



2018/2008(INI)

18.4.2018

AMENDMENTS

1 - 199

Draft report

Olga Sehnalová

Dual quality of products in the Single Market
(2018/2008(INI))

Amendment 1

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution

Citation 22 a (new)

Motion for a resolution

Amendment

- *having regard to the various surveys, studies and tests carried out in the last years by the Food Inspection Authorities in many Member States in Central and Eastern Europe,*

Or. en

Amendment 2

Ivan Štefanec, Birgit Collin-Langen, Emil Radev, Andrey Novakov, Róza Gräfin von Thun und Hohenstein

Motion for a resolution

Citation 22 a (new)

Motion for a resolution

Amendment

- *having regard to the various surveys, studies and tests carried out in the last years by the Food Inspection Authorities in many Member States in Central and Eastern Europe,*

Or. en

Amendment 3

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution

Citation 23 a (new)

Motion for a resolution

Amendment

- *having regard to the Commission communication of 11 April 2018 on A*

Amendment 4

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution

Citation 23 b (new)

Motion for a resolution

Amendment

– *having regard to the proposal for Directive of the European Parliament and of the Council on better enforcement and modernization of EU consumer protection rules (COM(2018) 185/3),*

Amendment 5

Igor Šoltes

Motion for a resolution

Recital A

Motion for a resolution

Amendment

A. whereas when promoting, selling or supplying products, companies should provide consumers with accurate information to enable them to make an informed buying decision;

A. whereas when promoting, selling or supplying products, companies should provide consumers with accurate *and easy-to-understand* information *on the exact product composition* to enable them to make an informed buying decision;

Amendment 6

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution
Recital A

Motion for a resolution

A. whereas when promoting, selling or supplying products, companies should provide consumers with accurate information to enable them to make an informed buying decision;

Amendment

A. whereas when promoting, selling or supplying products, companies should provide consumers with accurate information, ***also on local products and recipes***, to enable them to make an informed buying decision;

Or. en

Amendment 7
Igor Šoltes

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas a key principle for brands should be the confidence that consumers put in the composition, value and quality of a product, manufacturers should ensure that their expectations are lived up;

Or. en

Amendment 8
András Gyürk, Norbert Erdős, György Hölvényi

Motion for a resolution
Recital B a (new)

Motion for a resolution

Amendment

Ba. whereas consumers make an associative link between brand, product and quality and expect products of the same brand and/or identical in appearance to be identical also in quality whether they are sold in their own country

or in another Member State;

Or. en

Amendment 9

Ivan Štefanec, Róza Gräfin von Thun und Hohenstein, Emil Radev, Birgit Collin-Langen

Motion for a resolution

Recital B a (new)

Motion for a resolution

Amendment

Ba. *whereas all EU citizens deserve equal treatment in regard to food and non-food products sold on the Single Market;*

Or. en

Amendment 10

Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen

Motion for a resolution

Recital C

Motion for a resolution

Amendment

C. *whereas the assessment of whether a commercial practice is unfair under the UCPD must be performed on a case-by-case basis by Member States, **except in the case of the practices listed in Annex I to the UCPD;***

C. *whereas the assessment of whether a commercial practice is unfair under the UCPD must be performed on a case-by-case basis by Member States;*

Or. en

Amendment 11

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution

Recital C a (new)

Motion for a resolution

Amendment

Ca. *whereas President Juncker stressed in his 2017 State of the Union Address that it is not acceptable that in some parts of Europe, people are sold food of lower quality than in other countries, despite the packaging and branding being identical;*

Or. en

Amendment 12

Richard Sulík

Motion for a resolution

Recital D

Motion for a resolution

Amendment

D. *whereas there have been substantial differences in the implementation of the UCPD from one Member State to another;*

D. *whereas there have been substantial differences in the implementation of the UCPD from one Member State to another, while the methodological approaches and effectiveness of the resolution and enforcement of the UCPD varies significantly between Member States;*

Or. sk

Amendment 13

Jiří Maštálka, Kateřina Konečná

Motion for a resolution

Recital D a (new)

Motion for a resolution

Amendment

Da. *whereas generally, manufacturers of food and other consumer goods can take advantage of diverging interpretations of EU legislation and/or its poor implementation and enforcement by*

national competent authorities to adapt their products at the detriment of consumers;

Or. en

Amendment 14

Olga Sehnalová, Biljana Borzan, Sergio Gutiérrez Prieto, Marlene Mizzi

Motion for a resolution

Recital D a (new)

Motion for a resolution

Amendment

Da. whereas the brand often plays the most important role in deciding on the value of the product;

Or. en

Amendment 15

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Kerstin Westphal, Lucy Anderson, Marlene Mizzi

Motion for a resolution

Recital D b (new)

Motion for a resolution

Amendment

Db. whereas a strengthened and more efficient enforcement cooperation framework would also boost consumer trust and reduce consumer harm;

Or. en

Amendment 16

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Lucy Anderson, Marlene Mizzi

Motion for a resolution

Recital E

Motion for a resolution

E. whereas in *its 2018 Work Programme, the Commission announced plans to propose* 'A New Deal for Consumers', a targeted revision of the EU consumer directives following on from the Fitness Check of EU consumer and marketing laws;

Amendment

E. whereas in 'A New Deal for Consumers', a targeted revision of the EU consumer directives following on from the Fitness Check of EU consumer and marketing laws, *the Commission suggested to update the Unfair Commercial Practices Directive in order to make explicit that national authorities can assess and address misleading commercial practices involving the marketing of products as being identical in several EU countries, if their composition or characteristics are significantly different*;

Or. en

Amendment 17

Richard Sulík

Motion for a resolution

Recital E

Motion for a resolution

E. whereas *in its 2018 Work Programme, the Commission announced plans to propose* 'A New Deal for Consumers', *a targeted revision of the EU consumer directives following on from the Fitness Check of EU consumer and marketing laws*;

Amendment

E. whereas *on 11 April 2018* the Commission *published* 'A New Deal for Consumers', *which, among other things, sufficiently addresses in law the phenomenon of dual quality by proposing to supplement Article 6(2) of the UCPD*;

Or. sk

Amendment 18

Richard Sulík

Motion for a resolution

Recital E a (new)

Motion for a resolution

Amendment

Ea. whereas an effective solution to the problem of the dual quality of products can partly be sought through primarily non-legislative means at national level, for instance through the introduction of methodological approaches on the enforcement of UCPD, recommendations, the sharing of best practices, open public debate and the raising of public awareness;

Or. sk

Amendment 19

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Kerstin Westphal, Lucy Anderson, Marlene Mizzi

Motion for a resolution

Recital E a (new)

Motion for a resolution

Amendment

Ea. whereas products differentiation and innovation should not be restricted as such but consumers should not be misled;

Or. en

Amendment 20

Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova

Motion for a resolution

Recital F a (new)

Motion for a resolution

Amendment

Fa. whereas to fully reap the benefits of the internal market, the better application of existing EU food and consumer legislation to identify and address unjustified dual standards and thus protect the consumers against

misleading information and commercial practices is crucial;

Or. en

Amendment 21

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution

Recital F a (new)

Motion for a resolution

Amendment

Fa. whereas the purchasing power divergence in the EU leads to food market practices, which are detrimental to consumers and to low-income citizens;

Or. en

Amendment 22

Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova, Pavel Telička

Motion for a resolution

Recital F b (new)

