

## Input to the Call for Evidence

### “Tackling unjustified Territorial Supply Constraints”

Key considerations on the justification and economic rationale of the initiative on Territorial Supply Constraints

## Executive Summary

- AIM represents branded manufacturers operating across integrated EU supply chains, supplying all retailers and wholesalers throughout the Single Market.
- Any initiative affecting these supply chains must be grounded in a robust, evidence-based impact assessment. **At present, there is no sufficient basis to assess or support any of the policy options outlined in the Call for Evidence. Serious concerns about the parameters for such an assessment arise from significant gaps in the Commission’s problem definition and analytical framework.** The key question is not whether the objective is legitimate in the abstract, but whether the measures are supported by solid evidence, remain within clear legal limits, and are necessary and proportionate.
- A sound assessment requires a clear definition of scope (products, actors, conduct) and a strict distinction between regulatory fragmentation (e.g. VAT, labelling, packaging) and legitimate business decisions. A horizontal instrument cannot compensate for Member State divergence or reclassify normal commercial practices as “unjustified.” The analysis must reflect how markets actually function and distinguish between regulatory constraints, operational choices, and conduct that could genuinely justify intervention.
- The evidence base must be complete, balanced and verifiable, supported by economic modelling and legal analysis across the full supply chain. As highlighted by the JRC and the European Court of Auditors<sup>1</sup>, this includes quantifying changes from the status quo and assessing implementation and enforcement costs.
- The analysis must reflect market realities, including retailer pricing power, margin allocation, and the significant role of private-label products (around 50% of assortments in many markets).
- It must clearly distinguish between consumer price differences and retailer sourcing strategies. There is no evidence that the proposed measures would reduce prices; available evidence suggests they may increase them.
- Legal consistency is essential. Any assessment must align with the Vertical Block Exemption Regulation and Guidelines, and define narrowly what constitutes “unjustified” conduct. Without clear limits, there is a risk of creating a de facto obligation to supply or align commercial strategies across Member States. The Commission has not identified a concrete enforcement gap that cannot already be addressed through existing competition law, targeted Single Market measures, or action on regulatory fragmentation. Less restrictive alternatives must be properly tested.
- A full cost-benefit analysis is required, covering impacts on supply chains, investment, competition, employment, product availability, the environment and public revenues. A narrow focus on short-term price effects risks overlooking broader distortions to competition.
- Until these analytical and evidentiary gaps are addressed, no new initiative can be justified under the requirements of necessity, proportionality and legal certainty.

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<sup>1</sup> European Court of Auditors, [Special report 03/2025](#); V calling for “quantitative assessment of economic aspects, data, consistency check with other relevant EU legislation, monitoring arrangements.”

## 1 Introduction

- 1.1 AIM (Association des Industries de Marque) represents manufacturers of branded consumer goods in Europe, ranging from SMEs to multinational companies, operating across highly integrated and interdependent supply chains.
- 1.2 The fast-moving consumer goods sector is a core pillar of the European economy and the Single Market. Key characteristics of the industry include:
- The **fast-moving consumer goods (FMCG) industry is the EU's third-largest manufacturing sector**<sup>2</sup>
  - It comprises **approximately 166,000 enterprises across the EU**<sup>3</sup>
  - It represents **11.6% of all goods manufactured in the EU**<sup>4</sup>
  - Annual **R&D and industrial asset investments total approximately €99 billion**<sup>5</sup>
  - Around **61% of FMCG products produced in the EU are traded within the Single Market**, representing **€276.1 billion in intra-EU trade**<sup>6</sup>
  - The remaining **39% (€182 billion) are exported outside the EU**, accounting for **6.8% of extra-EU trade**<sup>7</sup>
  - **Household consumption represents approximately 51% of EU GDP**<sup>8</sup>
  - Around **70% of agricultural output is supplied to the consumer goods industry**<sup>9</sup>
- 1.3 FMCG manufacturers manage production sites and facilities, transforming raw materials into a wide variety of consumer goods through precise manufacturing processes. Supporting these operations are extensive and sophisticated supply chains, which provide FMCG factories with essential ingredients, goods, and specialised equipment. These supply chains comprise agricultural producers, component manufacturers, logistics providers and technology suppliers, all of which contribute to the delivery of compliant and high-quality goods to consumers across the Union. Manufacturers in turn supply goods to all customers, including small, medium-sized and large retailers and wholesalers, using the most efficient and effective means possible in a given market.
- 1.4 In this context, **any policy initiative affecting the organisation of supply chains must be grounded in a clear and evidence-based understanding of how these markets function in practice**. This is particularly relevant in light of the EU's competitiveness and simplification agenda, which calls for proportionate, data-driven policymaking that supports investment, innovation, and the functioning of the Single Market.
- 1.5 **This requires distinguishing between market outcomes driven by business decisions and those resulting from regulatory fragmentation across Member States, a distinction the Call for Evidence does not yet adequately make.**
- 1.6 The [Call for Evidence](#) on Territorial Supply Constraints (TSCs) raises important questions regarding cross-border trade and product availability within the Single Market. Given the scale and complexity of the sector, the forthcoming impact assessment should:
- clearly define the scope of the initiative, including the products and actors concerned,
  - accurately reflect the diversity and interdependence of supply chain participants,
  - be based on robust, data-driven analysis covering all relevant market dynamics,
  - assess both benefits and costs across all actors in the supply chain, and

<sup>2</sup> Euromonitor, 2022, based on Eurostat using HS codes, Trade by commodity

<sup>3</sup> Eurostat, Prodcom

<sup>4</sup> Ibid.

<sup>5</sup> BERD and gross investment in tangible non-current assets for R&D and SBS gross detailed NACE Rev. 2 activity; 2022

<sup>6</sup> Based on total EU imports and exports of FMCG industries by NACE Rev. 2 activity

<sup>7</sup> Ibid.

<sup>8</sup> Eurostat 2022 GDP and Euromonitor for brand data

<sup>9</sup> K. Logatcheva and M.A. van Galen, [The EU Food and Drink Industry Use of Domestic Raw Material](#), Wageningen Economic Research, Fact Sheet 2018-086 (The Hague, 2018)

- determine consistency with existing EU legal frameworks, including competition law.
- 1.7 As the Call for Evidence refers to “daily consumer goods” and to companies that do not hold a dominant position within the meaning of EU competition law, its implications extend broadly across the consumer goods ecosystem, including SMEs, mid-sized companies and larger manufacturers, as well as their upstream and downstream partners. Due to the strong interdependence within supply chains, any intervention at one level may have cascading effects across the entire system.<sup>10</sup>
- 1.8 In the absence of a robust, complete, and unbiased evidence base, there is currently no sufficient basis to assess—let alone support—any of the four policy options outlined in the Call for Evidence.**
- 1.9 Against this background, AIM sets out below key considerations to support the development of a robust evidence base and a proportionate policy response—if one is found to be needed.

## 2 The impact assessment must be based on a robust, transparent and representative evidence base

### 2.1 Impact Assessment must ensure transparency and full use of existing Commission evidence

- 2.1.1 The Call for Evidence references the [Single Market Strategy](#), which identified TSCs as among the ten most harmful barriers to trade within the Single Market. This conclusion is primarily based on one study commissioned by the European Commission in 2020; subsequent reports, including those by the European Parliament Research Service and others, consistently cite this single study. Earlier studies conducted by the European Commission in 2009 and 2012 highlighted the necessity for assessing intra-EU trade flows.
- 2.1.2 Due to the significant effects on supply management operations of new measures, and in accordance with the Better Regulation Principles and transparency rules, the Commission must publish the results of both previous studies, along with comprehensive explanations detailing the economic and intra-EU trade implications found in those studies.

### 2.2 Impact Assessment must be based on robust, comprehensive and unbiased methodology

- 2.2.1 Considering the extensive implications for supply management operations within this sector, the evidence base underpinning the impact assessment must be robust, comprehensive and unbiased. It should include further economic modelling and legal analysis across all segments of the supply chain, and ensure that definitions, methodologies and factual assumptions are presented with clarity.

### 2.3 Impact Assessment must ensure clarity of terminology, definitions and scope of analysis

- 2.3.1 The impact assessment should use a functional terminology aligned with existing EU legal instruments, in particular the distinction between “buyers” and “suppliers” used in EU competition law and in the Unfair Trading Practices Directive. This is necessary because the same operators may act in different capacities at different levels of the supply chain, and an analysis based only on labels such as “manufacturer”, “retailer” or “wholesaler” risks obscuring market reality.
- 2.3.2 The Call for Evidence introduces confusion regarding terminology and definitions. The Call for Evidence compares “*manufacturers*”, and the “*sourcing roles of retailers and wholesalers*,” yet does not adequately address the following considerations:
- 2.3.2.1 FMCG manufacturers organise production and upstream supply chains in order to place compliant goods on the market efficiently.
  - 2.3.2.2 FMCG manufacturers supply goods to all customers i.e. small, medium or large retailers and wholesalers, in a market, using the most efficient and effective means possible. Manufacturers organise supply based on the needs of all customers in any given market.

<sup>10</sup> Baráthová *et al.* (2020) [Pass-through of unfair trading practices in EU food supply chains](#). JRC, European Commission

- 2.3.3 In the evidence base underpinning the impact assessment, the sourcing role of retailers and wholesalers (see [Annex 1](#)) must also take into account:
- 2.3.3.1 The dynamic and interchangeable functions of businesses within the supply chain. For instance, Edeka—Germany’s leading grocery retailer—not only operates as a manufacturer<sup>11</sup> by owning production facilities for its private label products, but also functions as a wholesaler supplying its franchisees, and as a retailer through owned stores and online channels. This multi-faceted approach is prevalent among many other retail brands as well. This illustrates why a functional buyer/supplier analysis is more appropriate than a rigid categorisation of operators.
  - 2.3.3.2 The various circumstances and legal classifications of “retailers”. It is important to distinguish between major retail chain brands, which are significant market players, and individual store owners who operate under different legal structures, such as franchisees or independents. Retail stores across several Member States have reported restrictions on their ability to source products freely, despite the potential for reduced costs through alternative suppliers or other retail groups.<sup>12</sup> This raises questions regarding the purported price pass-through advantages offered by large retail chains to consumers.
  - 2.3.3.3 Differentiating between the wholesaling practices of retail chains and independent wholesalers. Independent wholesalers frequently utilise selective distribution arrangements i.e. justified Territorial Supply Constraints. They have expressed concerns that the Commission’s initiative may provide an undue advantage to large retail chain interests.<sup>13</sup>
  - 2.3.3.4 If wholesalers are brought within scope, the impact assessment should explain why and on what basis, and should distinguish clearly between genuinely independent wholesaling activity and wholesaling structures linked to large retail chains or integrated buying groups.
  - 2.3.3.5 Any decision on scope should recognise that “wholesalers” are not a homogeneous category. Independent wholesalers, retail-affiliated wholesalers and vertically integrated retail groups do not perform the same market function, and a single undifferentiated rule risks creating false positives and new competitive asymmetries.

## 2.4 Impact Assessment must define clearly the product scope

- 2.4.1 The Impact Assessment should provide a precise definition of “daily consumer goods”. The current Call for Evidence lacks a clear specification of the products or supply chains included within its scope, resulting in uncertainty regarding the basis for conclusions on potential impacts and asserted benefits. This is particularly relevant given that the current methodology seems to omit approximately 50% of product assortments, most notably private label items. A definition that excludes major parts of the assortment sold to consumers, in particular private-label products, would risk predetermining the results of the analysis. To consider:

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<sup>11</sup> EDEKA Group, [Company Report 2024](#), p. 5: “In the 2024 financial year, the EDEKA group further expanded its in-house production activities. One focus was on the integration of the Italian pasta maker Pasta Rey, which was acquired the previous year, including its own mill for the production of durum wheat semolina [...] the production operations in the Group further expanded their turnover to €5.3 billion.” See also: [Intermarché](#), in-house production estimated at €4.5 billion, operating 57 factories across France, Belgium, Poland and Portugal; [Colruyt Group](#), development of own production including Belgian organic products from its own viticulture lands (illustrating vertical integration of agricultural and manufacturing activities in retailing).

