



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR TRADE

Directorate F – Enforcement, Market access, SMEs, Legal affairs and Technology
Unit F1 – Single entry point on Enforcement, Market access and SMEs

MARKET ACCESS COMPLAINT¹

1 Before filling in this form, please check if your problem is already registered in our barriers database: <https://trade.ec.europa.eu/access-to-markets/en/barriers> .

If the complaint is under the Regulation (EU) 2015/1843 (TBR), the complaint shall contain sufficient evidence of the existence of the obstacles to trade and of the injury resulting therefrom according to Art 3(2) of Regulation (EU) 2015/1843.

The Single Entry Point (SEP) will only receive complaints concerning market access, TSD or GSP issues and will not deal with trade defence issues (anti-dumping, anti-subsidy or safeguards). If you wish to submit a Trade Defence Instrument (TDI) complaint, you should contact the appropriate service in DG TRADE. You can find more information at the following address: <https://ec.europa.eu/trade/policy/accessing-markets/trade-defence/>.

Should the complaint concern an alleged breach by a Member State of EU law (including international agreements) please refer to the following website for further information: https://ec.europa.eu/info/about-european-commission/contact/problems-and-complaints/complaints-about-breaches-eu-law/how-make-complaint-eu-level_en#administrative-steps-to-submit-a-complaint-to-the-european-commission

Should the complaint concern the EU-UK Trade and Cooperation Agreement please refer to the following [document](#). You can find more details on the application of the Single Entry Point (SEP) in the operational guidelines: <https://trade.ec.europa.eu/doclib/html/159074.htm>

1. IDENTITY OF THE COMPLAINANT AND CONTACT DETAILS

1.1. First name

1.2. Last name

1.3. Email

1.4. Telephone (including the country calling code)

1.5. Correspondence address

1.6. Indicate whether the complainant is

1.6.1. A Member State of the European Union (EU); or,

1.6.2. An entity (e.g. an enterprise or organization of workers or employers) formed in accordance with the law of a Member State having its registered office, central administration or principal place of business within the EU,

1.7. Is the entity directly concerned by the production of goods or the provision of services which are the subject of the obstacle to trade?

1.8. EU country/countries of activity

1.9. Company/organisation name and details (if possible, also of known national and European associations, and of other known operators in the EU of the industry concerned).

- 2. INFORMATION ABOUT THE COMPLAINT**
 - 2.1. Title/complaint short description**
 - 2.2. Category of measure**
 - 2.3. Country imposing the measure**
 - 2.4. Member States affected**
 - 2.5. Sector (as indicated in [Access2Markets trade barriers section](#))**
 - 2.6. Complaining industry² / Member State**
- 3. MEASURE /OBSTACLE: FACTUAL DESCRIPTION OF THE OBSTACLE TO TRADE BY A THIRD COUNTRY:**
 - 3.1. Describe the activity subject to the measure/obstacle (e.g. product, service, investment, intellectual property rights)**
 - 3.2. Indicate the domestic measure (law, regulation, guideline, practice...) allegedly constituting an obstacle**
 - 3.3. Provide the text of the measure and if possible an English translation (attachment possible)**
 - 3.4. If the source is a legal text (or a draft), please indicate whether the measure is in force, and if so, when it entered into force (or if not, when it is expected to be approved)**
 - 3.5. Indicate if domestic products/services are subject to the same treatment**
 - 3.5.1. If yes, please detail*
 - 3.6. Indicate the legal treatment for the same products/services at EU level**
 - 3.7. Please explain on the context in which this measure was taken and any specific motivations behind it**
 - 3.8. Indicate whether you consider that the measure is inconsistent with any relevant legal provisions in agreements to which the EU and the third country are party to (WTO or Free Trade Agreement rules, other rules or principles i.e. transparency, non-discrimination, proportionality...)**

² If the complaint is under the Regulation (EU) 2015/1843 (TBR), any EU enterprise, or any association, having or not legal personality, acting on behalf of one or more EU enterprises, which considers that such EU enterprises have suffered adverse trade effects as a result of obstacles to trade that have an effect on the market of a third country may lodge a written complaint (Article 4(1) of Regulation (EU) 2015/1843).

- 4. ECONOMIC/SYSTEMIC IMPACT - FACTUAL DESCRIPTION OF HOW THE MEASURE AFFECTS THE INDUSTRY (PROVIDE SUPPORTING EVIDENCE AND SOURCES USED)**
 - 4.1. Products/services affected by the measure (provide the Harmonised System (HS) code minimum 4 digits, or the Extended Balance of Payments Services Classification (EBOPS) code for services)**
 - 4.2. Description of the EU market and of the third country market for the specific products/services mentioned above. Also and if known, list the European-level sectorial associations, and the EU Member States where the product is manufactured (attachment possible)**
 - 4.3. Explain the economic damage caused to the sector, including the quantification of the main indicators such as production, capacity, sales, and additional costs**
 - 4.4. Quantification of the material impact (value of trade on HS codes concerned by the measure) in absolute and relative terms (i.e.: % of the trade or investment affected by the measure/obstacle compared to total exports of the sector to that country; % of the exports to this country to total exports of the sector). If the measure concerns services, investment, procurement or IPR, please provide the appropriate quantification by analogy**
 - 4.5. Indicate if Small and Medium Enterprises (SMEs) are affected by the measure/obstacle and explain**
 - 4.6. Indicate any other consideration you see worth mentioning, including how it affects wider EU interests (attachment possible)**
- 5. ACTIONS**
 - 5.1. Please indicate the actions already undertaken or planned by Member States/industry (such as contacts with other Commission services, with Member States/associations/with the third country) and the state of play, including the replies received so far**
 - 5.2. Please indicate if you are aware that industry from a third country is also affected by the obstacle and if they have sought help from their government. Please provide information on the state of play**
 - 5.3. Please indicate if any company/industry association/other has taken action in front of the appropriate national authorities (including domestic courts) of the country being complained against to seek relief against the measure. In the affirmative:**
 - 5.3.1. Indicate the type of action and the authority in front of which it has been taken;*
 - 5.3.2. Indicate the outcome of the action;*
 - 5.3.3. If you consider that the outcome is not appropriate to remove the alleged barrier, explain why; and,*

5.3.4. *If you consider the outcome is appropriate to remove the alleged barrier, please explain how the country being complained against has failed to implement it.*

6. CONFIDENTIALITY

6.1. The Commission will treat information received on a confidential basis where there are reasonable grounds justifying such confidential treatment.

6.2. Please indicate whether you agree with the publication of your complaint, or whether you wish that (parts of) the information provided remain confidential.

* All information collected through the use of the online-forms on this web page is treated as "Commission Use" in accordance with the security notice [C\(2019\) 1903](#) of 5.3.2019 implementing Article 9(2) of Decision (EU, Euratom) 2015/4431 (Decision 2015/443). A reference is also made to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.