



Press Release

26th November 2007

GOVERNMENT APPROACHES TO COMPETITION AND UNFAIR COMMERCIAL PRACTICES ARE CONTRADICTIONARY

Yesterday the OFT announced that it recommends that the Government consults on a number of proposed measures to make private actions in competition law as effective as the Government's 2001 White Paper, A World Class Competition Regime, intended them to be.

John Noble, Director, British Brands Group (BBG) commented:

“The British Brands Group welcomes the Office of Fair Trading's recommendation to the Government to uphold and enforce competition law by facilitating effective private prosecution. This is extremely helpful in showing up contradictions in the Government's various approaches – the current proposal by BERR on the implementation of the Unfair Commercial Practices Directive excludes private prosecution altogether.”

In its proposal for implementing the Unfair Commercial Practices Directive, the Government has dropped a provision allowing for private prosecution against copycat packaging. Many interested parties submitted to the consultation highlighting the importance of allowing private prosecution on this issue.

The decision on the final implementation of the UCPD is expected next month.

The consultation process that ended on 21 August left the UK as the only country in the EU without effective means to tackle unlawful copycat packaging.

The UK already stands alone in the EU in not having effective means of tackling unfair competition and by not permitting private prosecutions this situation is exacerbated, directly affecting millions of consumers misled in their purchasing decision by copycat packaging.

The OFT published its discussion paper in April 2007. See <http://www.offt.gov.uk/news/press/2007/63-07>.

Responses to the consultation are available at: http://www.offt.gov.uk/advice_and_resources/resource_base/consultations/private

NOTES TO EDITORS

The British Brands Group

The British Brands Group was founded in 1994 as a non-profit-making membership organisation. Its primary role is to speak out authoritatively on behalf of brand manufacturers and represents them collectively when commercial and regulatory issues threaten both their value and their ability to be a positive force in society.

While the Group's work focuses primarily on UK policy makers, it also works hard at deepening public understanding of how brands benefit consumers, society and the economy through the provision of choice, value for money and innovation. The Group also provides the prime forum for its members on brand-related issues.

The British Brands Group is part of a global network of similar brand associations, and is the UK representative of AIM, the European Brands Association, based in Brussels.

For more information and further background briefings on this subject please visit the British Brands Group website: www.britishbrandsgroup.org.uk.