<sup>12</sup> Secretariat General of the Benelux Union, [Territorial restrictions in retail trade](#), 2018, p. 5 (“Certain retailers take advantage of this situation to assert their authority and impose their own rules on small shopkeepers (minimum sales volumes, imposed secondary items, etc.)”); see also: [Carrefour under fire from its franchisees; At Carrefour, higher selling prices... penalising franchisees; Carrefour franchise contracts: abuses highlighted by Bercy](#); Spain CNMC (Competition Authority), case [SDC/0508/14](#) (“Retailers forcing shopkeepers to purchase exclusively from central buying groups and to sell at a negative margin”).

<sup>13</sup> See [feedback](#) reference ‘F33387332’ to the European Commission call for evidence on TSCs by the Federal Committee for the Paper and Toy Trade (Austrian Federal Economic Chamber), submitted on 1 April 2026.

- 2.4.1.1 The 2020 Commission study indicated that *“interviewed retailers and wholesalers also mentioned (TSC for) other product categories, not covered by this study, such as consumer electronics and home appliances,”* which are used regularly by consumers.
- 2.4.1.2 The Benelux survey highlights that retailers reported challenges in *“DIY channels, jewellery, bicycles and bicycle parts etc.”*—categories frequently utilized by consumers.
- 2.4.1.3 The 2020 Commission study’s flawed estimated €14 billion benefit<sup>14</sup> in consumer savings presumes a wider scope encompassing all suppliers and not just large manufacturers in grocery; accordingly, this figure would require downward adjustment should a more limited scope be adopted. If consumer prices are the stated objective of the initiative, it would not be methodologically sound to exclude from the analysis a substantial share of the products actually sold to consumers in the Union.

## **2.5 Impact Assessment must quantify the role of retail commercial margins in cross-border price differences**

- 2.5.1 The evidence base underpinning the impact assessment must quantify the impact of retail commercial margins on consumer price differences, as these margins vary significantly across countries and can explain a substantial part of cross-border price variations.<sup>15</sup>
- 2.5.2 Retailers set final consumer prices by law and control pricing strategies. As noted by the Austrian authority, *“food retailers with international operations are more likely to charge different prices for the same product in line with their country strategies. These strategies may be a significant factor in setting different food prices across countries and in explaining higher prices in Austria”*.<sup>16</sup> Austrian retailers have a 31% higher margin than the German retailers considered in the price comparison referenced in the Call for Evidence (see [Annex 2.1](#)).

## **2.6 Impact Assessment must reflect multi-product pricing strategies and limits of single-product comparisons**

- 2.6.1 The evidence base underpinning the impact assessment must sufficiently take into account that product price differences are not solely a function of supplier wholesale prices, as *“retailers are multi-product firms serving basket shoppers...they “maximize joint profits over the entire basket, regardless of the results from the individual products”;*<sup>17</sup> *“retailers essentially do not price a product in relation to the procurement price of that product but they price it in relation to the market price”*.<sup>18</sup> (see [Annex 3](#))
- 2.6.2 This issue has already been raised in France by meat producers and consumer organisations, which argue that such commercial margin allocation can create artificially high prices for certain products.<sup>19</sup> It also highlights the limits of single-product price comparisons, which do not reflect the cumulative effect of wholesale pricing and margins across the supply chain before reaching the consumer.

## **2.7 Impact Assessment must fully assess retail market power, private labels and retailer-driven TSCs**

- 2.7.1 The evidence base underpinning the impact assessment must sufficiently consider the role of retail market power. Several national authorities have recognised the impact of retail market

<sup>14</sup> NERA Economic Consulting, [Study on Territorial Supply Constraints in the EU retail sector – A critical review](#), 9 December 2022, pp. 58–60, explaining that the estimate relies on unrealistic assumptions—such as wholesale prices converging to the lowest observed level—and on flawed econometric methodology, thereby overstating potential consumer savings.

<sup>15</sup> Austrian retailers have a 31% higher margin than the German retailers considered in the price comparison, AK Wien (Vienna Chamber of Labour), *Branded food products in Austrian and German online supermarkets*, 2025 (see Annex).

<sup>16</sup> Austrian Federal Competition Authority, [Sector Inquiry on Food](#), 2023.

<sup>17</sup> Baráthová et al. (2020) [Pass-through of unfair trading practices in EU food supply chains](#). JRC, European Commission

<sup>18</sup> European Commission, DG Competition, presentation at DG AGRI workshop, 11 December 2025.

<sup>19</sup> Consumer association [filed](#) case with the French Competition Authority; FICT, [Margins in the deli meats sector: FICT calls on retailers and raises the alarm over the sector’s difficult situation](#), press release, 17 February 2026

power on consumer prices, including through higher commercial margins.<sup>20</sup> This is also evidenced in the Commission's 2020 study. It appears paradoxical that retailers operating in highly concentrated markets (e.g. Austria, Belgium, the Netherlands), with comparatively high commercial margins and engaged in EU-wide purchasing arrangements, are among those most vocal in raising concerns about Territorial Supply Constraints.

- 2.7.2 The evidence base underpinning the impact assessment must reflect market reality and take into account all consumer good assortments, including the 50% of consumer goods assortments in private labels/retailer own brands. These products play a key role in cross-border availability and pricing. In grocery, retailer-owned brands represent between 30% and over 50% of assortments and sales in many EU markets and directly influence pricing strategies for manufacturer brands. In some retail models, such as vertically integrated chains (e.g. Ikea, Zara, H&M), assortments are overwhelmingly composed of own-brand products, often exceeding 90%, with prices varying across countries (see chart in [Annex 4.3](#)).
- 2.7.3 This is reflected in market outcomes when looking at the top 10 leading FMCG manufacturers by retail sales by market: across seven EU markets analysed<sup>21</sup> (2024 grocery retail sales in euros), no large "A-Brand" manufacturer holds the leading position, with top spots instead taken by private label (five markets) and local brands (two markets). Overall, large brand manufacturers appear only three times across the 21 top-three positions, compared to 13 for private label and five for local brands (see chart in [Annex 4.2b](#)).
- 2.7.4 The evidence base underpinning the impact assessment must consider Territorial Supply Constraints linked to retail chains, as identified in the Commission's 2020 study (p.51): ***"the collected information shows that for private label products available from large multinational retailers there are also large pricing differences between Member States, which seems to suggest that retailers engage in some of the related practices that they accuse manufacturers of engaging in. This price discrimination follows the same patterns as for the manufacturers, namely higher prices in less competitive markets and lower prices in more competitive markets". "From the perspective consumers these practices are still problematic as retailers engage in some of the practices that are considered related to TSCs when done by manufacturers."*** A solution that does not examine practices affecting such a large share of the products sold in the Union would raise questions as to the objectivity of the initiative and the robustness of the efficiencies claimed.
- 2.7.5 The evidence base underpinning the impact assessment must quantify cross-border trade movements with an objective cost-benefit analysis, to address concerns about trade restrictions and include the previous recommendations from DG MARKT (now DG GROW) AND DG ECFIN (see 2013 DG ECFIN slides on TSCs in [Annex 6](#)). Trade figures for FMCG markets show intra-EU trade reaching €276 billion annually.<sup>22</sup> This raises questions about the scale of the issue and whether TSCs constitute a systemic barrier.

## 2.8 Impact Assessment must address regulatory fragmentation across Member States

- 2.8.1 The impact assessment must explicitly account for the role of regulatory fragmentation across Member States in shaping cross-border trade patterns, product availability, and price differences. Divergences in national rules—including VAT rates, labelling requirements, packaging obligations, environmental regulations, and product standards—create structural

<sup>20</sup> See Annex 2 and 4: [Czech study on retail development](#) (2023); Swedish Competition Authority, [Rising food prices – where does the money go?](#) (2024); German Monopolkommission, [Special Report](#) (2025); Austrian Federal Competition Authority, [Sector Inquiry on Food](#) (2023) (finding that "food retailers with international operations are more likely to charge different prices for the same product in line with their country strategies. These strategies may be a significant factor in setting different food prices across countries and in explaining higher prices in Austria"); as well as ongoing Italian and Dutch investigations.

<sup>21</sup> Data covering the following Member States: Austria, Czechia, Germany, Spain, France, Italy and Finland (see chart in [Annex 4.2b](#)).

<sup>22</sup> Euromonitor, 2022, based on Eurostat using HS codes, Trade by commodity

barriers that affect how supply chains are organised and how products are placed on different markets.

- 2.8.2 This has been explicitly recognised at the highest political level. In its Conclusions of 19 March 2026, the European Council identified as a matter of “*high priority*” the need to address “*fragmented product labelling and packaging requirements, including through digital solutions*”, noting that this would “*address the negative impact of territorial supply constraints*”.<sup>23</sup>
- 2.8.3 The current Call for Evidence does not adequately reflect these regulatory drivers and instead focuses primarily on business practices, which risks attributing to companies constraints that arise from Member State legislation and policy choices, which are outside the control of economic operators. These barriers include, among others, fragmented packaging and labelling requirements, VAT differences, environmental obligations, product standards and other national rules that directly affect both product availability and consumer prices.
- 2.8.4 The mere fact that products are manufactured in the same factory does not eliminate legitimate reasons for differentiated packaging, labelling, routing, timing or supply conditions. Common production origin does not remove differences in regulatory compliance, language requirements, market-specific information, product stewardship, recall management, retailer format needs, transport constraints or liability allocation.
- 2.8.5 In this context, industry initiatives already support more efficient and harmonised approaches. The Digital Consumer Information Alliance has consistently called for a “coordinated approach on product information by digital means that would work for all, consumers and economic operators alike including SMEs.”<sup>24</sup> Brand manufacturers continue to play an active role in identifying and flagging such regulatory barriers, including through input to such bodies as the Commission’s Single Market Enforcement Taskforce (SMET).<sup>25</sup>
- 2.8.6 Some stakeholders seek to characterise “indirect” TSCs as including packaging, labelling or product differences whenever they impede cross-border sourcing. That approach would be unsafe unless tightly limited. Packaging and labelling are often precisely where regulatory fragmentation, traceability obligations, recall responsibilities and market-specific compliance requirements intersect with operational decisions. Treating such differences presumptively as unjustified would risk misclassifying the effects of fragmented public rules as private restrictions.
- 2.8.7 A comprehensive and objective assessment must therefore distinguish clearly between barriers resulting from regulatory fragmentation and those arising from commercial decisions. Without such distinction, there is a risk of misdiagnosing the problem and proposing measures that fail to address its root causes.

## 2.9 Impact Assessment must address fundamental limitations in the current evidence base

- 2.9.1 However, the current published evidence base presents fundamental limitations. The Commission’s own 2020 study acknowledges that “*actual evidence on TSCs [...] is far from conclusive*”.<sup>26</sup>
- 2.9.2 Moreover, the underlying data and methodology of the Commission’s existing study raise serious concerns. The study relies primarily on stakeholder reporting and “*relies entirely on the perceptions of a limited number of mainly large, internationally active retailers*”. It has been

<sup>23</sup> European Council, [Conclusions of the meeting of 19 March 2026](#), recognising as a matter of “high priority” the need to address “fragmented product labelling and packaging requirements, including through digital solutions”, and noting that this would “address the negative impact of territorial supply constraints”.

