

From: [REDACTED] (JUST)
Sent: 28 March 2017 19:24
To: JUST E2
Subject: FW: Dual quality food - minutes of coordination meeting 24.03.2016
Attachments: 2017-03-24_Report - Coordination meeting on dual quality of foodstuffs.docx

Categories: Ares

Could you please register? Thanks [REDACTED]

From: [REDACTED] (JUST)
Sent: Tuesday, March 28, 2017 5:43 PM
To: [REDACTED] (GROW); [REDACTED] (GROW); [REDACTED] (SANTÉ); [REDACTED] (SG); [REDACTED] (AGRI); [REDACTED] (AGRI)
Cc: [REDACTED] (JUST); [REDACTED] (JUST); [REDACTED] (JUST); [REDACTED] (JUST); [REDACTED] (JUST); [REDACTED] (JUST)
Subject: Dual quality food - minutes of coordination meeting 24.03.2016

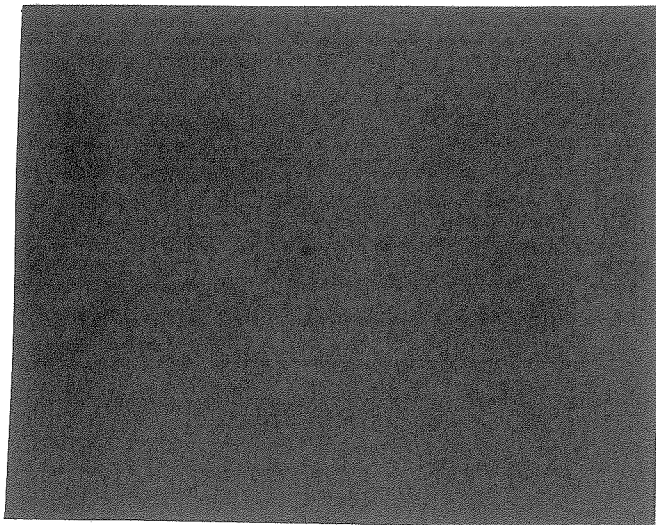
Dear all,

On behalf of [REDACTED] please find attached the minutes of the coordination meeting that took place on 24 March.

Should you have any comments, please let me know.

Meanwhile, our Cabinet informed us that they finalised together with the other relevant Cabinets and services the letter to be sent to the Agriculture Ministers.

Kind regards,





Coordination meeting on dual quality of foodstuffs – 24 March 2017

Participants:

- GROW: [REDACTED]
- SANTE: [REDACTED]
- AGRI: [REDACTED]
- JUST: [REDACTED]
- SEC GEN: [REDACTED]

The meeting was organised by [REDACTED] following a call from [REDACTED] to coordinate the Commission's policy on dual product quality with DG GROW, SANTE and AGRI. [REDACTED] summarised the context and the conclusion of the AGRI Council of 6 March which led to the European Council conclusion welcoming that the Commission would address the issue in the High Level Forum for a better functioning food supply chain. In view of the HLF Sherpa meeting on 20 June, [REDACTED] raised the importance of coordinating the positions of the DGs involved and the actions to be taken.

