



Council of the
European Union

Brussels, 25 October 2017
(OR. en)

13474/17

DENLEG 79
AGRI 572
MI 732

NOTE

From: General Secretariat of the Council
To: Council

Subject: **Agriculture and Fisheries Council** meeting on 6 November 2017
**Outcomes of the Summit for Equal Quality of Products for All
(Bratislava, 13 October 2017)**
- *Information from the Slovak and Czech delegations*

Delegations will find in the Annex a background information note prepared by the Slovak and Czech delegations with a view to the Council session ("Agriculture and Fisheries") on 6 November 2017 (AOB).

**Outcome of the Summit for Equal Quality of Products for All
(Bratislava, 13 October 2017)**

The matter of dual food quality has been raised by the Czech Republic and Slovakia on a number of occasions, often together with other involved countries, most notably the other Visegrad countries and other Central and Eastern European Member States affected. We believe that the EU stands for solidarity and that it is important that all EU citizens are treated equally, especially within the single market.

In the last couple of months, the European Commission together with some Member States have initiated a number of various activities aimed at eliminating this phenomenon and at strengthening the confidence of European consumers. We welcome the commitment and efforts from the side of the European Commission as well as from the Joint Research Center.

Products in the same packaging but with a different content represent a widespread problem of the internal market, as shown by recent studies. Therefore we perceive that a common approach is a key element for addressing the issue of dual quality.

The Summit for Equal Quality of products for All, held on 13 October 2017 in Bratislava, served as a platform to enhance cooperation between Member States, European Institutions and producers' and consumers' associations.

This high level meeting was attended by the Prime Ministers of the Visegrad countries, the Commissioner for Justice, Consumers and Gender Equality, the Commissioner for Health and Food safety, representatives of all Member States, as well as by relevant stakeholders, with the aim of seeking the possibilities for a joint approach to the problem of dual quality, in order to achieve increased transparency and consumer trust.

At the meeting, an important discussion was initiated with the producer's associations, during which the representatives of producers and retailers confirmed their continued commitment to treating all consumers equally and to establishing, if possible, in the near future a so-called Code of fair principles on the marketing of branded products in the EU Single Market.

The participants present agreed that a common testing approach under the co-ordination of the Joint Research Centre, the recently published guidelines of the European Commission and joint efforts by all stakeholders could contribute to addressing these unfair trading practices. However, it will be necessary to further maintain the dialogue and cooperation with all relevant actors at the national as well as at the EU level, with a view to continue tackling and eliminating this issue effectively.

The Chairman's conclusions from the Bratislava summit are set out in the annex to this document.



Chairman's Conclusions
Summit for Equal Quality of Products for All
Bratislava, 13th October 2017

The Summit held on 13th October 2017 in Bratislava invited the Representatives of Member States, the European Commission, European Parliament, Consumers' and Producers' associations to jointly address the problem of alleged dual quality of products and in a coordinated manner, identify possible ways towards avoiding unjustified discriminatory practices.

The results of preliminary tests suggest that a number of products that are being sold in the European Single Market under the same brand, present differences in composition and/or sensorial characteristics in individual Member States.

The participants acknowledged that the active approach and presented guidelines of the European Commission can contribute to addressing properly these practices. In this regard, it is essential to direct our future actions in full respect of relevant EU legislation - as confirmed in the Commission's guidelines.

The participants agreed that all EU consumers should be treated equally and fairly.

The participants came to the agreement that, the protection of consumers should cover not only safety of products, but also cases where consumers are not informed about the difference in quality of products which are sold with very similar presentation or packaging to those sold in other Member States. In pursuance of achieving this goal and while recognising that collecting conclusive evidence is of capital importance, it was agreed that further development of a common testing approach under the co-ordination of the Joint Research Centre is necessary. This can be used as a uniform tool to detect alleged problems and provide national authorities with reliable evidence when enforcing the relevant legislation on dual quality practices.

Further consultation and discussion in cooperation with Member States and all relevant actors on EU level and national level would be of immense value with a view to moving forward and continuing to tackle this issue together and thus more effectively. The existing High Level Forum for a Better Functioning Food Supply Chain was put forward as an appropriate platform to host multi-stakeholder political-level discussions on this issue.

During the meeting, the participants reiterated that consumers within the Single Market may generally expect branded products to be of a similar quality regardless of the countries where they are sold and therefore may have difficulties in understanding possible differences. The brand symbol acts in the mind of consumers as a certificate for a controlled and constant quality. Consumer purchasing decisions could be different if consumers would be informed that a branded product is of significantly lower quality than products sold with the same brand and packing in other parts of the EU.

To increase transparency and consumer trust, representatives of producers and retailers confirmed their continued commitment with other stakeholders to treat all consumers equally and, if possible, to establish in near future, based on evidence and dialogues, code of fair principles on the marketing of branded products in the Single Market.