<sup>24</sup> AIM, as a member of the Digital Consumer Information Alliance, has [consistently](#) called for a “coordinated approach on product information by digital means that would work for all, consumers and economic operators alike including SMEs.”

<sup>25</sup> AIM, [Examples of barriers in the Single Market and recommendations for solutions](#), input submitted to the Single Market Enforcement Taskforce (SMET) on product and packaging labelling requirements in the EU.

<sup>26</sup> European Commission, *Study on territorial supply constraints in the EU retail sector*, Final Report, 2020, p. 44

further observed that it “rests on very poor and incomplete data”, making it “impossible to draw reliable conclusions”.<sup>27</sup>

- 2.9.3 The Commission’s 2020 study also appears to suffer from methodological limitations related to sample composition. As acknowledged in the study itself, “retailers with an interest in the topic... may pose a selection bias”<sup>28</sup>. Indeed, the authors of the study further state that “most of the interviewed retailers are large operators with a significant presence in the national market and frequently conduct operations in other Member States as well.”<sup>29</sup> A critical analysis of the study has further found that this may have resulted in overstating the prevalence of alleged TSC practices “by a factor of up to ten”.<sup>30</sup>
- 2.9.4 As a result of this and other methodological failings, the evidence base derived from the Commission’s 2020 study amounts to “nothing more than a collection of unverified claims”<sup>31</sup>, which undermines its reliability for policy purposes.
- 2.9.5 Similar limitations are evident in more recent evidence-gathering exercises. The Commission’s Single Market Enforcement Taskforce (SMET) results of April 2025 are based on unstructured information provided by Member States and do not involve a structured investigation or systematic verification of alleged occurrences of underlying practices. As such, they do not constitute documented or independently substantiated evidence of Territorial Supply Constraints.
- 2.9.6 Taken together, these elements demonstrate that the current evidence base—centred on the Commission’s 2020 study and subsequent unverified inputs—lacks robustness and cannot serve as a reliable foundation for an impact assessment intended to support proportionate, evidence-based policymaking.

### 3 The Impact Assessment must ensure legal clarity and proportionality

- 3.1.1 The Call for Evidence identifies a range of practices (e.g. packaging differentiation, wholesale price differentiation, refusal to supply), while explicitly recognising that such practices may be justified, for example due to national regulatory requirements, commercial strategies, or companies’ freedom to organise their operations as they see fit.
- 3.1.2 Some of the practices currently challenged in the Call for Evidence are therefore already permitted, for all businesses, under the 2022 Vertical Block Exemption Regulation, the Vertical Guidelines and EU competition law.<sup>32</sup> Any departure from this framework would need to be clearly justified in order to avoid inconsistency between EU legal instruments. Before proposing any new instrument, the Commission should identify precisely which allegedly harmful conduct falls outside the scope of existing competition law and why existing enforcement tools would be insufficient. In the absence of a clearly demonstrated regulatory gap, the case for additional intervention remains unproven. The relevant question is not whether differentiated supply arrangements can be criticised in the abstract, but whether any restriction on such conduct is objectively necessary and proportionate in light of a clearly demonstrated problem and a clearly identified legal gap. A horizontal Single Market instrument should not be used to prohibit in general terms conduct that EU competition law currently assesses in a differentiated and context-sensitive manner. Any departure from that framework would require a specific and compelling justification.

<sup>27</sup> NERA Economic Consulting, [Study on Territorial Supply Constraints in the EU retail sector – A critical review](#), 9 December 2022, pp. 33 and 54.

<sup>28</sup> European Commission, *Study on territorial supply constraints in the EU retail sector*, Final Report, 2020, p. 46

<sup>29</sup> European Commission, *Study on territorial supply constraints in the EU retail sector*, Final Report, 2020, p. 13

<sup>30</sup> NERA Economic Consulting, [Study on Territorial Supply Constraints in the EU retail sector – A critical review](#), 9 December 2022, p.35

<sup>31</sup> European Commission, *Study on territorial supply constraints in the EU retail sector*, Final Report, 2020, p. 45

<sup>32</sup> See AIM, [“Territorial Supply Constraints: Note on the Legal Aspects”](#), 2013.

- 3.1.3 The existence of a potential enforcement gap in relation to certain unilateral practices does not, by itself, justify a new horizontal ex ante prohibition. Existing EU competition law already provides a comprehensive framework to address conduct that genuinely harms the Single Market. In practice, supplier behaviour takes place within commercial agreements and is therefore generally assessed under Article 101 TFEU, which has been interpreted broadly by the European Courts and applied in the Commission's practice, including under the Vertical Block Exemption Regulation. Where conduct is genuinely unilateral, Article 102 TFEU applies to dominant undertakings. The absence of equivalent constraints for non-dominant companies does not reflect a gap, but a deliberate legal choice reflecting the structure of EU competition law, the distinction between dominance-based responsibility and ordinary commercial freedom, and the freedom to conduct a business protected under Article 16 of the Charter of Fundamental Rights.
- 3.1.4 The Commission must first identify with precision which conduct cannot already be addressed through Articles 101 and 102 TFEU, existing Single Market tools, or action against national regulatory fragmentation, and explain why a broader instrument would not capture legitimate commercial differentiation. Nor does the mere fact that some cases may fall outside current dominance-based enforcement mean that all differentiated supply practices should be recast as presumptively unlawful. A regime based on broad presumptions, reversed burdens of proof, or generalised lists of prohibited practices would create significant risks of overreach unless the underlying problem, scope and legal standard are defined with exceptional precision.
- 3.1.5 However, the conditions under which these practices would be considered "unjustified" remain unclear. Clear, objective and context-sensitive criteria will therefore be essential to ensure legal certainty, proportionality, and consistent application across Member States. Such criteria must be capable of taking account of differences between supply chains, product categories and temporary market circumstances. The notion of "unjustified" cannot be left open-ended. If it is not narrowly framed, there is a real risk that a lawful commercial tool becomes, in practice, subject to a quasi-obligation to supply or to align product, pricing or distribution strategies across Member States, notwithstanding differences in regulation, logistics, market conditions and consumer demand. Any assessment of whether a practice is "unjustified" must expressly take into account objective factors including national regulatory requirements, labelling and packaging divergences, logistics and transport costs, security-of-supply considerations, production planning, capacity constraints, consumer preferences, and broader portfolio and brand-management choices.
- 3.1.6 Several stakeholders argue that the only effective solution would be a new ex ante instrument modelled on the DMA, the UTP Directive or the Geo-blocking Regulation, applying broadly to non-SME manufacturers, presuming listed practices unlawful, and shifting the burden of proof to suppliers. That approach would go well beyond closing any specific enforcement gap. It would amount to a structural re-ordering of lawful commercial freedom in B2B supply chains and would require an especially rigorous justification as to scope, necessity, proportionality and legal coherence.
- 3.1.7 Suggestions that any new instrument should apply generically to "global brands", "must-have products" or all non-SME manufacturers raise further questions of definition, administrability and equal treatment. Such proxies risk substituting broad labels for a genuine legal and economic analysis of market power, necessity and effects.
- 3.1.8 Thresholds based on company type or size alone would not solve the core design problem. They would still require the Commission to explain why the targeted conduct, rather than the characteristics of the targeted firms, justifies intervention.
- 3.1.9 In assessing practices such as refusal to supply, the impact assessment should also consider, where relevant, the EU's existing approach in the geo-blocking context, which recognises that differences in treatment may in certain circumstances be justified. This is particularly relevant when distinguishing between B2C and B2B situations, given the significant operational

differences between individual consumer purchases and large-volume business sourcing. Any assessment must therefore distinguish carefully between B2C access cases and B2B sourcing demands, and between conduct that restricts market access as such and conduct that merely reflects the ordinary organisation of production, logistics, portfolios and routes to market.

- 3.1.10 The geo-blocking analogy should be applied with caution. B2C access rules for individual consumer transactions are not an appropriate model for the organisation of B2B supply chains involving production planning, logistics, compliance, traceability, liability, recall management, product stewardship and differentiated routes to market. The fact that a buyer is established in another Member State does not, in itself, establish that differentiated treatment is unjustified. In B2B settings, differences in terms or supply arrangements may reflect the ordinary organisation of production and distribution, rather than artificial partitioning of the Single Market.
- 3.1.11 Analogies with pharmaceuticals or other highly regulated sectors should also be treated cautiously. The economics and regulation of parallel trade in medicines do not provide a reliable template for daily consumer goods markets characterised by different logistics, demand patterns, packaging turnover, shelf-life constraints and retail dynamics.
- 3.1.12 What matters is not formal categorisation alone, but the real functioning of the market and the actual effects of intervention on production, sourcing, distribution and competition. Legal certainty in this field cannot be built on broad concepts that fail to distinguish clearly between legitimate commercial differentiation and genuinely exclusionary conduct. The choice between the Commission's options cannot be reduced to a claim that only a DMA- or UTP-style instrument would "send a clear signal to the market". The relevant test is whether the instrument is necessary, proportionate and legally coherent, not whether it is the most interventionist.
- 3.1.13 The impact assessment must also test less restrictive alternatives, including better enforcement of existing rules and action against national regulatory fragmentation. Without that analysis, it is not possible to establish that any new measure would satisfy the requirements of necessity and proportionality. Even if the Commission concludes that the status quo is unsatisfactory in some respects, it does not follow that a new ex ante horizontal prohibition is the appropriate response. The burden remains on the Commission to show that the identified problem cannot be addressed more precisely through existing enforcement, targeted remedies, or the removal of public-law barriers.

### **3.2 The impact assessment should also examine additional, less restrictive policy options not fully reflected in the Call for Evidence**

In addition to the policy options currently set out in the Call for Evidence, the impact assessment should also assess whether more targeted and less restrictive alternatives could address the concerns identified more effectively and with fewer risks of overreach, legal inconsistency and unintended market distortions. These could include, in particular:

- **Strengthened competition enforcement**, including more systematic use of existing powers under Articles 101 and 102 TFEU, coordinated case prioritisation between the Commission and national competition authorities, and targeted follow-up in sectors or fact patterns where there is concrete evidence of harmful conduct.
- **A cross-border trade facilitation tool**, including a fast-track dispute-resolution mechanism for B2B sourcing complaints, strengthened use of SMET, and a SOLVIT-type escalation channel for cross-border barriers affecting business purchasers.
- **Targeted regulatory harmonisation and removal of public-law barriers**, in particular in areas such as labelling, packaging, digital product information, Extended Producer Responsibility (EPR) requirements, environmental obligations and other national rules that fragment product placement and cross-border supply.

- **Targeted sector inquiries or pilot interventions** in narrowly defined markets or product categories where a genuine problem can be evidenced, rather than a broad *ex ante* instrument applying across highly diverse consumer-goods supply chains.
- **A confidential complaints and anti-retaliation mechanism** for operators that claim to face reprisals when raising cross-border sourcing concerns, combined where appropriate with mediation, commitments or interim administrative action in substantiated cases.
- **Guidance on objective justifications and good administrative practice**, including clearer expectations on how operators should respond to cross-border requests for quotations, supply or product information, without creating a de facto duty to supply.
- **Measures to facilitate lawful cross-border circulation of products already placed on the market**, including greater use of digital labelling, standardised multilingual information tools, and clearer operational solutions for traceability, recall management and product stewardship.

These options, individually or in combination, would allow the Commission to test whether the identified concerns can be addressed through more proportionate means, including better enforcement, removal of public barriers, improved dispute resolution and better evidence, before considering a new horizontal prohibition.