Motion for a resolution

Amendment

Fb. whereas there is a continuous need to strengthen the role of consumer associations in this regards; whereas consumer associations play an unique role in guaranteeing consumers 'confidence and need to be further supported through additional legal and economic measures and capacity building;

Or. en

Amendment 23

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Underlines that results of various tests conducted in several Member States have proven that there are differences between products which are advertised and distributed in the single market under the same brand and with the same packaging;

Amendment

1. Underlines that results of various tests conducted in several Member States have proven that there are differences between products which are advertised and distributed in the single market under the same brand and with the same packaging;
Notes that according to a survey^{10a} conducted for a national competent authority, a vast majority of consumers are bothered about such differences;

^{10a} *Survey of the Czech Agriculture and Food Inspection Authority conducted in 2016. <http://www.szpi.gov.cz/clanek/tz-2016-vyzkum-cesky-spotrebitel-zada-stejne-kvalitni-potraviny-jako-evropsky.aspx>*

Or. en

Amendment 24
Igor Šoltes

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Underlines that results of various tests conducted in several Member States have proven that there are differences between products which are advertised and distributed in the single market under the same brand and with the same packaging;

Amendment

1. Underlines that results of various tests conducted in several Member States have proven that there are differences between products which are advertised and distributed in the single market under the same brand and with the same packaging
with varying prices; points out that these results cause concern that some Member States are treated differently from others;

Or. en

Amendment 25

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution

Paragraph 1

Motion for a resolution

1. Underlines that results of various tests conducted in several Member States have proven that there are differences between products which are advertised and distributed in the single market under the same brand and with the same packaging;

Amendment

1. Underlines that results of various tests conducted in several Member States ***in Central and Eastern Europe*** have proven that there are differences between products which are advertised and distributed in the single market under the same brand and with the same packaging; ***Those differences are also proven in regard to the prices;***

Or. en

Amendment 26

Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova, Pavel Telička

Motion for a resolution

Paragraph 1

Motion for a resolution

1. Underlines that results of ***various*** tests conducted in several Member States have proven that there are differences between products which are advertised and distributed in the single market under the same brand and with the ***same*** packaging;

Amendment

1. Underlines that results of ***numerous*** tests ***and surveys*** conducted in several Member States have proven that there are differences, ***inter alia in composition and ingredients or substances used***, between products which are advertised and distributed in the single market under the same brand and with the ***identical*** packaging;

Or. en

Amendment 27

Richard Sulík

Motion for a resolution
Paragraph 1

Motion for a resolution

1. *Underlines* that results of various tests conducted in several Member States have proven that there are differences between products which are advertised and distributed in the single market under the same brand and with *the same* packaging;

Amendment

1. *Acknowledges* that results of various tests conducted in several Member States *with differing methodologies for laboratory testing* have proven that there are differences *of various magnitudes* between products which are advertised and distributed in the single market under the same brand and with *similar* packaging;

Or. sk

Amendment 28
Maria Grapini

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Underlines that results of various tests conducted in several Member States have proven that there are differences between products which are advertised and distributed in the single market under the same brand and with the same packaging;

Amendment

1. Underlines that results of various tests conducted in several Member States have proven that there are differences between products which are advertised and distributed in the single market under the same brand and with the same packaging, *to the detriment of consumers' rights*;

Or. ro

Amendment 29
Richard Sulík

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Stresses that the results of these laboratory tests, which were carried out in

several Member States, cannot serve as credible and objective proof of the existence of dual product quality, or as a basis for a new legislative initiative, as Member States did not follow the same methodology, did not always compare the reference products, and the results were not assessed under the same definition of a 'significant difference' that would point to significant differences in composition and not, for instance, merely to sensory differences;

Or. sk

Amendment 30
Igor Šoltes

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Highlights that the results of the tests show that same-branded products are often composed of lower-quality ingredients or differ significantly in its composition, i.e. less of the main ingredient or use of less-healthy ingredients; Stresses such differences in ingredients, often of a lower quality, can impact on a long term consumers' health;

Or. en

Amendment 31
Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova, Pavel Telička

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Recalls that based on these

findings, consumers are concerned about discrimination between different Member States markets; underlines that any type of such discrimination is not acceptable and all EU consumers should enjoy access to the equivalent level of quality of products;

Or. en

Amendment 32
Richard Sulík

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Highlights that the cases reported concern not only food products but also non-food products, including detergents, cosmetics, toiletries and products intended for babies;

Amendment

2. Highlights that the cases reported concern not only food products but also non-food products, including detergents, cosmetics, toiletries and products intended for babies; *notes that these too have not been tested using the same methodology;*

Or. sk

Amendment 33
Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova, Pavel Telička

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Highlights that the cases reported concern not only food products but also non-food products, including detergents, cosmetics, toiletries and products intended for babies;

Amendment

2. Highlights that the cases *when such significant differences were* reported concern not only food products but *frequently* also non-food products, including detergents, cosmetics, toiletries and products intended for babies;

Or. en

Amendment 34

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution

Paragraph 2

Motion for a resolution

2. Highlights that the cases reported concern not only food products but also non-food products, including detergents, cosmetics, toiletries and products intended for babies;

Amendment

2. Highlights that the cases reported concern not only food products but also non-food products, including detergents, cosmetics, toiletries and products intended for babies ***and people with special dietary needs***;

Or. en

Amendment 35

Maria Grapini

Motion for a resolution

Paragraph 2

Motion for a resolution

2. Highlights that the cases reported concern not only food products but also non-food products, including detergents, cosmetics, toiletries ***and*** products intended for babies;

Amendment

2. Highlights that the cases reported concern not only food products but also non-food products, including detergents, cosmetics, toiletries, products intended for babies ***and clothing***;

Or. ro

Amendment 36

Inese Vaidere

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Recalls that Parliament called on the Commission ***back*** in 2013 to carry out

Amendment

3. Recalls that Parliament called on the Commission in 2013 to carry out a

a meaningful investigation *into this issue* to evaluate whether there is a need for the adjustment of existing Union legislation, and to inform Parliament and consumers of the results;

meaningful investigation to evaluate whether there is a need for the adjustment of *the* existing Union legislation, and to inform *the European* Parliament and consumers of the results;

Or. en

Amendment 37
Andreas Schwab

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Welcomes the approval by Parliament of a pilot project for 2018 that will involve a series of market investigations into several categories of consumer products to assess various aspects of disparities between products; stresses that the results of these investigations are not yet available;

Or. de

Amendment 38
Emil Radev, Filiz Hysmenova, Andrey Novakov

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Regrets that the European Commission decided not to sufficiently change EU legislation to tackle the issue of dual quality, despite the multiple evidence for its existence;

Or. en

Amendment 39

Ivan Štefanec, Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Welcomes, therefore, the recent initiatives announced by the Commission to address this issue, in particular its commitment to **delivering** a common testing methodology and allocating a budget for its preparation and enforcement and for collection of further evidence;

Amendment

4. Welcomes, therefore, the recent initiatives announced by the Commission to address this issue, in particular its commitment to **deliver** a common testing methodology and allocating a budget for its preparation and enforcement and for collection of further evidence; ***calls for the Commission to coordinate national competent authorities in applying the common testing methodology developed by the JRC in order to ensure a unified interpretation of the methodology by the Member States. Calls on the Commission to come up with a clear mechanisms on how to deal with the cases of the dual quality and propose a suitable structure and process on how Member States together with businesses should tackle the potential dual quality of products;***

