

EUROPEAN COMMISSION
JOINT RESEARCH CENTRE

Director-General

Brussels, - 6. 10. 2017

NOTE TO MS TIINA ASTOLA
DIRECTOR-GENERAL, DG JUST

Subject: Development and implementation of a common approach for testing quality related characteristics of branded food products

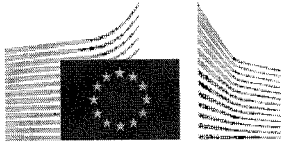
Following a phone conversation between Commissioner Navracsics and Commissioner Jourová and as agreed between them, I have been invited to meet Commissioner Jourová on 28 September 2017 to discuss DG JRC's contribution to the activities of the Commission for addressing the issue of dual food quality.

During this meeting, I explained the ongoing preparation of a common approach for testing quality related characteristics of food products, outlined the timeframe and deliverables for the development and implementation of this approach.

As a follow-up, I am happy to share with you in annex the background note outlining the details of DG JRC's work and the indicative roadmap. This background note has also been shared by the Cabinet of Commissioner Navracsics with the Cabinet of Commissioner Jourová.

I am aware that our services are in constant contact and I am also available for further discussion at our level.


Vladimír SUCHA



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
JOINT RESEARCH CENTRE

3 October 2017

DEVELOPMENT AND IMPLEMENTATION OF A COMMON APPROACH FOR TESTING QUALITY RELATED CHARACTERISTICS OF BRANDED FOOD PRODUCTS

1. BACKGROUND AND CONTEXT

Several Member States (amongst them Hungary, Slovenia, Slovakia, Poland, Czech Republic) have carried out comparative tests on branded food products placed on their markets and on neighbouring markets. They found that a significant number of products differ in certain quality related characteristics (amount of ingredients used, sensory properties). However, the findings of these national studies may be contested as they use different scientific methodologies and cannot be always compared.

Following the Summit of the Visegrád Group of 2 March 2017, the Commission has addressed the issue of quality differences of branded foodstuffs at the Council of Agriculture Ministers on 6 March 2017, the European Council of 9 March 2017 and at the Council of Agriculture Ministers of 17 July 2017. The letter sent by Commissioners Jourová, Bieńkowska and Andriukaitis to the Member States emphasised the European Commission's commitment to restore EU citizen's confidence in the fairness of the operation of the Single Market.

Among these measures to be carried out is the gathering of reliable and comparable evidence on dual quality food practices. Dual food quality is a cross-border issue. Individual Member States alone have difficulties to gather cross-border evidence from other Member States.

Harmonised sampling, testing and data interpretation is needed to create a robust and reliable evidence base for informing a policy debate how to ensure that consumers can base a purchasing on information that is comprehensive, accurate and helpful for making a transactional decision.

2. OBJECTIVES OF DG JRC'S WORK

DG JRC – in close collaboration with DG JUST, GROW, SANTE - has been tasked with the development and implementation of a harmonised sampling, testing and data interpretation protocol which can be used for the objective assessment of compositional and sensory difference between branded food products offered in EU Single Market.

3. TASKS

In agreement with DG JUST (through an Administrative Arrangement) and in close collaboration with DG GROW and DG SANTE, DG JRC will provide technical assistance related to:

Phase I: Development of a harmonised sampling, testing and data interpretation protocol

1. **Stakeholder engagement** to learn their views on the issue and to explore possibilities for consensus. Intensive discussions with high level representatives of the competent authorities of some Member States (Czech Republic, Hungary, Poland, Slovakia, Slovenia) have already taken place to understand more details of their national studies already carried out. The same holds true for discussions with industry associations. Those exchanges of views shall inform the European Commission services of technical details regarding the used sampling, testing and data interpretation of their approaches.
2. **Creation and management of a Stakeholder Network** composed of representatives of Member States authorities dealing with the control of the food chain, industry representatives, and representatives from consumer advocacy groups, European Commission services. A specific Steering Committee of the Stakeholder Network shall oversee the development of a harmonised sampling, testing and data interpretation approach aimed at evaluating whether food products offered in several Member States have been differentiated.
3. **Installation of working groups** to elaborate certain aspects of the harmonised approach related to sampling, chemical and sensory testing.
4. **Elaboration of a harmonised sampling, testing and data interpretation protocol**, which is agreed among the relevant stakeholders. This protocol shall form the basis for market surveys related to differentiated food products offered in the Member States.

Phase II: Application of the harmonised protocol to monitoring quality related characteristics of selected food products defined in Phase I

5. **Implementation of the harmonised sampling, testing and data interpretation protocol** under the JRC's coordination and logistics. Depending on the depth and breadth of the pan-EU survey, an indicative number of 100-500 food products will be analysed. It could be expected that soft drinks, chocolate spreads, bay food, waffles and cookies may be among the products identified for analysis. The analysis will include both sensory and chemical testing of food products by contracted testing laboratories and DG JRC will ensure the quality and comparability of the results throughout the whole testing process. Moreover, the JRC will evaluate the results and report back to the Stakeholder Network and European Commission's services.

4. TIMEFRAME AND DELIVERABLES

It should be noted, that the time frame given is very ambitious and may be slightly delayed in case not all information to be collected from Consumer Organisations, Member States and European Industry during November 2017 will be provided timely.

Phase I	Development of a harmonised sampling, testing and data interpretation approach
September 2017 (already done)	Stakeholder engagement to learn their views on the issue and to explore possibilities for consensus. Meetings were held with experts from those Eastern European Member States who did carry out monitoring studies already and with representatives from the European Industry. So far, the views of stakeholders converge to create a market basket of branded foods sold in several Member States on the basis of EUROSTAT data as well as data provided by commercial market research companies. Furthermore, stakeholders agreed to use comparison of product label information (nutrient declaration and list of ingredients) plus sensory discrimination testing as the basis for deciding whether products have been differentiated. This basic principle has to be refined in further meetings with the Stakeholder Network to be set up.
October 2017	Launch of Stakeholder Network (approximately 50 members) and Steering Committee to discuss and agree on the main elements of a harmonised testing, sampling and data interpretation approach as already discussed in the specific meetings held in September. Call for specific working groups to deal with sampling, sensorial and chemical testing issues (also to support Phase II).
December 2017	Report describing (a) the mapping of international brand owners, their brands and the presence of brands in several Member States; (b) the mapping of consumer complaints in several EU regarding differentiated food products; (c) list of branded products where food business operator claim that they are identical throughout several Member States.
January 2018	Working group reports regarding sampling, sensorial and chemical testing issues.
March 2018	Agreed and harmonised protocol for sampling, testing and data interpretation for evaluating differences of branded food.
Phase II	Implementation of the harmonised protocol under the JRC's coordination and logistics
May 2018	Selection of contract laboratories and start of testing campaign.
December 2018	Interim report on the progress of tests.
September 2019	Report on the outcome of the harmonised testing under the JRC's coordination and logistics.