#### 4 The impact assessment must distinguish clearly between consumer price objectives and sourcing complaints

- 4.1.1 The initiative conflates two distinct issues without establishing a clear causal relationship between them: differences in consumer prices across Member States, and sourcing complaints advanced primarily by large retail groups seeking to procure products across borders on different terms.
- 4.1.2 There is no economic basis on the current record to assume that any of the initiatives under consideration would lead to lower consumer prices. **In a concentrated downstream environment, pass-through requires proof rather than assumption.**
- Product availability, including cheaper alternatives, is a function of retailer choice, which is therefore a key factor in cheaper products not reaching certain markets. The retail trade association EuroCommerce, representing all major retail chains calling for the TSC initiative, has itself stated in its briefing: *“There are legal and commercial reasons for retailers not to sell everything everywhere just as there are reasons for not opening a store in every country and every town in their home state or abroad.”*<sup>33</sup>
  - Local brands explain differences in assortment, and therefore in prices, across countries. As stated by the retail association and numerous retailers, *“up to 80% of food sold in supermarkets comes from domestic sources”*. This implies that, in at least one supply chain considered, only around 20% of products would be affected. Consumers are increasingly purchasing local products, as noted in the Luxembourg study referenced in the Call for Evidence, as well as in other studies. This is a growing trend, reinforced by political emphasis on national sovereignty and resilience.
  - Consumer price differences exist even where suppliers’ wholesale prices are identical.** This is standard retail practice, as evidenced by price variations across markets. In a recent exchange in the French Senate, the large retailer Aldi, which owns and operates 13,000 stores, confirmed that products are often purchased centrally at identical prices across countries, while retail prices are set nationally based on local competitive conditions. As the rapporteur noted, *“All Aldi stores [across Europe] purchase the product at the same price*

<sup>33</sup> EuroCommerce, *Issue Brief*, September 2017, section on the Geo-blocking Regulation.

and then resell it according to their local market”, which Aldi confirmed.<sup>34</sup> Another example is Albert Heijn, which relies largely on centralised procurement and distribution in the Netherlands for both its Belgian and Dutch stores. Despite this, the price gap widened in 2025, with products being 26 percentage points more expensive in the Netherlands than in Belgium.<sup>35</sup>

- d. Lower wholesale prices (“markdowns”) generally do not translate into lower retail prices due to strong market power at the retail level, as noted by the [German Monopolkommission](#) and other national authorities. This is further supported by academic studies and calls into question the assumption that changes in supplier pricing conditions will automatically benefit consumers. Lower input costs alone are not enough absent demonstrable consumer benefit. Where retailers retain substantial discretion over pricing, category strategy, margin priorities and non-price objectives, the fact that procurement conditions may improve says little, by itself, about what happens to final consumers. Claims that higher wholesale prices “inevitably” translate into higher consumer prices oversimplify how retail pricing works in practice. Even in low-margin retail models, final prices are determined by retailers’ own category strategies, basket pricing, margin allocation, local competitive conditions and non-price objectives. The existence of thin net margins does not establish automatic or complete pass-through.
- e. Retail chains do not systematically pass on supplier discounts, instead applying mark-ups to supplier prices according to their own commercial strategies. Several national cases brought by store franchisees against retail chains provide empirical evidence of this practice. Retail store<sup>36</sup> owners report that they could purchase at lower prices in other countries, including from alternative procurement offices. The key issue is not whether wholesale costs matter — they plainly do — but whether the retail side’s pricing decisions transmit those costs symmetrically across products, markets and time. That cannot be assumed and must be demonstrated empirically.
- f. This is consistent with the observation that “[r]etailers essentially do not price a product in relation to the procurement price of that product but they price it in relation to the market price”.<sup>37</sup> As a result, retail commercial margin allocation can create artificially high prices for certain products across borders. These effects are unlikely to disappear through measures targeting manufacturer practices alone, unless the Commission also examines retailer-driven constraints and pricing behaviour. The initiative has not demonstrated the causal chain on which it depends: that changing cross-border sourcing conditions for certain buyers would produce lower retail prices for consumers.

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<sup>34</sup> French Senate, Committee of Inquiry on Retail Margins (CE Marges grande distribution), [hearing of Aldi France](#), exchange between the rapporteur and Pascal Hirth, CEO of Aldi France, 26 March 2026 (approx. minute 20). The quote was preceded by this statement from Mr Hirth: “It is a highly European market. We purchase this product through our international structure at a price that is essentially the same for all countries in the group (aside from transport costs) [...] each country then positions itself according to its own competitive environment. For example, for pasta sold at €0.55 in France, the country where it will be sold at the highest price would be Poland, at €0.79, while Germany would be around €0.65. This is because competitive conditions differ across countries.”

<sup>35</sup> See slide 28 of an [independent study](#) produced by Shopperware that compares consumer prices in the BeNeFrLux region over a 7-year period. The JRC has seen this study. Put simply, this is a result of AH NL’s commercial strategy to use Dutch consumers to fund its “price-war” in the Belgian market. See also [Annex 4.4](#).

<sup>36</sup> [Carrefour franchise contracts: abuses highlighted by the French Ministry of the Economy \(DGCCRF\)](#), Franchise Magazine, June 2024 (finding that several contractual clauses created a significant imbalance to the detriment of franchisees, notably regarding pricing and supply obligations); [Albert Heijn and franchisees bury the hatchet after a decade](#), RetailDetail, 2023 (the legal dispute revolved around the distribution of margins, manufacturer bonuses, and compensation for online activities).

<sup>37</sup> DG Comp presentation at DG Agri workshop December 11, 2025; *Retailers essentially do NOT price a product in relation to the procurement price of that product ... Retailers do not manage money product per product but overall (“single pot”)*.

- g. The experience of the euro shows that, while price convergence can occur, its effects on consumer prices are not uniform.<sup>38</sup> Outcomes have differed across markets, with some experiencing higher prices and others lower prices. This has been further confirmed by academic contributions at the IMCO hearing on TSCs at the European Parliament on 15 April 2026.<sup>39</sup> Nor is there any basis to assume that any convergence effects would operate only downward. If intervention compresses differentiated commercial conditions across markets, the resulting adjustment may include higher prices, reduced assortment, or weaker promotional intensity in currently cheaper markets, depending on how firms adapt.
- 4.1.3 Several stakeholders also argue that wholesale price differences inevitably feed through to consumer prices and that removing TSCs would lower prices without raising them in cheaper markets. Those propositions remain unproven. They do not adequately account for retail pricing discretion, basket-pricing strategies, incomplete pass-through, asymmetric convergence effects, or the possibility that intervention changes non-price dimensions of competition such as assortment, availability and innovation.
- 4.1.4 A one-way convergence narrative is therefore not supported. The relevant question is not whether some higher-price markets might fall, but whether the overall distribution of effects across Member States could also include upward adjustments elsewhere.
- 4.1.5 Consumer welfare therefore cannot be presumed. A measure that claims justification by reference to lower prices should not benefit from that assumption where the surrounding evidence points instead to uncertain pass-through, persistent retail pricing discretion, and possible harm to variety, innovation and competition over time. Assertions that retailers systematically pass on savings should be treated with the same evidentiary discipline as claims of harm. Evidence of pass-through in some situations, sectors or competition cases does not justify a general presumption that lower procurement costs will translate into lower consumer prices across daily consumer goods markets.

## 5 The impact assessment must quantify the full economic, social, environmental and financial impacts

5.1 The impact assessment should provide a transparent and balanced cost-benefit analysis across all actors and Member States. The Call for Evidence makes assumptions about these impacts which are not substantiated. The impact assessment should transparently provide, per Member State, an estimate of costs and benefits, including a clear quantification of negative impacts and the methodology used for forecasting. It should cover all actors across the supply chain and reflect the operational realities of production, sourcing, logistics and distribution in integrated EU markets. A legally sound and economically balanced impact assessment cannot limit itself to possible consumer gains in selected scenarios. It must also quantify compliance costs, enforcement costs, litigation risk, supply-chain reorganisation costs, and distortive effects on competition and investment incentives. A balanced impact assessment cannot limit itself to possible short-term price reductions in selected scenarios. It must also assess whether the initiative could weaken investment incentives, reduce product variety, narrow routes to market, alter competition between brands and private label, and reinforce structurally powerful downstream actors. A narrow assessment focused only on short-term price effects would risk missing some of the most significant ways in which the initiative could distort the competitive process.

### 5.1.1 Impact on consumer prices

<sup>38</sup> European Central Bank, [“Price convergence in the EU: What can we learn from the car market”](#) Research Bulletin No. 46, 16 May 2018

<sup>39</sup> Ben Van Rompuy, [Tackling Territorial Supply Constraints](#) (European Parliament, PE 772.649, April 2026), p. 3: “Nor are the distributional effects unambiguously positive: removing TSC-driven price differences [...] could equally raise them where prices are currently lower.”

- 5.1.1.1 The Commission's 2020 study considers only, in vague terms, potential consumer benefits<sup>40</sup>, without empirical evidence or an assessment of costs for all actors in the supply chain.
  - 5.1.1.2 There is no economic evidence provided to demonstrate that any of the initiatives under consideration will lead to lower consumer prices. On the contrary, consumer prices can be expected to increase where changes in sourcing, logistics, production allocation and market structure generate additional costs or reinforce existing retail pricing power.
  - 5.1.1.3 The impact assessment should therefore avoid treating retailer margin structure as proof of automatic pass-through. It should test, on the basis of evidence, the extent to which changes in wholesale conditions have in fact altered shelf prices, rather than being absorbed, reallocated or offset within broader retail pricing strategies.
  - 5.1.1.4 The impact assessment should distinguish between isolated evidence of pass-through in specific enforcement contexts and the broader proposition advanced here, namely that increased sourcing freedom would reliably generate lower consumer prices across sectors, Member States and retail formats.
  - 5.1.1.5 The impact assessment should explicitly model asymmetric outcomes, including scenarios in which lower-price markets experience upward adjustments or non-price deterioration, rather than assuming that all convergence effects would benefit consumers.
- 5.1.2 **Impact on market structure through distortion of competition**
- 5.1.2.1 Reinforcement of the market position of large international retailers and buying alliances, to the detriment of SME and national players, both retailers and suppliers. The impact assessment should in particular assess whether the initiative would strengthen the bargaining position of large retail alliances and vertically integrated retailers, while weakening smaller suppliers, independent wholesalers, and nationally rooted retail formats.
  - 5.1.2.2 Reduction in the diversity of national brands and overall product choice. The authority should also examine whether intervention would strengthen the relative position of large international retailers and buying alliances, while weakening suppliers' ability to differentiate conditions, sustain investment, and maintain diverse national and cross-border offerings (see [Annex 7](#)).
- 5.1.3 **Impact on economic, social and environmental impacts of changes in sourcing**
- 5.1.3.1 As the Commission has previously stated: "Distribution systems are often national, rather than multinational, and cater for local demand idiosyncrasies and customer requirements for reliability, frequency and flexibility of delivery and payment terms. They can also be subject to economies of scale and scope and are not easily replicated."<sup>41</sup>
  - 5.1.3.2 Manufacturers operate a broad industrial footprint across Europe, with production sites located in many Member States. These networks are designed to ensure efficiency, security of supply and responsiveness to local market conditions, while supporting regional economies, investment and employment.<sup>42</sup>
  - 5.1.3.3 The Commission's 2020 study already recognised these constraints and costs at the origin of alleged TSCs (p.31): "TSCs are also dependent on the logistic costs of the various product categories. As research has shown, the value-to-weight ratio has a great impact on the

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<sup>40</sup> pp. 77–87. "The analysis is performed on product-specific retail price data collected by Euromonitor that is not representative of the whole consumer basket nor of the specific product categories. As a result, the interpretation of the results is limited. [...] Consumer spending for the product categories 'bread and cereals', 'other food', 'alcoholic beverages' and 'non-alcoholic beverages' in 11 EU Member States has been considered. Multiplying consumer spending by the percentage price reduction yields an estimate for consumer savings. [...] The 90% confidence interval around this estimate ranges from EUR 0.5 billion to EUR 28 billion." See also: [NERA, Study on Territorial Supply Constraints in the EU retail sector – A critical review](#) (2022).