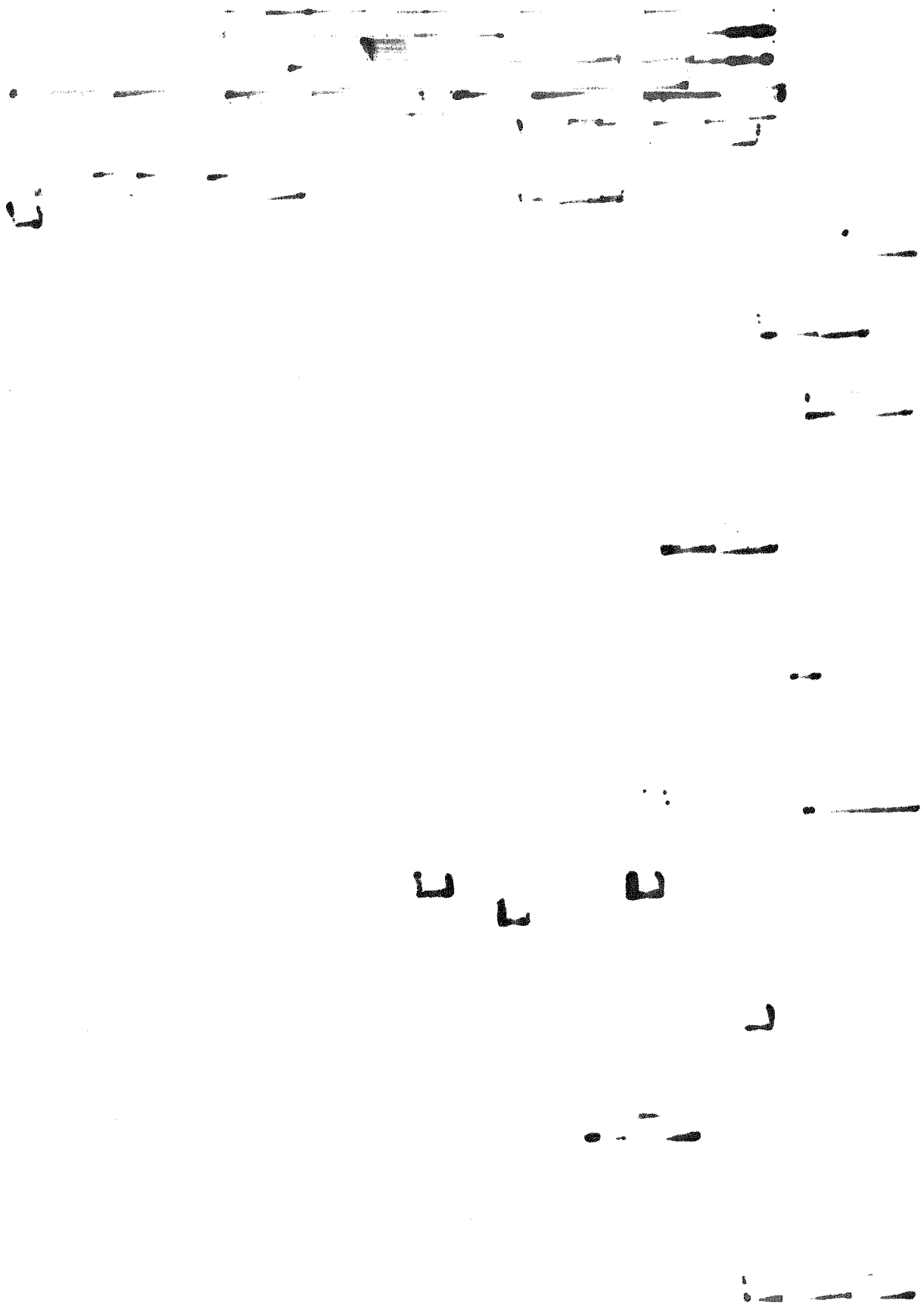
[REDACTED] informed about the meeting on 16 March of the Consumer Protection Cooperation (CPC) Committee (both DG GROW and DG SANTE colleagues were present). DG JUST requested all CPC authorities to answer a short questionnaire on the actions undertaken in their country, the complaints received from individuals or associations, their powers and capabilities to test products in order to compare their quality and whether dual quality of products is considered a problem in their Member State. [REDACTED] also informed about a meeting of Commissioner Jourová with the SK Minister of Agriculture on 17 March in which the SK Minister informed about the idea of an inter-ministerial working group of interested Member States aiming at 'naming and shaming' of brands marketed with lower quality than elsewhere in the EU.

Moreover, [REDACTED] informed that DG JUST is currently preparing a letter for the Commissioner to keep the Agriculture Ministers informed on the developments of this issue under the consumers' protection angle, in particular regarding the mapping of the situation in the MS, as promised in the AGRI Council. Other Cabinets / services will be associated.

[REDACTED] explained that [REDACTED] is the Sherpa of the HLF for a better functioning food supply chain and thus will follow up on the European Council conclusions which referred the file to the HLF. Commissioner Bieńkowska represents the Commission in the HLF (Commissioners Andriukaitis and Hogan are associated) and [REDACTED] needs to report to [REDACTED] Commissioner. If another Commissioner was tasked to coordinate this specific topic, [REDACTED] would need clear instructions. Moreover, to have a meaningful discussion at the HLF, Member States must provide robust evidence for the practice. Additionally, industry could be formally requested (within the limits of what can be legitimately expected) to explain their marketing practices. It would be good to show that this was not an "East vs West" problem. [REDACTED] recommended that the Commission should not commit to launch any study. The process would be too long and the sample used would be too small to be representative of the situation on the market.

On the subject-matter, [REDACTED] mentioned that the issue of dual quality has been raised since accession of EU 10 countries. In principle, manufacturers are allowed to differentiate the composition of their products to match different tastes and to allow local sourcing of ingredients, provided that consumers are not misled. Consumers, however, often do not read the 'small print' giving detailed information about product composition.

[REDACTED] referred to the minutes of the College meeting of 8 March which highlight that a difference should be made between the legal and the political dimension of this issue. There is no



willingness to legislate. Politically, it is mostly a question of perception of consumers so that raising their awareness and knowledge could be a possible way forward. President Juncker concluded the College debate saying that the issue did not fall within the Commission's competence and that efforts were needed to clarify the EU's competences in situations that were the responsibility of national authorities and not to give the impression of wishing to take on responsibilities for which the Commission was not in a position to deliver results.

[REDACTED] mentioned that brand-owners usually advertise only their brands/names, not the composition of their products. If cases concerned products that are subject to the protection of Geographical Indications, DG AGRI should be involved. [REDACTED] referred to EU legislation that sets marketing standards for certain products (e.g. milk, sugar).

[REDACTED] concluded that the positions of all services were still in line with the position laid down in the letter of the three Heads of Cabinets to the Czech DPR of 21 December 2016. He also concluded that participants agreed on the need for concrete and robust evidence and data from the Member States that are concerned by the issue. DG JUST will share the data gathered from CPC authorities with the other DGs. Commission services should not commit to carry out a study at EU level. Finally, [REDACTED] asked the SEC GEN to clarify the procedure and provide guidance on how the different services should coordinate in view of the High Level Forum that is formally chaired by Commissioner Bieńkowska.

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