



Tuesday, 13 December, 2016



New Plant Health Regulation: Statement by Commissioner Andriukaitis

The entry into force today of a new Plant Health Regulation marks an important moment for the protection of agriculture, the food chain and the environment in the EU. In times when global trade intersects with climate change challenges, the plant pests outbreaks, such as the current case of *Xylella fastidiosa*, should and can be anticipated. This legislation – when fully implemented by Member States by the end of 2019 – will ensure that the EU is better prepared to deal with these future outbreaks of plant pests, as well as reinforce the protection of the EU's territory from the entry of non-European pests. Early detection of plant pests, better action plans for eradication, higher surveillance rules for the import of high risk plants, enhanced rules for the certification of plant products are among the new provisions which will make sure that we deal in a timely and swift manner from the potentially devastating effects of some plant diseases. I now count on the Member States to act responsibly when performing import controls and surveillance in their territories to avoid the presence of those pests. The full [statement](#), as well as a detailed [Q&A](#) on the new rules, are available online.

Council breaks the deadlock on trade defence instruments modernisation

The European Commission welcomes the agreement reached today by the Council on its negotiating position on a proposal to modernise the EU's trade defence instruments. *"This is a major step in adapting our legislation to today's economic realities"*, said Trade Commissioner Cecilia **Malmström**, adding that *"Europe needs to make sure that we have modern, state-of-the-art tools in place to deal with unfair trading practices when needed. The EU stands for free, rules-based trade and we must be able to address unfair subsidies and dumping with determination. The tireless efforts of the Slovak Presidency, and by Member States, have been instrumental in finding this compromise. I now hope that constructive trilogue negotiations between the Council, Parliament and Commission can start without delay."* The agreement builds on the proposal presented by the Commission in 2013 aiming at providing Europe's trade defence instruments with more transparency, faster procedures and more effective enforcement. In exceptional cases such as in the presence of distortions in the cost of raw materials, it will enable the EU to impose higher duties through the limited suspension of the so-called lesser duty rule. The October European Council asked for "an urgent and balanced agreement on the comprehensive modernisation of all trade defence instruments by the end of 2016", following the discussion of the Communication presented by the Commission "[Towards a robust trade policy for the EU in the interest of jobs and growth](#)". The Commission stands ready to facilitate the trilogue discussions with the European Parliament and the Council to agree and implement these changes.

EU law: Commission steps up enforcement of EU law for the benefit of citizens, consumers and businesses

The Commission will [set out](#) today how it will step up its efforts on the application, implementation and enforcement of EU law for the benefit of all citizens, consumers and businesses. Common European rules matter in our daily lives – whether they increase food safety, improve air quality or make it easier and cheaper for SMEs to bid for public contracts. Often, when issues come to the fore – think of car emission testing, water pollution or illegal landfills – the problem is not the lack of EU rules but rather the lack of their effective application by Member States. That is why we need a robust and efficient enforcement system with the following components: (a) making sure that Member States live up to their responsibility to respect and enforce the rules they themselves had jointly put in place; (b) focusing the Commission's enforcement on those cases where it makes a substantial difference, and stepping up financial sanctions for Member States when they fail to transpose directives on time; (c) raising citizens' and businesses' awareness of their rights. A complete press release in all EU official languages will be available [here](#), following the conclusion of today's college meeting in Strasbourg. On the general EU infringement procedure, a memo is also available [here](#).

Investment Plan for Europe: EUR 25 million to support researching new medical products

The European Investment Bank (EIB) has reached an agreement with Curetis to provide a EUR 25 million to finance research into developing new diagnostic solutions. Specifically, the loan will support researching and trialling reliable, fast and cost-effective products for diagnosing severe infectious diseases. This transaction is guaranteed by the European Fund for Strategic Investments (EFSI), the heart of the [Investment Plan for Europe](#). European Commission Vice-President Jyrki **Katainen**, responsible for Jobs, Growth, Investment and Competitiveness, said: *"The EFSI is playing a crucial role in ensuring that innovative smaller businesses have access to the finance they need to fund their research activities. Curetis is undertaking cutting-edge research on advanced diagnostics. The EFSI can help firms like Curetis reach the next level, while ensuring that Europe maintains its status as a centre of innovate healthcare product development."* For more information see [here](#)