<sup>41</sup> Geographic Market Definition in European Commission Merger Control, a study for DG COMP by the Centre for Competition Policy, University of East Anglia, Norwich, January 2016 ,p.7

<sup>42</sup> See illustration in [Annex 5](#) based on the JRC

*logistic costs of the products, which is even more crucial for low-value-to-weight products. The conducted interviews confirm this point, highlighting that the logistic costs are partly the reason for more fragmented production of especially low value-to-weight products. This has multiple effects on the product availability as well as on cross-border product import prices.”*

The relevant harm is not limited to immediate cost increases. Reorganisation of sourcing and supply may also disrupt production planning, weaken economies of scale, affect launch calendars, reduce incentives to maintain certain assortments, and generate longer-term effects on product availability, innovation and resilience.

- 5.1.3.4 These elements reflect the operational reality of supply chains. In practice, supply chains require ongoing adjustments to demand fluctuations, input availability, seasonality and other shocks, which should be taken into account in the impact assessment.
- 5.1.3.5 The impact assessment should quantify, for example, the costs of changes in transport routes resulting from sourcing adjustments, including through use of the [JRC dataset](#) on distance- and time-related transport costs for EU regions. Such sourcing reallocation would also require production adjustments, including decisions on whether to maintain certain assortments. It should also assess whether the likely response to intervention would be greater simplification of product ranges, reduced local assortment, or reallocation of production and distribution functions, rather than the uniform increase in availability implicitly assumed in the Call for Evidence.
- 5.1.3.6 Any change in relation to supply would directly affect production and logistics. These changes may also affect product availability and environmental footprint across the supply chain.
- 5.1.3.7 The relevant impact is not limited to the question whether factories would close. Even without immediate plant closure, intervention may alter where products are sourced, how volumes are allocated, how assortments are maintained, which markets are served from which facilities, and where future investment, innovation and launch activity are directed.
- 5.1.3.8 Any proposal premised on easy re-labelling or simple repackaging should be tested against real operational conditions, including speed, cost, waste, traceability, quality assurance, responsibilities in case of recall, and the specific challenges posed by perishable or fast-moving goods.
- 5.1.3.9 Nor should potential efficiencies from more centralised cross-border negotiation be assumed to be costless or neutral. Greater centralisation may benefit some buyers while simultaneously reducing flexibility, narrowing product ranges, increasing dependence on fewer routes to market, and shifting costs or risks elsewhere in the chain.

#### 5.1.4 Social impact

- 5.1.4.1 Changes in rules affecting how manufacturers organise production and distribution would lead to reallocation of employment across Member States.
- 5.1.4.2 EU Member States’ laws vary in terms of labour costs and social benefits obligations, which affect operator costs and can also contribute to consumer price differences. The Commission should therefore assess whether the initiative could create incentives for relocation or sourcing shifts towards lower-cost jurisdictions, raising concerns regarding potential social dumping. These concerns are reinforced by developments in the retail sector, where workers’ unions have already challenged expansion strategies based on a shift from integrated models to franchise systems (e.g. Carrefour, Ahold Delhaize), arguing that such practices can amount to social dumping by leading to lower wages, reduced working hours and more precarious, part-time contracts.<sup>43</sup>

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<sup>43</sup> In France, [Carrefour condamné une deuxième fois par le tribunal judiciaire](#), a reduction of fixed contract, an increase in temporary contracts by +20%, intern jobs +29% – “[UNI Report Exposes Social Dumping in European Retail Franchising](#)”, 2023.

5.1.4.3 In its comparison of consumer prices between Belgium and the Netherlands, the Belgian Ministry of Economy explained that workers in Belgian retail benefit from long-term contracts and higher salaries, while Dutch supermarkets rely more heavily on part-time contracts, students and lower-cost labour arrangements.<sup>44</sup> These differences should be taken into account when assessing price differences and the possible effects of changes in sourcing and distribution patterns. Social impacts should therefore be assessed not only in terms of direct employment effects, but also in terms of incentives for relocation, reallocation of production and distribution functions, and pressure on higher-cost markets or formats.

#### 5.1.5 Financial impacts for Member States (VAT implications)

5.1.5.1 Considering the claimed benefits of €14 billion, and given that the dataset used in the Commission's 2020 study includes VAT, the impact assessment should quantify the corresponding revenue implications for Member States.

5.1.5.2 Grocery retail sales are considered at an annual level of €1,400 billion. At an EU average standard VAT rate of 21.5%, with national rates ranging from 15% to 27%, this represents approximately €301 billion in VAT revenues for Member States.

5.1.5.3 A reduction of €14 billion in consumer prices would imply a reduction in turnover to €1,386 billion and corresponding VAT revenues of approximately €298 billion.

5.1.5.4 On that basis, **a consumer benefit of € 14 Billion would cost a loss of revenue for Member States of €3 billion** (in sales taxes). This cost should be assessed alongside any claimed consumer benefit, as well as alongside the costs borne by other actors in the supply chain.

5.1.5.5 The Commission's 2020 study, comparing consumer prices across countries, states that *"The most important factor is differences in VAT rates which account for about 10% of the cross-country price differences."*

5.1.5.6 We recall that between the lowest VAT rate and the highest VAT rate applied in the EU, there is a significant – 27%- potential effect on consumer prices. The impact assessment should therefore also consider that part of the observed price differences may derive from Member State tax choices rather than from business practices. The impact assessment should therefore distinguish carefully between price differences driven by tax policy and those, if any, that can genuinely be attributed to commercial practices, and should avoid attributing to business conduct effects that flow directly from Member State policy choices.

## 6 The impact assessment must consider consumers within a broader economic and policy context

6.1 As reported by the Belgian authority, as well as by some central banks,<sup>45</sup> variations in assortment and prices within a single country demonstrate that consumers do not necessarily favour the same products or systematically seek the lowest prices. Consumers often choose more expensive products even where cheaper alternatives are available. This also helps explain differences in assortment and pricing across Europe. Innovation, range, quality, sustainability and the ability of different business models to reach

<sup>44</sup> Belgian authority, *Niveau de prix dans les supermarchés*, FOD/SPF Economie, E1-432/0310-12.

<sup>45</sup> See Belgian Competition Authority, *Niveau de prix dans les supermarchés*, finding that *"the variation of assortment and price within a country demonstrates that consumers do not necessarily favour the same products or seek to buy the cheapest products,"* and that consumers *"decide to purchase more expensive products even if offered cheaper products."* This is consistent with economic evidence that *"the price of the same product often varies across stores"* (French Central Bank research, 13 March 2018), reflecting differentiation and consumer preferences rather than systematic price minimisation. See also Bank of Greece, *Analysing price level differences in the Euro Area*, noting that *"Greek and Irish consumers tend to buy smaller pack sizes than on average,"* despite lower unit prices for larger packs, as well as ECB findings of persistent price dispersion linked to consumer behaviour and retail structure. Similarly, Ministère de l'Économie du Grand-Duché de Luxembourg, *Observatoire des prix, Étude 4 Frontières* (2020), documents significant cross-border variations in assortment and prices. For a comprehensive discussion of these drivers, see AIM, [A Perspective on Assortment and Consumer Price Differences in Europe](#) (2020).

consumers on fair terms are not secondary or speculative concerns. In concentrated consumer-goods markets, they are core elements of consumer welfare.

- 6.2 Regarding the Call for Evidence's reference to purchasing power, and in light of the current debate on government intervention in fuel inflation, it should be recalled that "*Low prices as an instrument of social protection are too crude — most of the implicit subsidy goes to the well-off not to the poorest.*"<sup>46</sup> Eurostat data further show "an increase of compensation of employees (wages and employers' social contributions)" as well as higher household savings rates, on which the Commission has sought to build.
- 6.3 The Draghi Report on EU Competitiveness warns that Europe's policy framework has "*prioritised efficiency and short-term consumer price effects over resilience and investment,*" contributing to de-industrialisation and reduced global competitiveness. It recalls fundamental economic dynamics: lower prices imply lower revenues, which in turn reduce investment, productivity, innovation and growth compared to non-EU regions. A policy assessment focused only on possible short-term price effects would therefore be incomplete. Over time, reduced brand choice and weaker competitive pressure may themselves increase retailers' scope to favour or reprice private-label products, potentially offsetting any claimed short-term benefit.
- 6.4 Farmers and grocery retail stores have repeatedly highlighted the pressure exerted by large retail chains to continuously reduce prices and margins, often at the expense of value creation and of other operators in the supply chain. Consumer welfare in this context cannot be reduced to an immediate shelf-price snapshot. It also encompasses variety, quality, innovation, sustainability, resilience and the conditions under which products reach consumers over time.

## 7 The impact assessment must account for freedom of commercial operation and dynamic business responses

- 6.5 Within the applicable legal framework, operators remain free to adapt their production, assortments, routes to market and investment decisions in response to regulatory change. The impact assessment should therefore not assume static business behaviour or treat current supply structures as if they would remain unchanged following intervention.
- 6.6 Business responses to regulatory change are dynamic, not static. The impact assessment should therefore not assume that existing supply structures, assortments, production footprints or investment patterns would remain unchanged following intervention. What matters is the likely market reality after firms adapt, not a purely formal before-and-after comparison. Any serious assessment must therefore account for rational business responses, including portfolio rationalisation, changes in sourcing patterns, adaptation of distribution models, relocation of activities, and reduced incentives to invest in smaller or more complex markets.
- 6.7 The relevant policy question is therefore broader than whether total demand would remain. It is whether the proposed intervention could change the structure, location and incentives of production and distribution in ways that affect investment, resilience, employment and product availability over time.

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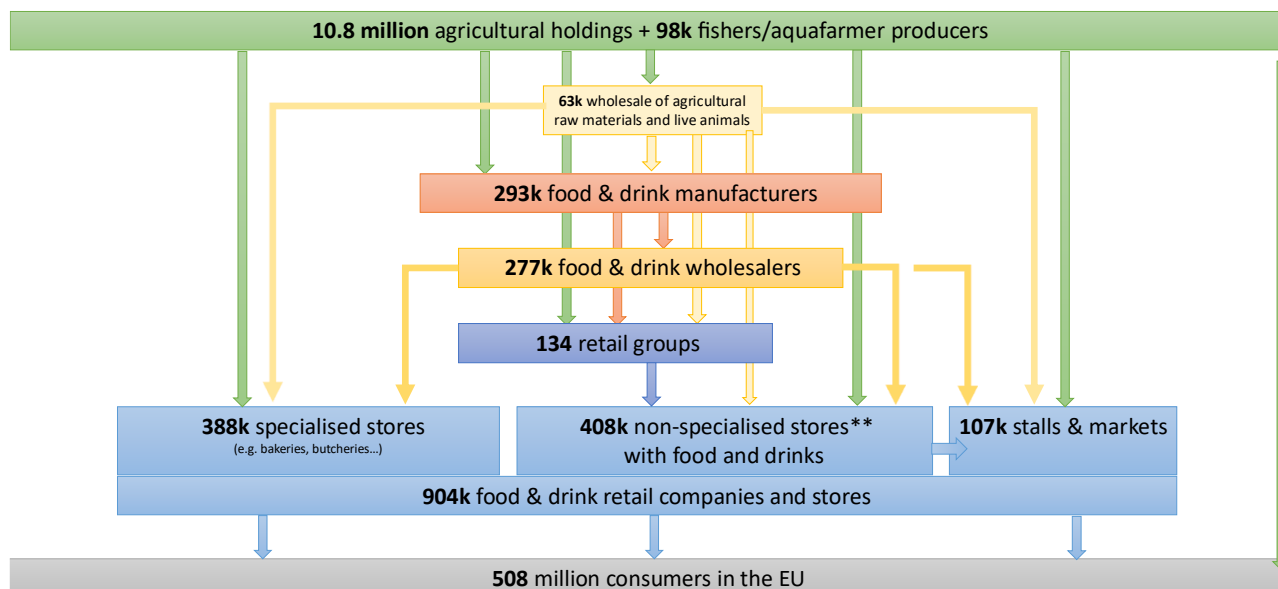
<sup>46</sup> [United Nations Economic Commission for Europe](#); reiterated in OECD, [Aiming Better: Government Support for Households and Firms During the Energy Crisis](#).

