

**Question for written answer E-002139/2025
to the Commission**
Rule 144
Yvan Verougstraete (Renew)

Subject: Transparency and non-discrimination in public procurement – Bloomberg Tier 1 clause

A Belgian manufacturer of certified photovoltaic (PV) panels was recently excluded from an invitation to tender issued by a Walloon public-interest limited company owing to a clause requiring the PV modules to come from a manufacturer on BloombergNEF's Tier 1 list. This requirement effectively excludes European producers, to the almost exclusive benefit of Chinese manufacturers. The list, however, is neither public nor accessible upon request or application, and is based on unpublished internal criteria.

1. Does the Commission take the view that a requirement based on a private, opaque commercial list is compatible with the principles of transparency, fair competition and non-discrimination in European public procurement?
2. Could such a clause be equated to an unjustified barrier to access for European companies, contrary to the objectives of the Net-Zero Industry Act and EU industrial policy?
3. If such practices are discriminatory, how does the Commission intend to respond to them, and what will it do to prevent them from becoming widespread in future public procurement?

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