Commission discusses revision of social security coordination rules

This afternoon, the College of Commissioners will discuss a proposal to amend the legislation on social security coordination within the European Union. The coordination of social security systems at EU-level ensures that mobile citizens do not lose their social protection when moving to another Member State. The rules exist since 1959, and are regularly modernised to ensure that they are fit-for-purpose and respond to the social and economic reality in the EU. The new proposal is part of the 2016 Commission Work Programme and the Commission's efforts to facilitate labour mobility, ensure fairness for those who move and for taxpayers, and provide better tools for cooperation between Member State authorities. A press conference with Marianne **Thyssen**, Commissioner for Employment, Social Affairs, Skills and Labour Mobility, is foreseen today at 16:30 in Strasbourg. The press conference can be followed live on [EbS](#). You will be able to find [press release](#) and [memo](#) online. Commissioner **Thyssen's** speaking points will be published [here](#).

EU awards €605 million to 314 outstanding researchers

Today, the [European Research Council](#) (ERC) has announced the awarding of its [Consolidator Grants](#) to 314 top researchers from 39 nationalities in Europe. The funding, worth a total of €605 million will for instance advance new regenerative therapies for heart diseases, novel algorithms to make computer networks more resilient or our understanding how illicit markets work. Carlos **Moedas**, Commissioner for Research, Science and Innovation, said: *"The European Research Council has been established to find the best quality in science, to cherish it and support it, making Europe a centre of international scientific excellence. The new grant winners have been awarded this competitive funding because they are top-notch scientists with truly ground-breaking ideas - investment in their success will pay back."* The ERC Consolidator Grants are awarded to outstanding researchers of any nationality and age, with at least seven and up to 12 years of experience after their PhDs, and a scientific track record showing great promise. The research projects proposed by the new grantees cover a wide range of topics in physical sciences and engineering, life sciences, as well as social sciences and humanities ([See more examples](#)). The ERC, set up by the European Union in 2007, is the first European funding organisation for excellent frontier research. Every year, it selects and funds the very best, creative researchers of any nationality and age, to run projects based in Europe. More information is available [online](#).

European Commission and Canadian Government co-host discussions on a multilateral investment court

The European Commission and Canadian Government are today and tomorrow *co-hosting in* Geneva the first exploratory discussions with government representatives from around the world on the establishment of a multilateral investment court. It will be the first meeting at government-to-government level on this initiative since it was first proposed by the Commission in May 2015. The ultimate aim is *to* establish a single permanent body to decide investment disputes, thus moving away from the ad hoc system of investor to state dispute settlement (ISDS) which is currently included in around 3200 investment treaties in force today – of which EU member states have 1400. This future body would be open for all interested countries to join and would adjudicate disputes under both future and existing investment treaties. For EU level agreements, it would also replace the bilateral [Investment Court Systems](#) included in EU level agreements with FTA partners. The discussions today and tomorrow are intended to be the first in a series of meetings to take place in the coming year to move forward on this important initiative. Trade Commissioner Cecilia **Malmström** and Canada's Minister for International Trade Chrystia Freeland also intend to discuss the multilateral investment court initiative with other trade ministers in the margins of the World Economic Forum in Davos on 20 January 2017. A [press release](#) and [MEMO](#) are available online.

Mergers: Commission clears acquisition of Computer Sciences Corporation by Hewlett Packard Enterprise Services

The European Commission has approved, under the EU Merger Regulation, the acquisition of Computer Sciences Corporation by Hewlett Packard Enterprise Services, both of the United States. Computer Sciences Corporation is a provider of information technology services. Hewlett Packard Enterprise Services provides technology consulting, information technology outsourcing and support services in traditional and enterprise services offerings. The Commission concluded that the proposed acquisition would raise no competition concerns as the companies have very low combined market shares in the information technology software market segments where they are both active. The transaction was examined under the simplified merger review procedure. More information is available on the Commission's [competition](#) website, in the public [case register](#) under the case number [M.8300](#).

