



2015/2065(INI)

18.9.2015

AMENDMENTS

1 - 272

Draft report
Dawid Bohdan Jackiewicz
(PE560.916v02-00)

Unfair trading practices in the food supply chain
(2015/2065(INI))

Amendment 1
Igor Šoltes, Marco Zullo

Motion for a resolution
Citation 3 a (new)

Motion for a resolution

Amendment

- having regard to the European Parliament's Written Declaration 0088/2007 'Investigating and remedying the abuse of power by large supermarkets operating in the European Union',

Or. en

Amendment 2
Dita Charanzová

Motion for a resolution
Citation 15 a (new)

Motion for a resolution

Amendment

- having regard to the Supply Chain Initiative progress report of July 2015,

Or. en

Amendment 3
Marc Tarabella

Motion for a resolution
Citation 17 a (new)

Motion for a resolution

Amendment

- having regard to the 2012 report entitled 'The relationship between supermarkets and suppliers; what are the implications for consumers?' by Consumers International,

Or. fr

Amendment 4
Virginie Rozière

Motion for a resolution
Recital A

Motion for a resolution

A. whereas unfair trading practices (UTPs) are a problem attested to by all entities in the food supply chain and by many national competition authorities; whereas the Commission *and* Parliament have repeatedly drawn attention to the problem of UTPs;

Amendment

A. whereas unfair trading practices (UTPs) are a problem attested to by all entities in the food supply chain and by many national competition authorities; whereas the Commission, Parliament *and the European Economic and Social Committee* have repeatedly drawn attention to the problem of UTPs;

Or. fr

Amendment 5
Róza Gräfin von Thun und Hohenstein

Motion for a resolution
Recital A

Motion for a resolution

A. whereas unfair trading practices (UTPs) are a problem attested to by all entities in the food supply chain and by many national competition authorities; whereas the Commission and Parliament have repeatedly drawn attention to the problem of UTPs;

Amendment

A. whereas unfair trading practices (UTPs) are a *serious* problem, *occurring in many sectors of the economy; whereas that problem is particularly evident in the food supply chain, and is* attested to by all entities in the food supply chain and by many national competition authorities; whereas the Commission and Parliament have repeatedly drawn attention to the problem of UTPs;

Or. pl

Amendment 6
Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos, Nicola Danti

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas UTPs have adverse effects on the weakest link in the chain, farmers and SMEs; whereas the economic impact of those adverse effects is thought to run into billions of euros;

Or. es

Amendment 7

Michel Dantin, Angélique Delahaye, Philippe Juvin, Elisabetta Gardini, Lara Comi

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas the European doctrine of the right of competition, which seeks to favour the consumer's purchasing power, has had a strong influence on the functioning of the food supply chain;

Or. fr

Amendment 8
Robert Rochefort

Motion for a resolution
Recital B

Motion for a resolution

Amendment

B. having regard to the size and strategic importance of the food supply chain for the European Union; whereas the sector employs over 47 million people in the EU, and whereas the total value of the EU market for products connected with the retail food trade is estimated at EUR 1.05

B. having regard to the size and strategic importance of the food supply chain for the European Union; whereas the sector employs over 47 million people in the EU, and whereas the total value of the EU market for products connected with the retail food trade is estimated at EUR 1.05

billion;

billion; *whereas 99.1% of undertakings in the food and drink sector are SMEs and microenterprises;*

Or. fr

Amendment 9

Dawid Bohdan Jackiewicz

Motion for a resolution

Recital B

Motion for a resolution

B. having regard to the size and strategic importance of the food supply chain for the European Union; whereas the sector employs over 47 million people in the EU, and whereas the total value of the EU market for products connected with the retail food trade is estimated at EUR 1.05 billion;

Amendment

B. having regard to the size and strategic importance of the food supply chain for the European Union; whereas the sector employs over 47 million people in the EU *and accounts for around 7% of gross value added at EU level*, and whereas the total value of the EU market for products connected with the retail food trade is estimated at EUR 1.05 billion; *whereas the retail services sector accounts for 4.3% of the EU's GDP and 17% of the EU's SMEs^{2a};*

^{2a} *Eurostat, 2010.*

Or. pl

Amendment 10

Robert Rochefort

Motion for a resolution

Recital C

Motion for a resolution

C. whereas the food trade has an increasingly significant cross-border dimension and is of particular importance for the functioning of the internal market;

Amendment

C. whereas the food trade has an increasingly significant cross-border dimension and is of particular importance for the functioning of the internal market; *whereas cross-border trade between the*

EU Member States accounts for 20% of the EU's total food and drink production; whereas 70% of all Member States' food exports are to other Member States;

Or. fr

Amendment 11
Inês Cristina Zuber

Motion for a resolution
Recital C

Motion for a resolution

C. whereas the food trade has an increasingly significant cross-border dimension *and is of particular importance for the functioning of the internal market;*

Amendment

C. whereas the food trade has an increasingly significant cross-border dimension, *with intra-Community trade playing a highly prominent role in this sector;*

Or. pt

Amendment 12
Tomáš Zdechovský

Motion for a resolution
Recital C

Motion for a resolution

C. whereas the food trade has an increasingly significant cross-border dimension and *is of particular* importance for the functioning of the internal market;

Amendment

C. whereas the food trade has an increasingly significant cross-border dimension and *there is a big* importance for the functioning of the internal market;

Or. en

Amendment 13
Dawid Bohdan Jackiewicz

Motion for a resolution
Recital C

Motion for a resolution

C. whereas the food trade has an increasingly significant cross-border dimension and is of particular importance for the functioning of the internal market;

Amendment

C. whereas the food trade has an increasingly significant cross-border dimension and is of particular importance for the functioning of the internal market; ***whereas international trade between EU Member States accounts for around 20% of total food production in the EU, and whereas it is estimated that annually at least 70% of total exports of agricultural or food products from EU Member States go to other EU Member States^{3a}***;

^{3a} Report of the High-Level Forum for a Better Functioning Food Supply Chain, December 2012.

Or. pl

Amendment 14
Virginie Rozière

Motion for a resolution
Recital D

Motion for a resolution

D. whereas significant structural changes have taken place in the business-to-business (B2B) food supply chain in recent years, involving concentration and vertical integration of entities operating in the production, processing and retail sectors;

Amendment

D. whereas significant structural changes have taken place in the business-to-business (B2B) food supply chain in recent years, involving ***excessive*** concentration and vertical integration of entities operating in the production, processing and retail sectors, ***leading to the formation of veritable oligopolies***;

Or. fr

Amendment 15
Sergio Gutiérrez Prieto, Ricardo Serrão Santos, Clara Eugenia Aguilera García

Motion for a resolution

Recital D

Motion for a resolution

D. whereas significant structural changes have taken place in the business-to-business (B2B) food supply chain in recent years, involving concentration and vertical integration of entities operating in the production, processing and retail sectors;

Amendment

D. whereas significant structural changes have taken place in the business-to-business (B2B) food supply chain in recent years, involving concentration and vertical integration of entities operating in the production *sector, and especially in the* processing and retail sectors;

Or. es

Amendment 16

Igor Šoltes, Marco Zullo

Motion for a resolution

Recital D

Motion for a resolution

D. whereas significant structural changes have taken place in the business-to-business (B2B) food supply chain in recent years, involving concentration and vertical integration of entities operating in the production, processing and retail sectors;

Amendment

D. whereas significant structural changes have taken place in the business-to-business (B2B) food supply chain in recent years, involving concentration and *horizontal, cross border and* vertical integration of entities operating in the production, processing and retail sectors;

Or. en

Amendment 17

Dawid Bohdan Jackiewicz

Motion for a resolution

Recital D

Motion for a resolution

D. whereas significant structural changes have taken place in the business-to-business (B2B) food supply chain in recent years, involving concentration and vertical

Amendment

D. whereas significant structural changes have taken place in the business-to-business (B2B) food supply chain in recent years, involving concentration and vertical

integration of entities operating in the production, processing and retail sectors;

integration of entities operating in the production, processing and retail sectors; *whereas there is a problem with retailers' own brands in that traders become direct competitors of their own suppliers; whereas ongoing structural changes in the supply chain are resulting in more intense competition on the food products market, and whereas that in turn could lead to price wars, the principal victims of which are producers (farmers), who come under pressure from falling prices and have to cut production costs;*

Or. pl

Amendment 18
Dawid Bohdan Jackiewicz

Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

Da. whereas entities involved in the food products supply chain have reported UTPs principally consisting of:

- payment delays;*
- restricted access to the market;*
- unilateral or retroactive changes to contract terms;*
- failing to provide sufficiently detailed information on contract terms or formulating them ambiguously;*
- refusal to conclude a written contract;*
- sudden and unjustified cancellation of a contract;*
- unfair transfer of commercial risk;*
- demanding payment for goods or services that are of no value to one party to the contract;*
- charging for fictitious services;*

- *transferring transport and storage costs to suppliers;*
- *forced involvement in promotions, charging to place goods in prominent positions in shops and other additional fees;*
- *transferring to suppliers the costs of promoting goods in sales areas;*
- *imposing unconditional return of unsold merchandise;*
- *exerting pressure to cut prices;*
- *preventing trading partners from sourcing from other Member States (territorial supply constraints);*

Or. pl

Amendment 19
Marc Tarabella

Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

Da. whereas, given the impossibility of stopping the agricultural production process once begun, and the perishable nature of its products, farmers are particularly susceptible to UTPs in the food supply chain;

Or. fr

Amendment 20
Philippe Juvin, Angélique Delahaye, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

Da. having regard to the risk, which is increasingly frequent thanks to vertical integration, of conflicts of interest affecting distributors who sell both their own and their competitors' products;

Or. fr

Amendment 21
Marc Tarabella

Motion for a resolution
Recital D b (new)

Motion for a resolution

Amendment

Da. whereas supermarkets are developing their own brands while independent brands decline, leading to a new role for supermarkets as producers' competitors;

Or. fr

Amendment 22
Marc Tarabella

Motion for a resolution
Recital D c (new)

Motion for a resolution

Amendment

Dc. whereas agricultural producers are vulnerable in price negotiations with supermarkets that have their own brand;

Or. fr

Amendment 23
Marc Tarabella

Motion for a resolution

Recital D d (new)

Motion for a resolution

Amendment

Dd. whereas producers sometimes work at a loss following negotiations with other actors in the food supply chain that put them at a disadvantage, e.g. through supermarket markdowns and reductions;

Or. fr

Amendment 24

Virginie Rozière

Motion for a resolution

Recital E

Motion for a resolution

Amendment

E. whereas UTPs occur where there is a lack of economic balance in trading relations between partners in the food supply chain, resulting from bargaining power disparities in business relations and constituting a serious disturbance to market ***balance***;

E. whereas UTPs occur where there is a lack of economic balance in trading relations between partners in the food supply chain, resulting from bargaining power disparities in business relations and constituting a serious disturbance to ***the proper functioning of the*** market;

Or. fr

Amendment 25

Inês Cristina Zuber

Motion for a resolution

Recital E

Motion for a resolution

Amendment

E. whereas UTPs occur where there ***is a lack of economic balance*** in trading relations between partners in the food supply chain, resulting from bargaining power disparities in business relations ***and constituting a serious disturbance to***

E. whereas UTPs occur where there ***are inequalities*** in trading relations between partners in the food supply chain, resulting from bargaining power disparities in business relations, ***which are the result of the growing concentration of*** market

market *balance*;

power among a small number of multinational groups, and whereas these disparities tend to harm small and medium-sized producers;

Or. pt

Amendment 26

Paul Brannen, Catherine Stihler

Motion for a resolution

Recital E

Motion for a resolution

E. whereas UTPs occur where there is a lack of economic balance in trading relations between partners in the food supply chain, resulting from bargaining power disparities in business relations and constituting a serious disturbance to market balance;

Amendment

E. whereas UTPs occur where there is a lack of economic balance in trading relations between partners in the food supply chain, resulting from bargaining power ***and income*** disparities in business relations and constituting a serious disturbance to market balance;

Or. en

Amendment 27

Ulla Tørnæs

Motion for a resolution

Recital E

Motion for a resolution

E. whereas UTPs occur where there is a lack of economic balance in trading relations between partners in the food supply chain, resulting from bargaining power disparities in business relations and constituting ***a serious disturbance to market balance***;

Amendment

E. whereas UTPs ***can*** occur where there is a lack of economic balance in trading relations between partners in the food supply chain, resulting from bargaining power disparities in business relations and constituting, ***almost all trade relations, also between entities of different sizes, are carried out in mutual respect***;

Or. en

Amendment 28
Igor Šoltes, Marco Zullo

Motion for a resolution
Recital E

Motion for a resolution

E. whereas UTPs occur where there is a lack of economic balance in trading relations between *partners in the* food supply chain, *resulting from* bargaining power disparities in business relations and constituting a serious disturbance to market balance;

Amendment

E. whereas UTPs occur where there is a lack of economic balance in trading relations between food supply chain *actors such as farmers and suppliers on one hand, and manufacturers, processors and retailers on the other hand, lead to* bargaining power disparities in business relations and constituting a serious disturbance to market balance;

Or. en

Amendment 29
Inês Cristina Zuber

Motion for a resolution
Recital E a (new)

Motion for a resolution

Ea. whereas the market in various countries is increasingly being dominated by large distribution chains which, with their respective own brands, in themselves pose a problem in terms of the imposition of low prices and the lack of outlets for products in a number of countries;

Amendment

Ea. whereas the market in various countries is increasingly being dominated by large distribution chains which, with their respective own brands, in themselves pose a problem in terms of the imposition of low prices and the lack of outlets for products in a number of countries;

Or. pt

Amendment 30
Virginie Rozière

Motion for a resolution
Recital F

Motion for a resolution

F. whereas unfair practices *may* have harmful consequences for the food supply chain, which in turn *may* have a detrimental impact on the entire EU economy; whereas UTPs may discourage cross-border trade in the EU and hinder the proper functioning of the internal market; whereas unfair practices can result in particular in enterprises cutting back on investment and innovation owing to a reduction in income and a lack of certainty, and may lead them to abandon production, processing or trading activities;

