

FoodDrinkEurope reaction to the EP's IMCO Committee vote in relation to the "dual quality" of products

(Brussels, 22 January 2019) FoodDrinkEurope regrets the outcome of today's vote on the "Better enforcement and modernisation of EU consumer protection rules" report in the European Parliament's IMCO Committee, where a majority of MEPs decided to support the inclusion of the so-called "dual quality" of products in Annex I of the Unfair Commercial Practices Directive.

FoodDrinkEurope is strongly against any deliberate "dual quality" of food and firmly condemns any such practices. Adhering to the highest food safety and quality standards in the world, European food and drink companies offer the highest quality of their brands consistently across Europe, while customizing their products to the local environment including local preferences (even within the same Member States), raw material availability, national regulatory requirements, different national nutrition/health/sustainability strategies, and more.

Although the text adopted by the IMCO Committee today recognises that there can be legitimate reasons for product differentiation, not all of these reasons are covered. Also, under the proposed text, minor differences in the composition of products of the same brand (such as those caused by different manufacturing equipment or logistical reasons) would fall under the scope, which would have a large impact on production.

Most worryingly, inclusion of the concept in Annex I - which bans product differentiation "under all circumstances" - does not allow for a case-by-case assessment and may have far-reaching consequences as it is expected to, de facto or de jure, lead to the requirement for brands to have the exact same recipes all over Europe. This would in turn limit product innovation and consumer choice, increase consumer prices in certain markets (some of which may no longer be served as a consequence) and negatively affect local agricultural supply in these markets. Moreover, it can lead to problems of unfair competition between multinational operators vis-à-vis local competitors.

In the absence of a Commission Impact Assessment, and given that a Commission study to determine the scale and scope of the "dual quality" phenomenon is still pending, FoodDrinkEurope asks the co-legislators to better analyse and consider the impacts of the various policy options. We stand by the efforts of our members to cater to the different culinary tastes and traditions of Europe which make our continent so unique.

~ENDS~

Note to the editors:

FoodDrinkEurope is the organisation of Europe's food and drink industry, the largest manufacturing sector and leading employer in the EU and a key contributor to its economy (294,000 companies, 99% SMEs, 4.6 million employees)