Antitrust: Commission fines rechargeable battery producers € 166 million in cartel settlement

The European Commission has fined Sony, Panasonic and Sanyo a total of € 166 million. The companies and Samsung SDI coordinated prices and exchanged sensitive information on supplies of rechargeable lithium-ion batteries, used for example in laptops and mobile phones, in breach of EU antitrust rules. Samsung SDI was not fined as it revealed the existence of the cartel to the Commission under the 2006 Leniency Notice. Sony, Panasonic and Sanyo benefited from reductions of their fines for their cooperation with the Commission's investigation under the 2006 Leniency Notice. All companies acknowledged their involvement in the cartel and agreed to settle the case. Therefore, under the Commission's 2008 Settlement Notice, the Commission applied a reduction of 10% to the fines imposed in view of the parties' acknowledgment of their participation in the cartel and of their liability in this respect. The cartel contacts took place mainly in Asia and occasionally in Europe. The cartel started in February 2004 and lasted until November 2007. Commissioner Margrethe **Vestager**, in charge of competition policy said: "*Millions of Europeans use laptops, mobile phones and power tools that run on rechargeable lithium-ion batteries. Today's decision sanctions four rechargeable battery producers whose collusion affected the prices of a number of goods sold to European consumers. It also sends an important signal to companies: if European consumers are affected by a cartel, the Commission will investigate it even if the anticompetitive contacts took place outside Europe.*" A full press release is available online in [here](#).

Antitrust: The Insurance Block Exemption Regulation expires on 31 March 2017

As foreseen in a sunset clause, the European Commission's [Insurance Block Exemption Regulation](#) (IBER) will lapse on 31 March 2017. The IBER exempts certain types of co-operation between insurers from antitrust scrutiny under Article 101 of the Treaty on the Functioning of the EU (TFEU), which prohibits anticompetitive business practices. The exemptions relate to the exchange and/or aggregation of data in statistics and studies and to the joint insurance and/or reinsurance of risks in pools. This co-operation has the potential to improve the quality and price of insurance products but also carries the risk of reducing competition between participating insurers. The Commission has regularly assessed whether there was a continued need to maintain the exemptions, with the last Report on IBER published in [March 2016](#). In its [2010 review](#), the Commission already found that two out of four exemptions were no longer needed and did not prolong them. The [latest review](#) concluded that the two remaining exemptions were no longer warranted because the Commission's [Guidelines on horizontal cooperation](#) published in 2011 already offer guidance on how to assess the conformity of joint compilations, tables and studies with the antitrust rules. Moreover, both the public consultation and a study showed that the exemption for pools in the IBER was less and less used in practice. The expiry of the IBER does not mean that these forms of co-operation become unlawful under Article 101 TFEU. Rather, insurers, as all other companies doing business in the EU, will need to assess their co-operation in the market context to see whether it is in line with antitrust rules. Following the expiry, the Commission will continue to monitor developments in the market to evaluate how insurers adapt to the change. More information is available on the Commission's [competition](#) website, in the [insurance](#) section.

Antitrust: Commission publishes seventh report on patent settlements in the pharma sector

The European Commission published today its [seventh monitoring report](#) on pharmaceutical patent settlements. The report covers the 125 patent settlements concluded between originator and generic companies in the pharmaceutical sector in 2015. This number is higher than in 2014 (76) and is closer to the higher numbers seen in 2012 (183) and 2013 (146), and remains significantly higher than the average of 24 in the period between 2000 and 2008. The annual monitoring exercises since 2008 have shown that the Commission's enforcement activities in this area do not discourage companies from settling their patent disputes. The number of settlements that might attract competition law scrutiny has progressively decreased

since the pharmaceutical sector inquiry in 2008 and has stabilized at a low level. More information is available on the Commission's [competition](#) website, in the [pharmaceuticals](#) section.

EUROSTAT: Third quarter of 2016 compared with the second quarter of 2016- Employment up by 0.2% in both euro area and EU28- +1.2% and +1.1% respectively compared with the third quarter of 2015

The number of persons employed increased by 0.2% in both the **euro area** (EA19) and the **EU28** in the third quarter of 2016 compared with the previous quarter, according to national accounts estimates published by **Eurostat, the statistical office of the European Union**. In the second quarter of 2016, employment rose by 0.4% in the **euro area** and by 0.3% in the **EU28**. These figures are seasonally adjusted. [Full text available on EUROSTAT website](#)

EUROSTAT: Consumption per capita in purchasing power standards in 2015- Consumption per capita varied between 53% and 137% of the EU average

Actual Individual Consumption (AIC) is a measure of material welfare of households. Across the Member States in 2015, AIC per capita expressed in Purchasing Power Standards (PPS) varied from 53% of the **European Union** (EU) average in **Bulgaria** to 137% in **Luxembourg**. [Full text available on EUROSTAT website](#)

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Find out [here](#) what will be discussed next week in the European Commission, the European Council and the European Parliament.