



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 enterprises, of workers or employers) formed in accordance with the law of an EU 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 measure?

1.8. EU Member State(s) of activity

1.9. Member State/entity name and contact details (if possible, also of known relevant national and European associations).

2. INFORMATION ABOUT THE COMPLAINT

2.1. Title/complaint short description

2.2. Category of measure (as indicated in [Access2Markets trade barriers section](#))

2.3. Country imposing the measure

2.4. Member State(s) affected

2.5. Sector (as indicated in [Access2Markets trade barriers section](#))

- 3. MEASURE /OBSTACLE: FACTUAL DESCRIPTION OF THE OBSTACLE TO TRADE BY A THIRD COUNTRY:**
- 3.1. Indicate the activity subject to the measure (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 alleged obstacle is caused by a law or regulation (or a draft), indicate whether the measure is in force, and if so, when it entered/will enter into force**
 - 3.5. Indicate if domestic products/services are subject to the same treatment**
 - 3.5.1. If yes, please detail*
 - 3.6. Explain the context in which the measure was taken and any specific motivations behind it**
 - 3.7. Do you consider that the measure violates any legal obligations of the third country (e.g. WTO or Free Trade Agreement rules, other rules or principles i.e. transparency, non-discrimination, proportionality...)?**
 - 3.7.1. If yes, please indicate what provisions you think have been violated.*

- 4. ECONOMIC/SYSTEMIC IMPACT - FACTUAL DESCRIPTION OF HOW THE MEASURE AFFECTS THE INDUSTRY (PROVIDE SUPPORTING EVIDENCE AND SOURCES USED)**
- 4.1. Indicate the Harmonised System (HS) code of the products affected by the measure (please provide the HS code at the level of 4 digits at least). If the measure concerns the rendering of services, provide the Extended Balance of Payments Services Classification (EBOPS) code for the services affected by the measure.**
 - 4.2. Describe the structure of the market for the product or service affected by the measure both in the EU and in the third country.**
 - 4.3. Indicate in which EU Member State(s) you manufacture the product or service affected by the measure.**
 - 4.4. Indicate in which EU Member State(s) your main competitors manufacture the product or service affected by the measure.**
 - 4.5. List relevant European-level and national sectorial associations, (attachment possible)**
 - 4.6. Explain the economic damage the measure caused/will cause to the sector, including a quantification of the main indicators such as production, capacity, sales, and additional costs**
 - 4.7. Provide a quantification of the material impact of the measure on exports from the EU (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**
 - 4.8. Indicate if Small and Medium Enterprises (SMEs) are affected by the measure/obstacle and explain**
 - 4.9. Indicate any other consideration you see worth mentioning, including how the measure affects wider EU interests (attachment possible)**

5. ACTIONS

5.1. Are you aware whether any EU Member State(s) or industry association has raised the issue with the competent authorities in the EU or in third country.

5.1.1. If yes, indicate what steps have been taken and what is the state of play, including any reply received so far.

5.2. Are you aware if the industry from a third country is also affected by the measure and if they have approached their government in this regard. Please provide information on the state of play

5.3. Indicate if any company/industry association/other has taken action in front of the appropriate national authorities (including domestic courts) of the country 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 address your concerns, explain why; and,

5.3.4. If you consider the outcome is appropriate to address your concern, please explain how the country being complained against has failed to implement it.

6. CONFIDENTIALITY

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

In order to coordinate the EU's and Member States' enforcement actions, information about the complaint (section 2) and the EU Member States of origin of the complainant will be shared with national authorities of the EU Member States. The rest of the information will not be shared.

In case of questions regarding confidentiality, the Single Entry Point remains available to discuss in the pre-notification contacts as indicated in the operational guidelines.

* 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.