Or. en

Amendment 40

Igor Šoltes

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Welcomes, therefore, the recent initiatives announced by the Commission to address this issue, in particular its commitment to delivering a common testing methodology and allocating a budget for its preparation and enforcement and for collection of further evidence;

Amendment

4. Welcomes, therefore, the recent initiatives announced by the Commission to address this issue, in particular its commitment to delivering a common testing methodology and allocating a budget for its preparation and enforcement and for collection of further ***reliable and comparable*** evidence; ***Underlines that***

various analyses have already been carried which could serve as a basis when designing the common testing methodology;

Or. en

Amendment 41

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Welcomes, *therefore*, the recent initiatives announced by the Commission to address *this* issue, in particular its commitment to delivering a common testing methodology and allocating a budget for its preparation and enforcement and for collection of further evidence;

Amendment

4. Welcomes, *nevertheless*, the recent initiatives announced by the Commission to address *the* issue, in particular its commitment to delivering a common testing methodology and allocating a budget *of EUR 2 million* for its preparation and enforcement and for collection of further evidence; *expects the testing to be completed at the earliest possible date, preferably before the end of 2018;*

Or. en

Amendment 42

Richard Sulík

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Welcomes, therefore, the recent initiatives announced by the Commission to address this issue, in particular its commitment to delivering a common testing methodology and allocating a budget for its preparation and enforcement and for collection of further evidence;

Amendment

4. Welcomes, therefore, the recent initiatives announced by the Commission to address this issue, in particular its commitment to delivering a common testing methodology, *which will contribute to an overall assessment of how serious and widespread the issue of dual quality on the Single Market is*, and allocating a

budget for its preparation and enforcement
and for collection of further evidence;

Or. sk

Amendment 43

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Lucy Anderson, Marlene Mizzi

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Welcomes, therefore, the recent initiatives announced by the Commission to address this issue, in particular its commitment to delivering a common testing methodology **and** allocating a budget for its preparation and enforcement and for collection of further evidence;

Amendment

4. Welcomes, therefore, the recent initiatives announced by the Commission to address this issue, in particular its commitment to delivering a common testing methodology, allocating a budget for its preparation and enforcement and for collection of further evidence **and updating the Unfair Commercial Practices Directive**;

Or. en

Amendment 44

Richard Sulík

Motion for a resolution

Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. Welcomes the Commission's approach in the recent New Deal for Consumers, which in the section revising the UCPD adequately addresses the dual quality phenomenon by proposing to supplement Article 6(2) of the UCPD; recalls that the conformity assessment does not quantify the cases or products concerned by this phenomenon;

Amendment 45
Jiří Pospíšil

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. Welcomes the recent submission of the proposal for Directive 2005/29/EC concerning unfair business-to-consumer commercial practices; notes, however, that it contains an unclear and thus difficult-to-use definition of dual quality and will therefore require clarification;

Or. cs

Amendment 46
Richard Sulík

Motion for a resolution
Paragraph 4 b (new)

Motion for a resolution

Amendment

4b. Welcomes the Commission's initiative to develop a code of conduct with business representatives, in particular food producers and retailers, on how to ensure greater transparency on product composition that exceeds the current legal obligations;

Or. sk

Amendment 47
Richard Sulík

Motion for a resolution

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Paragraph 4 c (new)

Motion for a resolution

Amendment

4c. *Stresses that product quality is closely linked to the price that the consumer is willing to pay; points out that the problem of double quality cannot be assessed independently of different living standards and wage levels;*

Or. sk

Amendment 48

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Kerstin Westphal, Lucy Anderson, Liisa Jaakonsaari

Motion for a resolution

Paragraph 5

Motion for a resolution

Amendment

5. Takes note of the mandate given to the High Level Forum for a Better Functioning Food Supply Chain to address the issue of dual quality; encourages Member States and their competent authorities to actively participate in ongoing initiatives, including the development of a common methodology and collection of further evidence;

5. Takes note of the mandate given **by the European Council** to the High Level Forum for a Better Functioning Food Supply Chain to address the issue of dual quality; encourages Member States and their competent authorities to actively participate in ongoing initiatives, including the development of a common methodology and collection of further evidence; ***Stresses the need for active involvement of parties representing consumers' interests, including representatives of consumer organizations and research organizations that have conducted product tests in Member States; Regrets that the European Parliament has been neither involved nor properly informed of the progress made so far;***

Or. en

Amendment 49

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Takes note of the mandate given to the High Level Forum for a Better Functioning Food Supply Chain to address the issue of dual quality; encourages Member States and their competent authorities to actively participate in ongoing initiatives, including the development of a common methodology and collection of further evidence;

Amendment

5. Takes note of the mandate given to the High Level Forum for a Better Functioning Food Supply Chain to address the issue of dual quality; encourages Member States and their competent authorities to actively participate in ongoing initiatives, including the development of a common methodology and collection of further evidence; ***emphasizes that the key for tackling this problem in practice is an effective and swift cross-border cooperation of relevant authorities including information exchange on potentially non-compliant products;***

Or. en

Amendment 50

Igor Šoltes

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Takes note of the mandate given to the High Level Forum for a Better Functioning Food Supply Chain to address the issue of dual quality; encourages Member States and their competent authorities to actively participate in ongoing initiatives, including the development ***of a*** common methodology and collection of further evidence;

Amendment

5. Takes note of the mandate given to the High Level Forum for a Better Functioning Food Supply Chain to address the issue of dual quality; encourages Member States and their competent authorities to actively participate in ongoing initiatives, including the development ***and integration in their working practices of a testing*** common methodology and collection of further evidence;

Or. en

Amendment 51
Andreas Schwab

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Takes note of the mandate given to the High Level Forum for a Better Functioning Food Supply Chain to address the issue of *dual quality*; encourages Member States and their competent authorities to actively participate in ongoing initiatives, including the development of a common methodology and collection of further evidence;

Amendment

5. Takes note of the mandate given to the High Level Forum for a Better Functioning Food Supply Chain to address the issue of *disparities between products*; encourages Member States and their competent authorities to actively participate in ongoing initiatives, including the development of a common methodology and collection of further evidence;

Or. de

Amendment 52
Richard Sulík

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

5a. *Recommends that the Member States concerned draw up their own assessment of the methodology and effectiveness of enforcement of the UCPD and other existing legislation on the issue of the dual quality of food and other products and submit them to the Commission for an objective assessment of the seriousness of the problem;*

Amendment

5a. *Recommends that the Member States concerned draw up their own assessment of the methodology and effectiveness of enforcement of the UCPD and other existing legislation on the issue of the dual quality of food and other products and submit them to the Commission for an objective assessment of the seriousness of the problem;*

Or. sk

Amendment 53

Andreas Schwab

Motion for a resolution

Paragraph 6

Motion for a resolution

6. Welcomes the adoption by Parliament of a pilot project for 2018 that will involve a series of market investigations into several categories of consumer products to assess different aspects of dual quality;

Amendment

deleted

Or. de

Amendment 54

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Lucy Anderson, Liisa Jaakonsaari

Motion for a resolution

Paragraph 6

Motion for a resolution

6. Welcomes the adoption by Parliament of a pilot project for 2018 that will involve a series of market investigations into several categories of consumer products to assess different aspects of dual quality;