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## 1 Supply chains: diversity of actors and routes to market – case example

### EUROPEAN FOOD SUPPLY CHAIN



\*\*Non specialised stores: a variety of product lines in the same store, such as supermarkets or department stores, retail groups owned or franchises or small mum-and-pop shops

\* EU-28, 2015 data  
Sources: Eurostat (Agriculture, National Accounts, SBS); Planet Retail

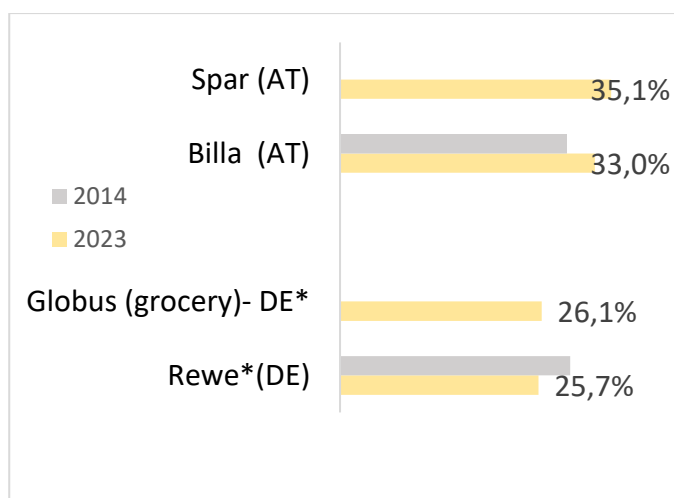
## 2 Retail commercial margins: a critical missing element to explain differences in consumer price

### 2.1 The case of Austria and Germany

The ongoing Call for Evidence refers to branded food products in Austrian and German online supermarkets ([AK Wien – Vienna Chamber of Labour, 2025](#)). The study collected data from Austrian online supermarkets Billa and Interspar, as well as German retailers Rewe and Globus, for 30 products between 21 and 24 May.

It is important to note the differences in retailers’ positioning in their respective markets:

- Spar and [Billa](#) (Rewe Austria, present through banners Billa, Adeg, and Penny) are the respective market leaders (No. 1 and No. 2) in Austria, each with over 30% grocery market share (over €9 billion in grocery retail sales). ([pressrelease-regiodata-groceryretail2025.pdf](#))
- Rewe is the No. 2 retailer in Germany (over 20% market share) with more than €54 billion in grocery sales in 2024; Globus is a regional retailer with over 2% market share and €3.9 billion in grocery sales in 2024.



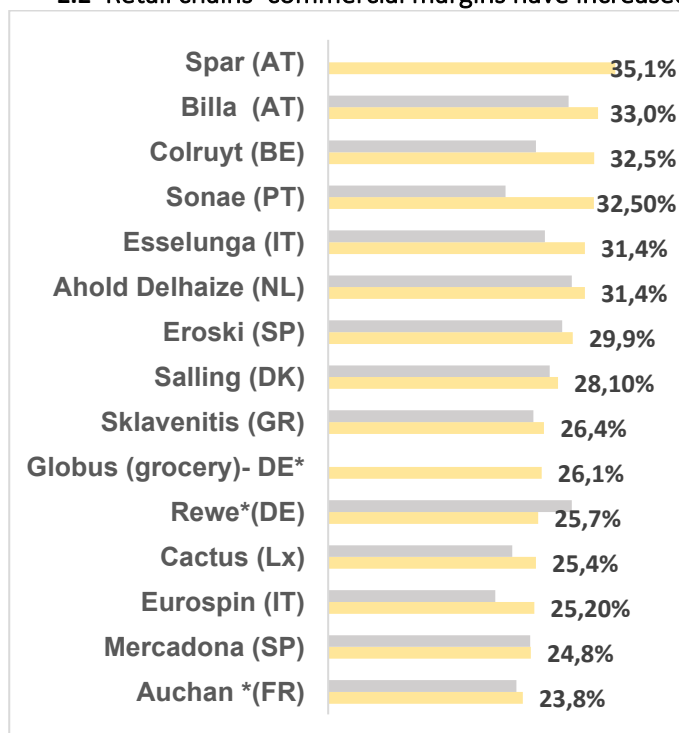
2014 vs 2023 (\*2022) — Retailers Financial Statements – Moody’s Analytics

Rewe applies a retail commercial margin of **33% on top of the supplier wholesale price in Austria**, compared to an average of **26.1% in Germany**. This corresponds to a **27% higher retail margin in Austria than in Germany**.

For the two retailers covered in the price comparison, the average commercial retail margin is **34% in Austria versus 25.9% in Germany**. This means that **retail commercial margins in Austria are on average 31% higher than in Germany**.

The **consumer price differences** identified in the study are **due to differences in retail commercial margins**. There is no evidence that these differences can be explained by variations in suppliers’ wholesale prices, nor that they are “unjustified”.

### 2.2 Retail chains’ commercial margins have increased over a 10-year time period



2014 vs 2023 (\*2022) — Retailers Financial Statements – Moody’s Analytics

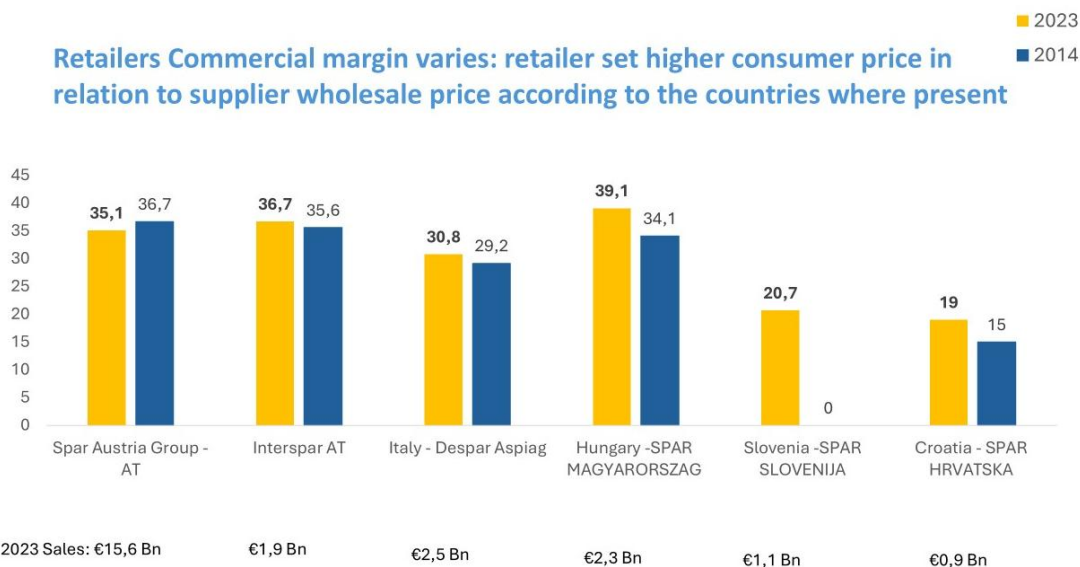
#### RETAILERS’ COMMERCIAL MARGIN

Retailers’ commercial margin: difference between the consumer sales price and the price retail pay suppliers to acquire the products (retail sales – cost of good purchased for sales)

Retailers’ commercial margins have globally grown over the past 10 years, either because they purchase at lower prices or because they have increased consumer prices beyond the increase of wholesale prices.

## 2.3 International retail chains: differentiated margins on wholesale prices by country

### SPAR INTERNATIONAL – Commercial Margins in EU countries



Retailers Commercial margin: difference between the consumer sales price and the price retail pay suppliers to acquire the products ( retail sales – cost of good purchased for sales)

Source: Moody's , Companies Financial statements

## 3 Retail pricing models: “single pot” approach vs. product-level pricing

### Retailers’ pricing and money management

Retailers essentially do NOT price a product in relation to the procurement price of that product but they price it:

- In relation to the most recent market price report (Nielsen, IRI, own reports)
- Or in relation to the most recent retail price of reference competitors (price leaders or comparable competitor)

In addition they can provide discounts on overall purchases of a customer (e.g. fidelity programmes) or baskets of products (e.g. retailer driven promotions) or specific products (e.g. supplier driven promotions). Different models: EDLP-Hi/Lo.

Retailers do not manage money product per product but overall (“single pot”)

- All sources of money are fungible=>international rebates and payments are not used differently than national rebates and payments
- A lower profitability of a product can impact its stay in the assortment and future price negotiations

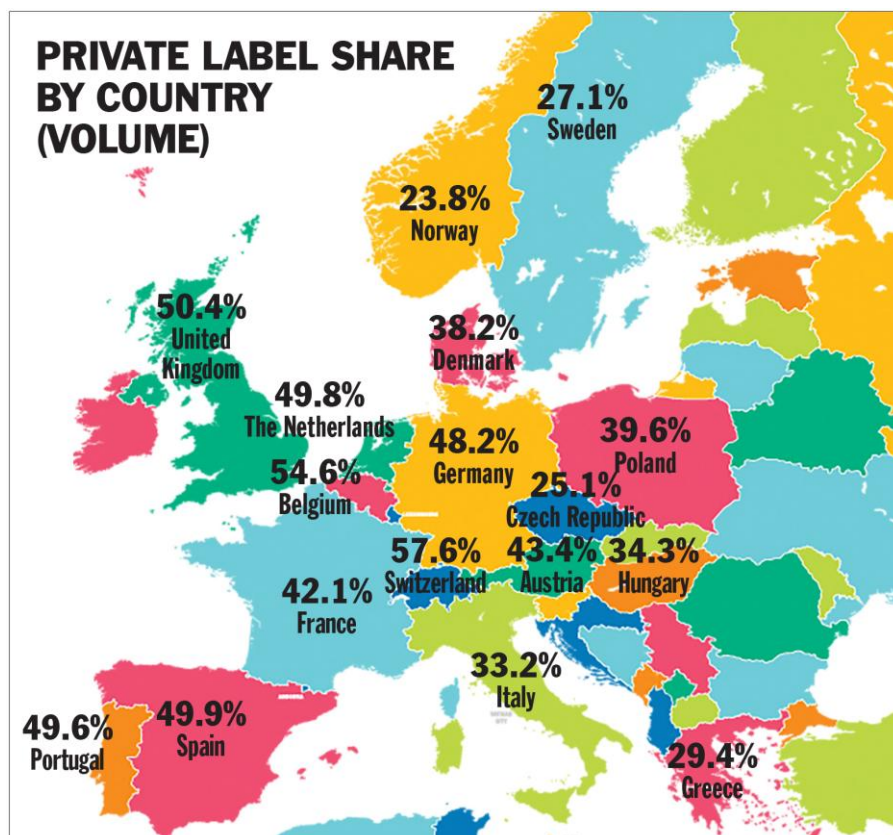


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Source: European Commission, DG Comp presentation at DG Agri workshop December 11, 2025

## 4 Retail own brands: over 50% of consumer purchases – price and margin variations

### 4.1 Retailer brands (private labels): around half of grocery products sold in Europe



Private label products represent 38.7% of the grocery consumer purchase (in € value) in the 17 markets surveyed by Nielsen IQ.

