8 June 2026 Brussels, Belgium

PRESS RELEASE: Consumer Protection and Product Liability Challenges in the EU - Lessons to be Learnt from the Nordics

On Monday, 8 June 2026, the European Justice Forum organised a roundtable titled "*Consumer Protection and Product Liability Challenges in the EU - Lessons to be Learnt from the Nordics*", held at Avenue des Arts 6-9, Brussels.

The discussion brought together experts including SIMON NEILL, Chair of the Board, European Justice Forum; MALENE DALL SØRENSEN, Senior Consultant, Commercial Law & Reporting, Danish Industry; AMARYLLIS VERHOEVEN, Head of Unit GROW/G1 - Responsible Business Conduct, European Commission; FREDRIK ERIXON, Founding Director, European Centre for International Political Economy (ECIPE); OONA JUONALA, Senior Legal Advisor, Confederation of Finnish Industries; BAIBA MILTOVICA, Co-Chair, Consumer and Environment Group of the European Economic and Social Committee; and DIETER-M. GROHMANN, Special Advisor to SME Connect.

The discussion was moderated by AGATA BOUTANOS, CEO, European Justice Forum.

Malene Dall Sørensen, **Senior Consultant, Danish Industry**, delivered the keynote, drawing on Denmark's experience to illustrate how the modernisation of product liability rules is playing out in practice within an economy that places high value on both consumer protection and industrial competitiveness. Sørensen highlighted the particular sensitivities for Danish industry around the presumption of defect under the revised Product Liability Directive, and the additional complexity introduced by the growing presence of third-party litigation funding in cross-border claims. Legal traditions in the Nordic countries are characterised by transparency, proportionality and a preference for out-of-court resolution, offering useful reference points for the EU-level debate. Sorensen called for implementation approaches that preserve legal predictability and do not inadvertently expose innovative businesses to disproportionate litigation risk.

Amaryllis Verhoeven, **Head of Unit GROW/G1, European Commission** addressed the relationship between the Product Liability Directive, the Representative Actions Directive, and the broader 2030 Consumer Agenda and Action Plan for Consumers in the Single Market, noting that the Commission will evaluate the application of the Representative Actions Directive by June 2028. These instruments are designed as complementary tools to strengthen consumer redress across the EU but stressed that their interaction must be monitored carefully to ensure that the cumulative effect on businesses, particularly SMEs, remains proportionate and does not generate unintended litigation dynamics that undermine the very innovation environment the Single Market is designed to support.

"*The new Product Liability Directive updates and adapts the EU's liability rules for new technologies, ensuring better protection for victims and greater legal certainty for economic operators.*" - **Amaryllis Verhoeven**, Head of Unit GROW/G1 - Responsible Business Conduct, European Commission.

Fredrik Erixon, **Founding Director, ECIPE,** brought an economic perspective to the discussion, examining the available data on the scale of potential risks that the revised Product Liability Directive and the expansion of Third-Party Litigation Funding pose for SMEs in the Nordic countries. Erixon noted that the evidence base remains underdeveloped relative to the scale of the policy change being introduced. He argued that the EU should not proceed with implementation without a clearer picture of the litigation exposure facing smaller businesses by first carrying out a rigorous impact assessment.

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EU Transparency Register identification number: 651492324629-52

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TPLF in particular introduces a structural asymmetry into litigation that disproportionately affects those companies that do not have the resources to defend themselves against prolonged legal proceedings.

Oona Juonala, Senior Legal Advisor, Confederation of Finnish Industries offered the perspective of Finnish business, highlighting Finland's strong culture of regulatory compliance and its historically low levels of product liability litigation as features that are worth preserving in the context of EU reforms. Finnish industry is concerned that the revised Product Liability Directive's broadened scope and lowered evidentiary thresholds are poorly suited to a legal environment built on trust, proportionality, and cooperative resolution between businesses and consumers. She called for implementation guidance that respects national judicial traditions and avoids importing litigation dynamics that are alien to the Nordic context, warning that a one-size-fits-all approach risks disrupting well-functioning systems without delivering meaningful improvements in consumer protection.

Baiba Miltovica, Co-Chair, Consumer and Environment Group, European Economic and Social Committee, outlined the EESC's engagement with the Product Liability Directive and the broader debate on third-party litigation funding, noting that the Committee has consistently sought to balance genuine consumer protection with the need for legal certainty and proportionality. Miltovica reported that discussions at the national level across Member States reveal a wide divergence in how the Directive's provisions are being understood and transposed, reinforcing concerns about fragmentation of the internal market. She stressed that the EESC's position has been clear: consumer protection mechanisms must be robust and accessible.

Dieter-M. Grohmann, Special Advisor to SME Connect, underlined that European SME associations in Brussels are broadly aware of ongoing developments in product liability and related regulatory frameworks, but that this awareness does not extend to a full understanding of their practical implications. He emphasised that significant gaps remain in how information is transmitted to national associations and individual SMEs, where limited capacity and regulatory overload lead to uneven awareness and misaligned prioritisation. As a result, many SMEs only recognise the relevance of product liability once it materialises in daily operations through contracts, insurance, or supply chain pressures, creating delays in compliance and risk preparedness. Grohmann called for clearer, practical guidance and more effective communication tailored to SMEs' operational realities to ensure that regulatory objectives are met without imposing unintended burdens.

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