Amendment

F. whereas unfair practices have harmful consequences for the food supply chain, which in turn have a detrimental impact on the entire EU economy, ***on consumers and on the economic interests of states***; whereas UTPs may discourage cross-border trade in the EU and hinder the proper functioning of the internal market; whereas unfair practices can result in particular in enterprises cutting back on investment and innovation, ***particularly in the field of the environment, working conditions or animal welfare***, owing to a reduction in income and a lack of certainty, and may lead them to abandon production, processing or trading activities;

Or. fr

Amendment 31
Birgit Collin-Langen, Sabine Verheyen

Motion for a resolution
Recital F

Motion for a resolution

F. whereas unfair practices may have harmful consequences for the food supply chain, which in turn may have a detrimental impact on the entire EU economy; whereas UTPs may discourage cross-border trade in the EU and hinder the proper functioning of the internal market; whereas unfair practices can result in particular in enterprises cutting back on investment and innovation owing to a reduction in income and a lack of certainty, and may lead them to abandon production, processing or trading activities;

Amendment

F. whereas unfair practices may have harmful consequences for the food supply chain, which in turn may have a detrimental impact on the entire EU economy ***and consumers by limiting consumers' choice of products and their access to new and innovative products***; whereas UTPs may discourage cross-border trade in the EU and hinder the proper functioning of the internal market; whereas unfair practices can result in particular in enterprises cutting back on investment and innovation owing to a reduction in income and a lack of certainty, and may lead them to abandon production, processing or trading activities;

Amendment 32**Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos****Motion for a resolution****Recital F***Motion for a resolution*

F. whereas unfair practices *may* have harmful consequences for the food supply chain, *which* in turn *may have* a detrimental impact on the entire EU economy; whereas UTPs may discourage cross-border trade in the EU and hinder the proper functioning of the internal market; whereas unfair practices can result in particular in enterprises cutting back on investment and innovation owing to a reduction in income and a lack of certainty, and may lead them to abandon production, processing or trading activities;

Amendment

F. whereas unfair practices have harmful consequences for the food supply chain, *particularly where farmers and SMEs are concerned, and whereas that* in turn *has* a detrimental impact on the entire EU economy; whereas UTPs may discourage cross-border trade in the EU and *whereas they* hinder the proper functioning of the internal market; whereas unfair practices can result in particular in enterprises cutting back on investment and innovation owing to a reduction in income and a lack of certainty, and may lead them to abandon production, processing or trading activities;

Or. es

Amendment 33**Inês Cristina Zuber****Motion for a resolution****Recital F***Motion for a resolution*

F. whereas unfair practices *may* have harmful consequences for the food supply chain, which in turn *may have a detrimental impact on* the entire EU economy; whereas UTPs may discourage cross-border trade in the EU and hinder the proper functioning of the *internal* market; whereas unfair practices can result in particular in enterprises cutting back on investment and innovation owing to a

Amendment

F. whereas unfair practices have harmful consequences for the food supply chain, which in turn *will adversely affect* the entire EU economy; whereas UTPs may discourage cross-border trade in the EU and hinder the proper functioning of the *intra-Community* market; whereas unfair practices can result in particular in enterprises cutting back on investment and innovation owing to a reduction in income

reduction in income and a lack of certainty, and may lead them to abandon production, processing or trading activities;

and a lack of certainty, and may lead them to abandon production, processing or trading activities;

Or. pt

Amendment 34

Ulla Tørnæs

Motion for a resolution

Recital F

Motion for a resolution

F. whereas unfair practices may have harmful consequences for the *food supply chain, which in turn may have a detrimental impact on the entire EU economy; whereas UTPs may discourage cross-border trade in the EU and hinder the proper functioning of the internal market*; whereas unfair practices can result in particular in enterprises cutting back on investment and innovation owing to a reduction in income and a lack of certainty, and may lead them to abandon production, processing or trading activities;

Amendment

F. whereas unfair practices may have harmful consequences for the *individual actors in the food supply chain*; whereas unfair practices can result in particular in *individual* enterprises cutting back on investment and innovation owing to a reduction in income and a lack of certainty, and may lead them to abandon production, processing or trading activities;

Or. en

Amendment 35

Igor Šoltes, Marco Zullo

Motion for a resolution

Recital F

Motion for a resolution

F. whereas unfair practices may have harmful consequences for the food supply chain, which in turn *may have* a detrimental impact on the entire EU economy; whereas UTPs *may* discourage cross-border trade in the EU and hinder the proper functioning of the internal market;

Amendment

F. whereas unfair practices may have harmful consequences for the food supply chain, which in turn *has* a detrimental impact on the entire EU economy; whereas UTPs discourage cross-border trade in the EU and hinder the proper functioning of the internal market; whereas unfair

whereas unfair practices can result in particular in enterprises cutting back on investment and innovation owing to a reduction in income and a lack of certainty, and may lead them to abandon production, processing or trading activities;

practices can result in particular in enterprises cutting back on investment and innovation owing to a reduction in income and a lack of certainty, and may lead them to abandon production, processing or trading activities;

Or. en

Amendment 36
Birgit Collin-Langen, Sabine Verheyen

Motion for a resolution
Recital F a (new)

Motion for a resolution

Amendment

Fa. whereas unfair practices may have an impact on price negotiations between enterprises and on consumers' welfare when it comes to pricing;

Or. en

Amendment 37
Dawid Bohdan Jackiewicz

Motion for a resolution
Recital F a (new)

Motion for a resolution

Amendment

Fa. whereas the performance of the food supply chain not only affects economic sectors such as agriculture and the processing and retail industries, but also the standard of living of consumers in the EU;

Or. pl

Amendment 38
Marc Tarabella

Motion for a resolution
Recital F a (new)

Motion for a resolution

Amendment

Fa. whereas the effects of these UTPs also have harmful effects on the consumer, particularly by driving up the prices of independent brands, reducing choice and creating deliberate confusion on prices through advertising methods; whereas there may be overall reductions in service, price, quality and range (SPQR) to the detriment of the consumer;

Or. fr

Amendment 39
Virginie Rozière

Motion for a resolution
Recital G

Motion for a resolution

Amendment

G. whereas UTPs are an obstacle to the development and functioning of the internal market and seriously disrupt market *mechanisms*;

G. whereas UTPs are an obstacle to the development and functioning of the internal market and seriously disrupt *the proper functioning of the* market;

Or. fr

Amendment 40
Vicky Ford

Motion for a resolution
Recital G

Motion for a resolution

Amendment

G. whereas UTPs *are* an obstacle to the development and functioning of the internal market and seriously disrupt market mechanisms;

G. whereas UTPs *can be* an obstacle to the development and functioning of the internal market and seriously disrupt market mechanisms;

Amendment 41

Maria Grapini

Motion for a resolution

Recital G

Motion for a resolution

G. whereas UTPs are an obstacle to the development and functioning of the internal market and seriously disrupt market mechanisms;

Amendment

G. whereas UTPs are an obstacle to the development and functioning of the internal market, ***act as a brake on the competitive environment, which directly affects the interests of consumers,*** and seriously disrupt market mechanisms;

Or. ro

Amendment 42

Igor Šoltes, Marco Zullo

Motion for a resolution

Recital G

Motion for a resolution

G. whereas UTPs are an obstacle to the development and functioning of the internal market and seriously disrupt market mechanisms;

Amendment

G. whereas UTPs are an obstacle to the development and ***smooth*** functioning of the internal market and seriously disrupt market mechanisms;

Or. en

Amendment 43

Dawid Bohdan Jackiewicz

Motion for a resolution

Recital G a (new)

Motion for a resolution

Amendment

Ga. whereas the effects of UTPs can

result in excessive costs or lower-than-expected revenues for businesses with weaker bargaining power, as well as overproduction and food waste;

Or. pl

Amendment 44
Igor Šoltes, Marco Zullo

Motion for a resolution
Recital G a (new)

Motion for a resolution

Amendment

Ga. whereas such squeezes on suppliers have negative knock-on effects on both quality of employment and environmental protection;

Or. en

Amendment 45
Igor Šoltes, Marco Zullo

Motion for a resolution
Recital G b (new)

Motion for a resolution

Amendment

Gb. whereas consumers potentially face a loss in product diversity, cultural heritage and retail outlets as a result of UTPs;

Or. en

Amendment 46
Virginie Rozière

Motion for a resolution
Recital H

Motion for a resolution

H. whereas SMEs and microenterprises are particularly vulnerable to UTPs and are more affected than large enterprises by their impact of UTPs, which make it harder for them to survive on the market, undertake new investments and innovate, and make it more difficult for SMEs to expand their activities, including across borders within the single market;

Amendment

H. whereas SMEs and microenterprises are particularly vulnerable to UTPs and are more affected than large enterprises by their impact of UTPs, which make it harder for them to survive on the market, undertake new investments and innovate, ***particularly in the field of the environment, working conditions and animal welfare***, and make it more difficult for SMEs to expand their activities, including across borders within the single market;

Or. fr

Amendment 47

Aldo Patriciello

Motion for a resolution

Recital H

Motion for a resolution

H. whereas SMEs and microenterprises are particularly vulnerable to UTPs and are more affected than large enterprises by their impact of UTPs, which make it harder for them to survive on the market, undertake new investments and innovate, and make it more difficult for SMEs to expand their activities, including across borders within the single market;

Amendment

H. whereas SMEs and microenterprises, ***which make up over 90% of the EU's economic fabric***, are particularly vulnerable to UTPs and are more affected than large enterprises by their impact of UTPs, which make it harder for them to survive on the market, undertake new investments and innovate, and make it more difficult for SMEs to expand their activities, including across borders within the single market;

Or. it

Amendment 48

Vicky Ford

Motion for a resolution

Recital H

Motion for a resolution

H. whereas SMEs and microenterprises are particularly vulnerable to UTPs and **are** more affected than large enterprises by their impact of UTPs, which make it harder for them to survive on the market, undertake new investments and innovate, and make it more difficult for SMEs to expand their activities, including across borders within the single market;

Amendment

H. whereas SMEs and microenterprises are particularly vulnerable to UTPs and **can often be** more affected than large enterprises by their impact of UTPs, which make it harder for them to survive on the market, undertake new investments and innovate, and make it more difficult for SMEs to expand their activities, including across borders within the single market;

Or. en

Amendment 49
Inês Cristina Zuber

Motion for a resolution
Recital H

Motion for a resolution

H. whereas SMEs and microenterprises are particularly vulnerable to UTPs and are **more** affected **than large enterprises** by **their** impact of UTPs, **which make it harder for them** to survive on the market, undertake new investments **and** innovate, and **make it more difficult for SMEs to** expand their activities, **including across borders within the single market**;

Amendment

H. whereas SMEs and microenterprises are particularly vulnerable to UTPs and are **worst** affected by **the** impact of UTPs; **whereas, by failing to guarantee fair prices for production, these practices make it hard for SMEs** to survive on the market, undertake new investments, innovate and expand their activities, **at both national and international level**;

Or. pt

Amendment 50
Dennis de Jong

Motion for a resolution
Recital H a (new)

Motion for a resolution

Ha. whereas unfair trading practices do not only take place in the food supply

Amendment

chain, but just as often in the non-food supply chain like the garment industry or the automotive industry;

Or. en

Amendment 51
Dawid Bohdan Jackiewicz

Motion for a resolution
Recital I

Motion for a resolution

I. whereas many Member States have introduced various ways of countering UTPs, in some cases by means of voluntary and self-regulatory schemes and in others through relevant national regulations;

Amendment

I. whereas many Member States have introduced various ways of countering UTPs, in some cases by means of voluntary and self-regulatory schemes and in others through relevant national regulations; *whereas this has led to a high degree of divergence and diversification between countries in terms of the level, nature and form of legal protection; whereas some countries have not taken any action in this area;*

Or. pl

Amendment 52
Dawid Bohdan Jackiewicz

Motion for a resolution
Recital I a (new)

Motion for a resolution

Ia. whereas there is a practice known as ‘forum shopping’, whereby the stronger contractual party unilaterally decides in which Member State – i.e. under which regulatory framework – the contract will apply in order to avoid stricter measures against UTPs;

Amendment

Or. pl

Amendment 53

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution

Recital I a (new)

Motion for a resolution

Amendment

Ia. whereas some Member States that had initially chosen to counter UTPs by means of voluntary schemes have subsequently decided to address them through legislation;

Or. es

Amendment 54

Esther Herranz García

Motion for a resolution

Recital I a (new)

Motion for a resolution

Amendment

Ia. Is nevertheless in favour of a regulatory framework being set up at EU level to ensure the smooth operation of the EU's internal market;

Or. es

Amendment 55

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos, Nicola Danti

Motion for a resolution

Recital I b (new)

Motion for a resolution

Amendment

Ib. whereas the various steps taken by the Member States may cause distortions in the internal market if there are no EU-

level measures to prevent such problems;

Or. es

Amendment 56
Virginie Rozière

Motion for a resolution
Recital J

Motion for a resolution

J. whereas UTPs are covered only in part by competition law, the provisions of which relate to only a few UTPs in the B2B food supply chain;

Amendment

J. whereas UTPs are covered only in part by competition law, ***which is becoming obsolete and*** the provisions of which relate to only a few UTPs in the B2B food supply chain;

Or. fr

Amendment 57
Igor Šoltes

Motion for a resolution
Recital J

Motion for a resolution

J. whereas UTPs are covered only in part by competition law, ***the*** provisions of ***which*** relate to only a few UTPs in the B2B food supply chain;

Amendment

J. whereas UTPs are covered only in part by competition law, ***in part because competition focuses primarily on needs of consumers, therefore*** provisions of ***competition law*** relate to only a few UTPs in the B2B food supply chain;