12 markets have a private label share position above 30%, and 8 above 40%.

Retailer brands even represent more than 50% of consumer sales in a series of food categories.

**Image Source:** [Private label sales and shares surge across Europe | PLMA](#)

The expansion of private labels is a key strategy for international retailers, as they detail in their own reports. For example:

- **Ahold Delhaize:** “In 2025, own-brand products reached 39.8% of total food sales. The group targets 45% by 2028.”
- **Carrefour** (2025 results): “Own-brand share increased from 25% to 33% in 2025, with a target of 40% by 2026.”
- **Spar International:** “SPAR has developed over 7,500 own brand products, comprising food and non-food products. SPAR Own Brands contribute to more than 40% of the company’s food retail sales. [Many](#) of these own brand products are also available in Hungary, Slovenia, Croatia, and Northern Italy.”
- **Intermarché:** “Own-brand products accounted for 35.2% of sales in 2025, with a target of 40% within two years” (France, Belgium, Poland, Portugal).

As pointed out by researchers, the “dual aspect to brand/private label competition needs careful consideration when undertaking competitive assessments about behaviour and outcomes in FMCG markets.”<sup>47</sup> As such, “their relationship entails elements of both vertical competition (in the battle for profit share between successive stages of the supply chain) and horizontal competition (in the battle for market share at the product level)

Amazon has a dual role as a platform: (i) it sells products on its website as a retailer; and (ii) it provides a marketplace where independent sellers can sell products directly to consumers.”<sup>48</sup> This dual role may raise a conflict

<sup>47</sup> Paul W. Dobson & Ratula Chakraborty, *Assessing Brand and Private Label Competition*, *European Competition Law Review*, 76 (2015).

<sup>48</sup> [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_19\\_4291](https://ec.europa.eu/commission/presscorner/detail/en/ip_19_4291)

of interest that threatens the competitive process in consumer goods markets when the same company acts as both player and referee.<sup>49</sup>

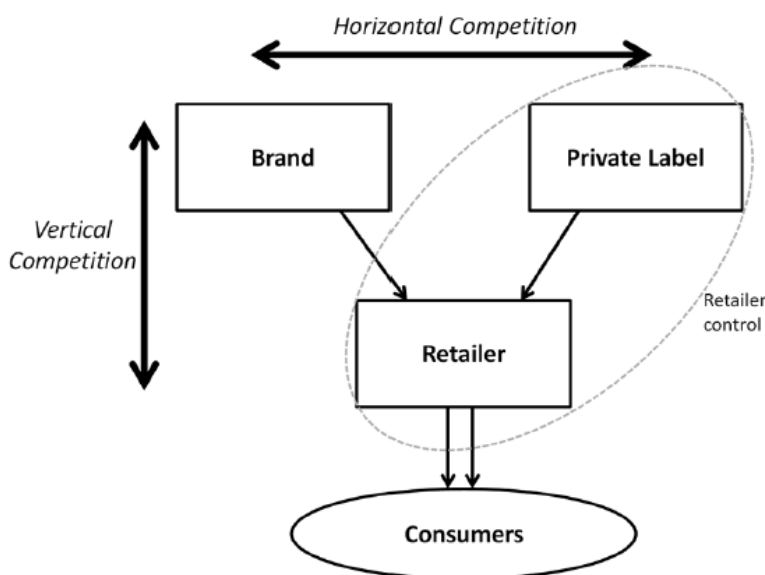
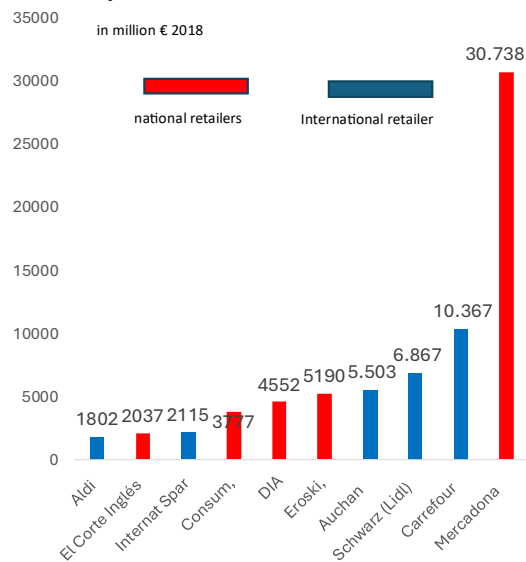


Figure 1 — Brand and Private Label Competition

4.2 Retailer brands dominate national grocery assortment (examples, data also available for 24 EU member states)

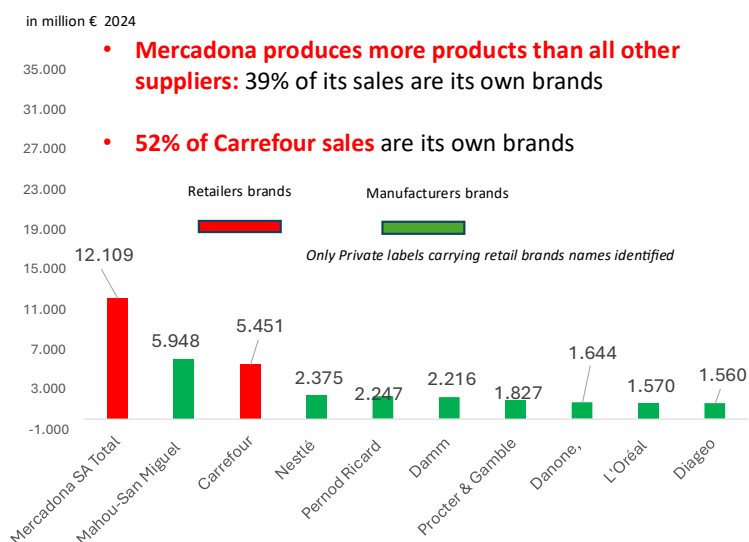
4.2.1 Retailer buyer power – the case of Spain

Grocery retailers - retail consumer sales\*



Source: Euromonitor \*all retail sales excluding fresh food categories, food service

Retail consumer sales of Brands (retailer & manufacturers brands)



Source: Euromonitor, retail consumer sales

\*Appeal Court (Paris) 01.10.2014 13/16336; Bundeskartellamt 2014 Food Sector enquiry

- **Mercadona produces more products than all other suppliers: 39% of its sales are its own brands**
- **52% of Carrefour sales are its own brands**

<sup>49</sup> [Commissioner Vestager](#), “New technology as a disruptive global force”, *Youth and Leaders Summit, Paris, 21 January 2019*. The competitive threat of grocery retailers’ dual role has also been recognized by the Commission in the past. See, e.g., José Manuel Barroso, *Energising Europe: a real market with secure supply*, September 19, 2007 (“It’s a bit like a supermarket that has its own brands but does not want to make shelf space available for other brands, let alone build new shelves, or open up new branches.”).

4.2.2 Market structure: Top FMCG suppliers – the weight of local and retailer brands

By expanding their own-brand ranges, retailers increasingly dominate product assortments and compete directly with A-brands

Market Position	Austria	Czechia	Germany	Spain	France	Italy	Finland
1	Brau-Union Österreich - Manufacturer	Pzlský Prazdroj	Aldi - Retail Brands	Mercadona - Retail Brands	Carrefour - Retail Brands	Coop Italia - Retail Brands	Kesko - Retail Brands
2	Hofer (Aldi) - Retailer brands	Agrofert (Olma, Petra, Penam etc)	Lidl - Retail Brands	Mahou-San Miguel - Manufacturer	Nestlé - Manufacturer	Nestlé - Manufacturer	S Group - Retail Brands
3	Rewe - Retailer brands	Nestlé - Manufacturer	Rewe - Retail Brands	Carrefour - Retail Brands	Leclerc - Retail Brands	Conad - Retail Brands	Valio Oy - Manufacturer
4	Spar - Retailer brands	Lidl - Retail Brands	Oetker - Manufacturer	Heineken - Manufacturer	Pernod Ricard - Manufacturer	Barilla - Manufacturer	Olvi Oyj - Manufacturer
5	Coca-Cola - Manufacturer	Tesco - Retail Brands	Nestlé - Manufacturer	Coca-Cola - Manufacturer	Heineken - Manufacturer	Heineken - Manufacturer	Karl Frazer - Manufacturer
6	Unilever - Manufacturer	Kaufland - Retail Brands	Ferrero - Manufacturer	Nestlé - Manufacturer	Intermarché - Retail Brands	Ferrero - Manufacturer	Royal Unibrew - Manufacturer
7	Berglandmilch - Manufacturer	Ahold - Retail Brands	Edeka - Retail Brands	Pernod Ricard - Manufacturer	La Martiniquaise - Manufacturer	Daive Campari - Manufacturer	Carlsberg - Manufacturer
8	Mars - Manufacturer	Stock Plzen - Božkov	Procter & Gamble - Manufacturer	Damm - Manufacturer	Lactalis - Manufacturer	Esselunga - Retail Brands	Anora - Manufacturer
9	Procter & Gamble - Manufacturer	Heineken - Manufacturer	Unilever - Manufacturer	Procter & Gamble - Manufacturer	L'Oreal - Manufacturer	Lactalis - Manufacturer	Lidl - Retail Brands
10	Stieglbrauerei - Manufacturer	Pivovary Staropramen	Paulaner Brauerei - Manufacturer	Danone - Manufacturer	Auchan - Retail Brands	P&G - Manufacturer	Orkla - Manufacturer

Legend: Green=Local brand manufacturers; Red=Retail brands; Black= "Large" international brand manufacturers

Source: Euromonitor International – retail sales value 2024 (incl. taxes) of alcoholic beverages, covering both off-trade (retail) and on-trade (hospitality) channels.

4.3 Vertically integrated retailers: cross-country price differences



Source: Belgian consumer organisation Test Achats, issue 566, p.11.

4.4 International grocery retailers: differentiated consumer pricing of own-brand products

Private label: Packaging, price and availability differences between EU states:

Example of Carrefour corn cakes 120g packet



France



7.42 € / KG

Italy



6.58 € / KG

Spain



Not Available

NA

Source: Data from online retail sites of Carrefour on same day April 2025

Private label: Price differences between EU states

Example of AH Glasspray (+91% more expensive in NL than BE)



Netherlands



AH Glasspray

1 l - Prijs per l € 1,69

1.69

Voeg toe +

AH Glasreiniger maakt gladde oppervlakken zoals glas, kunststof en spiegels glanzend en streeploos schoon.

- Voor een glanzend en streeploos resultaat

Price ea. 1.69 €

Belgium



AH Glasspray

1 l - Prijs per l € 0,79

0.79

Voeg toe +

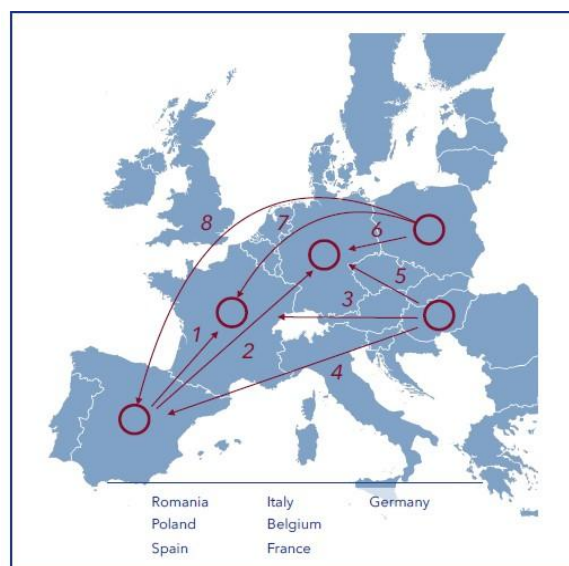
AH Glasreiniger maakt gladde oppervlakken zoals glas, kunststof en spiegels glanzend en streeploos schoon.