Amendment

6. Welcomes the adoption by Parliament of a pilot project for 2018 that will involve a series of market investigations into several categories of consumer products to assess different aspects of dual quality; **Believes that this pilot project should continue in 2019 to deepen the knowledge and cover also non-food sector; Calls for stronger involvement of Members of the European Parliament to oversee this pilot project;**

Or. en

Amendment 55

Ivan Štefanec, Andrey Novakov, Emil Radev, Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen

Motion for a resolution

Paragraph 6

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Motion for a resolution

6. Welcomes the adoption by Parliament of a pilot project for 2018 that will involve a series of market investigations into several categories of consumer products to assess different aspects of dual quality;

Amendment

6. Welcomes the adoption by Parliament of a pilot project for 2018 that will involve a series of market investigations into several categories of consumer products to assess different aspects of dual quality; ***expects the project to be launched, conducted and published in time, as initially planned;***

Or. en

Amendment 56

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution

Paragraph 6

Motion for a resolution

6. Welcomes the adoption by Parliament of a pilot project for 2018 that will involve a series of market investigations into several categories of consumer products to assess different aspects of dual quality;

Amendment

6. Welcomes the adoption by Parliament of a pilot project for 2018 that will involve a series of market investigations into several categories of consumer products to assess different aspects of dual quality; ***expects the project to be launched, conducted and published in time, as initially planned;***

Or. en

Amendment 57

Inese Vaidere

Motion for a resolution

Paragraph 6

Motion for a resolution

6. Welcomes the adoption by Parliament of a pilot project for 2018 that ***will involve*** a series of market investigations into several categories of

Amendment

6. Welcomes the adoption by ***the European*** Parliament of a pilot project for 2018 that ***involves*** a series of market investigations into several categories of

consumer products to assess different aspects of dual quality;

food products to assess different aspects of dual quality;

Or. en

Amendment 58
Richard Sulík

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. *Stresses that comprehensive information on the public authority responsible for taking action and on relevant administrative or judicial proceedings, including the possibility for members of the public to file online complaints, is vital for the effective enforcement of the UCPD; views as negative, therefore, the lack of information in the Member States concerned which, in spite of the concerns expressed by the Member States about the need to address the dual product quality issue, do not make this information available on the websites of the responsible authorities;*

Or. sk

Amendment 59
Ivan Štefanec, Andrey Novakov, Emil Radev, Birgit Collin-Langen, Róza Gräfin von Thun und Hohenstein

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. *Encourages the Parliament, Commission and Member States to make use of all available tools, including pilot*

*and national projects to further asses
different aspects of dual quality of foods;*

Or. en

Amendment 60

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution

Paragraph 6 a (new)

Motion for a resolution

Amendment

**6a. Encourages the Parliament,
Commission and Member States to make
use of all available tools, including pilot
and national projects to further asses
different aspects of dual quality of foods;**

Or. en

Amendment 61

Maria Grapini

Motion for a resolution

Paragraph 7

Motion for a resolution

Amendment

7. Underlines that the Commission has already received notification of national labeling *measures* designed to warn consumers of differences in the composition of foodstuffs;

7. Underlines that the Commission has already received notification of *a new* national labeling *measure* designed to warn consumers of differences in the composition of foodstuffs;

Or. ro

Amendment 62

Richard Sulík

Motion for a resolution

Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. *Welcomes the fact that, in order to further improve consumer protection in the EU and provide support for businesses, the Commission has launched an online training programme to help companies better understand and enforce consumer rights in the EU;*

Or. sk

Amendment 63

Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution

Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. *Points out that the safety and quality of food, as well as protection of consumers from being misled, are matters of the highest priority;*

Or. de

Amendment 64

Richard Sulík

Motion for a resolution

Paragraph 7 b (new)

Motion for a resolution

Amendment

7b. *Considers it important to approach dual quality solely from the point of view of the possible misleading of consumers through visually similar packaging; stresses that the intention is not to lay down or harmonise food quality requirements, because quality has no legislative definition and cannot be objectively defined in terms of the*

subjective perception of the consumer;

Or. sk

Amendment 65

Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution

Paragraph 7 b (new)

Motion for a resolution

Amendment

7b. Notes that, despite numerous requests, the testing and analysis methods used by national authorities to study dual quality of products, particularly foodstuffs, have so far not been communicated to the national authorities of other Member States;

Or. de

Amendment 66

Richard Sulík

Motion for a resolution

Paragraph 7 c (new)

Motion for a resolution

Amendment

7c. Stresses that dual quality can now be regarded as an unfair practice if a product of the same brand is potentially capable of interfering with the consumer's economic behaviour by its similarity to the reference product of the same brand;

Or. sk

Amendment 67

Richard Sulík

Motion for a resolution
Paragraph 7 d (new)

Motion for a resolution

Amendment

7d. Recalls that food safety standards are set out in Regulation (EC) No 178/2002^{10a}, and the identified dual quality cases meet the defined requirements and that, therefore, the issue of dual quality of food products does not relate to their safety;

^{10a} Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.

Or. sk

Amendment 68
Richard Sulík

Motion for a resolution
Paragraph 7 e (new)

Motion for a resolution

Amendment

7e. Recalls that the obligation to indicate the composition of products is set out in Regulation (EU) No 1169/2011^{10b} of the European Parliament and of the Council, and that the identified dual quality cases meet the defined requirements and that, therefore, the issue of dual quality of food products does not relate to the issue of insufficient information on their composition;

^{10b} Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of

food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004.

Or. sk

Amendment 69

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution

Subheading 1

Motion for a resolution

Amendment

Commission Notice

Commission Notice *and application of EU consumer protection law to issues of dual quality of products*

Or. en

Amendment 70

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution

Paragraph 8

Motion for a resolution

Amendment

8. Takes note of the Commission Notice on the application of EU food and consumer laws to dual quality products; points out that the Notice's step-by-step approach for the identification by national

8. Takes note of the Commission Notice on the application of EU food and consumer laws to dual quality products; *points out that this notice is intended to help national authorities to determine*

authorities of whether producers are in breach of EU law currently seems inapplicable;

whether a company is breaking EU food and consumer laws when selling products of dual quality in different countries;
points out that the Notice's step-by-step approach for the identification by national authorities of whether producers are in breach of EU law currently seems inapplicable, ***in particular when national enforcers have to apply a case-by-case assessment of the likely impact of the practice on the average consumer's economic behaviour;***

Or. en

Amendment 71
Richard Sulík

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Takes note of the Commission Notice on the application of EU food and consumer laws to dual quality products; points out that the Notice's step-by-step approach for the identification by national authorities of whether producers are in breach of EU law currently seems inapplicable;

Amendment

8. Takes note of the Commission Notice on the application of EU food and consumer laws to dual quality products; points out that the Notice's step-by-step approach for the identification by national authorities of whether producers are in breach of EU law currently seems inapplicable ***without further guidelines, common testing methodology and enhanced information exchange at EU level;***

Or. sk

Amendment 72
Igor Šoltés

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Takes note of the Commission Notice on the application of EU food and consumer laws to dual quality products; ***points out*** that the Notice's step-by-step approach for the identification by national authorities of whether producers are in breach of EU law currently seems inapplicable;

Amendment

8. Takes note of the Commission Notice on the application of EU food and consumer laws to dual quality products; ***is concerned*** that the Notice's step-by-step approach for the identification by national authorities of whether producers are in breach of EU law currently seems inapplicable; ***stresses the need for clarification of the concept of "product of reference"***;

