

Press speakings of Commissioner Jourová at a joint press conference on dual quality of food with Chair of Czech Parliament Agriculture committee Mr. Fałtynek

The Commission takes the issue of dual quality food very seriously and has drawn up an articulated action plan.

Since September 2017, when Commission President Mr Juncker, said in his State of the Union speech that we cannot accept the perception of second class consumers, we have done a lot already:

We adopted guidance on how to apply and enforce the relevant EU food and consumer protection laws. This is to assist national enforcement authorities to take the appropriate measures on a case-by-case basis.

I personally engaged in a dialogue with the industry concerned, both trade associations representing big brands and retailers and the largest European food producers – I had 4 meetings with them. I asked to stop unnecessary product differentiation practices, which do not correspond to specific market requirements. I stressed that consumers expect branded products to be the same wherever they purchase them in the EU and this is one of the key elements of brand loyalty. I stressed that they have to live up to their customers' expectation in this respect and should offer similar products across the Union.

The Commission's Joint Research Centre (JRC), started to develop a harmonised testing protocol in close cooperation with the industry and all key stakeholders concerned.

I offered to co-fund the enforcement capacities of national authorities to help them tackling the issue. Currently we are finalising the evaluation and award procedure for applicants. [unfortunately, there was no Czech institution interested in our grant].

This year, we will continue our plan:

The harmonised testing protocol should be ready by April. In May, a coordinated testing campaign should be launched with at least 16 EU countries (including or geographical corners and both small and large Members states) participating. The tests will involve the composition of a common market basket of products which are marketed in most Member States and will include chemical and sensory testing. We hope to present first results by the end of 2018.

And throughout 2018, we will continue supporting the Member States' efforts to implement existing laws, our 2017 Guidance, and the forthcoming harmonised testing approach.

In addition, I intend to address the issue as part of the overhaul of consumer law, which I intend to propose to the Member States and the European Parliament in April. We are calling it the "New Deal for Consumers" because we want to ensure that our good consumer laws, which we have in the European Union, are also applied in practice. For this purpose, I will propose to include new provisions in existing laws to ensure consumers can get redress when something goes wrong and that non-compliant traders are properly sanctioned.

Our "New Deal" will make it more difficult and costly for traders to mislead consumers in marketing dual quality products, which will be one of the examples of illegal practices.

When we will have completed these steps, I consider that the Commission will have accomplished its part in relation to dual quality food issue. It will subsequently be for national authorities to take up the challenge and to demonstrate that they also take the issue seriously. They should start to tackle the concrete cases that have been found on their national territory.

From mid-2018, we will also start looking into the need to extend our effort to non-food products such as detergents, a specific harmonised testing approach will be developed by our Joint Research Centre in 2019, drawing on the main principles of the food testing approach and on the lessons learned.

Now I would like to stress again that consumers are in the driving seat. They should be voting with their purses and refuse to buy products that they do not like or consider to be of lower standards. This is the best way to be heard by the manufacturers.

To some extent this already started and has produced tangible effects. Consumers' voices have made the market evolve: some producers have already voluntarily decided to change their recipes in order to ensure that the same products are sold across the Union.

- E.g. Bahlsen, The German producer of waffles and butter biscuits, announced that they will start to use butter in all their products named butter biscuits.
- E.g. Hipp, a leading producer of baby food, will ensure a similar content of vegetables in their processed food across different countries.
- E.g. Ferrero announced it would modify the recipe for Nutella in Germany, the only country where it was different.