



STATE OF THE UNION 2017

DUAL QUALITY OF PRODUCTS



I will not accept that in some parts of Europe, people are sold food of lower quality than in other countries, despite the packaging and branding being identical. We must now equip national authorities with stronger powers to cut out any illegal practices wherever they exist.

European Commission President Juncker, State of the Union Address, 13 September 2017

President Juncker announced in his 2017 State of the Union Address that in the weeks to come the Commission will present **guidance on dual quality of products**. This should help national consumer authorities make better use of existing EU consumer law to identify and address unjustified differences.

WHAT IS THE ISSUE?

Consumers from a number of EU countries have complained that the quality of some products, such as soft drinks, coffee or fish fingers, is lower in their home country when compared to products by the same producer sold under the same brand across the border. Studies indeed show that on the EU market there are products with a seemingly similar brand, which are sold containing for example a different content of meat or fish, a greater fat content or a different type of sweetener in some Member States than in others.

Examples of product differences



A coffee brand sells coffee with less caffeine and more sugar in two countries, with a similar branding.



Frozen fish fingers contain less fish between different countries, while being marketed in basically the same packaging.



Ice tea contains less sugar and artificial sweeteners instead in some countries.

WHAT IS THE COMMISSION DOING TO ADDRESS THIS ISSUE?

The EU has strong rules to prevent consumers from being misled (the Unfair Commercial Practices Directive). Producers and retailers must correctly inform consumers about the true nature and ingredients of their product. National Consumer Authorities are responsible for enforcing the common EU rules in each national context. Based on these rules, the Commissioner for Justice, Consumers and Gender Equality, **Věra Jourová**, asked consumer authorities to **gather evidence to better understand which countries and which products are concerned**. The studies from different countries showed that some products have differences when compared to the same branded products in other countries. The Commission has also engaged with the producers and brand associations to make sure that their members respect the highest level of industry standards to prevent dual quality problems.

WHAT ARE THE NEXT STEPS?

The Commission is working on a **methodology** to improve food product comparative tests so that Member States can discuss this issue on a sound and shared scientific basis that is the same for all. The Commission has made €1 million available to its Joint Research Centre (JRC) to develop this methodology. The Commission is financing further work on the collection of **evidence and enforcement** by offering €1 million to Member States for the financing of studies or enforcement actions. The producers and brand associations have committed to developing a **code of conduct** for this autumn. The Commission will organise workshops with consumer protection and food safety authorities in September and November.