Or. en

Amendment 73
Maria Grapini

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Takes note of the Commission Notice on the application of EU food and consumer laws to dual quality products; points out that the Notice's step-by-step approach for the identification by national authorities of whether producers are in breach of EU law currently seems inapplicable;

Amendment

8. Takes note of the Commission Notice on the application of EU food and consumer laws to dual quality products; points out that the Notice's step-by-step approach for the identification by national authorities of whether producers are in breach of EU law currently seems inapplicable, ***meaning that consumers' rights are being violated***;

Or. ro

Amendment 74
Andreas Schwab

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Takes note of the Commission

Amendment

8. Takes note of the Commission

Notice on the application of EU food and consumer laws to ***dual quality products***; points out that the Notice's step-by-step approach for the identification by national authorities of whether producers are in breach of EU law currently seems inapplicable;

Notice on the application of EU food and consumer laws to ***products of different composition***; points out that the Notice's step-by-step approach for the identification by national authorities of whether producers are in breach of EU law currently seems inapplicable;

Or. de

Amendment 75

Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution

Paragraph 8 a (new)

Motion for a resolution

Amendment

8a. Stresses that the Commission Notice of 29 September 2017 entitled 'The application of EU food and consumer protection law to issues of Dual Quality of products – The specific case of food (2017/C 237/01)' refers to the relevant EU legal provisions and the provisions of the Consumer Protection Cooperation Regulation (Regulation (EU) No 2006/2004) concerning cooperation between authorities and its direction and use;

Or. de

Amendment 76

Ivan Štefanec, Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen

Motion for a resolution

Paragraph 9

Motion for a resolution

Amendment

9. Agrees with the Commission that in the single market, where consumers have a general understanding of the principles of

9. Agrees with the Commission that in the single market, where consumers have a general understanding of the principles of

free circulation and equal access to goods, consumers do not, a priori, expect branded products sold in different countries to differ from each other;

free circulation and equal access to goods, consumers do not, a priori, expect branded products sold in different countries to differ from each other; ***also agrees with the Commission that the food and drink operators do not necessarily have to offer identical products across the different geographical areas;***

Or. en

Amendment 77

Maria Grapini

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Agrees with the Commission that in the single market, where consumers have a general understanding of the principles of free circulation and equal access to goods, consumers do not, a priori, expect branded products sold in different countries to differ from each other;

Amendment

9. Agrees with the Commission that in the single market, where consumers have a general understanding of the principles of free circulation and equal access to goods, consumers do not, a priori, expect branded products sold in different countries to differ from each other ***when the packaging and the brand are identical;***

Or. ro

Amendment 78

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Agrees with the Commission that in the single market, where consumers have a general understanding of the principles of free circulation and equal access to goods, consumers do not, a priori, expect branded products sold in different countries to

Amendment

9. Agrees with the Commission that in the single market, where consumers have a general understanding of the principles of free circulation and equal access to goods, consumers do not, a priori, expect branded products sold in different countries to

differ from each other;

differ from each other - *both in terms of quality and price*;

Or. en

Amendment 79
Jiří Pospíšil

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Agrees with the Commission that in the single market, where consumers have a general understanding of the principles of free circulation and equal access to goods, consumers do not, a priori, expect *branded* products sold in different countries to differ from each other;

Amendment

9. Agrees with the Commission that in the single market, where consumers have a general understanding of the principles of free circulation and equal access to goods, consumers do not, a priori, expect products sold *under the same brand and with the same packaging* in different countries to differ from each other;

Or. cs

Amendment 80
Inese Vaidere

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Agrees with the Commission that in the single market, where consumers have a general understanding of the principles of free circulation and equal access to goods, consumers do not, *a priori*, expect *branded* products sold in different countries to differ from each other;

Amendment

9. Agrees with the Commission that in the Single market, where consumers have a general understanding of the principles of free circulation and equal access to goods, consumers do not expect products *of the same brand* sold in different countries to differ from each other;

Or. en

Amendment 81
Maria Grapini

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Considers that the Notice is perceived as primarily intended for foodstuffs; believes that provisions on the application of consumer protection law should be applied to all products in general;

Amendment

10. Considers that the Notice is perceived as primarily intended for foodstuffs; believes that provisions on the application of consumer protection law should be applied to all products in general, ***and that the product label must be legible and contain full information on the product;***

Or. ro

Amendment 82
Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova, Pavel Telička

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Considers that the Notice is perceived as primarily intended for foodstuffs; believes that provisions on the application of consumer protection law should be applied to all products in general;

Amendment

10. Considers that the Notice is perceived as primarily intended for foodstuffs; believes that provisions on the application of consumer protection law should be applied to all products ***available in the single market*** in general;

Or. en

Amendment 83
Ivan Štefanec, Emil Radev, Andrey Novakov, Birgit Collin-Langen, Róza Gräfin von Thun und Hohenstein

Motion for a resolution
Paragraph 10

Motion for a resolution

Amendment

10. Considers that the Notice is perceived as primarily intended for foodstuffs; believes that provisions on the application of consumer protection law should be applied to all products in general;

10. Considers that the Notice is perceived as primarily intended for foodstuffs; believes that provisions on the application of consumer protection law should be applied to all **food and non-food** products in general;

Or. en

Amendment 84

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution Paragraph 10

Motion for a resolution

10. Considers that the Notice is perceived as primarily intended for foodstuffs; believes that provisions on the application of consumer protection law should be applied to all products in general;

Amendment

10. Considers that the Notice is perceived as primarily intended for foodstuffs; believes that provisions on the application of consumer protection law should be applied to all **food and non-food** products in general;

Or. en

Amendment 85

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Lucy Anderson, Marlene Mizzi

Motion for a resolution Paragraph 11

Motion for a resolution

11. Emphasises the importance of the guidance documents issued by the Commission in facilitating proper and coherent application of the UCPD; calls, therefore, on the Commission to clarify the relationship between the Notice **and** the guidance;

Amendment

11. ***Draws attention to the fact that according to Guidance on the application of UCPD from 2016: “goods of the same brand and having the same or similar packaging may differ as to their composition depending on the place of manufacture and the destination market, i.e. they may vary from one Member State to another. Under the UCPD, commercial***

practices marketing products with a different composition are not unfair per se"; emphasises the importance of the guidance documents issued by the Commission in facilitating proper and coherent application of the UCPD; calls, therefore, on the Commission to clarify the relationship between the Notice, the guidance *and the paper drafted by the HLF Internal Market Subgroup*;

Or. en

Amendment 86

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Lucy Anderson

Motion for a resolution Paragraph 11 a (new)

Motion for a resolution

Amendment

11a. Points out that setting of the so-called “product of reference” could impede the assessment as it might be difficult to determine which of the two (or more) products is the one from which all the others differ;

Or. en

Amendment 87

Ivan Štefanec, Róza Gräfin von Thun und Hohenstein, Emil Radev, Birgit Collin-Langen

Motion for a resolution Paragraph 12

Motion for a resolution

Amendment

12. Notes that there may be different requirements for the control methods of the national competent authorities; *considers that the aim of the work to develop a*

12. Notes that there may be different requirements for the control methods of the national competent authorities *and they should therefore use the methodology*

methodology *led* by the Commission's Joint Research *Centre should be clearly stated so* as to prevent conflicting interpretations;

developed by the Commission's Joint Research *Center* as to prevent conflicting interpretations;

