

## **IMCO/JURI Vote on Digital Content Proposal: a mixed outcome**

**On November 21<sup>st</sup>, the European Parliament JURI and IMCO Committees voted on the report from MEPs Axel Voss and Evelyn Gebhardt regarding the proposal for a Directive on contract rules for the supply of digital content. While the report contains encouraging elements for the upcoming negotiations among co-legislators, the home appliance industry remains concerned about the regime proposed for embedded digital content in appliances.**

CECED, representing the home appliance industry in Europe, acknowledges the efforts of the European Parliament in ensuring consistency between the new rules for the supply of digital content and the current 1999 regime, as well as the Tangible Goods Proposal. Said CECED Director-General, Paolo Falcioni: *“The introduction of an harmonised limited period for the reversal of the burden of the proof period and a clear hierarchy of remedies demonstrate the Parliament’s ambitions for a coherent EU legislative framework for consumer protection”.*

However, this coherence has not been pursued for all the provisions. We believe that the scope clarification for embedded digital content as proposed by the European Parliament risks substantially increasing confusion for traders, goods manufacturers and above all, consumers. *“When buying a washing machine, a vacuum cleaner or any of the many home appliances available on the EU market, a consumer is buying a tangible appliance. The digital content that is embedded in the appliance is essential to operate, manage or control it. It forms an integral part of the appliance: it cannot be decoupled from the appliance itself. Therefore, embedded digital content should fall under the scope of the Tangible Goods proposal”*, continues Mr Falcioni.

CECED welcomes the European Parliament’s intention to harmonise as much as possible key parameters of the legal guarantee regime. Full harmonisation as initially proposed by the European Commission would have constituted a stronger step towards the strengthening of the Digital Single Market.

The home appliance industry is keen to further contribute to the work of co-legislators in view of the upcoming negotiations. This, to build up a coherent framework, especially for appliances that contain embedded digital content, the smart home appliances of today and tomorrow. A balanced level of protection between consumers’ expectations and industry challenges is needed.

## For more information please contact:

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*CECED represents the household appliance manufacturing industry in Europe. Direct Members are Arçelik, Ariston Thermo Group, BSH Hausgeräte GmbH, Candy Group, Daikin, De'Longhi, Dyson, AB Electrolux, Gorenje, Groupe Atlantic, LG Electronics, Liebherr Hausgeräte, Miele & Cie. KG, Panasonic, Philips, Samsung, Groupe SEB, Vestel, Vorwerk and Whirlpool. CECED's member Associations cover the following countries: Austria, Baltic countries, Belgium, Bulgaria, Czech Republic, Denmark, France, Germany, Greece, Hungary, Italy, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain, Sweden, Switzerland, Turkey and the United Kingdom*