Council of the European Union

Brussels, 28 October 2025
(OR. en)

14618/25

Interinstitutional File:
2024/0318 (COD)

AGRI 542
AGRIORG 126
CODEC 1658

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Delegations
Subject:	Regulation on cross-border enforcement of rules against unfair trading practices (UTPs) - *Four-column table*

Delegations will find attached the four-column table reflecting the state of play on the above-mentioned proposal following the trilogue of 16 October and containing, in the second and third columns, the European Parliament's and the Council's negotiating positions and, in the fourth column, where rows are marked in green, the text provisionally agreed; the green rows where there is no text in the fourth column mean that the amendments to the Commission's proposal are considered to be deleted.

ANNEX

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)

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Formula				
1	2024/0318 (COD)	2024/0318 (COD)	2024/0318 (COD)	2024/0318 (COD) Text Origin: Commission Proposal
Document Stage				
2	Proposal for a	Proposal for a	Proposal for a	Proposal for a Text Origin: Commission Proposal
Document Type				
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
Document Purpose				
4	on cooperation among enforcement authorities responsible for the enforcement of	on cooperation among enforcement authorities responsible for the enforcement of	on cooperation among enforcement authorities responsible for the enforcement of	on cooperation among enforcement authorities responsible for the enforcement of

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Directive (EU) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain	Directive (EU) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain	Directive (EU) 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain	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					
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
Citation 1					
G	6	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof, Text Origin: Commission Proposal
Citation 2					
G	7	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission, Text Origin: Commission Proposal
Citation 3					

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
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				
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], 1. OJ C […], […], p. […]. Text Origin: Commission Proposal
Citation 5				
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]~~,~~ ~~*1. OJ C , , p. .*~~	~~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]**,]** 1. OJ C , , p. . Text Origin: Council and EP Mandate
Citation 6				
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, Text Origin: Commission Proposal
Formula				
12	Whereas:	Whereas:	Whereas:	Whereas:

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Recital 1				
13	(1) Directive (EU) 2019/633 of the European Parliament and of the Council[1] introduced a minimum Union standard of protection against unfair trading practices to reduce the occurrence 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).	(1) Directive (EU) 2019/633 of the European Parliament and of the Council[1] introduced a minimum Union standard of protection against unfair trading practices to reduce the occurrence 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).	(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 practices.** Directive (EU) 2019/633 of the European Parliament and of the Council[1] 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).	
Recital 1a				
13a		***(1a) The first evaluation of Directive (EU) 2019/633 together***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		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 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				
Y	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	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	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	Y

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
	common approach with respect to the application of the rules set out in that Directive. In particular, the enforcement authorities should provide each other with mutual assistance, including by sharing information and assisting in investigations that have a cross-border dimension.	common approach with respect to the application of the rules set out in that Directive. In particular, the enforcement authorities should ~~provide~~***aim to prevent or stop unfair trading practices that have a cross-border dimension and that are performed in whole or in part on their respective territories. They should do so by providing*** each other with mutual assistance, including by sharing information and assisting in investigations that have a cross-border dimension.	common approach with respect to the application of the rules set out in that Directive. In particular, the enforcement authorities should provide each other with mutual assistance, including by sharing information and assisting in investigations that have a cross-border dimension. **While the scope and the possibilities for cooperation under that Directive remain fully available to the enforcement authorities of the Member States, it is opportune to address some difficultites and increase the effectiveness of the cooperation mechanism.**		
Recital 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, which depends on cooperation between enforcement authorities,	(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 retail alliances, as those entities have an inherent cross-border***	(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, which depends on cooperation between enforcement authorities,	(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 purchasing strategy***. Such difficulties affect the system of	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	and may lead to an uneven enforcement of unfair trading practices, undermining the protection for suppliers of agricultural and food products intended by that Directive. It is therefore appropriate to establish rules strengthening cooperation between enforcement authorities in cross-border cases.	***purchasing strategy and might circumvent certain legal provisions, even when the acquired agricultural and food products are intended for the market of the Member State of the supplier***. Such difficulties affect the system of enforcement established by Directive (EU) 2019/633, which depends on cooperation between enforcement authorities, and may lead to an uneven enforcement of unfair trading practices, undermining the protection for suppliers of agricultural and food products intended by that Directive. It is therefore appropriate to establish ***uniform*** rules strengthening 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***.	and may lead to an uneven enforcement of unfair trading practices, undermining the protection for suppliers of agricultural and food products intended by that Directive. It is therefore appropriate to establish **certain** rules strengthening cooperation between enforcement authorities in cross-border cases. **Strengthening that cooperation leads to a more effective protection against unfair trading practices with cross-border dimension and contributes to strengthening farmers' position in the supply chain and thus ensuring a fair standard of living for the agricultural community.**	enforcement established by Directive (EU) 2019/633, which depends on cooperation between enforcement authorities, and may lead to an uneven enforcement of unfair trading practices, undermining the protection for suppliers of agricultural and food products intended by that Directive. It is therefore appropriate to establish ***certain, uniform*** rules strengthening cooperation between enforcement authorities in cross-border cases. ***Strengthening that cooperation leads to a more effective protection against unfair trading practices with cross-border dimension and contributes to 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				
16	(4) Given that Directive (EU) 2019/633 allows Member States to maintain or introduce stricter national rules against unfair	(4) Given that Directive (EU) 2019/633 allows Member States to maintain or introduce stricter national rules against unfair	(4) Given that Directive (EU) 2019/633 allows Member States to maintain or introduce stricter national rules against unfair	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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 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.	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 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) 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 sustainable supply of food products to consumers***.	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 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**.	
Recital 5				
17	(5) To ensure the effective application of their obligations under this Regulation,	(5) To ensure the effective application of their obligations under this Regulation,	(5) To ensure the effective application of their obligations under this Regulation,	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	enforcement authorities should be provided with the necessary resources and expertise.	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 possibilities for submitting a complaint***.	enforcement authorities should be provided with the necessary resources and expertise.	
Recital 6				
Y 18	(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 the rules established by Directive (EU) 2019/633 and in respect of the subject-matter for which it was collected by the transmitting authority.	(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 rules established by Regulation (EU) 2016/679 of the European Parliament and of the Council[1a] and by Directive (EU) 2019/633***. Information exchanged shall only	(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 respect of the subject-matter for which it was collected by the ~~transmitting~~**requested** authority. **The confidentiality of the information should be**	Y

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		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.	**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				
Y 19	(7) 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, on behalf of and for the account of other enforcement authorities.	(7) Enforcement authorities should be empowered in their own territory to exercise the powers referred to in Article 6(1), points (b)***, (c) and (d)*** ~~*and (c)*~~, of Directive (EU) 2019/633, in accordance with their national law, on behalf of and for the account of other enforcement authorities.	(7) 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.**	Y
Recital 7a				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
19a		***(7a) 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. Moreover, enforcement authorities should be able to recover the costs incurred in relation to the enforcement from the fines collected.***	**(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 purpose it is necessary that the requested enforcement authority is vested with a power to enforce a final decision adopted by the applicant enforcement authority when the collection of the fines or the implementation of the equally effective penalty or interim measure by the applicant enforcement authority is unsuccessful. In case where the collection of fines or the implementation of equally effective penalties or interim measures in the Member State of the requested enforcement authority is carried out by another authority, the requested enforcement authority should**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			have the power to initiate the collection of the fine or the implementation of the equally effective penalty or interim measures before that competent national authority.	
Recital 7b				
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 ensuring that the enforcement authorities devote sufficient resources and efforts to the requests, the requested authority should be authorised to ask that the applicant enforcement authority bears all additional costs deriving from the request, unless the costs can be considered as unreasonable, for example due to unnecessary actions. However, in case a fine is collected on behalf of the applicant enforcement**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			authority, the fine should in principle be transferred to the applicant enforcement authority. Nevertheless the requested enforcement authority should be able to recover the 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				
Y	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.	20 (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 occurred or is occurring in their territory.	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.	Y
Recital 9				
Y	21 (9) Enforcement authorities should be empowered in their own territory and in accordance with their national law to enforce, or	21 (9) Enforcement authorities should be empowered in their own territory and in accordance with their national law to enforce, or	21 (9) Enforcement authorities should be empowered in their own territory and in accordance with their national law to enforce, or	Y

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	initiate proceedings for the enforcement of, final decisions imposing fines or other equally effective penalties on behalf of and for the account of other enforcement authorities, provided that those other enforcement authorities have made reasonable efforts to ascertain that the buyers against which the fines or other equally effective penalties are to be enforced do not have sufficient assets in the Member States of those other enforcement authorities.	initiate proceedings for the enforcement of, final decisions imposing fines or other equally effective penalties on behalf of and for the account of other enforcement authorities, provided that those other enforcement authorities have ~~*made reasonable efforts to ascertain that the buyers against which*~~***ascertained that*** the fines or other equally effective penalties ~~*are to*~~***cannot*** be enforced ~~*do not have sufficient assets*~~ in the Member States of those other enforcement authorities.	initiate proceedings for the enforcement of, final decisions imposing fines or other equally effective penalties**, or interim measures** on behalf of and for the account of other enforcement authorities, provided that those other enforcement authorities have made reasonable efforts to ascertain that the buyers against 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.	
Recital 10				
Y	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 necessary in each case to conduct investigations of unfair trading practices.	(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 necessary in each case to conduct investigations of unfair trading practices.	(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 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**	Y