Or. en

Amendment 88
Richard Sulík

Motion for a resolution
Paragraph 12 a (new)

Motion for a resolution

Amendment

12a. *Notes that the methodology itself cannot provide a unified approach to dual quality assessment unless it also includes guidance on the uniform evaluation of test results, including a definition of 'significant difference' that clearly determines what sort of difference in composition is serious enough to be qualified as 'dual quality';*

Or. sk

Amendment 89
Igor Šoltés

Motion for a resolution
Paragraph 12 a (new)

Motion for a resolution

Amendment

12a. *Underlines that the aim of such methodology is to ensure the collection of reliable and comparable evidence by the Member States on a common basis to assess the extent of dual-quality products in the EU and propose adequate enforceable measures to ban such practice;*

Amendment 90

Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution

Paragraph 12 a (new)

Motion for a resolution

Amendment

12a. Welcomes the Commission's decision to instruct the Joint Research Centre to devise a common test method and carry out uniform tests throughout the EU in accordance with agreed standards, in order to assess how justified the accusations are;

Or. de

Amendment 91

Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution

Paragraph 12 b (new)

Motion for a resolution

Amendment

12b. Calls, in connection with the test procedures to be developed by the Commission's Joint Research Centre, for manufacturers to be given the opportunity to deliver opinions before the results are published;

Or. de

Amendment 92

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Kerstin Westphal, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution

Paragraph 13

Motion for a resolution

13. Stresses the need to stick to the timetable so that the results of the testing carried out under a common testing approach are made available and analysed by end of this year;

Amendment

13. ***Welcomes that the Commission invites competent authorities to perform market tests that involve product comparisons across different regions and countries; highlights, however, that according to the Commission, such tests should be carried out with a common testing approach which has not been adopted yet;*** Stresses the need to stick to the timetable so that the results of the testing carried out under a common testing approach are made available and analysed by end of this year;

Or. en

Amendment 93
Igor Šoltes

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Stresses the need to stick to the timetable so that the results of the testing carried out under a common testing approach are made available and analysed by end of this year;

Amendment

13. Stresses the need to stick to the timetable so that the results of the testing carried out under a common testing approach are made available and analysed by end of this year ***and shared with the public in order to raise awareness of consumers with regard to dual-quality of products;***

Or. en

Amendment 94
Inese Vaidere

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Stresses the need to ***stick*** to the timetable so that the results of the testing carried out under a common testing approach are made available and analysed by end of this year;

Amendment

13. Stresses the need to ***adhere*** to the timetable so that the results of the testing carried out under a common testing approach are made available and analysed by ***the*** end of this year;

Or. en

Amendment 95

Igor Šoltes

Motion for a resolution

Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Calls on the Commission to establish a public database in charge of registering same-branded products that are sold with a different composition within the Single Market in order for consumers to have access to the relevant information when making a buying decision;

Or. en

Amendment 96

Richard Sulík

Motion for a resolution

Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Notes that there are acceptable differences in the composition of a single brand's product due to taste preferences, purchasing power, the different levels of technological facilities used in the production and processing of raw materials from different regions, or for

other legitimate reasons;

Or. sk

Amendment 97

Ivan Štefanec, Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen

Motion for a resolution

Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Reminds the European Commission of its commitment to better monitoring and enhancing the correct application of EU legislation;

Or. en

Amendment 98

Jiří Maštálka, Kateřina Konečná

Motion for a resolution

Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Reminds the European Commission of its commitment to better monitoring and enhancing the correct application of EU legislation

Or. en

Amendment 99

Richard Sulík

Motion for a resolution

Paragraph 14

Motion for a resolution

Amendment

14. Underlines that private labels have become an essential staple in consumers' shopping baskets and that their market share has increased across most product categories in most Member States over the past decade; believes that private labels should not give the impression of a branded product so as to prevent consumer confusion; reasserts that the issue of private labels requires particular attention from the Commission;

deleted

Or. sk

Amendment 100
Maria Grapini

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Underlines that private labels have become an essential staple in consumers' shopping baskets and that their market share has increased across most product categories in most Member States over the past decade; believes that private labels should not give the impression of a branded product so as to prevent consumer confusion; reasserts that the issue of private labels requires particular attention from the Commission;

Amendment

14. Underlines that private labels have become an essential staple in consumers' shopping baskets and that their market share has increased across most product categories in most Member States over the past decade; believes that private labels should not give the impression of a branded product so as to prevent consumer confusion; reasserts that the issue of private labels requires particular attention from the Commission, ***so as to end the confusion between private labels and branded products;***

Or. ro

Amendment 101
Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Recalls that the European Parliament has repeatedly called on the Commission to determine whether a dual quality has negative repercussions for local and regional production, in particular SMEs; regrets that no data have been presented by the Commission so far;

Or. en

Amendment 102

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution

Paragraph 14 b (new)

Motion for a resolution

Amendment

14b. Underlines that counterfeiting of branded products exposes consumers to health and safety risks, undermines consumer confidence in the brands and leads to loss of revenue for producers; Notes that range of counterfeit products recovered in the EU remains broad and includes nearly all types of goods;

Or. en

Amendment 103

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari

Motion for a resolution

Paragraph 15

Motion for a resolution

Amendment

15. Is concerned about restrictions placed on traders when it comes to

15. Is concerned about restrictions placed on traders when it comes to

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purchasing goods that may have a negative effect on consumer choice; urges the Commission to identify factors that contribute to a fragmentation of the single market in goods, in particular territorial supply constraints and their implications;

purchasing goods that may have a negative effect on consumer choice; urges the Commission to identify factors that contribute to a fragmentation of the single market in goods **and restrict consumer's ability to benefit fully from the single market**, in particular territorial supply constraints and their implications; **calls on the Commission to pursue such cases, where it finds, or suspects, a breach of the competition rules;**

Or. en

Amendment 104

Ivan Štefanec, Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen

Motion for a resolution

Paragraph 15

Motion for a resolution

15. Is concerned about restrictions placed on traders when it comes to purchasing goods that **may have a negative effect on** consumer choice; urges the Commission to identify factors that contribute to a fragmentation of the single market in goods, in particular territorial supply constraints and their implications;

Amendment

15. Is concerned about restrictions placed on traders when it comes to purchasing goods that **in consequence limit** consumer choice; urges the Commission to identify factors that contribute to a fragmentation of the single market in goods, in particular territorial supply constraints and their implications;

Or. en

Amendment 105

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari

Motion for a resolution

Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Recalls that according to the Commission, studies made on brand

loyalty demonstrate that brands act in the mind of consumers as a certificate for a controlled and constant quality; agrees with the Commission that this explains why some consumers may expect branded products to be of equivalent quality if not exactly the same wherever and whenever purchased and brand owners to inform them when they decide to change any important element of the composition of their products; considers therefore, that the provision of any additional information, although in the principal field of vision of a package, is insufficient unless the consumer clearly understands that the product in question differs from products of a same brand sold in another Member States;

Or. en

Amendment 106

Ivan Štefanec, Birgit Collin-Langen, Róza Gräfin von Thun und Hohenstein

Motion for a resolution

Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Invites the European Commission, where appropriate, to make use of competition law to tackle contractual and non-contractual practices that illegitimately restrict consumers' ability to benefit fully from the Single Market;