Or. en

Amendment 58
Vicky Ford

Motion for a resolution
Recital J

Motion for a resolution

J. whereas UTPs are covered only in part by competition law, ***the provisions of which relate to only a few UTPs in the B2B food supply chain;***

Amendment

J. whereas UTPs are covered only in part by competition law;

Or. en

Amendment 59

Dawid Bohdan Jackiewicz

Motion for a resolution

Recital J

Motion for a resolution

J. whereas UTPs are covered only in part by competition law, the provisions of which relate to only a few UTPs in the B2B food supply chain;

Amendment

J. whereas UTPs are covered only in part by competition law, the provisions of which relate to only a few UTPs in the B2B food supply chain; ***whereas a significant majority of UTPs therefore lie beyond the scope of competition law because it essentially serves another purpose, i.e. to regulate competition on the market;***

Or. pl

Amendment 60

Ulla Tørnæs

Motion for a resolution

Recital J

Motion for a resolution

J. whereas UTPs are covered ***only in part by competition law, the provisions of which relate to only a few UTPs in the B2B food supply chain;***

Amendment

J. whereas UTPs are covered ***at different levels and in different forms in national contract regulations and the question of balance of power is tackled by competition law;***

Or. en

Amendment 61
Robert Rochefort

Motion for a resolution
Recital J a (new)

Motion for a resolution

Amendment

Ja. whereas European competition law should permit consumers to benefit from a wide range of quality products at competitive prices, while ensuring that undertakings have an incentive to invest and innovate by giving them a fair chance to promote the advantages of their products without being unduly forced out of the market by UTPs;

Or. fr

Amendment 62
Philippe Juvin, Angélique Delahaye, Andreas Schwab, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution
Recital J a (new)

Motion for a resolution

Amendment

Ja. whereas European competition law should enable the final consumer to purchase goods at a competitive price, but must also ensure free and fair competition between undertakings, notably in order to encourage them to innovate;

Or. fr

Amendment 63
Marijana Petir

Motion for a resolution
Recital K

Motion for a resolution

K. whereas the 'fear factor' *can come* into play in commercial relationships, with the weaker party being unwilling to lodge a complaint about UTPs imposed by the stronger party, out of concern that this would put an end to their commercial relationship;

Amendment

K. whereas the 'fear factor' *often comes* into play in commercial relationships, with the weaker party being unwilling to lodge a complaint about UTPs imposed by the stronger party, out of concern that this would put an end to their commercial relationship;

Or. en

Amendment 64
Tonino Picula

Motion for a resolution
Recital K

Motion for a resolution

K. whereas the 'fear factor' *can come* into play in commercial relationships, with the weaker party being unwilling to lodge a complaint about UTPs imposed by the stronger party, out of concern that this would put an end to their commercial relationship;

Amendment

K. whereas the 'fear factor' *often comes* into play in commercial relationships, with the weaker party being unwilling to lodge a complaint about UTPs imposed by the stronger party, out of concern that this would put an end to their commercial relationship;

Or. en

Amendment 65
Biljana Borzan

Motion for a resolution
Recital K a (new)

Motion for a resolution

Ka. whereas the performance of the food supply chain affects EU citizens' daily lives, given that approximately 14% of their household expenditure is spent on food;

Amendment

Amendment 66

Vicky Ford

Motion for a resolution

Recital K a (new)

Motion for a resolution

Amendment

Ka. whereas many actors operate in the food supply chain, including manufacturers, retailers, intermediaries and producers, and UTPs may occur at different levels of the chain;

Or. en

Amendment 67

Dennis de Jong

Motion for a resolution

Recital K a (new)

Motion for a resolution

Amendment

Ka. whereas the 'fear factor' means that small suppliers will not be able to effectively use their right, if created, to go to court, and that other, cheap and accessible mechanisms such as mediation by an independent adjudicator will better serve their interests;

Or. en

Amendment 68

Dita Charanzová

Motion for a resolution

Recital K a (new)

Motion for a resolution

Amendment

Ka. whereas the registry of the Supply Chain Initiative currently has 1061 operating companies listed and covers a significant part of the food industrial sector;

Or. en

Amendment 69
Aldo Patriciello

Motion for a resolution
Recital K a (new)

Motion for a resolution

Amendment

Ka. whereas the concept of Corporate Social Responsibility is important to achieving a sustainable economy and meeting the objectives of the Europe 2020 Strategy;

Or. it

Amendment 70
Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution
Recital K a (new)

Motion for a resolution

Amendment

Ka. whereas the Supply Chain Initiative has major limitations – e.g. there are no penalties for non-compliance and there is no option of lodging confidential complaints – meaning that it cannot be used effectively as a tool to combat UTPs;

Or. es

Amendment 71

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution

Recital K b (new)

Motion for a resolution

Amendment

Kb. whereas the Supply Chain Initiative does not include a precise definition of ‘unfair trading practice’;

Or. es

Amendment 72

Marijana Petir

Motion for a resolution

Paragraph 1

Motion for a resolution

Amendment

1. Welcomes the steps taken to date by the Commission to combat UTPs with a view to securing a more balanced market;

1. Welcomes the steps taken to date by the Commission to combat UTPs with a view to securing a more balanced market ***but believes that this could go further;***

Or. en

Amendment 73

Nicola Danti

Motion for a resolution

Paragraph 1

Motion for a resolution

Amendment

1. Welcomes the steps taken to date by the Commission to combat UTPs with a view to securing a more balanced market;

1. Welcomes the steps taken to date by the Commission to combat UTPs with a view to securing a more balanced market ***and to overcome the current fragmented situation stemming from different national legislations and voluntary codes addressing UTPs in the EU;***

Amendment 74

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos, Nicola Danti

Motion for a resolution

Paragraph 1

Motion for a resolution

1. *Welcomes* the *steps taken to date by the* Commission to combat UTPs with a view to securing a more balanced market;

Amendment

1. *Points out that* the *action the* Commission *has taken thus far is not sufficient* to combat UTPs with a view to securing a more balanced market;

Or. es

Amendment 75

Marco Zullo

Motion for a resolution

Paragraph 1

Motion for a resolution

1. *Welcomes* the steps taken to date by the Commission to combat UTPs with a view to securing a more balanced market;

Amendment

1. *Notes* the steps taken to date by the Commission to combat UTPs with a view to securing a more balanced market;

Or. it

Amendment 76

Inês Cristina Zuber

Motion for a resolution

Paragraph 1

Motion for a resolution

1. *Welcomes the steps taken to date by the Commission to combat UTPs with a view to securing a more balanced market;*

Amendment

1. *Calls for a framework to be created to regulate the market in relation to both production and marketing at EU level,*

which should provide a response to the problems faced by small and medium-sized producers, putting forward measures to protect producers in each country, in particular by guaranteeing fair prices for production and offering protection for national markets in the face of foreign products entering the market;

Or. pt

Amendment 77
Inês Cristina Zuber

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Is in favour of establishing the principle of 'national preference' which each Member State will be able to use in relation to imports from EU countries and third countries, by creating a system of mandatory marketing quotas for domestic production;

Or. pt

Amendment 78
Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos, Nicola Danti

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Points out that although there is already European legislation designed to prevent unfair business-to-consumer (B2C) commercial practices (Directive 2005/29/EC), that legislation is not sufficient to address unfair practices in the food supply chain; in that regard,

calls on the Commission to draw up a directive that makes it possible to put an end to UTPs in business-to-business (B2B) relations;

Or. es

Amendment 79
Inês Cristina Zuber

Motion for a resolution
Paragraph 1 b (new)

Motion for a resolution

Amendment

1b. Calls for the reversal of policies designed to deregulate and liberalise world trade and is in favour of trade policies being drawn up in accordance with each country's interests, specific characteristics and needs, geared to complementarity rather than competition (between products, producers and countries);

Or. pt

Amendment 80
Inês Cristina Zuber

Motion for a resolution
Paragraph 1 c (new)

Motion for a resolution

Amendment

1c. Advocates the introduction of a system of 'maximum operating margins' to enable added value to be distributed fairly and properly along the food supply chain – whenever serious imbalances are found to exist, and with a view to improving producer prices, Member States may bring forms of intervention to bear on the chain, for instance by setting maximum operating margins for each agent in the

chain;

Or. pt

Amendment 81

Marijana Petir

Motion for a resolution

Paragraph 2

Motion for a resolution

2. Welcomes the *action taken by the High Level Forum for a Better Functioning of the Food Supply Chain and the setting up of the expert platform on B2B practices, which has drawn up a list, a description and an assessment of trading practices that may be regarded as grossly unfair;*

Amendment

2. Welcomes the *principles of good practice for vertical relationships in the food supply chain action adopted by the High Level Forum for a Better Functioning of the Food Supply Chain; these principles also provide examples of fair and unfair practices;*

Or. en

Amendment 82

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution

Paragraph 2

Motion for a resolution

2. *Welcomes* the action taken by the High Level Forum for a Better Functioning *of the* Food Supply Chain and the setting up of the expert platform on B2B practices, which has drawn up a list, a description and an assessment of trading practices that may be regarded as grossly unfair;

Amendment

2. *Acknowledges as a first step* the action taken by the High Level Forum for a Better Functioning Food Supply Chain and the setting up of the expert platform on B2B practices, which has drawn up a list, a description and an assessment of trading practices that may be regarded as grossly unfair, *but takes the view that a clear definition of ‘unfair trading practice’ should have been established;*

Or. es

Amendment 83
Tonino Picula

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Welcomes the *action taken by the High Level Forum for a Better Functioning of the Food Supply Chain and the setting up of the expert platform on B2B practices, which has drawn up a list, a description and an assessment of trading practices that may be regarded as grossly unfair;*

Amendment

2. Welcomes the *principles of good practice for vertical relationships in the food supply chain action adopted by the High Level Forum for a Better Functioning of the Food Supply Chain; these principles also provide examples of fair and unfair practices;*

Or. en

Amendment 84
Virginie Rozière

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

2a. Regrets, however, that the solutions proposed by the High Level Forum for a Better Functioning of the Food Supply Chain are insufficient to resolve the recurring and unacceptable problem of UTPs;

Amendment

Or. fr

Amendment 85
Marijana Petir

Motion for a resolution
Paragraph 3

Motion for a resolution

3. *Welcomes* the setting up of the Supply Chain Initiative, which has *resulted in the*

Amendment

3. *Acknowledges* the setting up of the Supply Chain Initiative which has *set up a*

adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; believes that efforts to promote fair trading practices in the food supply chain can make *a real impact*;

voluntary framework for the implementation of the principles of good practice for vertical relationships in the food supply chain; believes that efforts to promote fair trading practices in the food supply chain can make *an impact but will not be enough to curb them*;

Or. en

Amendment 86

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos, Nicola Danti

Motion for a resolution Paragraph 3

Motion for a resolution

3. Welcomes the setting up of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; believes that efforts to promote fair trading practices in the food supply chain *can* make *a real* impact;

Amendment

3. *Cautiously* welcomes the setting up of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; believes that efforts to promote fair trading practices in the food supply chain *should* make *an* impact, *although the serious shortcomings of the initiative – such as the fact that it is not possible to lodge confidential complaints, and the fact that there are no effective penalties – mean that it is utterly inadequate for the purpose of combating UTPs*;

Or. es

Amendment 87

Marco Zullo

Motion for a resolution Paragraph 3

Motion for a resolution

3. **Welcomes the setting up** of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; **believes that efforts to promote fair trading practices in the food supply chain can make a real impact;**

Amendment

3. **Reserves judgement – pending the provision of detailed statistics by the Commission – on the effectiveness** of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles;

Or. it

Amendment 88

Igor Šoltes, Marco Zullo

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Welcomes the setting up of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; believes that efforts to promote fair trading practices in the food supply chain can make a real impact;

Amendment

3. Welcomes the setting up of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; believes that efforts to promote fair trading practices in the food supply chain can make a real impact; **nevertheless notes that groups representing farmers have chosen not to participate because there is no enforcement mechanism nor mechanism for confidential complaints;**

Or. en

Amendment 89

Dennis de Jong

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Welcomes the setting up of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; believes that efforts to promote fair trading practices in the food supply chain can make a real impact;

Amendment

3. Welcomes the setting up of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; believes that efforts to promote fair trading practices in the food supply chain can make a real impact; ***recommends the setting up of similar supply chain initiatives in other relevant non-food sectors;***

Or. en

Amendment 90

Michel Dantin, Angélique Delahaye, Philippe Juvin, Elisabetta Gardini, Lara Comi

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Welcomes the setting up of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; believes that efforts to promote fair trading practices in the food supply chain can make a real impact;

Amendment

3. Welcomes the setting up of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; believes that efforts to promote fair trading practices in the food supply chain can make a real impact; ***regrets, however, that farmers' organisations had no choice but to withdraw from the agreement since their demands had not been sufficiently taken into account;***

Or. fr

Amendment 91

Vicky Ford

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Welcomes the progress that has been achieved by the Supply Chain Initiative, with a growing number of companies joining the initiative, and acknowledges that where implemented it has been an effective tool to combat UTPs;

Or. en

Amendment 92
Virginie Rozière

Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. Welcomes the principles of good practice and the list of examples of fair and unfair practices in vertical relations in the food supply chain; shares the view that these standards now need to be enforced;

4. Welcomes the principles of good practice and the list of examples of fair and unfair practices in vertical relations in the food supply chain; ***stresses that such lists are an essential precondition for the implementation of binding legislation;*** shares the view that these standards now need to be enforced;

Or. fr

Amendment 93
Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. ***Welcomes*** the principles of good practice and the list of examples of fair and unfair practices in vertical relations in the food supply chain; ***shares the view that***

4. ***Takes the view that the*** principles of good practice and the list of examples of fair and unfair practices in vertical relations in the food supply chain ***ought to***

these standards now need to be enforced;

be *extended and* enforced *in an effective manner*;