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				information about the alleged unfair trading practice.	
Recital 10a					
Y	22a		***(10a) In order to increase the efficiency of cross-border cooperation between enforcement authorities, a procedural mechanism should be established 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 clarification, without retaining the 45-day time limit.***		Y
Recital 11					
Y	23	(11) Enforcement authorities should not be entitled to refuse to comply with a request for information or to refuse to	(11) Enforcement authorities should not be entitled to refuse to comply with a request for information or to refuse to	(11) Enforcement authorities should not be entitled to refuse to comply with a request for information or to refuse to	Y

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	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.	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.** Moreover, enforcement authorities should give reasons for such a refusal.	
Recital 12				
G	24 (12) Lack of procedural 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	(12) Lack of procedural 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	(12) Lack of procedural 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	(12) Lack of procedural 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 G

	CLEAN Commission 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 13				
25	(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 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. 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,	(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 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) No 182/2011 of the European Parliament and of the Council[14]. ~~*In the absence of standard forms developed by the Commission, the enforcement authorities should be entitled to develop such forms to*~~	(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 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.~~[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,~~	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).	~~*facilitate the mutual assistance mechanism.*~~ ~~*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).*~~	~~28.2.2011, p. 13, ELI: http://data.europa.eu/eli/reg/2011/182/oj).~~ **[1]**	
Recital 13a				
Y 25a		***(13a) As regards the refusal of cooperation between authorities, a mediation mechanism, coordinated or represented by the Commission, should be introduced to clarify ambiguities, to resolve potential disagreements or unjustified refusals to cooperate and to prevent blockages of the mutual assistance process.***		Y
Recital 14				
Y 26	(14) Where a widespread 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	(14) Where a widespread 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	(14) Where a widespread 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	Y

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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 considered, in particular the place where the buyer is established and the location of the suppliers that may be affected by the unfair trading practice. The detection of widespread unfair trading practices with a cross-border dimension should be supported by exchanging information between enforcement authorities when there is a reasonable suspicion of such unfair trading practices with a cross-border dimension. The coordinator should exercise its competence within a framework of close cooperation with the other enforcement authorities concerned. Likewise, all enforcement authorities concerned should actively engage in the investigation at an early stage, and	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-border dimension, all relevant aspects should be considered, in particular the place where the buyer is established and the location of the suppliers that may be affected by the unfair trading practice. The detection of widespread unfair trading practices with a cross-border dimension should be supported by exchanging information between enforcement authorities when there is a reasonable suspicion of such unfair trading practices with a cross-border dimension. The coordinator should exercise its competence within a framework of close cooperation with the other enforcement authorities concerned. Likewise, all enforcement authorities concerned should actively engage in the	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 considered, in particular the place where the buyer is established and the location of the suppliers that may be affected by the unfair trading practice. The detection of widespread unfair trading practices with a cross-border dimension should be supported by exchanging information between enforcement authorities when there is a reasonable suspicion of such unfair trading practices with a cross-border dimension. The coordinator should exercise its competence within a framework of close cooperation with the other enforcement authorities concerned. Likewise, all enforcement authorities concerned should actively engage in the	

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		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.	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.	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.		
Recital 15						
G	27	(15) Procedures for the coordination of investigation and enforcement measures relating to widespread unfair trading 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.	(15) Procedures for the coordination of investigation and enforcement measures relating to widespread unfair trading 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.	(15) Procedures for the coordination of investigation and enforcement measures relating to widespread unfair trading 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.	(15) Procedures for the coordination of investigation and enforcement measures relating to widespread unfair trading 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	G
Recital 16						
G	28	(16) It is necessary to list the cases where a concerned enforcement authority may decide to refuse to participate in a	(16) It is necessary to list the cases where a concerned enforcement authority may decide to refuse to participate in a	(16) It is necessary to list the cases where a concerned enforcement authority may decide to refuse to participate in a	(16) It is necessary to list the cases where a concerned enforcement authority may decide to refuse to participate in a	G

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		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.	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.	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.	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 17					
G	29	(17) With a view to ensuring that the enforcement authorities concerned by the coordinated action have all the tools necessary to communicate, cooperate, and coordinate, this Regulation should lay down rules on language arrangements.	(17) With a view to ensuring that the enforcement authorities concerned by the coordinated action have all the tools necessary to communicate, cooperate, and coordinate, this Regulation should lay down rules on language arrangements.	(17) With a view to ensuring that the enforcement authorities concerned by the coordinated action have all the tools necessary to communicate, cooperate, and coordinate, this Regulation should lay down rules on language arrangements.	(17) With a view to ensuring that the enforcement authorities concerned by the coordinated action have all the tools necessary to communicate, cooperate, and coordinate, this Regulation should lay down rules on language arrangements. Text Origin: Commission Proposal	G
	Recital 17a					
Y	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**		Y

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Member States with each other as regards unfair trading practices by buyers established outside the Union and which are prohibited by Directive (EU) 2019/633.	
Recital 17b				
29b			**(17b) 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 develop standard forms for requests for mutual assiastance 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 Council[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:**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			http://data.europa.eu/eli/reg/2011/182/oj).	
Recital 18				
G 30	(18) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and present in the constitutional traditions of the Member States. Accordingly, this Regulation should be interpreted and applied in accordance with those rights and principles.	(18) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and present in the constitutional traditions of the Member States. Accordingly, this Regulation should be interpreted and applied in accordance with those rights and principles.	(18) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and present in the constitutional traditions of the Member States. Accordingly, this Regulation should be interpreted and applied in accordance with those rights and principles.	(18) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and present in the constitutional traditions of the Member States. Accordingly, this Regulation should be interpreted and applied in accordance with those rights and principles. Text Origin: Commission Proposal
Recital 19				
Y 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.**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Recital 20				
32	(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 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 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.	(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 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 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.	(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 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 territorial and personal scope, be 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.	
Recital 21				
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, its application should be deferred	

		CLEAN Commission 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,	by ~~1 year~~ **18 months** after its entry into force,		
Formula						
G	34	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION: Text Origin: Commission Proposal	G
CHAPTER I						
G	35	CHAPTER I INTRODUCTORY PROVISIONS	CHAPTER I INTRODUCTORY PROVISIONS	CHAPTER I INTRODUCTORY PROVISIONS	CHAPTER I INTRODUCTORY PROVISIONS Text Origin: Commission Proposal	G
Article 1						
G	36	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter Text Origin: Commission Proposal	G
Article 1, first paragraph						
G	37	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	***With a view to combating practices that grossly deviate 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	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	***With a view to combating practices that grossly deviate 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	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Directive (EU) 2019/633, cooperate and coordinate actions with each other.	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 level playing field in the internal market***.	Directive (EU) 2019/633, cooperate and coordinate actions with each other.	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***, in order to ensure the effectiveness of that Directive***. Text Origin: EP Mandate
Article 2				
G 38	Article 2 Scope	Article 2 Scope	Article 2 Scope	Article 2 Scope Text Origin: Commission Proposal
Article 2(1), first subparagraph				
G 39	1. This Regulation applies to the enforcement of the prohibition of unfair trading practices in business-to-business relationships in the agricultural and food supply chain laid down in Article 3(1) and (2) of Directive (EU) 2019/633 with a cross-border dimension.	1. This Regulation applies to the enforcement of the prohibition of unfair trading practices in business-to-business relationships in the agricultural and food supply chain laid down in Article 3(1) and (2) of Directive (EU) 2019/633 with a cross-border dimension***, including when those unfair***	1. This Regulation applies to the enforcement of the prohibition of unfair trading practices in business-to-business relationships in the agricultural and food supply chain laid down in Article 3(1) and (2) of Directive (EU) 2019/633 with a cross-border dimension **which occur in relation to sales**	1. This Regulation applies to the enforcement of the prohibition of unfair trading practices in business-to-business relationships in the agricultural and food supply chain 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***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		trading practices originate from operators whose practices have an inherent cross-border component, such as those of retail alliances.	**of agricultural and food products between buyers and suppliers referred to in Article 1(2) of Directive (EU) 2019/633**.	***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					
Y	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 5*~~***Articles 5, 6 and 7*** of this Regulation also ~~*applies*~~***apply*** in relation to national rules within the meaning of Article ***3(1), point (b), and Article*** 9 of Directive (EU) 2019/633 ~~*if the*~~***in cases involving*** Member ~~*State so 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***.	However, Article 5 of this Regulation also applies in relation to national rules **adopted on the basis** ~~within the meaning~~ of Article ~~9~~**3(1), point (b), third sentence or maintained or adopted on the basis of Article 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**.	However, Article 5 of this Regulation also applies in relation to national rules ***adopted on the basis*** ~~*within the meaning*~~ of Article ~~*9*~~***3(1), point (b), third sentence or maintained or adopted on the basis of Article 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 suppliers or buyers established outside the Union***. Text Origin: Council Mandate	Y
Article 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	G

	CLEAN Commission 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(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]. _____ 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).	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]. _____ 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).	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~~6] **and to the application of Council Framework Decision 2005/214/JHA[7] and of Directive 2014/41/EU[7a]** . _____ ~~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).~~	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~~6] ***and to the application of Council Framework Decision 2005/214/JHA[7] and of Directive 2014/41/EU[7a]*** . _____ ~~*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).*~~ Text Origin: Council Mandate
Article 3				
G 43	Article 3 Definitions	Article 3 Definitions	Article 3 Definitions	Article 3 Definitions Text Origin: Commission Proposal