Or. en

Amendment 107

Jiří Maštálka, Kateřina Konečná

Motion for a resolution

Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Urges the European Commission to make use of competition law to tackle contractual and non-contractual practices that illegitimately restrict consumers' ability to benefit fully from the Single Market;

Or. en

Amendment 108

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Kerstin Westphal, Lucy Anderson, Liisa Jaakonsaari

**Motion for a resolution
Paragraph 15 b (new)**

Motion for a resolution

Amendment

15b. Takes note of the arguments that products may differ due to regional consumer preferences; Believes that consumer preferences should not be used as an excuse for lowering quality and/or offering different quality grades on different markets; stresses that consumers must be transparently informed and aware of this adjustment for each individual product and not only in general terms, that this "established practice" exists;

Or. en

Amendment 109

Ivan Štefanec, Birgit Collin-Langen, Róza Gräfin von Thun und Hohenstein

**Motion for a resolution
Paragraph 15 b (new)**

Motion for a resolution

Amendment

15b. Encourages the Commission to

monitor and act in cases, which constitute market failure cases in the Single Market;

Or. en

Amendment 110

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari

Motion for a resolution

Paragraph 15 c (new)

Motion for a resolution

Amendment

15c. *Strongly disagrees with arguments on the need to optimize composition and/or quality of branded products in order to meet consumers' price expectations;*

Or. en

Amendment 111

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Kerstin Westphal, Lucy Anderson, Liisa Jaakonsaari

Motion for a resolution

Paragraph 16

Motion for a resolution

Amendment

16. Points out that national competent authorities can select samples and perform tests only on the territory of their Member State; stresses the importance, therefore, of enhanced, effective and transparent cooperation between national consumer protection and food authorities and the Commission; welcomes the adoption of the revised Consumer Protection Cooperation Regulation¹¹ in this regard;

16. Points out that national competent authorities can select samples and perform tests only on the territory of their Member State; stresses the importance, therefore, of enhanced, effective and transparent cooperation between national consumer protection and food authorities and the Commission; welcomes the adoption of the revised Consumer Protection Cooperation Regulation¹¹ ***that strengthens investigation and enforcement powers, improves information and data exchange and access to any relevant information and***

establishes harmonized rules setting out the procedures for the coordination of investigation and enforcement measures in this regard;

¹¹ Regulation (EU) 2017/2394; OJ L 345, 27.12.2017, p. 1.

¹¹ Regulation (EU) 2017/2394; OJ L 345, 27.12.2017, p. 1.

Or. en

Amendment 112
Evelyne Gebhardt

Motion for a resolution
Paragraph 16

Motion for a resolution

16. Points out that national competent authorities can select samples and perform tests only on the territory of their Member State; stresses the importance, therefore, of enhanced, effective and transparent cooperation between national consumer protection and food authorities and the Commission; welcomes the adoption of the revised Consumer Protection Cooperation Regulation¹¹ in this regard;

¹¹ Regulation (EU) 2017/2394; OJ L 345, 27.12.2017, p. 1.

Amendment

16. Points out that national competent authorities can select samples and perform tests only on the territory of their Member State; stresses the importance, therefore, of enhanced, effective and transparent cooperation between national consumer protection and food authorities and the Commission; welcomes the adoption of the revised Consumer Protection Cooperation Regulation¹¹ *as well as of the proposed SMIT Regulation as a crossborder tool to collect information* in this regard;

¹¹ Regulation (EU) 2017/2394; OJ L 345, 27.12.2017, p. 1.

Or. en

Amendment 113
Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova, Pavel Telička

Motion for a resolution
Paragraph 16

Motion for a resolution

16. Points out that national competent authorities can select samples and perform tests only on the territory of their Member State; ***stresses the importance, therefore, of*** enhanced, effective and transparent cooperation between national consumer protection and food authorities and the Commission; welcomes the adoption of the revised Consumer Protection Cooperation Regulation¹¹ in this regard;

¹¹ Regulation (EU) 2017/2394; OJ L 345, 27.12.2017, p. 1.

Amendment

16. Points out that national competent authorities can select samples and perform tests only on the territory of their Member State; ***highlights the need for*** enhanced, effective and transparent cooperation between national consumer protection and food authorities, ***consumers associations*** and the Commission; welcomes the adoption of the revised Consumer Protection Cooperation Regulation¹¹ in this regard;

¹¹ Regulation (EU) 2017/2394; OJ L 345, 27.12.2017, p. 1.

Or. en

Amendment 114
Philippe Juvin

Motion for a resolution
Paragraph 16

Motion for a resolution

16. ***Points out*** that national competent authorities can select samples and perform tests only on the territory of their Member State; stresses the importance, therefore, of enhanced, effective and transparent cooperation between national consumer protection and food authorities and the Commission; welcomes the adoption of the revised Consumer Protection Cooperation Regulation¹¹ in this regard;

¹¹ Regulation (EU) 2017/2394; OJ L 345, 27.12.2017, p. 1.

Amendment

16. ***Regrets*** that national competent authorities can ***only*** select samples and perform tests only on the territory of their Member State; stresses the importance, therefore, of enhanced, effective and transparent cooperation between national consumer protection and food authorities and the Commission; welcomes the adoption of the revised Consumer Protection Cooperation Regulation¹¹ in this regard;

¹¹ Regulation (EU) 2017/2394; OJ L 345, 27.12.2017, p. 1.

Or. fr

Amendment 115

Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution

Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Observes that, in the case of consumer products such as food, one and the same brand may be subject to altered recipes and flavour profiles on account of the desiderata imposed by local markets within the European Union; relevant local conditions range, inter alia, from taking account of national legislation (e.g. taxes, national customs with regard to the composition of a food) to disparate local consumer tastes (e.g. with reference to spiciness) regarding the use of local ingredients or production facilities, compliance with reformulation objectives or local price levels; such differentiations do not result in different qualities and are perfectly legitimate, provided that they are not misleading and accord with product information and statements made in advertising;

Or. de

Amendment 116

Richard Sulík

Motion for a resolution

Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Points out that the testing methodology itself and the evaluation of its results, together with their subsequent transparent disclosure for the purpose of

informing consumers and producers, should contribute to a significant reduction in the occurrence of significant differences in the composition of foods under the same brand and using similar packaging;

Or. sk

Amendment 117
Maria Grapini

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Stresses the need for products containing different substances (materials), and/or with different manufacturing formulations, to be packaged differently, with different brand names and different labels, even when they are intended for the same type of consumption and have the same producer;

Or. ro

Amendment 118
Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Lucy Anderson

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Recognises the usefulness of the sweeps as important form of enforcement coordination carried out under the CPC Regulation and calls on the Commission and Member States to further strengthen them and broaden their scope;

Amendment 119

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari

Motion for a resolution

Paragraph 16 b (new)

Motion for a resolution

Amendment

16b. Is convinced, that in case a company intends to place on the market of different Member States product that differs in certain characteristics, such a product cannot be labelled and branded in a seemingly identical manner;

Or. en

Amendment 120

Dita Charanzová, Jasenko Selimovic, Pavel Telička

Motion for a resolution

Paragraph 17

Motion for a resolution

Amendment

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes; ***highlights*** the role of industry in improving transparency with regard to product composition;

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes; ***stresses the importance of*** the role of industry in improving transparency with regard to product composition; ***calls for even stronger involvement of both producers and retailers which will help to find effective remedy to the current situation without triggering enforcement procedures;***

