



Union of Industrial and Employers' Confederations of Europe
Union des Confédérations de l'Industrie et des Employeurs d'Europe

DFH/JPC/nd/22.3/24/1

18 February 1999

Prof. Mario Monti
Member of the
European Commission
BREY 11/44
Rue de la Loi, 200
B-1049 Brussels

Dear Mr Monti,

Further to the announcement you made on 4 November 1998 before the European parliament, UNICE understands that the Commission is currently drafting the Green Paper to launch consultations on the review of Directive 85/374/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products.

In UNICE's opinion the directive strikes a fair balance between producer and consumer interests. We are pleased that you have rejected Parliament's attempts to change this balance in current discussions on extension of the directive to primary agricultural products.

We are nevertheless concerned that pressure is being put on the Commission to tilt the review of the directive in favour of additional consumer protection. Shifting the well-considered balance achieved by the directive in this direction would have severe consequences on the legal protection of producers and might affect the free movement of goods within the Internal Market.

More importantly still, it might threaten the coherence of liability regimes in the Internal Market.

We trust that the Commission will make sure the Green Paper remains a neutral document aimed at assessing objectively the impact of the directive on the Internal market and whether there is a need for a review of this instrument.

Yours sincerely,

Dirk F. Hudig

Secretary General