

# MANUAL

## FOR TESTING DUAL QUALITY IN FOOD PRODUCTS





This project is co-funded by Consumer Programme of the European Commission



# SUMMARY

**SUMMARY** ..... p.1

**GOALS** ..... p.2

**PARTNERS** ..... p.2

**DUAL FOOD QUALITY** ..... p.3

**TESTING METHODOLOGY** ..... p.4

1. What is a product of reference ..... p.4

2. Same or different? ..... p.4

3. Six principles for testing products ..... p.5

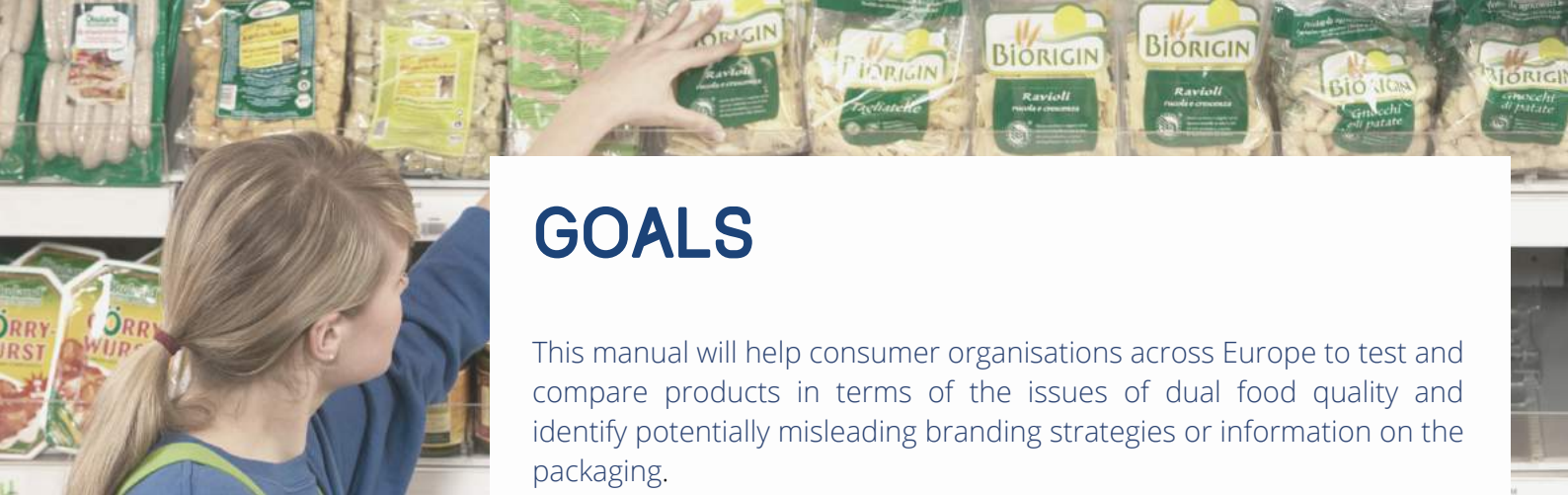
4. Exceptions ..... p.6

5. The practicalities of testing products for dual food

quality ..... p.8

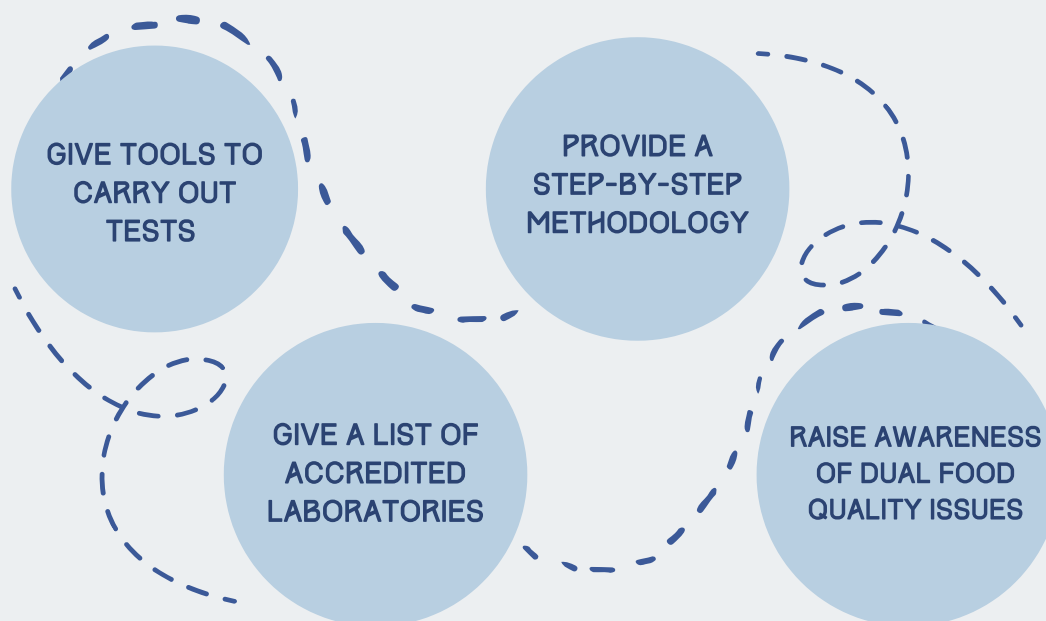
**LIST OF ACCREDITED LABORATORIES** ..... p.9

