the judgement go to:

<http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=EN&Submit=rechercher&numaff=C-304/08>