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 3, first paragraph				
44	For the purposes of this Regulation, the definitions referred to in Article 2 of Directive (EU) 2019/633 apply. In addition, the following definitions apply:	For the purposes of this Regulation, the definitions referred to in Article 2 of Directive (EU) 2019/633 apply. In addition, the following definitions apply:	For the purposes of this Regulation, the definitions referred to in Article 2 of Directive (EU) 2019/633 apply. In addition, the following definitions apply:	For the purposes of this Regulation, the definitions referred to in Article 2 of Directive (EU) 2019/633 apply. In addition, the following definitions apply: Text Origin: Commission Proposal
Article 3, first paragraph, point (a)				
45	(a) 'enforcement authority' means the national authority or national authorities designated by a Member State pursuant to Article 4(1) of Directive (EU) 2019/633;	(a) 'enforcement authority' means the national authority or national authorities designated by a Member State pursuant to Article 4(1) of Directive (EU) 2019/633;	(a) ~~'~~enforcement authority' means ~~the~~**a** national authority or national authorities designated by a Member State pursuant to Article 4(1) of Directive (EU) 2019/633;	(a) ~~'~~enforcement authority' means ~~*the*~~***a*** national authority or national authorities designated by a Member State pursuant to Article 4(1) of Directive (EU) 2019/633; Text Origin: Council Mandate
Article 3, first paragraph, point (b)				
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 ~~the~~**an** enforcement authority that makes a request for mutual assistance;	(b) 'applicant enforcement authority' means ~~*the*~~***an*** enforcement authority that makes a request for mutual assistance; Text Origin: Council Mandate
Article 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;

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Commission Proposal
Article 3, first paragraph, point (d)				
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 outside 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 ~~any~~**an** unfair trading practice ~~within the meaning of Directive (EU) 2019/633~~ involving one supplier and one buyer that are ~~located~~ ~~in~~**established in two** different Member States;	(d) 'unfair trading practice with a cross-border dimension' means ~~*any*~~***an*** unfair trading practice ~~*within the meaning of Directive (EU) 2019/633*~~ involving one supplier and one buyer that are ~~*located in*~~***established in two*** different Member States; Text Origin: Council Mandate G
Article 3, first paragraph, point (e)				
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***	(e) 'widespread unfair trading practice with a cross-border dimension' means ~~any~~**an** 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 ~~*any*~~***an*** unfair trading practice ~~*within the meaning of Directive (EU) 2019/633*~~ involving ***suppliers and buyers established in*** at least three Member States; G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		two Member States and outside the Union;		Text Origin: Council Mandate
Article 3, first paragraph, point (f)				
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. Text Origin: Commission Proposal
Article 3, first paragraph, point (fa)				
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.***		
Article 3a				
50b		***Article 3a General principle***		***Article 3a General principle*** Text Origin: EP Mandate
Article 3 a, first paragraph				
50c		***1 Member States shall take appropriate administrative and judicial steps to prevent or stop the unfair trading practices***		***1 The enforcement authorities shall cooperate with each other in order to prevent or stop unfair trading practices with***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		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.		***a cross-border dimension on their territories.*** Text Origin: EP Mandate
CHAPTER II				
51	CHAPTER II RESOURCES AND EXPERTISE	CHAPTER II RESOURCES AND EXPERTISE	CHAPTER II RESOURCES AND EXPERTISE	CHAPTER II RESOURCES AND EXPERTISE Text Origin: Commission Proposal
Article 4				
52	Article 4 Resources and expertise	Article 4 Resources and expertise	Article 4 Resources and expertise	Article 4 Resources and expertise Text Origin: Commission Proposal
Article 4, first paragraph				
53	Member States shall ensure that enforcement authorities have the necessary resources and expertise for the application of this Regulation.	Member States shall ensure that enforcement authorities have the ~~*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***	Member States shall ensure that enforcement authorities have the necessary resources and expertise for the application of this Regulation.	Member States shall ensure that enforcement authorities have the 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

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		to persons concerned and providing to them the advisory services needed for its application.		
Article 4a				
53a		***Article 4a Implementation and confidentiality of information***	**Article 4a** **Confidentiality of information**	***Article 4a*** ***Confidentiality of information*** Text Origin: Council Mandate
Article 4a, first paragraph				
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 4a, second paragraph				
53c		***2 For the purposes of this Regulation, the enforcement authorities shall have the power to provide one another with information and use in evidence any fact or matter of law, including confidential information.***	**1. For the purposes of this Regulation, the enforcement authorities shall have the power to provide one another with information and use in evidence any matter of fact or of law, including confidential information.**	***1. For the purposes of this Regulation, the enforcement authorities shall have the power to provide one another with information and use in evidence any matter of fact or of law, including confidential information.*** Text Origin: Council and EP Mandate

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 4a, third paragraph				
G 53d		*3 Information exchanged shall only be used for the purpose for which it was collected by the requested enforcement authority. It shall only be used in evidence for the purpose of applying this Regulation.*	**2. Information exchanged shall only be used in evidence for the purpose of applying this Regulation and in respect of the subject-matter for which it was collected by the requested enforcement authority.**	*2. Information exchanged shall only be used in evidence for the purpose of applying this Regulation and in respect of the subject-matter for which it was collected by the requested enforcement authority.* Text Origin: Council Mandate G
Article 4a, forth paragraph				
G 53e		*4 When using information provided pursuant to paragraph 2, enforcement authorities shall have due regard to the legitimate interests of natural or legal persons, including protection of trade secrets and intellectual property rights.*	**3. The information provided pursuant to paragraph 1 shall only be used by the enforcement authorities with due regard to the legitimate interests of a natural person or legal person, including protection of trade secrets and intellectual property rights.**	*3. The information provided pursuant to paragraph 1 shall only be used by the enforcement authorities with due regard to the legitimate interests of a natural person or legal person, including protection of trade secrets and intellectual property rights.* Text Origin: Council Mandate G
Article 4a, fifth paragraph				
G 53f		*5 In cases where a complainant requests the protection of information, including the protection of the identity of the complainant, pursuant to Article 5(3) of Directive (EU) 2019/633, the enforcement authority receiving the complaint shall ask for the*	**4. In cases where a complainant requests the protection of information pursuant to Article 5(3) of Directive 2019/633, the enforcement authority receiving the complaint shall ask for the agreement of the complainant to provide the protected**	*4. In cases where a complainant requests the protection of information pursuant to Article 5(3) of Directive 2019/633, the enforcement authority receiving the complaint shall ask for the agreement of the complainant to* G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		agreement of the complainant to provide the protected information to another enforcement authority.	**information to another enforcement authority.**	***provide the protected information to another enforcement authority.*** Text Origin: Council and EP Mandate
Article 4b				
53g		***Article 4b EU Responsible Person***		
Article 4b, first paragraph				
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 4b, second paragraph				
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.***		
Article 4b, third paragraph				

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
R	53j		***3 The EU Responsible Person shall perform the tasks specified in the mandate agreed with the buyer. The EU Responsible Person shall provide a copy of the mandate to the enforcement authority, upon request. The mandate shall include at least the following tasks:***			R
	Article 4b, third paragraph, point a					
R	53k		***(a) to act as the primary point of contact for enforcement authorities and the Commission;***			R
	Article 4b, third paragraph, point b					
R	53l		***(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;***			R
	Article 4b, third paragraph, point c					
R	53m		***(c) to maintain up-to-date records of the transactions in the Union of the buyer established outside the Union;***			R
	Article 4b, third paragraph, point d					
R	53n		***(d) to facilitate investigations, including providing documents, data and***			R

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			testimony to enforcement authorities or the Commission;			
Article 4b, third paragraph, point e						
R	53o		***(e) to ensure compliance with final decisions, fines or penalties issued under the framework of Directive (EU) 2019/633 and of this Regulation;***			R
Article 4b, third paragraph, point f						
R	53p		***(f) to terminate the mandate if the buyer acts contrary to its obligations set out in Directive (EU) 2019/633 and in this Regulation; the buyer shall ensure that the EU Responsible Person complies with the terms of its mandate in respect of those minimum required tasks. An EU Responsible Person who terminates its mandate on the ground referred to in paragraph 3, point (f), shall immediately inform the enforcement authority of the Member State in which it is established of the termination of the mandate and of the reasons therefor.***			R
Article 4b, fourth paragraph						
R	53q		***4. When an unfair trading practice within the meaning of***			R

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			Article 3 of Directive (EU) 2019/633 is committed by a buyer established outside the Union, the EU Responsible Person may be held jointly and severally liable for the fines imposed on the person who designated it.			
CHAPTER 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	G
Article 5						
G	55	Article 5 Requests for information	Article 5 Requests for information	Article 5 Requests for information	Article 5 Requests for information Text Origin: Commission Proposal	G
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	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	1. At the request of an applicant enforcement authority, a requested enforcement authority shall, without delay, and within ~~60~~**90** 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**	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*~~	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	enforcement authority with a cross-border dimension has occurred or is occurring.	in the Member State of the applicant enforcement authority with a cross-border dimension has occurred or is occurring. ***Where the applicant enforcement 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.***	**has occurred or is occuring** in the Member State of the applicant enforcement authority ~~with a cross-border dimension has occurred or is occurring~~.	~~*applicant enforcement authority*~~ with a cross-border dimension has occurred or is occurring ***in the Member State of the applicant enforcement authority***. ***Where the 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(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 corresponding provisions of Directive (EU) 2019/633, the purpose of the request, and specify what information is required.	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 corresponding provisions of Directive (EU) 2019/633, the purpose of the request, and specify what information is required.	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) 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**	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) 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*** G

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				may still decide to collect that information.	***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.*** Text origin: Council mandate
Article 5(3)					
G	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.	3. The information provided shall only be collected by the requested enforcement authority and used by the applicant enforcement authority in accordance with their ***respective*** national ~~*law*~~***laws and with Regulation (EU) 2016/679***.	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
Article 5(4), first subparagraph					
R	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***	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~~**adopted on the basis** of Article ~~9~~**3(1), point (b), third sentence or on the basis of**	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		mandatory provisions within the meaning of Article 9 of Regulation (EC) No 593/2008.	**Article 9(1)** of Directive (EU) 2019/633.		
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 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.***	**When an applicant enforcement authority makes use of the possibility provided in subparagraph 1, it shall:**	***When an applicant enforcement authority makes use of the possibility provided in subparagraph 1, it shall:*** Text Origin: Council Mandate	G
Article 5(4), first subparagraph a, point (a)					
G	59b		**(a) state this Regulation as legal basis;**	***(a) state this Regulation as legal basis;*** Text Origin: Council Mandate	G
Article 5(4), first subparagraph a, point (b)					
G	59c		**(b) indicate 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**	***(b) indicate 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),***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			sentence or Article 9(1) of Directive (EU) 2019/633;	***third sentence or Article 9(1) of Directive (EU) 2019/633;*** Text Origin: Council Mandate
Article 5(4), first subparagraph a, point (c)				
G 59d			**(c) describe the purpose of the request;**	***(c) describe the purpose of the request;*** Text Origin: Council Mandate
Article 5(4), first subparagraph a, point (d)				
G 59e			**(d) describe the unfair trading practice concerned and specify how this goes beyond the Directive (EU) 2019/633;**	***(d) describe the unfair trading practice concerned and specify how this goes beyond the Directive (EU) 2019/633;*** Text Origin: Council Mandate
Article 5(4), first subparagraph a, point (e)				
G 59f			**(e) specify what information is required.**	***(e) specify what information is required.*** Text Origin: Council Mandate
Article 5(4), second subparagraph				
G 60	When an applicant enforcement authority makes use of the possibility provided in subparagraph 1, the requested enforcement authority may refuse to provide information, indicating the reasons for the refusal.	When an applicant enforcement authority makes use of the possibility provided ***for*** in subparagraph 1, the requested enforcement authority may ***provide only partial information or*** refuse to provide information. ***In such case, the requested***	When an applicant enforcement authority makes use of the possibility provided in subparagraph 1, the requested enforcement authority may refuse to provide information, indicating the reasons for the refusal. **In this case, Article 10 shall not apply.**	When an applicant enforcement authority makes use of the possibility provided ***for*** in subparagraph 1, the requested enforcement authority may ***provide only partial information or*** refuse to provide information~~, *indicating*~~. ***The***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		enforcement authority shall duly justify ~~*, indicating*~~ the reasons for the ***incomplete response or for the*** refusal ***in a reasoned and objective reply. That reply shall be sent to the applicant enforcement authority within 45 days of the submission of its request.***		***requested enforcement authority shall indicate*** the reasons for the ***partial reply or for the*** refusal. ***In this case Article 10 shall not apply.*** Text origin: Council and EP mandate
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.***		Text origin: Council mandate/Commission proposal G
Article 5(4b)				
G 60b		***4b The Commission may adopt implementing acts laying down the special procedural mechanism for the prioritisation of urgent requests provided for in paragraph 4a. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21.***		Text origin: Council mandate/Commission proposal G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
Article 6					
61	Article 6 Requests for enforcement measures	Article 6 Requests for enforcement measures	Article 6 Requests for ~~enforcement~~ **investigative** measures	Article 6 Requests for ~~*enforcement*~~ ***investigative*** measures Text Origin: Council Mandate	
Article 6(1)					
62	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) and (c), of Directive (EU) 2019/633.	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 (c)*~~, of Directive (EU) 2019/633.	1. At the request and on behalf of an applicant enforcement authority, the requested enforcement authority shall ~~exercise~~**conduct 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 ~~*exercise*~~***conduct 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***. Text Origin: Council mandate	
Article 6(2)					
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)	2. When a requested enforcement authority exercises the powers set out in Article 6(1), first subparagraph, points (a), (b), ***(c) and (d)*** ~~*and (c)*~~, of Directive	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)	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)	

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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.	(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.	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.	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. Text Origin: Council Mandate
Article 6(3)				
G 64	3. The requested enforcement authority shall inform the applicant enforcement authority about the steps and measures taken and the steps and measures that it intends to take.	3. The requested enforcement authority shall inform the applicant enforcement authority ***without delay*** about the steps and measures taken and the steps and measures that it intends to take.	3. The requested enforcement authority shall inform the applicant enforcement authority about the steps and measures taken and the steps and measures that it intends to take.	3. The requested enforcement authority shall inform the applicant enforcement authority ***without delay*** about the steps and measures taken and the steps and measures that it intends to take. Text Origin: EP Mandate
Article 6(3a)				
R 64a		***3a. Member States may decide that enforcement authorities can make use of the possibilities referred to in this Article in relation to national***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		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.		
Article 7				
65	Article 7 Requests for the enforcement of decisions imposing fines or other equally effective penalties and interim measures	Article 7 Requests for the enforcement of decisions imposing fines or other equally effective penalties and interim measures	Article 7 Requests for the enforcement of decisions imposing fines or other equally effective penalties and interim measures	Article 7 Requests for the enforcement of decisions imposing fines or other equally effective penalties and interim measures Text Origin: Commission Proposal
Article 7(1)				
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 Member State of the applicant enforcement authority***.	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 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, without delay, the 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 subparagraph, point (e), of Directive (EU) 2019/633 ***by the***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			Member State of the applicant enforcement authority.	***Member State of the applicant enforcement authority***. Text Origin: Council Mandate
Article 7(1a)				
R 66a		***1a. Fines imposed in the framework of Directive (EU) 2019/633 and of this Regulation on buyers established outside the Union may be enforceable against their EU Responsible Persons.***		
Article 7(2)				
G 67	2. Paragraph 1 shall apply 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.	2. Paragraph 1 shall apply 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 ***not*** enforceable ~~does not have sufficient assets~~ in the territory of ~~its~~***the*** Member State ***of the applicant enforcement authority***.	2. Paragraph 1 shall apply 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 **equally effective** penalties and interim measures are enforceable does not have sufficient assets in the territory of ~~its~~**the** Member State **of the applicant enforcement authority**.	2. Paragraph 1 shall apply 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 ***equally effective*** penalties and interim measures are enforceable does not have sufficient assets in the territory of ~~its~~***the*** Member State ***of the applicant enforcement authority***. Text Origin: Council Mandate
Article 7(2a)				

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	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	G
	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	G
	Article 7(4)					
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 ***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.	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. Text Origin: Council and EP Mandate	G
	Article 7(4a)					
R	69a		***4a. Member States may decide that enforcement authorities can make use of the possibilities referred to in this Article in relation to national***			R

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		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.		
Article 7a				
G 69b		***Article 7a*** ***Costs***	**Article 7a** **Costs**	***Article 7a*** ***Costs*** Text Origin: Council and EP Mandate
Article 7a(1)				
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.**	***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 authority for measures taken pursuant to Articles 5, 6, or 7, as referred to in paragraphs 2 and 3 of this Article.***
Article 7a, second paragraph				
G 69d				***1a. Enforcement authorities shall not impose any fees on suppliers to recover costs related***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				to the cross-border dimension of an unfair trading practice. Text origin: EP mandate (row 53b)
Article 7a(2)				
Y 69e		***2 In relation to measures taken pursuant to Articles 5 and 6, the requested enforcement authority may recover from the Member State of the applicant enforcement authority any costs and losses, including translation, labour and administrative costs, arising from measures that have been dismissed and held to be unfounded in a final decision by a court, as far as the substance of the infringement is concerned.***	**2. 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.**	Y
Article 7a(3)				
G 69f		***3 The requested enforcement authority shall recover the amounts due in the currency of its Member State, in accordance with its national law.***	**3. The requested enforcement authority shall recover the amounts due in the currency of its Member State, in accordance with its national law.**	***3. The requested enforcement authority shall recover the amounts due in the currency of its Member State, in accordance with its national law.*** Text Origin: Council and EP Mandate
Article 7a(4)				
Y 69g		***4 In relation to measures taken pursuant to Article 7, the***	**The requested enforcement authority may**	Y

		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.**		
Article 7a(5)						
Y	69h		***5 If necessary, the requested enforcement authority shall, in accordance with its national law, convert the fines into the currency of its Member State at the rate of exchange applying on the date on which the fines were imposed.***	**4. The requested enforcement authority shall, if necessary, in accordance with its national law, convert the fines into the currency of its Member State at the rate of exchange applying on the date on which the fines were imposed.**		Y
Article 8						
G	70	Article 8 Notification mechanism	Article 8 Notification ~~*mechanism*~~***and alert system***	Article 8 Notification mechanism	Article 8 Notification mechanism Text Origin: Council mandate/Commission Proposal	G
Article 8, first paragraph						

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
Y	71	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.	***1*** ~~*An enforcement authority 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 and identify patterns of abuse.*	An enforcement authority shall notify 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.	An enforcement authority shall 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. ***For that purpose, the enforcement authority shall use [the website] laid down in Article 8(3) of Directive (EU) 2019/633.*** Text Origin: Council Mandate	Y
	Article 8(1a)					
G	71a		***1a An enforcement authority shall notify the Commission and all other enforcement authorities within 30 days using the system laid down in paragraph 1 that an unfair trading practice with a cross-border dimension might be taking place in its Member State, regardless of whether it is taking place only within the Union or is taking place both within the***		Text Origin: Council mandate/Commission proposal	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		Union and in one or more third countries.		
Article 8(1b)				
71b		***1b The enforcement authority shall, when issuing an alert referred to in paragraph 1, provide information about the suspected unfair trading practice with a cross-border dimension covered by this Regulation, including the following:***		Text Origin: Council mandate/Commission proposal
Article 8(1b), point a				
71c		***(a) a detailed description of the unfair trading practice with a cross-border dimension concerned under Directive (EU) 2019/633 and by reference to national law;***		Text Origin: Council mandate/Commission proposal
Article 8(1b), point b				
71d		***(b) the Member States concerned or possibly concerned by the unfair trading practice with a cross-border dimension;***		Text Origin: Council mandate/Commission proposal
Article 8(1b), third indent				
71e		***(c) the identity of the buyer or buyers suspected of committing the unfair trading practice with a cross-border dimension;***		Text Origin: Council mandate/Commission proposal

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 8(1b), fourth indent				
G 71f		***(d) a description of any legal proceedings, enforcement measures or other measures taken concerning the unfair trading practice with a cross-border dimension and their dates and duration, as well as the status thereof;***		Text Origin: Council mandate/Commission proposal G
Article 8(1b), fifth indent				
G 71g		***(e) the identities of the enforcement authorities bringing the proceedings and taking other measures.***		Text Origin: Council mandate/Commission proposal G
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 30 days. The Commission shall transmit this information immediately to the members of the network. The Commission may supplement the notification with any information that is likely to facilitate rapid, appropriate***		Text Origin: Council mandate/Commission proposal G

	CLEAN	Commission Proposal	VS.EC	EP Mandate	VS.EC	Council Mandate	VS.EC	Draft Agreement
				action by enforcement authorities.				
Article 8(1d)								
G	71i			***The enforcement authority may, when issuing an alert, request enforcement authorities in other Member States to verify whether, based on information that is available or accessible to the relevant enforcement authorities, the same unfair trading practices with a cross-border dimension might be taking place in the territory of those other Member States or whether any proceedings are pending or any enforcement measures have already been taken against those unfair trading practices in those Member States. The enforcement authorities in those other Member States shall inform the Commission without delay of the action implemented or the measures taken following receipt of the notifications transmitted under the alert system. The Commission shall transmit that information without delay to the members of the network.***				Text Origin: Council mandate/Commission proposal
Article 8(1e), first paragraph								

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	71j		***Participation in the alert system may be opened to third countries or international organisations, on the basis of agreements between the Union and those countries or international organisations.***		Text Origin: Council mandate/Commission proposal	G
	Article 8(1e), second paragraph					
G	71k		***For the purposes of the first subparagraph, the Commission shall ensure that third countries and international organisations do not have direct access to the identity of natural persons.***		Text Origin: Council mandate/Commission proposal	G
	Article 9					
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)					
G	73	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, ***cite 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***: (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***	G

	CLEAN Commission 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.	***(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. Text Origin: Council Mandate
Article 9(2)				
G 74	2. Requests for mutual assistance and all communications linked to them shall be made in writing using standard forms.	2. Requests for mutual assistance and all communications linked to them shall be made in writing using standard forms ***laid down by the Commission in accordance with Article 12***.	2. Requests for mutual assistance and all communications linked to them shall be made in writing using Standard forms **for the requests for mutual assistance shall be used when they have been laid down by the Commission in accordance with Article 20b**.	2. Requests for mutual assistance and all communications linked to them shall be made in writing ~~*using*~~. Standard forms ***for the requests for mutual assistance shall be used when they have been laid down by the Commission in accordance with Article 20b***. Text Origin: Council Mandate
Article 10				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
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	G
Article 10(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 ~~5~~***5(1) in accordance with Article 4a,*** only if ***at least*** one ~~*or both*~~ of the following applies:	1. A requested enforcement authority may refuse to comply with a request for information under Article ~~5~~**5(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 ~~5~~***5(1)*** only if one or both of the following applies: Text Origin: Council Mandate	G
Article 10(1), point (a)					
G 77	(a) following a consultation with the applicant enforcement authority, 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 occurring;	(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 occurring;	(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 occurring~~**or 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 occurring*~~***or that a new request may be made at a later stage***; Text Origin: Council Mandate	G
Article 10(1), point (b)					

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
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. Text Origin: EP Mandate	G
Article 10(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 7*~~***Article 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 7*~~ ***Article 6*** only if, having consulted with the applicant enforcement authority, ***at least*** one ~~*or both*~~ of the following applies: Text Origin: Council Mandate	G
Article 10(2), point (a)						
G	80	(a) criminal investigations or judicial proceedings have already been initiated, a judgment has	(a) criminal investigations or judicial proceedings have already been initiated, ***or*** a judgment has	(a) criminal investigations or judicial proceedings have already been initiated~~,~~ **or** a judgment has	(a) criminal investigations or judicial proceedings have already been initiated, ***or*** a judgment has	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	been given, or a court settlement has been reached in respect of the same unfair trade practice before the judicial authorities in the Member State of the requested enforcement authority;	been given ***against the same buyer in respect of the same unfair trading practice towards the same supplier and in the same period***, or a court settlement has been reached ***with the same buyer*** in respect of the same unfair ~~trade~~***trading*** practice before the judicial authorities in the Member State of the requested enforcement authority;	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 ~~trade~~**trading** practice before the judicial authorities in the Member State of the requested enforcement authority;	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 investigations or judicial proceedings***, or a court settlement has been reached ***with the same buyer*** in respect of the same unfair ~~trade~~***trading*** practice before the judicial authorities in the Member State of the requested enforcement authority; Text Origin: EP Mandate
Article 10(2), point (b)				
G 81	(b) the exercise of the necessary enforcement powers has already been initiated, or an administrative decision has already been adopted in respect of the same intra-Union infringement and against the same trader in the Member State of the requested authority in order to bring about the swift and effective cessation of the same unfair trade practice;	(b) the exercise of the necessary enforcement powers 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 ~~*trader*~~***supplier*** in the Member State of the requested ***enforcement*** authority in order to bring about the swift and effective cessation of the same unfair ~~*trade*~~***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 ~~intra-Union infringement and against the same trader~~**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 ~~trade~~**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 ~~*intra-Union infringement and against*~~***unfair trading practice towards*** the same ~~*trader*~~***supplier, and during the same period of the unfair trading practice covered by the investigations or the administrative decision*** in the G

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
					Member State of the requested ***enforcement*** authority in order to bring about the swift and effective cessation of the same unfair ~~*trade*~~***trading*** practice; Text Origin: EP Mandate
Article 10(2), point (c)					
G	82	(c) a criminal investigation or judicial proceedings have already been initiated as regards the same buyer in respect of the same unfair trade practice before the judicial authorities of the applicant;	(c) a criminal investigation or judicial proceedings have already been initiated ~~*as regards*~~***against*** the same buyer in respect of the same unfair ~~*trade*~~***trading*** practice ***towards the same supplier*** before the judicial authorities ***in the Member State*** of the applicant ***enforcement authority***;	(c) a criminal investigation or judicial proceedings have already been initiated ~~as regards~~**against** the same buyer in respect of the same unfair ~~trade~~**trading** practice before the judicial authorities **in the Member State** of the applicant **enforcement authority**;	(c) a criminal investigation or judicial proceedings have already been initiated ~~*as regards*~~***against*** the same buyer in respect of the same unfair ~~*trade*~~***trading*** practice ***towards the same supplier, and during the same period of the unfair trading practice covered by the criminal investigation or judicial proceedings*** before the judicial authorities ***in the Member State*** of the applicant ***enforcement authority***; Text Origin: EP Mandate
Article 10(2), point (ca)					
G	82a			**(ca) the requested enforcement authority issues reasonable doubts whether the requested enforcement measures are in compliance with Directive (EU) 2019/633 or can show that the request concerns national**	***(ca) the requested enforcement authority can demonstrate that the requested enforcement measures are not provided in Article 6 (1) points (a), (b), (c) of Directive (EU) 2019/633, or can show that the***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			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;	***request 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 ;*** text origin: Council mandate
Article 10(2), point (cb)				
G	82b		**(cb) the requested enforcement authority cannot:**	***(cb) the requested enforcement authority cannot:*** Text Origin: Council Mandate
Article 10(2), point (cb), second subparagraph				
G	82c		**(i) ensure the appropriate protection of the relevant information in accordance with Article 5(3) of Directive 2019/633 that has been provided pursuant to Article 4a(4) of this Regulation and on the protection of which the complainant insists, or**	***(i) ensure the appropriate protection of the relevant information in accordance with Article 5(3) of Directive 2019/633 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(2), point (cb), third subparagraph				
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;***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: Council Mandate
Article 10(2), point (d)				
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 ***to act on a complaint*** in accordance with Article 5.	(d) the applicant enforcement authority has not provided the information that is necessary in accordance with Article ~~5~~**9**.	(d) the applicant enforcement authority has not provided the information that is necessary in accordance with Article ~~5~~***9***. Text Origin: Council Mandate
Article 10(2a), first subparagraph				
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:*** Text Origin: Council Mandate
Article 10(2a), second subparagraph				
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**	***(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***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			judicial authorities in the Member State of the requested enforcement authority;	***the Member State of the requested enforcement authority;*** Text Origin: Council Mandate	
Article 10(2a), third subparagraph					
G	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	G
Article 10(2a), fourth subparagraph					
G	83d		**(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;**	***(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	G
Article 10(2a), fifth subparagraph					

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	83e			**(d) the requested enforcement authority issues reasonable doubts whether the final decision is in compliance with Directive (EU) 2019/633 or can show that the final decision 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;**	***(d) the requested enforcement authority can demonstrate that the final decision 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;*** Text Origin: Council Mandate	G
Article 10(2a), sixth subparagraph						
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	G
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.	G

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
					Text Origin: EP and Council Mandate
Article 11					
G	85	Article 11 Language arrangements	Article 11 Language arrangements	Article 11 Language arrangements	Article 11 Language arrangements Text Origin: Commission Proposal
Article 11(1)					
G	86	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.	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
Article 11(2)					
G	87	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	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,***	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	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***

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		languages, of the Member State of the requested enforcement authority.	and replies in the official language, or one of the official languages, of the Member State of the requested enforcement authority***, accompanied by a courtesy translation in English***.	languages, of the Member State of the requested enforcement authority.	***requested*** and replies in the official language, or one of the official languages, of the Member State of the requested enforcement authority***, accompanied by a courtesy translation in English, if requested***. Text Origin: EP Mandate
	Article 12				
Y	88	Article 12 Implementing powers	Article 12 Implementing powers	~~Article 12~~ ~~Implementing powers~~ This article is now article 20b	
	Article 12, first paragraph				
Y	89	The Commission may adopt implementing acts laying down standard forms for the requests of mutual assistance under Article 9(2).	***By ... [6 months from the entry into force of this Regulation],*** the Commission ~~*may*~~***shall*** adopt implementing acts laying down ~~*standard forms for the requests of mutual assistance under Article 9(2).*~~***:***	~~The Commission may adopt implementing acts laying down standard forms for the requests of mutual assistance under Article 9(2).~~	
	Article 12, first paragraph, point a				
Y	89a		***(a) standard forms for the requests of mutual assistance under Article 9(2);***		
	Article 12, first paragraph, point b				
Y	89b		***(b) the measures for implementing Article 8, in***		

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		particular the specific conditions and standard procedures applicable to the issuing of alerts and the transmission of notifications, communications and information among enforcement authorities.			
Article 12, second paragraph					
Y	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 ~~*the first paragraph*~~***this Article*** 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.~~	Y
CHAPTER IV					
G	91	CHAPTER IV INVESTIGATION AND ENFORCEMENT MECHANISMS FOR WIDESPREAD UNFAIR TRADING PRACTICES WITH A CROSS-BORDER DIMENSION	CHAPTER IV INVESTIGATION AND ENFORCEMENT MECHANISMS FOR WIDESPREAD UNFAIR TRADING PRACTICES WITH A CROSS-BORDER DIMENSION	CHAPTER IV INVESTIGATION AND ENFORCEMENT MECHANISMS FOR WIDESPREAD UNFAIR TRADING PRACTICES WITH A CROSS-BORDER DIMENSION Text Origin: Commission Proposal	G
Article 13					
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 Text Origin: Commission Proposal	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 13(1)				
G 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. Text Origin: Commission Proposal
Article 13(2)				
G 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***.

	CLEAN Commission 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.		***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.*** Text origin: EP and Council mandate
Article 13(3)				
95	3. The enforcement 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 enforcement authorities, pursuant to Article 19.	3. The enforcement 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~~***The coordinator*** shall notify the results of such investigations to the other enforcement authorities, pursuant to Article 19.	3. The enforcement 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 enforcement authorities, pursuant to Article 19.	3. The enforcement 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 enforcement authorities ***concerned***, pursuant to Article 19. Text Origin: Council Mandate
Article 13(4)				
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	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	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	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

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	unfair trading practice with a cross-border dimension.	unfair trading practice with a cross-border dimension.	unfair trading practice with a cross-border dimension.	unfair trading practice with a cross-border dimension. Text Origin: Commission Proposal
Article 13(5)				
G 97	5. In order to establish that an enforcement authority is concerned by a widespread unfair trading practice with a cross-border 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 cross-border 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 cross-border 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 cross-border dimension all elements shall be taken into account and in particular: Text Origin: Commission Proposal
Article 13(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; Text Origin: Council Mandate/Commission proposal
Article 13(5), point (b)				
G 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 14				

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
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 Text Origin: Commission Proposal	G
	Article 14(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	G
	Article 14(1), point (a)					
G	102	(a) a criminal investigation or judicial proceedings have already been initiated, a judgment has been given, or a court settlement has been reached in respect of the same buyer and concerning the same unfair trading practice in that enforcement authority's Member State;	(a) a criminal investigation**,** ***administrative*** or judicial proceedings have already been initiated, a judgment has been given, or a court settlement has been reached in respect of the same buyer ***or buyers*** and concerning the same unfair trading practice ***towards the same supplier or suppliers and in the same period*** in that enforcement authority's Member State;	(a) a criminal investigation~~ or~~**,** judicial **proceedings or administrative** proceedings have already been initiated, a judgment has been given, or a court settlement has been reached in respect of the same buyer **or buyers** and concerning the same unfair trading ~~practice~~**practices** in that enforcement authority's Member State;	(a) a criminal investigation**,** or judicial ***or administrative*** proceedings have already been initiated, a judgment has been given, or a court settlement has been reached in respect of the same buyer ***or buyers*** and concerning the same unfair trading practice ***towards the same supplier, and during the same period of the unfair trading practice covered by this criminal investigation, or judicial, or administrative proceedings*** in that enforcement authority's Member State;	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: EP Mandate
Article 14(1), point (b)				
103	(b) the enforcement authority has already initiated investigations before the issuing of an alert referred to in Article 19, or an administrative decision has been adopted against the same buyer in respect of the same unfair trading practice in that enforcement authority's Member State to bring about the cessation of the widespread unfair trading practice with a cross-border dimension;	(b) the enforcement authority has already initiated investigations before the issuing of an alert referred to in Article 19, or an administrative decision has been adopted against the same buyer ***or buyers*** in respect of the same unfair trading practice ***towards the same supplier or suppliers and in the same period*** in that enforcement authority's Member State to bring about the cessation of the widespread unfair trading practice with a cross-border dimension;	(b) the enforcement authority has already initiated investigations before the issuing of an alert referred to in Article 19, or an administrative decision has been adopted against the same buyer **or buyers** in respect of the same unfair trading ~~practice~~**practices** in that enforcement authority's Member State to bring about the cessation of the widespread unfair trading practice with a cross-border dimension;	(b) the enforcement authority has already initiated investigations before the issuing of an alert referred to in Article 19, or an administrative decision has been adopted against the same buyer ***or buyers*** in respect of the same unfair trading practice ***towards the same supplier, and during the same period of the unfair trading practice covered by the investigations or the administrative decision*** in that enforcement authority's Member State to bring about the cessation of the widespread unfair trading practice with a cross-border dimension; Text Origin: EP Mandate
Article 14(1), point (c)				
104	(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)**	(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)***

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			2019/633 need to be ~~adopted~~**taken** by that enforcement authority.	***2019/633*** need to be ~~*adopted*~~***taken*** by that enforcement authority. Text Origin: Council Mandate
Article 14(2)				
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 14(a)				
105a		***Article 14a*** ***Mediation mechanism***		Text Origin: Council mandate/Commission proposal
Article 14(a), first paragraph				
105b		***1 The Commission shall act as a mediation mechanism for the resolution of potential disagreements between Member States and refusals of cooperation for no objective reason, and to***		Text Origin: Council mandate/Commission proposal

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		prevent blockages in the mutual assistance process.		
Article 15				
106	Article 15 Investigation measures in coordinated actions	Article 15 ~~*Investigation*~~***Investigative*** measures in coordinated actions	Article 15 ~~Investigation measures~~**Investigations** in coordinated actions	Article 15 ~~*Investigation measures*~~***Investigations*** in coordinated actions Text Origin: Council Mandate
Article 15(1)				
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 interim measures simultaneously with one another.	1. The enforcement authorities concerned by the coordinated action shall ensure that investigations and inspections are conducted in a ***timely, effective, and*** coordinated manner. They shall seek to conduct investigations and inspections and, to the extent that national law so allows, to apply interim measures simultaneously with one another.	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 interim measures simultaneously with one another.	1. The enforcement authorities concerned by the coordinated action shall ensure that investigations and inspections are conducted in a ***timely, effective, and*** coordinated manner. They shall seek to conduct investigations and inspections and, to the extent that national law so allows, to apply interim measures simultaneously with one another. Text Origin: EP Mandate
Article 15(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	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	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	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

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	cross-border dimension in a common position, summarising the national decisions adopted.	cross-border dimension in a ~~common position~~***joint statement***, summarising the national decisions adopted.	cross-border dimension in a common ~~position~~**statement**, summarising the national ~~decisions adopted~~**measures taken and, where applicable, the different opinions of the enforcement authorities**.	cross-border dimension in a common ~~position~~***statement***, summarising the national ~~decisions adopted~~***measures taken and, where applicable, the different opinions of the enforcement authorities***. Text Origin: Council Mandate
Article 15(3)				
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. _____ 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).	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~~***6***], the enforcement authorities concerned by the coordinated action shall publish the ~~common position~~***joint statement*** or parts thereof on their websites and inform the Commission of the publication. _____ ~~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).~~	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~~**statement** or parts thereof on their websites and inform the Commission of the publication. _____ 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).	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~~***statement*** or parts thereof on their websites and inform the Commission of the publication. _____ 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). Text Origin: Council Mandate
Article 16				

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
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 Text Origin: Commission Proposal
Article 16(1)				
111	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 unfair trading practice with a cross-border dimension to bring about the cessation of that unfair trading practice.	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 ***or buyers*** responsible for the widespread unfair trading practice with a cross-border dimension to bring about the cessation of that unfair trading practice.	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 **or buyers** responsible for the widespread unfair trading ~~practice~~**practices** with a cross-border dimension to bring about the cessation of that unfair trading practice.	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 ***or buyers*** responsible for the widespread unfair trading ~~*practice*~~***practices*** with a cross-border dimension to bring about the cessation of that unfair trading practice. Text Origin: Council Mandate
Article 16(2)				
112	2. Enforcement measures pursuant to paragraph 1 shall be taken by the enforcement authorities in accordance with the national rules of their Member State and in a coordinated manner to bring about the cessation of the widespread unfair trading practice	2. Enforcement measures pursuant to paragraph 1 shall be taken by the enforcement authorities in accordance with the national rules of their Member State and in a coordinated manner to bring about the cessation of the widespread unfair trading practice	2. Enforcement measures pursuant to paragraph 1 shall be taken by the enforcement authorities in accordance with the national rules of their Member State and in a coordinated manner to bring about the cessation of the widespread unfair trading practice	2. Enforcement measures pursuant to paragraph 1 shall be taken by the enforcement authorities in accordance with the national rules of their Member State and in a coordinated manner to bring about the cessation of the widespread unfair trading practice

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	with a cross-border dimension. The enforcement authorities concerned by the coordinated action shall seek to take enforcement measures simultaneously in the Member States concerned by that widespread cross-border infringement.	with a cross-border dimension. The enforcement authorities concerned by the coordinated action shall seek to take enforcement measures simultaneously in the Member States concerned by that widespread cross-border infringement.	with a cross-border dimension. The enforcement authorities concerned by the coordinated action shall seek to take enforcement measures simultaneously in the Member States concerned by that widespread cross-border infringement.	with a cross-border dimension. The enforcement authorities concerned by the coordinated action shall seek to take enforcement measures simultaneously in the Member States concerned by that widespread cross-border infringement. Text Origin: Commission Proposal
Article 17				
G 113	Article 17 Cessation of coordinated action	Article 17 Cessation of coordinated action	Article 17 Cessation of coordinated action	Article 17 Cessation of coordinated action Text Origin: Commission Proposal
Article 17(1)				
G 114	1. A coordinated action shall cease if the enforcement 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.	1. A coordinated action shall cease if the enforcement 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.	1. A coordinated action shall cease if the enforcement 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.	1. A coordinated action shall cease if the enforcement 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.

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
					Text Origin: Commission Proposal	
Article 17(2)						
G	115	2. The coordinator referred to in Article 13(2) shall notify, where applicable, the enforcement authorities of the Member States concerned by the coordinated action of the cessation of the coordinated action without delay.	2. The coordinator referred to in Article 13(2) shall notify, where applicable ***and without undue delay***, the enforcement authorities of the Member States concerned by the coordinated action ***and the Commission*** of the cessation of the coordinated action ~~*without delay*~~.	2. The coordinator referred to in Article 13(2) shall notify, where applicable, the enforcement authorities of the Member States concerned by the coordinated action of the cessation of the coordinated action without delay.	2. The coordinator referred to in Article 13(2) shall notify, where applicable ***and without delay***, the enforcement authorities 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	G
Article 18						
G	116	Article 18 Role of the coordinator	Article 18 Role of the coordinator	Article 18 Role of the coordinator	Article 18 Role of the coordinator Text Origin: Commission Proposal	G
Article 18(1)						
G	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	G
Article 18(1), point (a)						
G	118	(a) ensure that the enforcement authorities concerned are duly informed, in a timely	(a) ensure that the enforcement authorities concerned ***and the Commission*** are duly	(a) ensure that the enforcement authorities concerned are duly informed, in a timely	(a) ensure that the enforcement authorities concerned are duly informed, in a timely	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	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;	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;	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;	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; Text Origin: Council mandate/Commission Proposal
Article 18(1), 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 18(1), point (c)				
G 120	(c) coordinate the preparation and sharing of all necessary documents among the enforcement authorities concerned;	(c) coordinate the preparation and sharing of all necessary documents among the enforcement authorities concerned;	(c) coordinate the preparation and sharing of all necessary documents among the enforcement authorities concerned;	(c) coordinate the preparation and sharing of all necessary documents among the enforcement authorities concerned; Text Origin: Commission Proposal
Article 18(1), point (d)				
G 121	(d) maintain contact with the buyer and other parties concerned by the investigation or enforcement measures, as applicable, unless otherwise	(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	(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	(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

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	agreed by the enforcement authorities concerned and the coordinator;	investigation or enforcement measures, as applicable, unless otherwise agreed by the enforcement authorities concerned and the coordinator;	investigation or enforcement measures, as applicable, unless otherwise agreed by the enforcement authorities concerned and the coordinator;	investigation or enforcement measures, as applicable, unless otherwise agreed by the enforcement authorities concerned and the coordinator; Text Origin: EP and Council Mandate
Article 18(1), 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 18(1), point (f)				
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 18(1), point (g)				
G 124	(g) coordinate requests for mutual assistance submitted by the	(g) coordinate requests for mutual assistance submitted by the	(g) coordinate requests for mutual assistance submitted by the	(g) coordinate requests for mutual assistance submitted by the

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	enforcement authorities concerned pursuant to Chapter III.	enforcement authorities concerned pursuant to Chapter III.	enforcement authorities concerned pursuant to Chapter III.	enforcement authorities concerned pursuant to Chapter III. Text Origin: Commission Proposal
Article 18.1a				
G 124a				***The coordinator shall be assisted in the exercise of the tasks set out in paragraph 1, points b), c),e),f) and g) by the other enforcement authorities concerned*** text origin: EP mandate (moved from row 94)
Article 18(2)				
G 125	2. The coordinator shall not be held responsible for the actions or the omissions of the other enforcement authorities concerned when they make use of the powers set out in Article 6 of Directive (EU) 2019/633 and in the rules laid down in this Regulation.	2. The coordinator shall not be held responsible for the actions or the omissions of the other enforcement authorities concerned when they make use of the powers set out in Article 6 of Directive (EU) 2019/633 and in the rules laid down in this Regulation.	2. The coordinator shall not be held responsible for the actions or the omissions of the other enforcement authorities concerned when they make use of the powers set out in Article 6 of Directive (EU) 2019/633 and in the rules laid down in this Regulation.	2. The coordinator shall not be held responsible for the actions or the omissions of the other enforcement authorities concerned when they make use of the powers set out in Article 6 of Directive (EU) 2019/633 and in the rules laid down in this Regulation. Text Origin: Commission Proposal
Article 19				
G 126	Article 19 Alerts	Article 19 Alerts	Article 19 Alerts	Article 19 ~~*Alerts*~~***Alert system***

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
					Text Origin: Commission Proposal	
Article 19(1)						
Y	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 ~~may~~***might*** 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 ~~the~~ ***all*** 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. For those purposes, [the website] laid down in Article 8(3) of Directive (EU) 2019/633 shall be used.***	Y
Article 19(2)						
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	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*~~	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	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	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	covered by this Regulation, including, the following:	~~*Regulation, including, the following:*~~	covered by this Regulation, including, the following:	covered by this Regulation, including, the following: Text Origin: Council mandate/Commission Proposal
Article 19(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 ***detailed*** description of the widespread unfair trading practice with a cross-border dimension; Text Origin: Council Mandate
Article 19(2), point (b)				
G 130	(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;~~	~~*(b) details of the subject matter of the widespread unfair trading practice with a cross-border dimension;*~~ Text Origin: EP and Council mandate
Article 19(2), point (c)				
G 131	(c) the Member States concerned or possibly concerned by the widespread unfair trading practice with a cross-border dimension;	(c) ~~*the Member States concerned or possibly concerned by the widespread unfair trading practice with a cross-border dimension;*~~	(c) the Member States concerned or possibly concerned by the widespread unfair trading practice with a cross-border dimension;	(c) the Member States concerned or possibly concerned by the widespread unfair trading practice with a cross-border dimension; Text Origin: Council mandate/Commission Proposal
Article 19(2), point (d)				

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
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	G
Article 19(2), point (e)						
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	G
Article 19(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 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 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; Text Origin: Council mandate/Commission Proposal	G
Article 19(2), point (g)						
G	135	(g) the identities of the enforcement authorities bringing	(g) ~~*the identities of the enforcement authorities bringing*~~	(g) the identities of the enforcement authorities bringing	(g) the identities of the enforcement authorities bringing	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	the proceedings and taking other measures.	~~*the proceedings and taking other measures.*~~	the proceedings and taking other measures.	the proceedings and taking other measures. Text Origin: Council mandate/Commission Proposal
Article 19(3)				
G 136	3. The enforcement authority may, when issuing an alert, request enforcement authorities in other Member States to verify whether, based on information that is available or easily accessible to the relevant enforcement authorities, the same widespread unfair trading practices may be taking place in the territory of those other Member States or whether any proceedings are pending or any enforcement measures have already been taken against such unfair trading practices in those Member States. The enforcement authorities in those other Member States shall reply to the request without delay.	3. ~~*The enforcement authority may, when issuing an alert, request enforcement authorities in other Member States to verify whether, based on information that is available or easily accessible to the relevant enforcement authorities, the same widespread unfair trading practices may be taking place in the territory of those other Member States or whether any proceedings are pending or any enforcement measures have already been taken against such unfair trading practices in those Member States. The enforcement authorities in those other Member States shall reply to the request without delay.*~~	3. The enforcement authority may, when issuing an alert, request enforcement authorities in other Member States to verify whether, based on information that is available or easily accessible to the relevant enforcement authorities, the same widespread unfair trading ~~practices~~**practice with a cross-border dimension** may be taking place in the territory of those other Member States or whether any proceedings are pending or any enforcement measures have already been taken against ~~such~~**that** unfair trading ~~practices~~**practice** in those Member States. The enforcement authorities in those other Member States shall reply to the request without delay.	3. The enforcement authority may, when issuing an alert, request enforcement authorities in other Member States to verify whether, based on information that is available or ~~*easily*~~ accessible to the relevant enforcement authorities, the same widespread unfair trading ~~*practices*~~***practice with a cross-border dimension*** may be taking place in the territory of those other Member States or whether any proceedings are pending or any enforcement measures have already been taken against ~~*such*~~***that*** unfair trading ~~*practices*~~***practice*** in those Member States. The enforcement authorities in those other Member States shall reply to the request without delay. Text Origin: Council Mandate
Article 20				
G 137	Article 20	Article 20	Article 20	Article 20