p.10



## GOALS

This manual will help consumer organisations across Europe to test and compare products in terms of the issues of dual food quality and identify potentially misleading branding strategies or information on the packaging.



## PARTNERS



### **ADOC - ASSOCIAZIONE PER LA DIFESA E L'ORIENTAMENTO DEI CONSUMATORI - ITALY**

ADOC is an Italian association of consumers recognized by the Ministry of Economic Development present in all 20 Italian regions with bureaus that give information and support to the public.



### **SAFE - SAFE FOOD ADVOCACY EUROPE - BELGIUM**

SAFE is a European NGO, whose objectives are to ensure that consumers' health and concerns remain at the core of the EU's food legislation.



### **INFOCONS ASSOCIATION - ROMANIA**

Infocons is a Romanian consumer organization founded in 2003 with the aim of protecting the right of consumers and raising awareness among consumers.



# DUAL FOOD QUALITY

## DEFINITION



“Dual quality is a practice in which companies use different recipes, formulations or standards for items sold under the same brand name and with very similar looking packaging”.

In the food sector, “dual quality” developed especially presenting **products sold under the same brand and with the same or very similar packaging, but with different ingredients and quality** depending on the European country where they were delivered.

## HISTORY

Consumers from a number of EU countries have complained that **the composition of certain products, is different** in their home country when **compared to products sold under the same brand and with the same or very similar packaging** in other Member States.



« It is not acceptable that in some parts of Europe, in Central and Eastern Europe, people are sold food of lower quality than in other countries, despite the packaging and branding being identical. [...] National authorities must be equipped with stronger powers to cut out these illegal practices wherever they exist ».



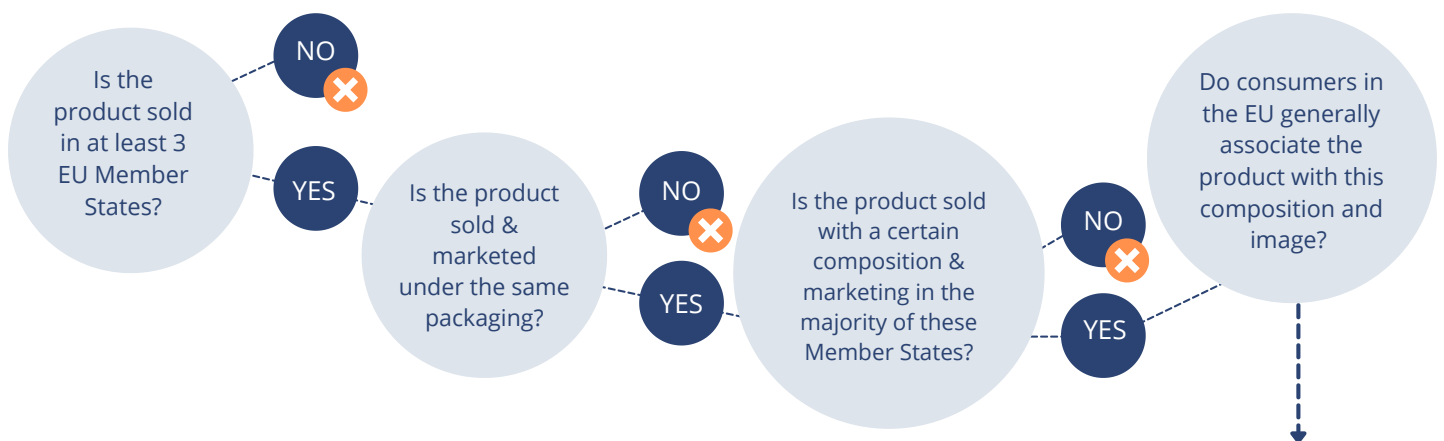
JEAN-CLAUDE JUNCKER, 2017

The Commission issued guidelines on the application of EU food and consumer laws to dual quality products to help national authorities to **determine whether a company is breaking EU laws** when selling seemingly identical products with a different composition in different countries.

