

(English version)

**Priority question for written answer P-004404/25
to the Commission**

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(7 November 2025)

Subject: Inflation, Austria surcharge and territorial supply constraints

Inflation is a major concern for people in the EU. It does, however, affect some Member States more than others. There are several reasons for this, one being the incomplete single market.

Territorial supply constraints (TSCs), commonly known as ‘the Austria surcharge’, are undermining the integrity of the single market and creating substantial price differences between the Member States. According to a study carried out at the Commission’s request, abolishing TSCs could lead to savings of up to EUR 14 billion for EU consumers, providing significant relief for households in times of high inflation. In his report, Enrico Letta called for the strengthening of the capacity of national authorities in the fight against TSCs. In the single market strategy of 21 May 2025, the Commission identified TSCs as one of the ‘terrible ten’ barriers to the completion of the single market. The Parliament’s report on the implementation and streamlining of EU internal market rules to strengthen the single market (2025/2009(INI)) ⁽¹⁾ also calls for measures aimed at eliminating TSCs.

1. What measures and legal avenues are known to the Commission to effectively limit TSCs within the single market?
2. Why has no action been taken in 12 years, despite the issue of TSCs being broached back in 2013 in the Green Paper on unfair trading practices in the business-to-business food and non-food supply chain in Europe?
3. What is the timeline for submitting legislative files or other such measures aimed at further curbing TSCs?

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**Answer given by Executive Vice-President Séjourné on behalf of the European Commission
(15 December 2025)**

Competition law remains an effective tool to fight unjustified territorial supply constraints if these are imposed unilaterally by companies that are in a dominant market position or if they result from anticompetitive agreements between companies. The Commission takes forceful action to sanction such practices ⁽¹⁾. However, many of such practices happen outside these scenarios.

In the Single Market Strategy ⁽²⁾, the Commission announced that it would develop tools to act against unjustified territorial supply constraints covering situations that fall outside the scope of competition law by end of 2026.

This responds to a strong call from a large number of Member States to address the issue at EU level. In the current cost-of-living crisis, it is of utmost importance that consumers benefit from the Single Market.

The Commission is carrying out an impact assessment and broad consultations to determine the most suitable solutions to tackle the issue. It will consider both legislative and non-legislative options. The outcome of the process is expected by the end of next year.

¹ [https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2025/2009\(INI\)](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2025/2009(INI)).

⁽¹⁾ In the AB InBev and Mondelēz investigations the Commission fined these undertakings, respectively, EUR 200 million and EUR 337.5 million for cross-border trade restrictions that segment the internal market. The Commission also carried out in March 2025 unannounced antitrust inspections in the non-alcoholic drinks sector and sent out a formal request for information in the personal care sector for possible restrictions on the trade of goods in the internal market and market segmentation covered by competition rules.

⁽²⁾ https://single-market-economy.ec.europa.eu/document/download/d92c78d0-7d47-4a16-b53f-1cead54bcb49_en?filename=Communication%20-%20Single%20Market%20Strategy.pdf.