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	Language arrangements	Language arrangements	Language arrangements	Language arrangements Text Origin: Commission Proposal
Article 20(1)				
G 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 agreed upon by the enforcement authorities concerned.	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 agreed upon by the enforcement authorities concerned.	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 agreed upon by the enforcement authorities concerned.	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 agreed upon by the enforcement authorities concerned. Text Origin: Commission Proposal
Article 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 translation in English, if requested***. Text Origin: EP Mandate
Chapter IVa				

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	139a			**Chapter IVa** **Cooperation in relation to buyers established outside the Union**	***Chapter IVa*** ***Cooperation in relation to suppliers or buyers established outside the Union*** Text Origin: Council Mandate	G
	Article 20a, title					
G	139b		***Article 20a*** ***Cooperation in relation to suppliers or buyers established outside the Union***	**Article 20a** **Cooperation in relation to buyers established outside the Union**	***Article 20a*** ***Cooperation in relation to suppliers or buyers established outside the Union*** Text Origin: EP Mandate	G
	Article 20a, paragraph 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 buyer is established outside the Union.***	**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 outside the Union an enforcement authority may:**	***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 Union, an enforcement authority may:*** Text Origin: Council Mandate	G
	Article 20a, point (a)					
G	139d		***2 With a view to establishing whether an unfair***	**(a) request information from an enforcement authority**	***(a) request information from an enforcement authority of***	G

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
			trading practice has occurred or is occurring in the territory of its Member State, an enforcement authority may request information from an enforcement authority of another Member State. Article 4a, Article 5(1), (2) and (3), Article 7a, Article 8, Article 9, Article 10(1) and Article 11 shall apply to such requests mutatis mutandis.	**of another Member State to establish whether an unfair trading practice has occurred or is occurring in the Member State of the applicant enforcement authority. For such a request, Articles 4a, 5(1), (2) and (3), 7a, 8, 9, 10(1) and 11 shall apply mutatis mutandis.**	***another Member State to establish whether an unfair trading practice has occurred or is occurring in the Member State of the applicant enforcement authority. For such a request, Articles 4a, 5(1), (2) and (3), 7a, 8, 9, 10(1) and 11 shall apply mutatis mutandis.*** Text Origin: Council Mandate	
Article 20a(b)						
G	139e		***3 When it suspects that an unfair trading practice by a buyer, irrespective of its place of establishment, takes place and that unfair trading practice might occur in at least three Member States, an enforcement authority may alert the Commission and other enforcement authorities concerned of those suspicions. Article 4(a), Article 19 and Article 20 shall apply to those alerts mutatis mutandis.***	**(b) alert the Commission and other enforcement authorities concerned when it suspects that an unfair trading practice by a buyer established outside the Union takes place and that that unfair trading practice may concern suppliers established in at least three Member States. For such alerts, Articles 4a, 19 (2) and (3) and 20 shall apply mutatis mutandis.**	***(b) alert the Commission and other enforcement authorities concerned when it suspects that an unfair trading practice towards a supplier established outside the Union or by a buyer established outside the Union takes place and that that unfair trading practice may concern buyers or suppliers established in at least three Member States. For such alerts, Articles 4a, 19 (2) and (3) and 20 shall apply mutatis mutandis.*** Text Origin: Council Mandate	G
Article 20(b), title						
G	139f		***Article 20b Reporting***		***Article 20b Reporting***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				Text Origin: EP Mandate
Article 20(b), paragraph 1				
139g		***1 Member States shall ensure that their enforcement authorities include in the annual report referred to in Article 10(2) of Directive (EU) 2019/633 details of any of their activities falling within the scope of this 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 cross-border 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.***		***1 The annual report referred to in Article 10(1) of Directive (EU) 2019/633 shall include details of any of the activities falling within the scope of this 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 cross-border 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.*** Text Origin: EP Mandate
CHAPTER V				
140	CHAPTER V		CHAPTER V	

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
		FPROCEDURAL PROVISIONS		~~FPROCEDURAL~~**PROCEDURAL** PROVISIONS		
Article 20b						
G	140a			**Article 20b** **Implementing powers**	***Article 20b*** ***Implementing powers*** Text Origin: Council Mandate	G
Article 20b paragraph						
Y	140b			**The Commission may adopt implementing acts laying down:**		Y
Article 20b(a)						
G	140c			**(a) standard forms for the requests for mutual assistance pursuant to Article 9(2);**	***(a) standard forms for the requests for mutual assistance pursuant to Article 9(2);*** Text Origin: Council Mandate	G
Article 20b(b)						
Y	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.**		Y
Article 20b second paragraph						
G	140e			**The implementing acts referred to in the first paragraph shall be adopted in**	***The implementing acts referred to in the first paragraph shall be adopted in accordance***	G

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			accordance with the examination procedure referred to in Article 21.	***with the examination procedure referred to in Article 21.*** Text Origin: Council Mandate
Article 21				
141	Article 21 Committee procedure	Article 21 Committee procedure	Article 21 Committee procedure	Article 21 Committee procedure Text Origin: Commission Proposal
Article 21(1)				
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. 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) .	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. 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) .	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. **[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) .	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. 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) .

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
					Text Origin: Commission Proposal	
Article 21(2)						
G	143	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Text Origin: Commission Proposal	G
Article 21(a), title						
G	143a		***Article 21a*** ***Evaluation***		***Article 21*** ***Reporting obligation of the Commission***	G
Article 21(a), paragraph 1, first subparagraph						
Y	143b		***1 By ... [+ 3 years from the adoption of this Regulation], the Commission shall carry out the first evaluation of this Regulation and shall present a report on the 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.***		***1 By 3 years from the application of this Regulation, the Commission shall present a report on the application of this Regulation 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.]*** Text Origin: EP Mandate	Y
Article 21(a), paragraph 1, second subparagraph						

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G 143c		***The Commission shall base the report on the annual reports referred to in Article 10(2) of of Directive (EU) 2019/633. The Commission may, if necessary, request additional information from Member States.***		***The Commission shall base the report on the annual 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	G
Article 21(a), paragraph 2					
G 143d		***2 That report shall include an assessment of:***		***2 That report shall describe the evolution of the cooperation mechanisms established under this Regulation and of enforcement activity, including the identification of the most frequent types of cross-border unfair trading practices, the most affected sectors, and buyer or buyers types most commonly involved.*** Text Origin: EP Mandate	G
Article 21(a), paragraph 2, point a					
G 143e		***a the effectiveness and proportionality of the cooperation mechanisms established under this Regulation in enforcing the rules laid down in Directive (EU) 2019/633;***		Text Origin: Council mandate/Commission proposal	G
Article 21(a), paragraph 2, point b					

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	143f		***b any significant changes in the level of administrative burden and compliance costs for Member States and businesses, especially small and medium-sized enterprises and primary producers;***		Text origin: Council mandate/Commission proposal	G
	Article 21(a), paragraph 2, point c					
G	143g		***c the evolution of enforcement activity, including the identification of the most frequent types of cross-border unfair trading practices, the most affected sectors, and buyer or buyers types most commonly involved.***		Text origin: Council mandate/Commission proposal	G
	CHAPTER VI					
G	144	CHAPTER VI FINAL PROVISIONS	CHAPTER VI FINAL PROVISIONS	CHAPTER VI FINAL PROVISIONS	CHAPTER VI FINAL PROVISIONS Text Origin: Commission Proposal	G
	Article 22					
G	145	Article 22 Entry into force and application	Article 22 Entry into force and application	Article 22 Entry into force and application	Article 22 Entry into force and application Text Origin: Commission Proposal	G
	Article 22, first paragraph					

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	146	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~~***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*~~***Official Journal of the European Union***. Text Origin: Council Mandate	G
Article 22, second paragraph						
Y	147	It shall apply from [+ 1 year from the adoption].	It shall apply from [+ 1 year from the adoption].	It shall apply from [+ ~~1 year~~**18 months** from the ~~adoption~~**entry into force**].		Y
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	G
Formula						
G	149	Done at Brussels,	Done at Brussels,	Done at Brussels,	Done at Brussels, Text Origin: Commission Proposal	G
Formula						
G	150	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament Text Origin: Commission Proposal	G
Formula						

		CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
G	151	The President	The President	The President	The President Text Origin: Commission Proposal	G
Formula						
G	152	For the Council	For the Council	For the Council	For the Council Text Origin: Commission Proposal	G
Formula						
G	153	The President	The President	The President	The President Text Origin: Commission Proposal	G