



## EUROPEAN COMMISSION

Secretariat-General

Directorate C - Smart Regulation and Work Programme  
**REFIT PLATFORM Secretariat**

Brussels, 23.01.2017

Danish Business Forum  
Langelinie Alle 17  
2100 Copenhagen  
Denmark  
By email: [erst@erst.dk](mailto:erst@erst.dk)

Dear Members of the Danish Business Forum,

On behalf of the REFIT Platform, we thank you for the extensive set of suggestions sent in on the efficiency, effectiveness or burden reduction of EU regulation or its implementation by Member States.

As indicated in the letter of first Vice-President Timmermans to Minister Sass Larsen on 24 June 2015 all submissions have been forwarded to the Commission services responsible for the relevant policy areas which have produced explanations of the current context. The submissions have been communicated to the REFIT Platform members and published on the REFIT Platform website<sup>1</sup>.

On 28 June and 23 November 2016, the **REFIT Platform adopted 11 Opinions on your suggestions** listed below. For each of them, we provide you with the following short account on how the Commission intends to follow up on to those opinions. More information can be found on the REFIT Platform website<sup>2</sup>.

- # 3.4<sup>3</sup>: **Revision of the Cookie Rule** (REFIT Platform ref.IV.1.b): follow up is ensured by the Commission in its proposal for a revised ePrivacy regulation recently adopted on 10 January 2017<sup>4</sup>.

---

<sup>1</sup> [https://ec.europa.eu/info/law/law-making-process/overview-law-making-process/evaluating-and-improving-existing-laws/reducing-4\\_en](https://ec.europa.eu/info/law/law-making-process/overview-law-making-process/evaluating-and-improving-existing-laws/reducing-4_en)

<sup>2</sup> [https://ec.europa.eu/info/law/law-making-process/overview-law-making-process/evaluating-and-improving-existing-laws/reducing-1\\_en](https://ec.europa.eu/info/law/law-making-process/overview-law-making-process/evaluating-and-improving-existing-laws/reducing-1_en)

<sup>3</sup> Throughout this letter, the "# number" refers to your own numbering provided in your submission of April 2015

<sup>4</sup> COM(2017) 10 final

- # 3.6: **Establishment of national business portals in the EU** (REFIT Platform ref.XII.5.a): follow up will be ensured by the Commission in its proposal on the Single Digital Gateway planned for first quarter 2017.
- # 3.10: Reduction of overlaps and streamlining of methods related to requirements for **construction products** across EU initiatives (REFIT Platform ref.XII.8.a): the issues relating to potential legislative shortcomings and overlapping requirements will be examined by the Commission as part of its on-going Fitness Check on the construction sector, expected to be finalized in the second quarter of 2017. Further consultations with stakeholders have also started in the fourth quarter of 2016 to improve the functioning of European standards for construction products.
- # 3.11: Streamlining of the national registration systems for producer responsibility for **waste electrical and electronic equipment** (REFIT Platform ref.IX.1.a): the Commission is planning to adopt an Implementing Act in the first half of 2017 further simplifying and developing reporting and registration arrangements,.
- # 3.14: **Articles intended to come into contact with food**/declaration of compliance (REFIT Platform ref.XI.1.a): the Commission will examine the recommendations of the Platform in the context of its follow-up on the implementation of the EU food contact materials legislation.
- # 3.18: clearer EU framework for farmers in relation to **cross compliance** (REFIT Platform ref.I.2.a): the Commission will consult throughout 2017 on the modernisation and simplification of the Common Agricultural Policy (CAP), which will also cover this aspect.
- # 3.19: **Risk-based analysis and testing on food** (REFIT Platform ref.XI.3.a): the Commission plans to adopt a new delegated act before the entry into application of the new Official Control Regulation, which is expected to be adopted in legislative procedure in the first quarter of 2017.
- # 3.20: **Combating VAT fraud without applying reverse liability** will be addressed by a legislative proposal on the definite V AT regime foreseen for 2017, in which the Commission has announced the aim to re-establish the principle of taxation of cross border supplies in the same way as domestic supplies and extend the current Mini One-Stop-Shop to cover cross-border business-to-business supplies of goods.
- # 3.21: **EU VAT information portal** (REFIT Platform ref.XVIII.3.a): the opinion will be considered in the continuing work which the Commission plans to take forward in 2017 in further discussion with Member States on the best design for a web portal, following the conclusion of the current study.

- # 3.23: Reform of **statistics for environmental protection investments** (REFIT Platform ref.XVII.3.a): the Commission recognises that unnecessary administrative burden is created by double reporting obligations and has examined the legal basis for environmental accounts. To address this, the Commission plans to make a legislative proposal on FRIBS (Framework Regulation Integrating Business Statistics) in 2017 which should ensure that there are no overlapping reporting requirements.
- # 3.15: Reduction of **marketing standards for fresh fruit and vegetables** (REFIT Platform ref.I.6.a): the Commission has yet to determine how it will respond to this Platform opinion which was adopted more recently, in November 2016.

Regarding your outstanding submissions, the REFIT Platform has decided the following:

**Work has now started on the issues raised by the suggestions listed below with a view to the Platform adopting an Opinion in the coming months:**

- # 3.5: Consequences of national technical rules (REFIT Platform ref. XII.6.a).
- # 3.22: One-Stop-Shop for EU VAT Declaration (REFIT Platform ref.XVIII.5.a).

The suggestions listed below will be **considered for possible take up later in the REFIT Platform work**. Further information will follow according to the progress of the work.

- # 3.1: Simplification of consumer contracts in e-commerce (REFIT Platform ref.VI.1.b).
- # 3.2: European rules on storing company records abroad (REFIT Platform ref.X.2.a).
- # 3.9: Withdrawal forms and consumers objections against determination of value loss (REFIT Platform ref.VI.1.c).
- # 3.12: Environmental zones at European level (REFIT Platform ref.XV.5.a).
- # 3.13: Resource productivity through modernised waste transport rules in the EU (REFIT Platform ref.IX.3.a).
- # 3.16: Weighting factors for ecological focus areas (REFIT Platform ref. I.1.a).
- # 3.17: Windbreaks as ecological focus areas (REFIT Platform ref.I.1.b).
- # 3.24: Harmonisation of nomenclature and incompatibility in Extrastat, Intrastat and Prodcom (REFIT Platform ref.XVII.1.b).

Finally, on the suggestions listed below the Platform has **does not intend to prepare an Opinion**. The reasons for this are provided for each item.

- # 3.3: Common criteria for carrying out "sweeps" (REFIT Platform ref. VI.2.a): the Commission has tabled in May 2016 a legislative proposal revising the Regulation on consumer protection cooperation that is still pending in the EU legislative procedure.
- # 3.7: Establishment of a notification procedure for the introduction of national technical rules regarding service provision (REFIT Platform ref. XII.4.a): a legislative proposal on this topic has been released by the Commission on 10 January 2017<sup>5</sup>.

Should you have additional data or other information to confirm the impact and importance of the issues raised, or further views which you consider the Platform should take into account, you are invited to communicate this additional data, information or views to: SG-REFIT@ec.europa.eu.

With many thanks again for your interest in these issues and your suggestions all of which will be retained for future reference.

Yours sincerely,

The Platform secretariat

---

<sup>5</sup> COM(2016) 823 final