**The national consumer and food authorities are responsible for ensuring that companies comply with EU laws.** However, the European Commission is committed to helping them through guidance and through different work strands

# TESTING METHODOLOGY

## 1 WHAT IS A PRODUCT OF REFERENCE?



Therefore, any product **perceived in a certain way by consumers** but which in fact is different than **in another country, could present potential practices of dual food quality** as the consumer could have been misled into thinking the product was identical to those sold in other countries.

### EXAMPLE Spaghetti sauce in Latvia, Hungary & Bulgaria



The spaghetti sauce is a product of reference because it exists in **at least 3 EU Member States under the same brand and the same packaging**. Each product contains tomato paste and/or concentrated tomatoes, onion, beef, carrots, celery, and **the consumers expect the composition to be the same in each product present in these Member States**.

#### TO KEEP IN MIND



A product is generally significantly different if, **when comparing it to the product of reference, there are substantial differences in one or several key ingredients** (or their percentage), **and had the consumer been aware of these differences, it could have changed their purchasing decision**. This last point on consumer behaviour is crucial in determining whether it could be a potential case of dual quality.

# TESTING METHODOLOGY

## 2 SAME OR DIFFERENT?

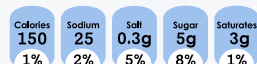
### INGREDIENTS

### FRONT-OF-PACK

#### IDENTICAL

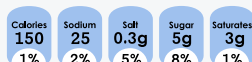
The nutritional values and the ingredients are identical.

Per Serving



\* Of your guideline daily amount

Per Serving



\* Of your guideline daily amount

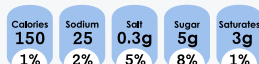
The front-of-pack presents the same design when it comes to motifs, colours, fonts, shape, logos, layout and pictures.



#### SIMILAR

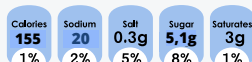
The product contains similar ingredients and nutritional values

Per Serving



\* Of your guideline daily amount

Per Serving



\* Of your guideline daily amount

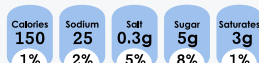
The product has a similar front-of-pack (certain characteristics may be identical while some may be completely different)



#### DIFFERENT

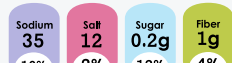
The ingredients and nutritional values are significantly different

Per Serving



\* Of your guideline daily amount

Per Serving



\* Of your guideline daily amount

The front-of-pack is significantly different



The products where a possible case of dual food quality exists should have an **identical** or **very similar** front of pack with a **different** composition (in some cases similar products may be concerned by dual food quality practices, this needs to be examined on a case by case basis).

# TESTING METHODOLOGY

## 3 SIX PRINCIPLES FOR PRODUCT TESTING

The European Commission has identified **6 key principles** that should be respected when conducting a testing campaign.



### 1. TRANSPARENCY

The whole procedure should be transparent for all parties involved to avoid all potential for disputes.



### 2. COMPONENTS OF AN ASSESSMENT PROCEDURE

The assessment procedure shall contain the following defined steps:

- Product selection
- Sampling plan
- Testing the samples
- Criteria for decision-making based on the obtained results



### 3. COMPARABILITY

During all phases, the organiser of the campaign should be careful to use only comparable products to make sure the obtained results are valid. Furthermore, the translation of the food packaging and ingredient lists shall be done carefully so as to avoid any mistakes in comparability.



### 4. APPROPRIATE SELECTION, SAMPLING AND TESTING PROCEDURES

All the components of the procedure must respect predefined criteria and be scientifically based, cost -efficient and practical. Should laboratory testing be required, the used methods need to be accredited (or at the very least scientifically studied and validated)



### 5. INCLUSIVENESS

The whole process shall strive to include all relevant parties at all the stages of the testing campaign.



### 6. FAIRNESS

A certain consideration shall be given to the market shares the brand owners occupy when designing a testing campaign. Furthermore, all confidentiality requirements must be respected.



# TESTING METHODOLOGY

## 4

## EXCEPTIONS



### NATIONAL LEGISLATION

For some products or ingredients, the national legislation might vary, and in these cases, different recipes marketed under the same packaging shall not be considered dual quality practices.



### AVAILABILITY OR SEASONALITY OF RAW MATERIALS

Food manufacturers will often try to use locally sourced raw materials whenever possible. This might lead to an altered composition, which is allowed.



### VOLUNTARY STRATEGIES TO IMPROVE THE ACCESS TO HEALTHY AND NUTRITIOUS FOOD

Sometimes measures are taken to improve the access to nutritious and healthy foods. This can for example take place in the framework of campaigns backed by national authorities and does not constitute a dual food quality practice.



### NATIONAL PRIORITIES

Companies are allowed to tailor products according to the different national preferences, as long as this is verifiable. The criteria remain rather vague on this point.