- Voor een glanzend en streeploos resultaat

Price ea. 0.79 €

Source: Data from online retail sites of AH on 24 March 2026

## 5 Production and logistics: measuring the impact of transformations

**Economic and environmental Impact: reorganising production and re-routing transport**

Sources: Left graphic: [35 of AIM members production sites](#). Right graphic: JRC [data set](#) on regional transport costs

## 6 Estimating trade flows to quantify possible territorial supply constraints

## Study on “Territorial Supply Constraints”

### Scope and Objectives

Expert Platform on B2B Contractual Practices in the Food Supply Chain – 10 November 2010

DG ECFIN – Unit B2 – Product Market Reforms

Detailed trade data are essential to understand trade dynamics and importance of parallel trade in food markets in Europe

- Direct measure of parallel trade not available
- Measure of exports from wholesalers and retailers can provide a proxy for parallel trade, if products are final consumption products (i.e. directly sold to other wholesalers/retailers)
- Bilateral flows can help understand what drives parallel imports and compare with price differences

## 7 European grocery retailers: top 5 in EU Markets

2024	Top 1	Top 2	Top 3	Top 4	Top 5
Austria	<b>Spar</b>	<b>Rewe</b>	<b>Aldi</b>	<b>Schwarz/Lidl</b>	MPPreis
Belgium	<b>Ahold Delhaize</b>	<b>Colruyt</b>	<b>Carrefour</b>	<b>Aldi</b>	<b>Schwarz/Lidl</b>
Bulgaria	<b>Lidl</b>	<b>Kaufland</b>	Fantastiko	<b>Rewe</b>	<b>Vilniaus Prekyba</b>
Croatia	<b>Schwarz (Lidl/Kaufland)</b>	<b>Fortena (Konzum/Tisak)</b>	<b>Spar</b>	Plodine	Studentac
Cyprus	<b>Schwarz/Lidl</b>	AlphaMega	Papantoniou	Ermes	<a href="#">MetroFoods</a>
Czech Republic	<b>Schwarz (Lidl/Kaufland)</b>	<b>Rewe (Billa/Penny)</b>	<b>Ahold Delhaize</b>	<b>Tesco</b>	Coop (Svaz Ceskycho)
Denmark	Salling Group	FDB Group	Reitan	Dagrofa	<b>Schwarz/Lidl</b>
Estonia	Coop Eesti	Talinne Kaubajama	<b>Vilniaus Prekyba</b>	OG Elektra	<b>S Group</b>
Finland	<b>S Group</b>	Kesko	<b>Schwarz/Lidl</b>	Alko	Kärkkäinen
France	<b>Leclerc</b>	<b>Carrefour</b>	<b>Intermarché</b>	<b>Système U</b>	<b>Auchan</b>
Germany	Edeka	<b>Rewe</b>	<b>Schwarz (Lidl/Kaufland)</b>	<b>Aldi</b>	<b>Norma</b>
Greece	Sklavenitis	<b>Ahold Delhaize</b>	<b>Schwarz (Lidl)</b>	Diamantis Masoutis	<b>Metro</b>
Hungary	Nemzeti Dohánykereskedelm	<b>Schwarz/Lidl</b>	<b>Tesco</b>	<b>Spar</b>	<b>Aldi</b>
Ireland	Musgrave	<b>Tesco</b>	<b>Spar</b>	<b>Aldi</b>	<b>Schwarz (Lidl)</b>
Italy	Conad	Coop Italia	Selex Group	Esselunga	Gruppo Vege
Latvia	<b>Vilniaus Prekyba</b>	<b>ICA Gruppen</b>	<b>Schwarz (Lidl)</b>	Latvijas Tirgotaju Savieniba	Iepirkumu Grup
Lithuania	<b>Vilniaus Prekyba</b>	<b>Rewe</b>	<b>Schwarz/Lidl</b>	<b>Norfa</b>	<b>ICA Gruppen</b>
Luxembourg	Cactus	<b>Ahold Delhaize</b>	<b>Auchan</b>	<b>Leclerc</b>	<b>Schwarz (Lidl)</b>
Malta	Crai	<b>Schwarz (Lidl/Kaufland)</b>	<b>Spar</b>	Crai	Sisa
Netherlands	<b>Ahold Delhaize</b>	Jumbo Supermarkten	<b>Schwarz/Lidl</b>	Plus	<b>Aldi</b>
Poland	<b>Jeronimo Martins</b>	<b>Schwarz (Lidl/Kaufland)</b>	Eurocash	Dino	Zabka
Portugal	Sonae	<b>Jeronimo Martins</b>	<b>Schwarz (Lidl)</b>	<b>Auchan</b>	<b>ITM</b>
Romania	<b>Schwarz (Lidl/Kaufland)</b>	<b>Carrefour</b>	Profi	<b>Ahold Delhaize</b>	<b>Rewe</b>
Slovakia	<b>Schwarz (Lidl/Kaufland)</b>	Coop Jednota	<b>Tesco</b>	<b>Rewe</b>	Labas
Slovenia	<b>Fortena (Konzum/Tisak)</b>	<b>Spar</b>	<b>Aldi</b>	<b>Schwarz (Lidl)</b>	Engrotuš
Spain	Mercadona	<b>Carrefour</b>	<b>Schwarz (Lidl)</b>	<b>Auchan</b>	Eroski
Sweden	<b>ICA Gruppen</b>	Axel Johnson	Coop (KF Group)	Systembolaget	<b>Schwarz (Lidl)</b>

Source: Euromonitor International Inc., [Flywheel](#), ESM for Cyprus

## 8 Top 30 EU grocery retailers – total retail sales (2024)

	EU *retail sales (inc. taxes)	In € Billion	Number of EU member states	Country of Origin
1	<b>Schwarz (Lidl/Kaufland)</b>	<b>162.6</b>	<b>24</b>	<b>DE</b>
2	<b>Rewe</b>	<b>86.9</b>	<b>9</b>	<b>DE</b>
3	<b>Carrefour</b>	<b>74.3</b>	<b>9</b>	<b>FR</b>
4	<b>Edeka</b>	<b>72.5</b>	<b>1</b>	<b>DE</b>
5	<b>Aldi</b>	<b>69.9</b>	<b>13</b>	<b>DE</b>
6	<b>E Leclerc</b>	<b>49.7</b>	<b>5</b>	<b>FR</b>
7	<b>Ahold Delhaize</b>	<b>48.9</b>	<b>5</b>	<b>NL</b>
8	<b>ITM</b>	<b>43.1</b>	<b>4</b>	<b>FR</b>
9	<b>Mercadona</b>	<b>39.4</b>	<b>2</b>	<b>ES</b>
10	<b>Jerónimo Martins</b>	<b>35.2</b>	<b>2</b>	<b>PT</b>
11	<b>Auchan</b>	<b>31.9</b>	<b>7</b>	<b>FR</b>
12	<b>Internationale Spar</b>	<b>30.5</b>	<b>15</b>	<b>AT</b>
13	<b>Système U</b>	<b>26.0</b>	<b>1</b>	<b>FR</b>
14	<b>CONAD</b>	<b>21.9</b>	<b>1</b>	<b>IT</b>
15	<b>ICA Gruppen</b>	<b>20.1</b>	<b>4</b>	<b>SE</b>
16	<b>Coop Italia</b>	<b>17.1</b>	<b>1</b>	<b>IT</b>
17	<b>El Cortes Ingles</b>	<b>15.6</b>	<b>2</b>	<b>ES</b>
18	<b>Eurocash</b>	<b>13.8</b>	<b>1</b>	<b>PL</b>
19	<b>S Group</b>	<b>12.8</b>	<b>2</b>	<b>FI</b>
20	<b>Jumbo Supermarkten</b>	<b>12.7</b>	<b>1</b>	<b>NL</b>
21	<b>Casino</b>	<b>12.5</b>	<b>2</b>	<b>FR</b>
22	<b>Salling</b>	<b>12.4</b>	<b>4</b>	<b>DK</b>
23	<b>Eurospin</b>	<b>11.9</b>	<b>3</b>	<b>IT</b>
24	<b>Esselunga</b>	<b>11.4</b>	<b>1</b>	<b>IT</b>
25	<b>Kesko</b>	<b>11.0</b>	<b>6</b>	<b>FI</b>
26	<b>Selex Gruppo</b>	<b>10.9</b>	<b>1</b>	<b>IT</b>
27	<b>Tesco Plc</b>	<b>10.3</b>	<b>5</b>	<b>UK</b>
28	<b>Gruppo Vége</b>	<b>10</b>	<b>1</b>	<b>IT</b>
29	<b>Sonae</b>	<b>9.5</b>	<b>2</b>	<b>PT</b>
30	<b>Colruyt</b>	<b>9.5</b>	<b>2</b>	<b>BE</b>

NB. Data for EU24, without Cyprus, Luxembourg, Malta

## About AIM

AIM (Association des Industries de Marque) is the European Brands Association, which represents manufacturers of branded consumer goods in Europe on key issues that affect their ability to design, distribute and market their brands.

AIM comprises 2500 businesses ranging from SMEs to multinationals, directly or indirectly through its corporate and national association members. Our members are united in their purpose to build strong, evocative brands, placing the consumer at the heart of everything they do.

The fast-moving consumer goods (FMCG<sup>50</sup>) industry is a core pillar of the European economy and of the Single Market. It is the EU's third-largest manufacturing sector, comprising around 166,000 companies and supporting millions of direct and indirect jobs across Member States.

The sector generates significant economic activity and underpins extensive cross-border trade, with approximately €276 billion of branded consumer goods moving across the Single Market annually.

AIM's mission is to create for brands an environment of fair and vigorous competition, fostering innovation and guaranteeing maximum value to consumers now and for generations to come. Building sustainable and trusted brands drives the investment, creativity and innovation needed to meet and exceed consumer expectations.

### AIM's corporate members

AB InBev • Arla Foods • Bacardi Limited • Barilla • BIC • Bolton Group • Carlsberg Group • Chanel • The Coca-Cola Company • Colgate-Palmolive • Coty • Danone • Diageo • Dr. Oetker • Essity • Essilor International • Estée Lauder • Ferrero • Freudenberg/Vileda • Groupe Lactalis • Haleon • Heineken • Henkel • HP Inc. • JDE • Kenvue • Kellanova • The Kraft Heinz Company • Lavazza Group • The LEGO Group • Lindt & Sprüngli • L'Oréal • LVMH • Mars Inc. • McCormick • Mondelēz • Nestlé • Nike • Nomad Foods Europe • Orkla • PepsiCo • Perfetti Van Melle • Pernod Ricard • Philips • Procter & Gamble • Puma • Reckitt • Red Bull • Savencia Fromage & Dairy • SC Johnson • Sigma • Signify • Sofidel • The Magnum Ice Cream Company • Unilever

### AIM's national association members

Austria Markenartikelverband • Belgilux BABM • Czech Republic CSZV • Denmark MLDK • Finland FFDIF • ESVEP – Greek Association of Branded Products Manufacturers • France ILEC • Germany Markenverband • Ireland Food & Drink Federation • Italy Centromarca • Netherlands FNLI • Norway DLF • Portugal Centromarca • Spain Promarca • Slovakia SZZV • Sweden DLF • Switzerland Promarca • United Kingdom British Brands Group

EU Transparency register ID no.: [1074382679-01](#)

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<sup>50</sup> FMCG = Packaged food, beverages, home care, personal care, tissue/hygiene, pet