Or. en

Amendment 121
Andreas Schwab

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; ***notes that some manufacturers and owners of private labels have already announced changes to recipes***; highlights the role of industry in improving transparency with regard to product composition;

Amendment

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; highlights the role of industry in improving transparency with regard to product composition;

Or. de

Amendment 122
Igor Šoltes

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes; highlights the role of industry in improving transparency with regard to product composition;

Amendment

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes ***or the use of a single production standard at EU level***; highlights the role of industry in improving transparency with regard to product composition;

Or. en

Amendment 123

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi

**Motion for a resolution
Paragraph 17**

Motion for a resolution

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes; highlights the role of industry in improving transparency with regard to product composition;

Amendment

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes; highlights the role of industry in improving transparency with regard to product composition **and quality and its changes**;

Or. en

Amendment 124

Ivan Štefanec, Emil Radev, Andrey Novakov, Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen

**Motion for a resolution
Paragraph 17**

Motion for a resolution

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes; highlights the role of industry in improving transparency with regard to product composition;

Amendment

17. Emphasises the value of **broad and timely** public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes; highlights the role of industry in improving transparency with regard to product composition;

Or. en

Amendment 125

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes; highlights the role of industry in improving transparency with regard to product composition;

Amendment

17. Emphasises the value of ***broad and timely*** public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes; highlights the role of industry in improving transparency with regard to product composition;

Or. en

Amendment 126
Evelyne Gebhardt, Kerstin Westphal, Lucy Anderson, Marlene Mizzi

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes; highlights the role of industry in improving transparency with regard to product composition;

Amendment

17. Emphasises the value of public debate that leads to increased consumer awareness about products and their characteristics; notes that some manufacturers and owners of private labels have already announced changes to recipes; highlights the role of industry in improving transparency ***and clarity*** with regard to product composition.

Or. en

Amendment 127
Inese Vaidere

Motion for a resolution
Paragraph 17 – point 1 (new)

Motion for a resolution

Amendment

(1) Welcomes the launch of the Knowledge Centre for Food Fraud and Quality operated by the Joint Research Centre and emphasises the importance of further coordination of market surveillance on the composition and sensory properties of food offered under the same packaging and branding on several markets across the EU;

Or. en

Amendment 128
Igor Šoltes

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. Considers that providing accurate and easy-to-understand information to consumers is key for tackling the issue of dual quality of products and calls therefore for the establishment of a clear labelling in order for same-branded products with different composition to be marketed under different labels that are clearly identifiable for the consumers; stresses that selling products with different composition or characteristics should only be fully justified by the sourcing of local ingredients or by effort to improve public health;

Or. en

Amendment 129
Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova, Pavel Telička

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. *Believes that it is in the interest of all relevant stakeholders, both private and public, to identify as soon as possible workable solutions which would enable European consumers to access same quality products within the entire single market; recalls that consumers' confidence in suppliers and retailers and, above all, in the functioning of the EU internal market is at stake;*

Or. en

Amendment 130

Richard Sulík

Motion for a resolution

Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. *Calls on the Commission to incorporate a price differentiation factor, including different VAT rates for food in individual Member States, when evaluating the results of product comparisons; stresses that the tests published concerning the Member States did not pay attention to prices and thus led to misleading conclusions about the relationship between the composition and the price of the products;*

Or. sk

Amendment 131

Jiří Maštálka, Kateřina Konečná

Motion for a resolution

Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. *Calls for the increased support of national consumer organisations, so they can build capacity, develop their testing activities and contribute, alongside with competent authorities, to tracking and exposing situations of unfair product differentiation;*

Or. en

Amendment 132

Ivan Štefanec, Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen, Emil Radev

Motion for a resolution

Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. *Calls for the increased support of national consumer organisations, so they can build capacity, develop their testing activities and contribute, alongside with competent authorities, to tracking and exposing situations of unfair product differentiation;*

Or. en

Amendment 133

Igor Šoltés

Motion for a resolution

Paragraph 17 b (new)

Motion for a resolution

Amendment

17b. *Is concerned that the use of the concept of “defined consumers preferences” in assessing whether a differentiation in the product composition is justified, or not, might lead to*

conflicting interpretations between competent authorities;

Or. en

Amendment 134

Jiří Pospíšil

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Invites consumer organisations to play an active role in the public debate and in informing consumers;

Amendment

18. Invites consumer organisations to play an active role in the public debate and in informing consumers; *is convinced that consumer organisations could make a significant contribution to tackling the problem of dual quality by carrying out comparative tests and publishing their results, which would indicate where the dual quality problem was uncovered; calls on the Commission and the Member States to create suitable conditions for consumer organisations to perform these comparative tests;*

Or. cs

Amendment 135

Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Invites consumer organisations to play an active role in the public debate and in informing consumers;

Amendment

18. Invites consumer organisations to play an active role in the public debate and in informing consumers; *calls on the Commission and the Member States to promote and strengthen through financial and legal mechanism the role of consumers associations and to establish*

regular communication on this issue; believes that enhanced cross-border exchange of information between consumers associations, but also relevant authorities should be promoted;

Or. en

Amendment 136

Ivan Štefanec, Andrey Novakov, Emil Radev, Birgit Collin-Langen, Róza Gräfin von Thun und Hohenstein

Motion for a resolution Paragraph 18

Motion for a resolution

18. Invites consumer organisations to play *an* active role in the public debate and in informing consumers;

Amendment

18. Invites consumer organisations to play *a more* active role in the public debate and in informing consumers *and serve as a first point of contact for the consumers to ensure their rights on the Single Market; calls on the Member States to uphold the functioning of the consumer organizations by strengthening their role to fulfil their tasks in consumer protection;*

Or. en

Amendment 137

Richard Sulík

Motion for a resolution Paragraph 18

Motion for a resolution

18. Invites consumer organisations to play an active role in the public debate and in informing consumers;

Amendment

18. Invites consumer organisations *and the notified national bodies responsible for enforcement of the UCPD and other relevant legislation* to play an active role in the public debate and in informing consumers;

Amendment 138
Evelyne Gebhardt, Kerstin Westphal, Lucy Anderson

Motion for a resolution
Paragraph 18

Motion for a resolution

18. Invites consumer organisations to play an active role in the public debate **and** in informing consumers;

Amendment

18. Invites consumer organisations to play an active role in the public debate, in informing consumers **and in establishing codes of conduct for producers**;

Or. en

Amendment 139
Igor Šoltes

Motion for a resolution
Paragraph 18

Motion for a resolution

18. Invites consumer organisations to play an active role in the public debate and in informing consumers;

Amendment

18. Invites consumer organisations **and other civil society's organizations** to play an active role in the public debate and in informing consumers;

Or. en

Amendment 140
Philippe Juvin

Motion for a resolution
Paragraph 18

Motion for a resolution

18. Invites consumer organisations to play an active role in the public debate and

Amendment

18. Invites consumer organisations to play an active role in the public debate, **in informing consumers** and in **raising**

in *informing consumers*;

awareness among manufacturers;

Or. fr

Amendment 141

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Invites consumer organisations to play *an* active role in the public debate and in informing consumers;

Amendment

18. Invites consumer organisations to play *more* active role in the public debate and in informing consumers;

Or. en

Amendment 142

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Kerstin Westphal, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution

Paragraph 18 a (new)

Motion for a resolution

Amendment

18a. