

To: COMP-VBER-REVIEW@ec.europa.eu
Cc: comp-greffe-antitrust@ec.europa.eu
Subject: HT.6179 – submission from Dutch Franchise Association

Hilversum, September 17, 2021

The Dutch Franchise Association (NFV) represents 903 franchise concepts in the Netherlands, accounting for 375.000 employees working across several business sectors such as food and non-food retail, healthcare, hospitality and personal services. The strength of the franchise model is based on the close partnership between franchisors and franchisees. The franchise model in the Netherlands has been a successful business model for more than 50 years, has shown economic growth for many years and has proven to be resilient in periods of economic crisis.

Our association would like to express our support for the position expressed by the European Franchise Federation in its response to the Commission consultation, submitted on 16 September 2021.

We wish to underline that while the NFV welcomes several important aspects contained in the draft Regulation on vertical agreements and vertical guidelines, which have the potential to simplify our operating environment, the new section relating to information sharing in a dual distribution could seriously undermine the functioning of franchisors and franchisees in the Netherlands.

Over 65% of our member franchisors operate in a dual distribution environment. Based on the current text, each brand would be required to assess its retail market share generating uncertainty and cost.

The free exchange of information is an essential requirement for franchisors to manage their distribution network and provide support to the franchisee about daily business operations. Without this information exchange, franchisees would be severely impaired in their ability to continue operating and service the consumer.

The NFV urges the Commission to review the impact of the dual distribution rules on the franchise sector, and ensure franchising is not unfairly and needlessly brought into the scope of these rules.

Yours sincerely,



Boris van der Ham, Chairman



Charlotte Oude Reimer, Director