

November 2020

Updates on our European project to fight against double food quality

In September 2020, SAFE received funding to launch the European project "Empowering Consumer Organisations" (ECO) funded by the DG Justice of the Commission, which addresses the issue of dual food quality in Europe. In partnership with ADOC and InfoCons, consumer organisations based in Italy and Romania, the project aims to develop a harmonised methodology to help consumer organisations test products for possible duality in product quality. The last two months have been punctuated by events allowing the project to progress and raise awareness on the issue of dual food quality.

TRAINING WITH CESARE VARALLO: A STEP FORWARD IN DEVELOPING TEST METHODOLOGY

On October 23rd and 24th, the project partners participated in a two-days training session led by the external consultant Cesare Varallo, a food lawyer based in Italy. The purpose of the training was to provide the consortium with the knowledge to develop guidelines and methodology to help consumer organizations test products and to know under what circumstances it is possible to report cases of dual quality.

The training organised in three main sessions was very useful to better integrate the problems related to dual quality of food products in the European landscape.

- The first session of the training aimed to provide the partnership with an understanding of European food legislation that is important to know in order to identify law infringements and unfair commercial practices.
- The second part was devoted to a detailed presentation of the harmonized methodology developed by the Joint Research Centre (JRC) of the European Commission. This part allows to understand the steps of the methodology to carry out the tests of the products and to identify if it is a case of duality or not.
- The third and last part was designed to analyse case studies based on some tests already performed by Member States and the results of JCR tests in order to understand in which cases it is possible to detect a case of dual quality and which cases would require additional testing.

The objective of the project being to develop training materials for consumer organizations to carry out tests, the training provided the consortium with all the necessary tools to develop a clear and efficient methodology to consumer organisations.

ECO PARTNERS ATTENDED A WEBINAR TO DISCUSS ON DUAL FOOD QUALITY ISSUES

The issue of dual quality of food products was raised several years ago as a problem that divided EU Member States. Although the division between East and West was put aside by the JRC, it is still difficult to imagine that deceptive marketing practices could lead to a "second class of consumers". Therefore, MEPs Thun and Ademov decided to organise a webinar with the European Food Forum on November 9th, in which the ECO project consortium was invited, to involve all parties concerned by the problem in order to allow everyone to discuss the issue.

The discussions were fruitful between participants involving institutions, NGOs, industry from many EU Member States. MEP Thun said that Parliament is waiting for clear rules to govern this type of practice and that although differences between certain products may be justified, it must be assessed whether this influences consumer choice. Indeed, if a product has very similar packaging, it must also be similar in its composition, otherwise it may mislead consumers.

Sophia Chrysopoulou, representing the Coca-Cola Company, argued that the company takes this very seriously and justifies the differences in Europe because it is based on national legislation. Indeed, some laws have been enacted to reduce the percentage of sugar in some countries and that is why there are differences in the recipes since it is not harmonized throughout Europe.

The debate gave the partners of the ECO project the opportunity to present the solutions we can bring and to answer questions. Indeed, it is not a responsibility of consumers and they must trust the product they buy. There should be cooperation between consumers and producers. That is why it is important to raise awareness of the situation of dual quality food and to inform consumers about such practices. Fabian Fechner, Deputy Head of Brussels Office, from the German Retail Federation (HDE) supports that the use of the same logo cannot suffice to establish “seemingly identical” across countries in product sampling. However, European guidelines providing information on sampling in multi-level categories would provide useful support to national authorities and all operators wishing to implement dual quality provisions quickly and correctly.

Finally, the participants of the webinar stressed the need to ensure a harmonised national implementation and enforcement of Unfair Commercial Practices Directive (UCPD) and the clarification of uncertain legal terms within this directive. The ECO project will then act in this direction by providing national authorities with clear guidelines on correct sampling and testing in order to identify cases of dual quality.

THE NEXT STEPS OF THE PROJECT

In light of these events, the consortium is currently working on developing training materials for consumer organizations. This material will consist of a guide, a manual, a video and a webinar. These materials will be available on an online platform developed as part of the project. With these materials, consumer organisations will be able to test products across Europe and identify dual quality practices in food products. The whole consortium is looking forward to presenting these materials and to start collaborating with national authorities.