Or. es

Amendment 94

Marco Zullo

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Welcomes the principles of good practice and the list of examples of fair and unfair practices in vertical relations in the food supply chain; shares the view that *these standards now need to be enforced*;

Amendment

4. Welcomes the principles of good practice and the list of examples of fair and unfair practices in vertical relations in the food supply chain; shares the view, *however*, that *the voluntary nature of these practices means they do not provide a sufficiently effective solution*;

Or. it

Amendment 95

Philippe Juvin, Angélique Delahaye, Elisabetta Gardini, Michel Dantin, Lara Comi

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Welcomes the principles of good practice and the list of examples of fair and unfair practices in vertical relations in the food supply chain; shares the view that these standards now need to be enforced;

Amendment

4. Welcomes the principles of good practice and the list of examples of fair and unfair practices in vertical relations in the food supply chain; shares the view that these standards now need to be enforced *and their effectiveness assessed*;

Or. fr

Amendment 96

Virginie Rozière

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Welcomes the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs;

Amendment

5. Welcomes the setting up of national platforms of organisations and businesses in the food supply chain to **encourage dialogue between the parties**, promote fair trading practices and seek to put an end to UTPs;

Or. fr

Amendment 97
Dennis de Jong

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Welcomes the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs;

Amendment

5. Welcomes the setting up of national platforms of organisations and businesses in the food **and non-food** supply chain to promote fair trading practices and seek to put an end to UTPs;

Or. en

Amendment 98
Aldo Patriciello

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Welcomes the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs;

Amendment

5. Welcomes the setting-up of national platforms of organisations and businesses in the food supply chain to promote **the introduction and exchange of** fair trading practices and **to** seek to put an end to UTPs; **proposes that Member States be encouraged and given incentives to take**

further action, using suitable instruments, on any complaints or non-conformities reported by these national platforms;

Or. it

Amendment 99

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Welcomes the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs;

Amendment

5. ***Cautiously*** welcomes the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs; ***points out that specific EU regulation needs to be brought in alongside those platforms;***

Or. es

Amendment 100

Esther Herranz García

Motion for a resolution

Paragraph 5

Motion for a resolution

5. ***Welcomes*** the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs;

Amendment

5. ***Notes*** the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs, ***but takes the view that EU regulation needs to be brought in alongside those platforms;***

Or. es

Amendment 101

Philippe Juvin, Angélique Delahaye, Elisabetta Gardini, Lara Comi, Michel Dantin

Motion for a resolution

Paragraph 5

Motion for a resolution

5. **Welcomes** the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs;

Amendment

5. **Notes** the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs, **but wonders whether they are really effective**;

Or. fr

Amendment 102

Vicky Ford

Motion for a resolution

Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Recognises and welcomes the national voluntary mechanisms that have been established and are proving effective in dealing with the problem of UTPs at national level; recognizes new systems can need time to show effectiveness;

Or. en

Amendment 103

Daniel Dalton

Motion for a resolution

Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Recognises that consumer habits in member states vary and that consumers benefit and expect certain kinds of

promotions in different member states and action against commercial agreements which consequently undermine those promotions would be counter-productive to producers, suppliers and retailers;

Or. en

Amendment 104

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution

Paragraph 6

Motion for a resolution

6. *Welcomes* the development of alternative and informal mechanisms for dispute settlement and redress, in particular through mediation and amicable arrangements;

Amendment

6. *Emphasises that* the development of alternative and informal mechanisms for dispute settlement and redress, in particular through mediation and amicable arrangements, *can provide solutions as long as it is accompanied by relevant legislation to ensure compliance;*

Or. es

Amendment 105

Marco Zullo

Motion for a resolution

Paragraph 6

Motion for a resolution

6. Welcomes the development of alternative and informal mechanisms for dispute settlement and redress, in particular through mediation and amicable arrangements;

Amendment

6. Welcomes the development of alternative and informal mechanisms for dispute settlement and redress, in particular through mediation and amicable arrangements; *nevertheless considers that suitable legal protection needs to be provided by the mainstream judicial system;*

Or. it

Amendment 106
Inês Cristina Zuber

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Welcomes the development of alternative and informal mechanisms for dispute settlement and redress, in particular through mediation and amicable arrangements;

Amendment

6. Welcomes the development of alternative and informal mechanisms for dispute settlement and redress, in particular through mediation and amicable arrangements; ***points out, however, that use of these mechanisms is often motivated by high court fees, which are in many cases unaffordable and consequently prevent SMEs from accessing the usual judicial channels;***

Or. pt

Amendment 107
Tomáš Zdechovský

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Welcomes the development of alternative and informal mechanisms for dispute settlement and redress, in particular through mediation and ***amicable*** arrangements;

Amendment

6. Welcomes the development of alternative and informal mechanisms for dispute settlement and redress, in particular through mediation and ***friendly*** arrangements;

Or. en

Amendment 108
Vicky Ford

Motion for a resolution
Paragraph 7

Motion for a resolution

7. **Welcomes** the regulatory action taken by some Member States, which have introduced provisions supplementing national competition law, broadened the scope of application of the directives on UTPs by extending their provisions to cover B2B relations, and set up independent enforcement agencies;

Amendment

7. **Recalls that all Member States already have regulatory frameworks addressing UTPs; notes the recent** regulatory action taken by some Member States, which have introduced provisions supplementing national competition law, broadened the scope of application of the directives on UTPs by extending their provisions to cover B2B relations, and set up independent enforcement agencies;

Or. en

Amendment 109

Ulla Tørnæs

Motion for a resolution

Paragraph 7

Motion for a resolution

7. **Welcomes** the regulatory action taken by some Member States, which have introduced provisions supplementing national competition law, broadened the scope of application of the directives on UTPs by extending their provisions to cover B2B relations, and set up independent enforcement agencies;

Amendment

7. **Notes** the regulatory action taken by some Member States, which have introduced provisions supplementing national competition law, broadened the scope of application of the directives on UTPs by extending their provisions to cover B2B relations, and set up independent enforcement agencies;

Or. en

Amendment 110

Olga Sehnalová

Motion for a resolution

Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Draws attention to the growing fragmentation of rules governing UTPs

and the enforcement of these rules in individual Member States; emphasises that the fragmentation of rules and of market conditions could lead to imbalance and have negative repercussions for suppliers, traders and consumers and the functioning of the internal market;

Or. cs

Amendment 111

Lara Comi, Elisabetta Gardini, Angélique Delahaye, Michel Dantin, Philippe Juvin

Motion for a resolution

Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Recognises there to be an extremely fragmented spectrum of public and private legislation across the 28 Member States in the field of UTPs in the food supply chain, with this reflecting the widespread belief that UTPs ought to be addressed via political initiatives rather than in terms of specific issues, even if major differences of opinion remain as to the ensuing results;

Or. it

Amendment 112

Olga Sehnalová

Motion for a resolution

Paragraph 7 b (new)

Motion for a resolution

Amendment

7b. Strongly believes that the EU needs a unified approach in the enforcement of rules if it is to guarantee greater legal certainty, facilitate cross-border trade, establish universal norms and promote an exchange of best practices across the EU;

Amendment 113
Virginie Rozière

Motion for a resolution
Paragraph 8

Motion for a resolution

8. **Confirms** the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law;

Amendment

8. **Acknowledges** the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law;

Or. fr

Amendment 114
Olga Sehnalová

Motion for a resolution
Paragraph 8

Motion for a resolution

8. **Confirms** the existence of UTPs in the food supply chain and **acknowledges** that they are contrary to the basic principles of law;

Amendment

8. **Is troubled by** the existence of UTPs in the food supply chain and **emphasises** that they are contrary to the basic principles of law;

Or. cs

Amendment 115
Marijana Petir

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of

Amendment

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of

law;

law *and business ethics*;

Or. en

Amendment 116

Vicky Ford

Motion for a resolution

Paragraph 8

Motion for a resolution

8. *Confirms the existence of UTPs* in the food supply chain *and acknowledges that* they are contrary to the basic principles of law;

Amendment

8. *Notes that where UTPs exist* in the food supply chain they are contrary to the basic principles of law;

Or. en

Amendment 117

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law;

Amendment

8. Confirms the existence of UTPs in the food supply chain *that arise as a result of imbalances in bargaining power* and acknowledges that they are contrary to the basic principles of law;

Or. es

Amendment 118

Christel Schaldemose

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law;

Amendment

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law ***and are already tackled in different forms in Member States;***

Or. en

Amendment 119

Marco Zullo

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law;

Amendment

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law ***and stem from imbalances of power in a highly concentrated market;***

Or. it

Amendment 120

Marco Zullo

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law;

Amendment

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law; ***recognises that these basic principles should include prohibiting the stronger party in a contract from offloading corporate risk onto the weaker party in a contract;***

Or. it

Amendment 121
Dita Charanzová

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law;

Amendment

8. Confirms the existence of *some cases of* UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law;

Or. en

Amendment 122
Tonino Picula

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law;

Amendment

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law *and business ethics*;

Or. en

Amendment 123
Philippe Juvin, Angélique Delahaye, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law;

Amendment

8. Confirms the existence of UTPs in the food supply chain *despite all the mechanisms described above*, and acknowledges that they are contrary to the basic principles of law;

Amendment 124

Lara Comi, Elisabetta Gardini, Angélique Delahaye, Michel Dantin, Philippe Juvin

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law;

Amendment

8. Confirms the existence of UTPs in the food supply chain and acknowledges that they are contrary to the basic principles of law ***and that they stem from imbalances in contractual powers in a concentrated market that are on a scale exceeding that of a dominant position within the meaning of antitrust rules;***

Or. it

Amendment 125

Birgit Collin-Langen, Sabine Verheyen

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Endorses the Commission's view that UTPs arise as a result of a lack of balance in commercial relationships and a worrying increase in the bargaining power of larger entities, which gives them a dominant position on the market that allows them to impose unfavourable contractual terms on weaker trading partners and to make use of unfair practices that grossly deviate from good commercial conduct and are contrary to the principles of good faith and fair dealing; condemns practices that exploit imbalances in bargaining power between economic operators and have an adverse effect on freedom to contract;

Amendment

9. Endorses the Commission's view that UTPs arise as a result of a lack of balance in commercial relationships and a worrying increase in the bargaining power of larger entities, which gives them a dominant position on the market ***or a position in the commercial relationship*** that allows them to impose unfavourable contractual terms on weaker trading partners and to make use of unfair practices that grossly deviate from good commercial conduct and are contrary to the principles of good faith and fair dealing; condemns practices that exploit imbalances in bargaining power between economic operators and have an adverse effect on freedom to contract;

Amendment 126

Daniel Dalton

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Endorses the Commission's view that UTPs arise as a result of a lack of balance in commercial relationships **and a worrying increase in the bargaining power of larger entities, which gives them a dominant position on the market that allows them to impose unfavourable contractual terms on weaker trading partners and to make use of unfair practices that grossly deviate from good commercial conduct and are contrary to the principles of good faith and fair dealing; condemns practices that exploit imbalances in bargaining power between economic operators and have an adverse effect on freedom to contract;**

Amendment

9. Endorses the Commission's view that UTPs arise as a result of a lack of balance in commercial relationships, **which can give** larger entities a dominant position on the market, **which can allow** them to impose unfavourable contractual terms on weaker trading partners and to make use of unfair practices that grossly deviate from good commercial conduct and are contrary to the principles of good faith and fair dealing; condemns practices that exploit imbalances in bargaining power between economic operators and have an adverse effect on freedom to contract;

Or. en

Amendment 127

Ulla Tørnæs

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Endorses the *Commission's* view that UTPs arise as a result of a lack of balance in commercial relationships **and a worrying increase in the bargaining power of larger entities, which gives them a dominant position on the market that allows them to impose unfavourable contractual terms on weaker trading**

Amendment

9. Endorses the *Commission's* view that UTPs **can potentially** arise as a result of a lack of balance in commercial relationships; condemns practices that exploit imbalances in bargaining power between economic operators and have an adverse effect on freedom to contract;

partners and to make use of unfair practices that grossly deviate from good commercial conduct and are contrary to the principles of good faith and fair dealing; condemns practices that exploit imbalances in bargaining power between economic operators and have an adverse effect on freedom to contract;

Or. en

Amendment 128

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution

Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. Calls on the Commission to look in detail at possible developments as regards 'own brands', the effects of which, especially in the current economic crisis, are positive for consumers, but in the medium to long term could become negative, not only jeopardising the competitiveness of the agri-food industry but also curtailing consumer choice if the market penetration of own brands were to exceed a certain risk threshold, which ought to be set for each category of product;

Or. es

Amendment 129

Nicola Danti

Motion for a resolution

Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. Calls on the Commission to carefully consider the growing penetration of the

agri-food chain by so-called ‘private labels’, which is liable to impede fair competition and adversely affect innovation and product quality as well as consumer choices when making purchases.

Believes it necessary, therefore, to introduce specific measures to guarantee effective competition in this sector based on a balanced relationship between distributors and producers, which will also ensure that consumers receive correct information;

Or. it

Amendment 130
Marco Zullo

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. Draws attention to the recent phenomenon of ‘private labels’, which allows distributors to be both the customers and the competitors of their own suppliers; stresses that there is a risk of this practice significantly limiting freedom of competition, both by compromising producers’ bargaining power and by considerably restricting the freedom of consumers by reducing their choice of products and making it difficult for them to compare prices effectively, which will prejudice the proper functioning of the market;

Or. it

Amendment 131
Lara Comi, Elisabetta Gardini, Philippe Juvin

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. Emphasises that any serious analysis of UTPs cannot fail to take into account the new economic paradigm that has emerged in recent years: a mass retail sector (MRS) in which market access and competition at points of sale has become a critical competitive variable under the control of supermarkets. Some competition authorities have stressed not only the role played by MRS buyers, but also identified specific practices that transfer excessive and/or unjustified risk to suppliers and which could undermine their competitiveness. They have also found that ‘private labels’ introduce a horizontal dimension to competition in respect of industrial brands which had never previously been a factor;

Or. it

Amendment 132
Virginie Rozière

Motion for a resolution
Paragraph 10

Motion for a resolution

Amendment

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs ***can hamper*** investment and product innovation;

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs ***have serious consequences, notably by hampering*** investment and product innovation, ***particularly in the field of the environment, working conditions and animal welfare;***

Or. fr

Amendment 133
Robert Rochefort

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation;

Amendment

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation, ***thus impairing the quality, variety and innovative character of products supplied to consumers;***

Or. fr

Amendment 134
Birgit Collin-Langen, Sabine Verheyen

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment ***and product innovation;***

Amendment

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment, ***product innovation and consumers' choice of goods; and consequently consumers' access to innovative products;***

Or. en

Amendment 135
Olga Sehnalová

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Points out that UTPs imposed by

Amendment

10. Points out that UTPs imposed by

parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation;

parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation **and push companies to make savings at the expense of salaries, working conditions or the quality of raw materials;**

Or. cs

Amendment 136
Marijana Petir

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation;

Amendment

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper **business competitiveness**, investment and product innovation **across the food supply chain;**

Or. en

Amendment 137
Daniel Dalton

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Points out that UTPs imposed by parties in a stronger bargaining position **clearly** have a negative impact; stresses that UTPs can hamper investment and product innovation;

Amendment

10. Points out that UTPs imposed by parties in a stronger bargaining position **can** have a negative impact; stresses that UTPs can hamper investment and product innovation;

Or. en

Amendment 138

Nicola Danti, Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation;

Amendment

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation, ***their quality and variety and could limit the choice for consumers***;

Or. en

Amendment 139

Marco Zullo

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation;

Amendment

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact ***and limit consumers' actual freedom of choice***;

Or. it

Amendment 140

Dita Charanzová

Motion for a resolution

Paragraph 10

Motion for a resolution

10. ***Points out that UTPs imposed by***

Amendment

10. ***Stresses*** that UTPs can hamper

parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation;

investment and product innovation;

Or. en

Amendment 141
Tonino Picula

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation;

Amendment

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper *business competitiveness*, investment and product innovation *across the food supply chain*;

Or. en

Amendment 142
Igor Šoltes, Marco Zullo

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation;

Amendment

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation, *and have a detrimental effect on product quality; in addition that UTPs lead to uncertainty in production which can also lead to overproduction and unnecessary food wastage*;

Or. en

Amendment 143

Michel Dantin, Angélique Delahaye, Philippe Juvin, Elisabetta Gardini, Lara Comi

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation;

Amendment

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact, ***including on employment***; stresses that UTPs can hamper investment and product innovation;

Or. fr

Amendment 144

Lara Comi, Elisabetta Gardini, Philippe Juvin

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation;

Amendment

10. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; stresses that UTPs can hamper investment and product innovation, ***quality and variety and may therefore reduce the choices available to*** consumers;

Or. it

Amendment 145

Olga Sehnalová

Motion for a resolution

Paragraph 10 a (new)

Motion for a resolution

Amendment

10a. Points out that that the impact UTPs

have on consumers has not been thoroughly investigated at EU level, in particular the quality and quantity of food and agricultural products and distribution margins;

Or. cs

Amendment 146
Paul Brannen, Catherine Stihler

Motion for a resolution
Paragraph 10 a (new)

Motion for a resolution

Amendment

10a. Notes the serious misuse of basic foods as "loss leaders" by large scale retailers and the risks posed by this activity to primary food producers and the threat to the long term sustainability of European production of such items;

Or. en

Amendment 147
Marc Tarabella

Motion for a resolution
Paragraph 10 a (new)

Motion for a resolution

Amendment

10a. Notes that unpredictable changes of contract terms may lead to overproduction and result in unnecessary food waste;

Or. fr

Amendment 148
Olga Sehnalová

Motion for a resolution
Paragraph 10 b (new)

Motion for a resolution

Amendment

10b. Believes that there is a need to rebalance bargaining power across the supply chain, placing particular emphasis on guaranteeing customers high-quality food products; draws particular attention to the issues surrounding margin share and the impact these have on the consumer end-price; insists on the need to increase the competitiveness of individual market players and make prices more transparent across the food supply chain;

Or. cs

Amendment 149
Marc Tarabella

Motion for a resolution
Paragraph 10 b (new)

Motion for a resolution

Amendment

10b. Calls on the Member States to encourage supermarket food stores to offer routinely to food aid associations foodstuffs that are unsold but still edible, notably by cutting drastically or abolishing VAT on food gifts to the most needy;

Or. fr

Amendment 150
Igor Šoltes

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Believes that the Supply Chain Initiative and other national and EU voluntary systems (codes of good practice, voluntary dispute settlement mechanisms) should be further developed and promoted; encourages producers and traders to become involved in such initiatives; takes the view that they should play *a leading* role in efforts to combat UTPs;

Amendment

11. Believes that the Supply Chain Initiative and other national and EU voluntary systems (codes of good practice, voluntary dispute settlement mechanisms) should be further developed and promoted *in conjunction with effective and strong enforcement mechanisms at Member State level and EU level coordination*, encourages producers and traders to become involved in such initiatives; takes the view that they should play role in efforts to combat UTPs; *recognises the potential that such initiatives have as alternative forums for dispute resolution*;

Or. en

Amendment 151

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos, Nicola Danti

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Believes that *the Supply Chain Initiative and other* national and EU voluntary systems (codes of good practice, voluntary dispute settlement mechanisms) should be further developed and promoted; encourages producers and traders to become involved in such initiatives; takes the view that they should play a leading role in efforts to combat UTPs;

Amendment

11. Believes that national and EU voluntary systems (codes of good practice, voluntary dispute settlement mechanisms) should be further developed and promoted *alongside relevant EU legislation ensuring that complaints can be lodged anonymously and establishing dissuasive penalties*; encourages producers and traders to become involved in such initiatives; takes the view that they should play a leading role in efforts to combat UTPs;

Or. es

Amendment 152

Marco Zullo

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Believes that the Supply Chain Initiative and other national and EU voluntary systems (codes of good practice, voluntary dispute settlement mechanisms) should be further developed and ***promoted; encourages*** producers and traders to become involved in such initiatives; takes the view that they should play a leading role in efforts to combat UTPs;

Amendment

11. Believes that the Supply Chain Initiative and other national and EU voluntary systems (codes of good practice, voluntary dispute settlement mechanisms) should be further developed and ***improved so as to overcome the current reticence on the part of*** producers and traders to become involved in such initiatives; takes the view that they should play a leading role in efforts to combat UTPs;

Or. it

Amendment 153

Paul Brannen, Catherine Stihler

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Believes that the Supply Chain Initiative and other national and EU voluntary systems (codes of good practice, voluntary dispute settlement mechanisms) should be further developed and promoted; encourages producers and traders to become involved in such initiatives; takes the view that they should play a leading role in efforts to combat UTPs;

Amendment

11. Believes that the Supply Chain Initiative and other national and EU voluntary systems (codes of good practice, voluntary dispute settlement mechanisms) should be further developed and promoted, ***particularly by securing full anonymity of complaints and robust sanctions regime;*** encourages producers and traders, ***including farmers' organisations,*** to become involved in such initiatives; takes the view that they should play a leading role in efforts to combat UTPs;

Or. en

Amendment 154
Esther Herranz García

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Believes that *the Supply Chain Initiative and other* national and EU voluntary systems (codes of good practice, voluntary dispute settlement mechanisms) should be further developed and promoted; encourages producers and traders to become involved in such initiatives; takes the view that they should play a leading role in efforts to combat UTPs;

Amendment

11. Believes that national and EU voluntary systems (codes of good practice, voluntary dispute settlement mechanisms) should be further developed and promoted *alongside relevant EU legislation ensuring that complaints can be lodged anonymously and establishing dissuasive penalties*; encourages producers and traders to become involved in such initiatives; takes the view that they should play a leading role in efforts to combat UTPs;

Or. es

Amendment 155
Anna Maria Corazza Bildt, Róza Gräfin von Thun und Hohenstein, Andreas Schwab, Roberta Metsola, Ivan Štefanec, Eva Paunova

Motion for a resolution
Paragraph 11 a (new)

Motion for a resolution

11a. Welcomes the recent step by the Supply Chain Initiative that enables SMEs and micro-enterprises to join under a simplified procedure; points out that the number of SMEs registered has steadily increased and that they are now more numerous than larger entities;

Amendment

11a. Welcomes the recent step by the Supply Chain Initiative that enables SMEs and micro-enterprises to join under a simplified procedure; points out that the number of SMEs registered has steadily increased and that they are now more numerous than larger entities;

Or. en

Amendment 156
Nicola Caputo

Motion for a resolution
Paragraph 11 a (new)

Motion for a resolution

Amendment

11a. Points out that many Member States have adopted measures to combat UTPs in the food supply chain; stresses the need for a coordinated and harmonised response at EU level to improve the functioning of the internal market in agricultural products;

Or. it

Amendment 157
Nicola Caputo

Motion for a resolution
Paragraph 11 b (new)

Motion for a resolution

Amendment

11b. Calls on the Commission to establish a compulsory code of good trading practices in the food supply chain which must be based on a clear correlation between the price paid to the farmer and the price paid by the consumer; points to the need to introduce, as a minimum, the requirement to conclude written contracts (setting out, for example, prices and delivery and payment times and methods) and establish legal payment periods, with Member States being required to set the time limits for these; calls on the Commission, when establishing this compulsory code of good practice, to set up a supervisory body and a system of penalties for UTPs;

Or. it

Amendment 158
Nicola Caputo

Motion for a resolution
Paragraph 11 c (new)

Motion for a resolution

Amendment

11c. Calls on the Commission and Member States to facilitate and encourage producers to join producer organisations and associations of producer organisations in order to increase their bargaining power and position in the food supply chain;

Or. it

Amendment 159
Dita Charanzová

Motion for a resolution
Paragraph 12

Motion for a resolution

Amendment

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes are not enough to put an end to UTPs once and for all, owing to the lack of effective enforcement mechanisms;

deleted

Or. en

Amendment 160
Ulla Tørnæs

Motion for a resolution
Paragraph 12

Motion for a resolution

Amendment

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes are not enough to put an end to UTPs once and for all, owing to the lack of effective enforcement mechanisms;

deleted

Amendment 161

Anna Maria Corazza Bildt, Andreas Schwab, Roberta Metsola, Ivan Štefanec, Eva Paunova

Motion for a resolution

Paragraph 12

Motion for a resolution

Amendment

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes are not enough to put an end to UTPs once and for all, owing to the lack of effective enforcement mechanisms;

deleted

Or. en

Amendment 162

Olga Sehnalová

Motion for a resolution

Paragraph 12

Motion for a resolution

Amendment

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes are not enough to put an end to UTPs once and for all, owing to the lack of effective enforcement mechanisms;

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes are not enough to put an end to UTPs once and for all, owing to the lack of effective enforcement mechanisms ***and the fact that they do not apply to the whole supply chain and do not have the power to impose effective penalties;***

Or. cs

Amendment 163

Robert Rochefort

Motion for a resolution

Paragraph 12

Motion for a resolution

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes **are not enough** to put an end to UTPs once and for all, **owing to the lack of effective enforcement mechanisms**;

Amendment

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes **may prove insufficient** to put an end to UTPs once and for all; **with that in mind, awaits the results of the Commission's assessment to see what lessons can be learnt from it**;

Or. fr

Amendment 164

Vicky Ford

Motion for a resolution

Paragraph 12

Motion for a resolution

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes **are not enough to put an end to UTPs once and for all, owing to the lack of effective enforcement mechanisms**;

Amendment

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes **can offer a cost-effective means to ensure fair conduct in the market and resolve disputes if coupled with effective enforcement mechanisms which can take different forms depending on Member State legal and regulatory circumstances**;

Or. en

Amendment 165

Marco Zullo

Motion for a resolution

Paragraph 12

Motion for a resolution

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes are not enough to put an end to UTPs once and for all, owing to the lack of effective enforcement mechanisms;

Amendment

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes are not enough to put an end to UTPs once and for all, owing to the lack of effective enforcement mechanisms, **scant producer**

participation, conflicts of interest between the parties concerned and the absence of any concrete penalties for non-compliance;

Or. it

Amendment 166
Dennis de Jong

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes **are not enough** to put an end to UTPs once and for all, **owing to the lack of effective enforcement mechanisms**;

Amendment

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes **require independent and effective enforcement mechanisms** to put an end to UTPs once and for all;

Or. en

Amendment 167
Lara Comi, Elisabetta Gardini, Philippe Juvin

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes are not enough to put an end to UTPs once and for all, **owing to the lack of effective enforcement mechanisms**;

Amendment

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes are not enough to put an end to UTPs once and for all, **since in view of the relative strengths of the players on this market it is unlikely that the situation will be satisfactorily resolved via a freely-negotiated agreement; recognises that purely voluntary codes are very important and useful for identifying issues. However, they also have major drawbacks, such as the broad scope for non-participation, conflicts of interest, dispute settlement mechanisms that fail to**

reflect supplier 'fear factor', the lack of genuine penalties for non-compliance and scant or non-participation by the competent authorities;

Or. it

Amendment 168
Marc Tarabella

Motion for a resolution
Paragraph 12 a (new)

Motion for a resolution

Amendment

12b. Stresses that the disparities between the Member States' laws on UTPs in the food supply chain enable the party that is in the stronger position to engage in forum shopping to find the Member State with the least strict rules in this area;

Or. fr

Amendment 169
Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution
Paragraph 12 a (new)

Motion for a resolution

Amendment

12a. Takes the view that the European Supply Chain Initiative needs to be changed in order to address its shortcomings, in particular by ensuring that complaints can be lodged anonymously and establishing dissuasive penalties; takes the view that the initiative needs to be brought in alongside the EU legislation required to ensure that those shortcomings are addressed;

Or. es

Amendment 170
Esther Herranz García

Motion for a resolution
Paragraph 12 a (new)

Motion for a resolution

Amendment

12a. Notes that there is EU legislation already in place to combat unfair business-to-consumer commercial practices (Directive 2005/29/EC), but points out that there is no EU legislation to combat unfair practices between different operators in the agri-food chain;

Or. es

Amendment 171
Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution
Paragraph 12 b (new)

Motion for a resolution

Amendment

12b. Emphasises that in spite of the aforementioned initiative, producers and SMEs are being subjected to UTPs, as demonstrated by the current market crisis that certain sectors, such as the dairy industry, are experiencing;

Or. es

Amendment 172
Esther Herranz García

Motion for a resolution
Paragraph 12 b (new)

Motion for a resolution

Amendment

12b. Points out that any serious analysis of UTPs must take as its starting point the new economic paradigm that has emerged over the last few years: large-scale retail in which access to sales outlets has become the subject of fierce competition under the control of the supermarkets; points out that some competition authorities have identified specific practices involving the transfer of excessive risk to suppliers which could render them less competitive; points out that those authorities also concluded that own brands bring in an element of horizontal competition vis-à-vis industry brands that has not been given sufficient consideration;

Or. es

Amendment 173
Esther Herranz García

Motion for a resolution
Paragraph 12 c (new)

Motion for a resolution

Amendment

12c. Points out that own brands represent a strategic issue in the medium and long term; emphasises that, over the last few years, several economists have drawn attention to the existence of a ‘risk threshold’ beyond which the market penetration of own brands in a given category of product would turn the current positive effects of own brands into negative effects, and provide a disincentive as regards the innovative efforts of many companies;

Or. es

Amendment 174
Marijana Petir

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Stresses *that action* to combat UTPs *will help* to ensure *the* proper functioning of the internal market and to develop cross-border trading in the EU;

Amendment

13. Stresses *the need* to combat UTPs to ensure *a* proper functioning of the internal market and to develop cross-border trading in the EU;

Or. en

Amendment 175
Marco Zullo

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Stresses that action to combat UTPs will help to ensure the proper functioning of the internal market and to develop cross-border trading in the EU;

Amendment

13. Stresses that action to combat UTPs will help to ensure the proper functioning of the internal market and to develop cross-border trading in the EU; *points out that a fragmented market leads to regulatory uncertainty for those involved and thus creates an imbalance in surplus distribution along the value chain in the various countries concerned;*

Or. it

Amendment 176
Inês Cristina Zuber

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Stresses that action to combat UTPs *will help to ensure the proper functioning*

Amendment

13. Stresses that action to combat UTPs *should help to fight the abuse of market*

of the internal market and to develop cross-border trading in the EU;

power, which is being used by large economic groups to control the agri-food sector, in particular by setting market prices; recommends, in this context, that all the Member States implement practices designed to promote improvements in farmers' income, notably through action to combat dumping;

Or. pt

Amendment 177

Paul Brannen, Catherine Stihler

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Stresses that action to combat UTPs will help to ensure the proper functioning of the internal market *and* to develop cross-border trading *in* the EU;

Amendment

13. Stresses that action to combat UTPs will help to ensure the proper functioning of the internal market, to develop cross-border trading *within* the EU *and with third countries and to bring equity into the food supply chain, particularly for farmers and primary producers but also for consumers;*

Or. en

Amendment 178

Igor Šoltes, Marco Zullo

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Stresses that action to combat UTPs will help to ensure the proper functioning of the internal market and to develop cross-border trading *in* the EU;

Amendment

13. Stresses that action to combat UTPs will help to ensure the proper functioning of the internal market and to develop cross-border trading *within* the EU *and with third countries;*

Or. en

Amendment 179

Lara Comi, Elisabetta Gardini, Philippe Juvin

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Stresses that action to combat UTPs will help to ensure the proper functioning of the internal market and to develop cross-border trading in the EU;

Amendment

13. Stresses that action to combat UTPs will help to ensure the proper functioning of the internal market and to develop cross-border trading in the EU; ***the fragmented nature of the markets in the EU exposes European suppliers, distributors and consumers to a range of diverse market conditions, with certain behaviour being permitted in some Member States but not in others. This results in inequitable surplus distribution along the value chain in the various countries concerned;***

Or. it

Amendment 180

Marc Tarabella

Motion for a resolution

Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Calls on the Commission to define clearly the fundamental principles of fair negotiation between all actors in the food supply chain;

Or. fr

Amendment 181

Marc Tarabella

Motion for a resolution

Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. Calls on the Commission and the Member States to combat the territorial limitations which make it impossible to obtain identical prices in another Member State or from a central point, while protecting the interests of producers;

Or. fr

Amendment 182
Daniel Dalton

Motion for a resolution
Paragraph 14

Motion for a resolution

Amendment

14. Calls on the Commission and the Member States fully and consistently to enforce competition law, rules on unfair competition and anti-trust rules; ***points out, nonetheless, that competition law can go only a limited way towards resolving the problem of unfair practices;***

14. Calls on the Commission and the Member States fully and consistently to enforce competition law, rules on unfair competition and anti-trust rules;

Or. en

Amendment 183
Dita Charanzová

Motion for a resolution
Paragraph 14

Motion for a resolution

Amendment

14. Calls on the Commission and the Member States fully and consistently to enforce competition law, rules on unfair competition and anti-trust rules; ***points out, nonetheless, that competition law can go only a limited way towards resolving the problem of unfair practices;***

14. Calls on the Commission and the Member States fully and consistently to enforce competition law, rules on unfair competition and anti-trust rules;

Amendment 184
Paul Brannen, Catherine Stihler

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Notes that short food supply chains have generally lower risk of UTPs' occurrence and are better for the environment; demands comprehensive action from the Commission to promote and facilitate short, local and sustainable food supply chains;

Or. en

Amendment 185
Igor Šoltes

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Calls on the Commission and Member States to fully and consistently enforce Directive 2011/7/EU on combating late payments in commercial transactions, in order that creditors be paid within 60 days by businesses, or otherwise face interest payments and payment of reasonable recovery costs of the creditor;

Or. en

Amendment 186
James Nicholson, Mairead McGuinness, Paolo De Castro, Clara Eugenia Aguilera García

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Notes that while private–own brand labelled products can bring increased value and choice to consumers, they give an unfair and anti-competitive position to retailers, who become both customer and competitor; notes that market share in a private-own brand product category may undermine the benefits of these products for consumers and the agri-food industry; insists that the issue of private-own brands requires particular attention from the Commission and Competition Authorities, with a need to address the potential long term consequences for the supply chain;

Or. en

Amendment 187

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Calls on the Commission to interpret competition law in such a way that the efficiency and welfare of producers are taken into account in order to correct the imbalances in the food chain;

Or. es

Amendment 188

Esther Herranz García

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Points out that UTPs imposed by parties in a stronger bargaining position clearly have a negative impact; points out that the most serious consequence of UTPs may be to hamper investment and product innovation, reducing quality and variety and thereby curtailing consumer choice;

Or. es

Amendment 189

Michel Dantin, Angélique Delahaye, Philippe Juvin, Elisabetta Gardini, Lara Comi

Motion for a resolution

Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Considers it essential to change the paradigm underlying European competition law which, since the Treaty of Rome, has served the consumer-citizen by the continual lowering of prices and which, now that Europe is faced with mass unemployment, must increasingly take into account the interests of the worker-citizen;

Or. fr

Amendment 190

Philippe Juvin, Angélique Delahaye, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution

Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Calls on the Commission to be strict in its application of European competition law and in particular to impose firm

*penalties for abuse of a dominant position
in the food supply chain;*

Or. fr

Amendment 191

Philippe Juvin, Angélique Delahaye, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution

Paragraph 14 b (new)

Motion for a resolution

Amendment

14b. Calls on the Commission to submit to Parliament as soon as possible the evaluation report announced in its communication of 15 July 2014;

Or. fr

Amendment 192

Philippe Juvin, Angélique Delahaye, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution

Paragraph 14 c (new)

Motion for a resolution

Amendment

14c. Calls on the Commission to assess the progress achieved by the Supply Chain Initiative and its national platforms;

Or. fr

Amendment 193

Philippe Juvin, Angélique Delahaye, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution

Paragraph 14 d (new)

Motion for a resolution

Amendment

14d. Calls on the Commission to evaluate the application mechanisms put in place by the Member States to boost the confidence of all parties in the proper functioning of a sustainable food supply chain;

Or. fr

Amendment 194

Philippe Juvin, Angélique Delahaye, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution

Paragraph 14 e (new)

Motion for a resolution

Amendment

14e. Calls on the Commission to propose, on the basis of its report announced in its communication of 15 July 2014, additional legal or other measures to be put in place at EU level to counteract the scourge of UTPs;

Or. fr

Amendment 195

Virginie Rozière

Motion for a resolution

Paragraph 15

Motion for a resolution

Amendment

15. Reaffirms that **free and fair competition**, freedom to contract and proper enforcement of the relevant legislation are of key importance in ensuring the proper functioning of the food supply chain;

15. Reaffirms that fair **and balanced relations among all actors**, freedom to contract and proper enforcement of the relevant legislation are of key importance in ensuring the proper functioning of the food supply chain;

Or. fr

Amendment 196
Robert Rochefort

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Reaffirms that free and fair competition, freedom to contract and proper enforcement of the relevant legislation are of key importance in ensuring the proper functioning of the food supply chain;

Amendment

15. Reaffirms that free and fair competition, freedom to contract and proper enforcement of the relevant legislation, ***making it possible to protect all economic actors of all sizes operating within the food supply chain***, are of key importance in ensuring the proper functioning of the food supply chain

Or. fr

Amendment 197
Paul Brannen, Catherine Stihler

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Reaffirms that free and fair competition, freedom to contract and ***proper*** enforcement of the relevant legislation are of key importance in ensuring the proper functioning of the food supply chain;

Amendment

15. Reaffirms that free and fair competition, freedom to contract and ***strong and effective*** enforcement of the relevant legislation ***to protect all enterprises in the food supply chain, irrespective of geographical location***, are of key importance in ensuring the proper functioning of the food supply chain;

Or. en

Amendment 198
Igor Šoltes, Marco Zullo

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Reaffirms that free and fair competition, freedom to contract and *proper* enforcement of the relevant legislation are of key importance in ensuring the proper functioning of the food supply chain;

Amendment

15. Reaffirms that free and fair competition, freedom to contract and *strong and effective* enforcement of the relevant legislation *to protect all entities in the food supply chain, irrespective of geographical location* are of key importance in ensuring the proper functioning of the food supply chain;

Or. en

Amendment 199

Virginie Rozière

Motion for a resolution

Paragraph 16

Motion for a resolution

16. Points out that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and can unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms; believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract, *equivalence of benefits* and *freedom to take advantage of those benefits*;

Amendment

16. Points out that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and can unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms; believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract and *transparency in sharing profits from the food supply chain*;

Or. fr

Amendment 200

Robert Rochefort

Motion for a resolution

Paragraph 16

Motion for a resolution

16. Points out that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and can unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms; believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract, equivalence of benefits and freedom to take advantage of those benefits;

Amendment

16. Points out that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and can unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party *often* has no option other than to agree to those terms; believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract, equivalence of benefits and freedom to take advantage of those benefits;

Or. fr

Amendment 201
Aldo Patriciello

Motion for a resolution
Paragraph 16

Motion for a resolution

16. Points out that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and can unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms; believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract, equivalence of benefits and freedom to take advantage of those benefits;

Amendment

16. Points out that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and can unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms; believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract, equivalence of benefits and freedom to take advantage of those benefits; *calls on the Commission in this respect to pinpoint specific rules and control mechanisms for oligopolies and large distribution chains,*

which can slip into abuses of dominant positions in respect of weaker parties in contracts;

Or. it

Amendment 202
Marijana Petir

Motion for a resolution
Paragraph 16

Motion for a resolution

16. Points out that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and **can** unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms; ***believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract, equivalence of benefits and freedom to take advantage of those benefits;***

Amendment

16. Points out that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and **may** unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms;

Or. en

Amendment 203
Daniel Dalton

Motion for a resolution
Paragraph 16

Motion for a resolution

16. Points out that taking advantage of a stronger bargaining position to impose UTPs **is** a violation of the principle of freedom to contract, as the stronger party **has** more say in the shape that the business

Amendment

16. Points out that taking advantage of a stronger bargaining position to impose UTPs **can be** a violation of the principle of freedom to contract, as the stronger party **can have** more say in the shape that the

relationship is to take ***and can unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms***; believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract, equivalence of benefits and freedom to take advantage of those benefits;

business relationship is to take; believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract, equivalence of benefits and freedom to take advantage of those benefits;

Or. en

Amendment 204 **Dita Charanzová**

Motion for a resolution **Paragraph 16**

Motion for a resolution

16. Points out ***that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and can unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms; believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract, equivalence of benefits and freedom to take advantage of those benefits;***

Amendment

16. Points out ***the need to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract and a mutual beneficial relationship; underlines the corporate social responsibility of the larger contracting party to limit its advantage during negotiations and to work with the weaker party towards a solution that is positive for both parties;***

Or. en

Amendment 205 **Ulla Tørnæs**

Motion for a resolution **Paragraph 16**

Motion for a resolution

16. ***Points out that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and can unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms; believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract, equivalence of benefits and freedom to take advantage of those benefits;***

Amendment

16. ***Believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract; sees freedom of contract as adamant to all actors in the supply chain; states that in face of unfair demands from one contracting party, the other party is free not to engage in a trading relation; states that unilateral retroactive changes to contracts by a stronger party is indeed a breach of contract; stresses that further attention should be given to ease the access and viability of pursuing such breaches to help the weaker parties demand their rights;***

Or. en

Amendment 206

Tonino Picula

Motion for a resolution

Paragraph 16

Motion for a resolution

16. Points out that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and ***can*** unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms; ***believes that steps need to be taken to build mutual trust between supply chain partners, on the basis of the principles of freedom to contract, equivalence of benefits and freedom to take advantage of those benefits;***

Amendment

16. Points out that taking advantage of a stronger bargaining position to impose UTPs is a violation of the principle of freedom to contract, as the stronger party has more say in the shape that the business relationship is to take and ***may*** unilaterally impose terms that disproportionately serve its own financial interests, and the weaker party has no option other than to agree to those terms;

Or. en

Amendment 207
Igor Šoltes, Marco Zullo

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Welcomes the Commission's acknowledgement in its Green paper of 31 January 2013 that there is no true contractual freedom where there is marked inequality between parties;

Or. en

Amendment 208
Marco Zullo

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Points out that the regulatory framework is extremely fragmented across the EU, and that while some Member States have adopted specific measures, others have taken unsatisfactory action or none at all;

Or. it

Amendment 209
Anna Maria Corazza Bildt, Andreas Schwab, Roberta Metsola, Ivan Štefanec, Eva Paunova

Motion for a resolution
Paragraph 17

Motion for a resolution

Amendment

17. Urges the Commission to submit

deleted

specific proposals for EU legislation banning UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors;

Or. en

Amendment 210
Robert Rochefort

Motion for a resolution
Paragraph 17

Motion for a resolution

17. *Urges the Commission to submit specific proposals for EU legislation banning UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors;*

Amendment

17. *Intends to carry out an in-depth examination of the Commission's evaluation of existing national rules seeking to combat and ban UTPs in the food supply chain and learn the necessary lessons, particularly with a view to assessing whether European legislation is an appropriate tool to combat UTPs, enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors;*

Or. fr

Amendment 211
Vicky Ford

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Urges the Commission to *submit specific proposals for EU legislation banning UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to*

Amendment

17. Urges the Commission to *assess the efficiency of voluntary, self-regulatory and regulatory schemes in addressing UTPs in the food supply chain including analysing and establishing best practices*

be maintained between food producers, suppliers and distributors;

in Member States in order to enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors *and ensure effective enforcement*;

Or. en

Amendment 212

Nicola Danti, Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Urges the Commission to submit specific proposals *for EU legislation* banning UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors;

Amendment

17. Urges the Commission to submit *without delay* specific *legislative* proposals *to establish an unitary EU framework, defining general principles and respecting national realities and best practices, with the aim of* banning UTPs in the *entire* food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors;

Or. en

Amendment 213

Marco Zullo

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Urges the Commission to submit specific proposals for *EU legislation banning* UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between food producers,

Amendment

17. Urges the Commission to submit specific proposals for *basic EU-level framework legislation prohibiting* UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained

suppliers and distributors;

between food producers, suppliers and distributors;

Or. it

Amendment 214

Nicola Caputo

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Urges the Commission to submit specific proposals for EU legislation banning UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors;

Amendment

17. ***Points out that UTPs in the food supply chain have a knock-on effect on producer output, reduce incomes and threaten the efficiency and sustainability of the agriculture sector;*** urges the Commission, ***therefore,*** to submit specific proposals for EU legislation banning UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors;

Or. it

Amendment 215

Dita Charanzová

Motion for a resolution

Paragraph 17

Motion for a resolution

17. ***Urges the Commission to submit specific proposals for EU legislation banning UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors;***

Amendment

17. ***Recalls that the Commission has commissioned a study on the level of UTPs in the food supply chain; urges the Commission to present this study to the Parliament as soon as it is ready; underline that, without this study, it would be unwise to prejudge the need for specific Commission proposals; stresses that any potential proposals must be***

evidence-based and supported by a full impact assessment;

Or. en

Amendment 216
Dennis de Jong

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Urges the Commission to *submit specific proposals for EU legislation banning* UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between *food* producers, suppliers and distributors;

Amendment

17. *Supports the Commissions efforts in assessing the effectiveness and credibility of available mechanisms for the enforcement of rules against UTPs in Member States;* urges the Commission to *take up its facilitating role drawing on best practices in Member States, like for example the UK Groceries Adjudicator, to make sure all Member States have credible and effective enforcement mechanisms against* UTPs in *both* the food *and non-food* supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between producers, suppliers and distributors;

Or. en

Amendment 217
Philippe Juvin, Angélique Delahaye, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Urges the Commission to submit specific proposals for EU legislation banning UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to

Amendment

17. Urges the Commission to submit specific proposals for EU legislation *or other regulatory tools* banning UTPs in the food supply chain that will enable markets to operate as they should and fair and

be maintained between food producers, suppliers and distributors;

transparent relations to be maintained between food producers, suppliers and distributors;

Or. fr

Amendment 218

Lara Comi, Elisabetta Gardini, Philippe Juvin

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Urges the Commission to submit specific proposals for EU legislation banning UTPs in the food supply chain *that will enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors;*

Amendment

17. Urges the Commission to submit specific proposals for EU legislation banning UTPs in the food supply chain. *Economic regulation may prove necessary in order to prevent market disruption and the devastating effects of this on consumers, as well as repercussions that go beyond the interests of those immediately affected. Competition rules operate on an ex-post basis, when ex-ante regulation would be preferable to resolve structural issues and create market access conditions, providing potential market entrants with legal certainty and hence encouraging them to invest. Such regulation might also take into consideration other public policies that merit protection;*

Or. it

Amendment 219

Olga Sehnalová

Motion for a resolution

Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. Points out that on the single market products containing different ingredients

are being sold to customers under the same brand name and in the same packaging; calls on the Commission to decide if this is an unfair practice with negative repercussions for suppliers of local and regional produce, in particular small and medium enterprises;

Or. cs

Amendment 220
Dennis de Jong

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. Regrets that the Commission has so far refused to make available to the European Parliament the results of its own studies on UTPs; urges the Commission to make available all material from Member States, own research and other sources that it has at its disposal now, or in the future in the context of its facilitating role as described above;

Or. en

Amendment 221
Marc Tarabella

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. Encourages the Commission to create a binding instrument to regulate the conduct of undertakings vis-à-vis producers and consumers, e.g. by requiring changes to be made in the structure of undertakings;

Amendment 222

Nicola Caputo

Motion for a resolution

Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. Calls for the introduction at EU level of measures to prevent UTPs in the marketing of ‘private labels’ by mass retail chains;

Or. it

Amendment 223

Lara Comi, Elisabetta Gardini, Philippe Juvin

Motion for a resolution

Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. Stresses that the experience of public intervention in other sectors suggests that economic regulation is a necessary complement to competition rules. Regulatory action has been taken to protect against the dangers of anti-competitive practices, despite the fact that no individual operators enjoyed dominant positions, in the fields of computerised reservation services, the interconnectivity of mobile telecommunications networks and the provision of internet access services. In other words, the Commission’s passive attitude in respect of the food supply chain contrasts with its proactive approach in other sectors;

Or. it

Amendment 224

Marc Tarabella

Motion for a resolution

Paragraph 17 b (new)

Motion for a resolution

Amendment

17b. Calls on the Commission to put in place a legal framework for dispute settlement at EU level providing all parties with a single clear problem-solving procedure;

Or. fr

Amendment 225

Marc Tarabella

Motion for a resolution

Paragraph 17 c (new)

Motion for a resolution

Amendment

17c. Proposes that Member States put in place a mediator to help boost expertise in the food supply chain;

Or. fr

Amendment 226

Marc Tarabella

Motion for a resolution

Paragraph 17 d (new)

Motion for a resolution

Amendment

17d. Asks the food sector to publish systematic reports identifying good and bad trade practices in the food supply chain;

Amendment 227

Marc Tarabella

Motion for a resolution

Paragraph 17 e (new)

Motion for a resolution

Amendment

17e. Calls on the Member States to impose automatic enforcement measures against UTPs in the food supply chain accompanied, where necessary, by financial penalties;

Amendment 228

Dita Charanzová

Motion for a resolution

Paragraph 18

Motion for a resolution

Amendment

18. Suggests that work should begin on EU rules on the establishment or recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

deleted

Amendment 229

Anna Maria Corazza Bildt, Andreas Schwab, Roberta Metsola, Ivan Štefanec, Eva Paunova

Motion for a resolution Paragraph 18

Motion for a resolution

18. Suggests that work should begin on EU rules on the establishment or recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Amendment

deleted

Or. en

Amendment 230

Virginie Rozière

Motion for a resolution Paragraph 18

Motion for a resolution

18. Suggests that work should begin on EU rules on the establishment or recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative **and** on the basis of informal information **and** complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Amendment

18. Suggests that work should begin on EU rules on the establishment or recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative on the basis of informal information **or** complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Or. fr

Amendment 231
Dennis de Jong

Motion for a resolution
Paragraph 18

Motion for a resolution

18. Suggests that work should begin *on EU rules on the establishment or recognition* of national public agencies with responsibility for enforcing laws to combat unfair practices in the *food* supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Amendment

18. Suggests that work should begin *with the facilitation at EU level of effective cooperation* of national public agencies *or dedicated bodies like an adjudicator*, with responsibility for enforcing laws to combat unfair practices in the supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Or. en

Amendment 232
Olga Sehnalová

Motion for a resolution
Paragraph 18

Motion for a resolution

18. Suggests that work should begin on EU rules on the establishment or recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; *takes the view* that public agencies of this kind *should* be empowered to conduct investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), *as well as* to impose penalties;

Amendment

18. Suggests that work should begin on EU rules on the establishment or recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; *stresses* that public agencies of this kind *must* be empowered to conduct investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), *to act as a mediator between the parties involved and* to impose *effective and dissuasive*

penalties;

Or. cs

Amendment 233
Robert Rochefort

Motion for a resolution
Paragraph 18

Motion for a resolution

18. ***Suggests that work should begin on EU rules on the establishment or recognition of national*** public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative ***and*** on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Amendment

18. ***Recommends that the Member States establish*** public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain ***and ensuring that they have the means to carry out their tasks;*** takes the view that public agencies of this kind should be empowered to ***open and*** conduct investigations on their own initiative ***or*** on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties; ***also stresses that these national authorities should be encouraged to coordinate among themselves and share relevant information, particularly on good practice, and expertise concerning new types of UTPs;***

Or. fr

Amendment 234
Vicky Ford

Motion for a resolution
Paragraph 18

Motion for a resolution

18. Suggests that ***work*** should ***begin on EU rules on the establishment or recognition of*** national public agencies with responsibility for enforcing ***laws*** to

Amendment

18. Suggests that ***Member States*** should, ***when not already the case, establish or recognise*** national public agencies with responsibility for enforcing ***action*** to

combat unfair practices in the food supply chain; takes the view that public agencies of this kind *should be empowered* to conduct investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

combat unfair practices in the food supply chain; takes the view that *Member States empowering* public agencies of this kind to conduct investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties, *can facilitate enforcement*;

Or. en

Amendment 235

Nicola Danti, Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García

Motion for a resolution Paragraph 18

Motion for a resolution

18. Suggests that work should begin on EU rules on *the establishment or* recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations *on their own initiative and* on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Amendment

18. Suggests that work should begin on EU rules on *mutual* recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations *ex-officio and/or* on the basis of informal information and/or *on the basis of* complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Or. en

Amendment 236

Marco Zullo

Motion for a resolution Paragraph 18

Motion for a resolution

18. Suggests that work should begin on EU rules on the establishment or recognition of

Amendment

18. Suggests that work should begin on EU rules on the establishment or recognition of

national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative *and* on the basis of informal information *and* complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative *or* on the basis of informal information *or* complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Or. it

Amendment 237

Igor Šoltes, Marco Zullo

Motion for a resolution

Paragraph 18

Motion for a resolution

18. *Suggests* that work should begin *on EU rules* on the establishment or recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that *public agencies of this kind should be empowered to conduct* investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Amendment

18. *The issue of unfair trading practices in the supply chain has been the subject of 5 European Parliament resolutions including 3 specifically on imbalances and abuses in the food supply chain, since 2009; further notes that the European Commission has produced 3 Communications, one Green paper and commissioned two Final Reports on similar subjects in the same timeframe; on this basis declares that yet more analysis on the state of UTPs in the food supply chain will merely delay the pressing need for action to help all food supply chain actors address UTPs. Therefore recommends* that work should begin *swiftly on a Directive based on Article 114 TFEU providing for* the establishment or recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that *the EU should establish minimum standards for principles, including an open list of outlawed UTPs, and operational procedures regarding*

investigations *undertaken by such agencies* on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose *dissuasive penalties of amounts sufficient to ensure that no enterprise can profit from imposing UTPs*; *Such a Directive should also provide for a single European market coordination forum to enable national enforcement bodies to provide advice, facilitate exchange of good practice and information, cooperate on cross border cases, analyse new forms of UTPs and where appropriate, cooperate in setting and imposing penalties in cases involving operators from more than one Member State. Such public agencies should be sufficiently staffed and funded, and also coordinate with relevant enforcement bodies in Member States and in third countries*;

Or. en

Amendment 238

Philippe Juvin, Angélique Delahaye, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Suggests that work should begin *on EU rules* on the establishment *or recognition* of *national* public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Amendment

18. Suggests that work should begin *at EU level, including legislative work, for* the establishment of public agencies *at national level* with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to

impose penalties;

Or. fr

Amendment 239

Lara Comi, Elisabetta Gardini, Philippe Juvin

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Suggests that work should begin on EU rules on the establishment or recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative **and** on the basis of informal information **and** complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Amendment

18. ***Suggests that it might be more appropriate, given the current tendency in various Member States, and the burgeoning body of literature on private regulation, to move towards co-regulation rather than straightforward self-regulation.*** Suggests that work should begin on EU rules on the establishment or recognition of national public agencies with responsibility for enforcing laws **and/or voluntary codes** to combat unfair practices in the food supply chain; takes the view that public agencies of this kind should be empowered to conduct ***ex officio*** investigations on their own initiative **or** on the basis of informal information **or** complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Or. it