# TESTING METHODOLOGY

## 5 THE PRACTICALITIES OF TESTING PRODUCTS FOR DUAL FOOD QUALITY

### 1. SELECTING AND SAMPLING PRODUCTS

How to select and sample products?



1. Creation of a market basket with **branded and private label** products.

2. It should respect a **geographical representation**

3. A **sampling protocol** on the proper handling and traceability must be drafted

4. **Brand owners may comment** on any differences the testing campaign

5. The durability of all samples should **be within a reasonable 20% margin**

6. Testing should be conducted **around the same point in time** of a product's lifespan.

➔ IF the selected product samples respect these criteria, you can start studying the food packaging

### 2. STUDYING THE FOOD PACKAGING



The actual testing starts with **examining the food packaging and the ingredients lists**. For a potential case of dual food quality :

The food packaging should be identical or at least very similar and the ingredients should be **different** or **similar with clear differences**.

Expert panels may be hired for the purpose of this exercise

# TESTING METHODOLOGY

## 5 THE PRACTICALITIES OF TESTING PRODUCTS FOR DUAL FOOD QUALITY

### 3. SENSORY ANALYSIS



- Sensory analysis can be used to **verify if a difference in products exists**, what kind of a difference it is, and how big the difference is.
- There are **several standardized methods** suitable for the purpose of testing dual quality.
- The different methods should **be performed by a panel of trained experts**. The same experts should ideally perform all the sensory analysis testing required for a certain product.
- Different panels may be used for different product categories.

If 2 product samples **present significant differences after sensory testing** has been conducted and it has been determined that the products are branded identically or almost identically, **laboratory tests are recommended** to study whether the products are of different quality.

### 4. LABORATORY TESTINGS

- Laboratory tests need to be performed by **laboratories accredited to ISO 17025**. Ideally, all their methods used should also be accredited. Should this not be possible, the methods **need to at least be scientifically verifiable**.
- The testing methodology in laboratories will **be determined based on the previously found issues**.

To analyse  
different types of  
sugars or fats or  
suspected  
colourants and  
additives

#### NUTRITIONAL ANALYSIS

(easy to perform)

To gather more  
substantial data of  
both quantitative  
and qualitative  
nature on the tested  
product.

#### GAS CHROMATOGRAPHY

(more complicated  
and costly)

Finally, should the conclusion of a testing campaign be that a product presents significant differences in ingredients and/or nutritional values despite being marketed under identical or strongly similar packaging, **the brand owner should be given a chance to clarify the matter**. Should the comment not be satisfactory, the relevant authorities may on a **case-to-case basis decide to launch a case against the commercial actor** who may be infringing EU legislation.



# LIST OF ACCREDITED LABORATORIES



## ALS LIFE SCIENCES

<https://www.alsglobal.eu/company/als-europe>

ALS Life Sciences in Europe assured locations across 15 countries. The European network consists of modern, analytical, ISO 17025 accredited laboratories and national service centers. Main laboratories are located in the Czech Republic, Sweden, United Kingdom, Turkey, Portugal, Italy and Denmark. National service centers and smaller laboratories are located in Norway, Finland, Poland, Slovakia, Romania, Ireland, Austria and Spain.



## EUROLAB

<https://www.eurolab.org/>

EUROLAB was created in Brussels on April 27, 1990 on the basis of a memorandum of understanding, signed by delegations representing the private and public laboratories of 17 out of the 19 countries of the EEC and EFTA.



## ROMCONTROL

<http://www.romcontrol.ro/produse-agro-alimentare/>

The company provide organoleptic and physicochemical analyses; determination of caffeine quantity; determination of protein substances and determination of fat.



## LABOREX2000

<https://www.laborex.ro/>

The company provide physico-chemical and microbiological analyses of agri-food products.



## BIORESURSE.RO

<https://bioresurse.ro/blogs/servicii/laborator-cromatografie>

Compaania determines the acrylamide content of bread, biscuits and other similar products. Ion mobility spectrometry (IMS) and differential mobility spectrometry (DMS) are the methods used in the identification and quantification of analysts with high sensitivity.



## WESSLING

<https://ro.wessling-group.com/en/services>

WESSLING offers food analysis to microanalysis and nano-analysis, regulatory controls to meet legal requirements.

The company provide all methods of modern food analysis: from chemical-physical analysis to sensory tests to microbiological and molecular biological analyses and the identification of foreign bodies.



## SGS LABORATORIES

<https://www.sgsgroup.ro/ro-ro/agriculture-food/food/food-microbiology-testing>

SGS Laboratories offer Microbiological Food Testing.





Website : [www.fightdualquality.eu](http://www.fightdualquality.eu)



Twitter : @fightdualquality



Facebook : Fight Dual Quality