Amendment 240

Virginie Rozière

Motion for a resolution

Paragraph 18 a (new)

Motion for a resolution

Amendment

18a. These sanctions should be dissuasive and proportionate to the financial and commercial damage done to actors in the

food supply chain;

Or. fr

Amendment 241
Virginie Rozière

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Believes strongly that a **single**, clear, precise and binding definition of UTPs should be drawn up, so as to allow effective rules to be laid down with a view to combating such practices;

Amendment

19. Believes strongly that a **uniform**, clear, precise and binding definition of UTPs should be drawn up, so as to allow effective rules to be laid down with a view to combating such practices; **this definition should not confine itself to the terms of the contract but should cover all stages of the commercial relationship; at any event it should take account of the fear factor;**

Or. fr

Amendment 242
Dennis de Jong

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Believes strongly that a **single, clear, precise and binding** definition of UTPs should be drawn up, so as to allow effective **rules** to be **laid down** with a view to combating such practices;

Amendment

19. Believes strongly that a **generally accepted and clear** definition of UTPs should be drawn up, so as to allow effective **action** to be **taken** with a view to combating such practices; **notes however that this definition can never be exhaustive, as unfair practices can take new forms over time;**

Or. en

Amendment 243

Vicky Ford

Motion for a resolution

Paragraph 19

Motion for a resolution

19. *Believes strongly that a single, clear, precise and binding definition of UTPs should be drawn up, so as to allow effective rules to be laid down with a view to combating such practices;*

Amendment

19. *Acknowledges and supports the principles of good practices in the vertical relationships called for in the European Parliament Report on a more fair and efficient retail market which was agreed on by all relevant stakeholders and includes clear and precise definitions of UTPs so as to allow proper action to be taken with a view to combating such practices;*

Or. en

Amendment 244

Robert Rochefort

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Believes strongly that a single, clear, precise and binding definition of UTPs should be drawn up, *so as to allow effective rules to be laid down with a view to combating such practices;*

Amendment

19. Believes strongly that a single, clear, precise and binding definition of UTPs should be drawn up;

Or. fr

Amendment 245

Dita Charanzová

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Believes **strongly** that a single, **clear, precise and binding** definition of UTPs should be drawn up, so as to allow effective rules to be laid down with a view to combating such practices;

Amendment

19. Believes that a single definition of UTPs should be drawn up, so as to allow effective rules to be laid down with a view to combating such practices;

Or. en

Amendment 246
Maria Grapini

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Believes strongly that a single, clear, precise and binding definition of UTPs should be drawn up, so as to allow effective rules to be laid down with a view to combating such practices;

Amendment

19. Believes strongly that a single, clear, precise and binding definition of UTPs should be drawn up, so as to allow effective rules to be laid down with a view to combating such practices, **and supports the uniform application of legislation in the field of unfair competition in all the EU Member States**;

Or. ro

Amendment 247
Ulla Tørnæs

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Believes **strongly** that a **single**, clear, **precise and binding** definition of UTPs should be drawn up, **so as to allow effective rules to be laid down with a view to combating such practices**;

Amendment

19. Believes that a **more** clear definition of UTPs should be drawn up;

Or. en

Amendment 248

Philippe Juvin, Angélique Delahaye, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Believes strongly that a single, clear, precise and binding definition of UTPs should be drawn up, so as to allow effective rules to be laid down with a view to combating such practices;

Amendment

19. Believes strongly that a single, clear, precise and binding definition of UTPs should be drawn up, so as to allow effective **common** rules to be laid down with a view to combating such practices;

Or. fr

Amendment 249

Anna Maria Corazza Bildt, Roberta Metsola, Ivan Štefanec, Eva Paunova

Motion for a resolution

Paragraph 19

Motion for a resolution

19. ***Believes strongly that a single, clear, precise and binding definition of UTPs should be drawn up, so as to allow effective rules to be laid down with a view to combating such practices;***

Amendment

19. ***Acknowledges and supports the principles of good practises in the vertical relationships called for in the European Parliament report on a more fair and efficient retail market which was agreed on by all relevant stakeholders and includes clear and precise definitions of UTPs so as to allow proper action to be taken with a view to combating such practices;***

Or. en

Amendment 250

Marijana Petir

Motion for a resolution

Paragraph 20

Motion for a resolution

Amendment

20. Calls for due account to be taken, when drafting rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;

deleted

Or. en

Amendment 251
Robert Rochefort

Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. Calls for due account to be taken, **when** drafting rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that **such** regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;

20. Calls for due account to be taken, **in the drafting of any** rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that **any** regulatory efforts **in this area** should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;

Amendment 252**Dennis de Jong****Motion for a resolution****Paragraph 20***Motion for a resolution*

20. Calls for due account to be taken, when **drafting** rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;

Amendment

20. Calls for due account to be taken, when **considering** rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;

Or. en

Amendment 253**Birgit Collin-Langen, Sabine Verheyen****Motion for a resolution****Paragraph 20***Motion for a resolution*

20. Calls for due account to be taken, when drafting rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure

Amendment

20. Calls for due account to be taken, when drafting rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure

that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;

that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies *next to the concept of private enforcement*;

Or. en

Amendment 254
Vicky Ford

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Calls for due account to be taken, when drafting *rules* in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;

Amendment

20. Calls for due account to be taken, when drafting *measures* in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;

Or. en

Amendment 255
Marco Zullo

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Calls for due account to be taken, when

Amendment

20. Calls for due account to be taken, when

drafting rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;

drafting rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors, ***while also capitalising upon the measures already taken in some Member States that are proving to be effective***; takes the view that such regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;

Or. it

Amendment 256
Dita Charanzová

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Calls for due account to be taken, ***when drafting rules in this area***, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; ***takes the view that such regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies***;

Amendment

20. Calls for due account to be taken of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; ***underlines that it would be wrong to adopt a 'one-size-fits-all' approach to UTPs***;

Or. en

Amendment 257

Ulla Tørnæs

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Calls for due account to be taken, ***when drafting rules in this area***, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; ***takes the view that such regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;***

Amendment

20. Calls for due account to be taken of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors;

Or. en

Amendment 258

Philippe Juvin, Angélique Delahaye, Lara Comi, Elisabetta Gardini, Michel Dantin

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Calls for due account to be taken, when drafting rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure ***that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle***

Amendment

20. Calls for due account to be taken, when drafting rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure ***a considerable degree of harmonisation of practices within the single market;***

of improving enforcement by involving the relevant public agencies;

Or. fr

Amendment 259

Lara Comi, Elisabetta Gardini, Philippe Juvin

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Calls for due account to be taken, when drafting rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies;

Amendment

20. Calls for due account to be taken, when drafting rules in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such regulatory efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies; ***stresses that one solution may be an EU framework that complements the voluntary codes and establishes general principles that reflect the differing situations at national level. This would mean that the Member States which already have effective systems could leave these very much unaltered (with small adjustments to bring them into line with any joint measures adopted). Member States with ineffectual systems could improve them, while those without any system could introduce one based on shared EU principles;***

Or. it

Amendment 260

Anna Maria Corazza Bildt, Roberta Metsola, Ivan Štefanec, Eva Paunova

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Calls for due account to be taken, when drafting **rules** in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such **regulatory** efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving **the** relevant public **agencies**;

Amendment

20. Calls for due account to be taken, when drafting **measures** in this area, of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that such efforts should ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving relevant public **bodies and the national platforms of the Supply Chain Initiative**;

Or. en

Amendment 261

Igor Šoltes, Marco Zullo

Motion for a resolution

Paragraph 20 a (new)

Motion for a resolution

Amendment

20a. Recognises that self regulation, EU and Member State legislation as well as independent adjudicators and dispute resolution entities can all co-exist and work together to end UTPs in the food supply chain;

Or. en

Amendment 262

Dennis de Jong

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date and the effectiveness of the regulatory action taken at national and EU level; calls for an assessment of the likely impact of the various types of EU **regulatory** action that have been proposed, with due account being taken of all the possible implications for the various stakeholders and for consumer welfare;

Amendment

21. Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date and the effectiveness of the regulatory action taken at national and EU level; calls for an assessment of the likely impact of the various types of EU action that have been proposed, with due account being taken of all the possible implications for the various stakeholders and for consumer welfare;

Or. en

Amendment 263

Daniel Dalton

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date and the effectiveness of the regulatory action taken at national and EU level; ***calls for an assessment of the likely impact of the various types of EU regulatory action that have been proposed, with due account being taken of all the possible implications for the various stakeholders and for consumer welfare;***

Amendment

21. Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date and the effectiveness of the regulatory action taken at national and EU level;

Or. en

Amendment 264

Robert Rochefort

Motion for a resolution
Paragraph 21

Motion for a resolution

21. Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date and the effectiveness of the regulatory action taken at national and EU level; calls for an assessment of the likely impact of the *various types of* EU regulatory action that have been proposed, with due account being taken of all the possible implications for the various stakeholders and for *consumer welfare*;

Amendment

21. Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date (*particularly as regards the number and proportion of the problem cases between different actors in the food supply chain resolved by this route*) and the effectiveness of the regulatory action taken at national and EU level; *expects to be notified of the results of this assessment*; calls for an assessment of the likely impact of the various types of EU regulatory action that have been proposed, with due account being taken of all the possible implications for the various stakeholders and for consumer welfare;

Or. fr

Amendment 265

Sergio Gutiérrez Prieto, Clara Eugenia Aguilera García, Ricardo Serrão Santos

Motion for a resolution
Paragraph 21

Motion for a resolution

21. Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date and the effectiveness of the regulatory action taken at national and EU level; calls for an assessment of the likely impact of the various types of EU regulatory action that have been proposed, with due account being taken of all the possible implications for the various stakeholders and for consumer welfare;

Amendment

21. Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date and the effectiveness of the regulatory action taken at national and EU level; *calls for a quantitative and qualitative assessment of the problems raised and resolved between the various operators in the food chain*; calls for an assessment of the likely impact of the various types of EU regulatory action that have been proposed, with due account being taken of all the possible implications for the various stakeholders and for consumer welfare;

Or. es

Amendment 266
Dita Charanzová

Motion for a resolution
Paragraph 21

Motion for a resolution

21. *Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date and the effectiveness of the regulatory action taken at national and EU level; calls for an assessment of the likely impact of the various types of EU regulatory action that have been proposed, with due account being taken of all the possible implications for the various stakeholders and for consumer welfare;*

Amendment

21. *Supports the Supply Chain Initiative and other national schemes; welcomes the commits given by all parties to prevent UTPs within the supply chain; calls for a review of such schemes in order to highlight best practices and better cooperation between the different supply chain parties;*

Or. en

Amendment 267
Lara Comi, Elisabetta Gardini, Philippe Juvin

Motion for a resolution
Paragraph 21

Motion for a resolution

21. Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date **and** the effectiveness of the regulatory action taken at national and EU level; calls for an assessment of the likely impact of the various types of EU regulatory action that have been proposed, with due account being taken of all the possible implications for the various stakeholders and for consumer welfare;

Amendment

21. Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date. **Matters in this area hinge on the quantitative and qualitative assessment of the issues raised and resolved by the various operators in the food supply chain. Calls also the Commission to assess** the effectiveness of the regulatory action taken at national and EU level; calls for an assessment of the likely impact of the various types of EU regulatory action that have been proposed, with due account being taken of all the possible implications for the various stakeholders and for consumer welfare;

Or. it

Amendment 268

Anna Maria Corazza Bildt, Andreas Schwab, Roberta Metsola, Ivan Štefanec, Eva Paunova

Motion for a resolution

Paragraph 21

Motion for a resolution

21. *Calls on the Commission to assess the voluntary and self-regulatory schemes put in place to date and the effectiveness of the regulatory action taken at national and EU level; calls for an assessment of the likely impact of the various types of EU regulatory action that have been proposed, with due account being taken of all the possible implications for the various stakeholders and for consumer welfare;*

Amendment

21. *Supports the Commissions ongoing assessment of the voluntary and self-regulatory schemes put in place to date and the effectiveness of the regulatory action taken at national and EU level; calls on the Commission to speed up its process and put a deadline by January 2016;*

Or. en

Amendment 269

Paul Brannen, Catherine Stihler

Motion for a resolution

Paragraph 21 a (new)

Motion for a resolution

21a. *Is convinced that consumer awareness is fundamental to address the problems resulting from imbalances in the food supply chain, including UTPs; calls on all stakeholders involved in food supply chain management to step up transparency in the overall food supply chain, increase consumer information by more adequate product labelling and certification schemes in order to enable consumers to make fully informed choices about available products and to act accordingly;*

Amendment

Amendment 270

Dawid Bohdan Jackiewicz

Motion for a resolution

Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. Hopes that the proposed regulations will help guarantee sustainable, fair commercial relationships and a level playing field for market operators in the food supply chain;

Or. pl

Amendment 271

Anna Maria Corazza Bildt, Róza Gräfin von Thun und Hohenstein, Andreas Schwab, Roberta Metsola, Ivan Štefanec, Eva Paunova

Motion for a resolution

Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. Calls on the Commission to come up with concrete proposals on a way forward based on their assessment of the voluntary and self-regulatory schemes;

Or. en

Amendment 272

Lara Comi, Elisabetta Gardini, Angélique Delahaye, Michel Dantin, Philippe Juvin

Motion for a resolution

Paragraph 22 a (new)

Motion for a resolution

Amendment

22a. Stresses that the phenomenon of 'private labels' is a medium-term strategic issue. Stresses that, in recent years,

various economists have pointed to the existence of a 'risk threshold' above which market penetration by private labels, in a given product category, ceases to have positive effects and begins to have negative ones, both in terms of the competitiveness of the agri-food industry and for consumers and society as a whole.

Or. it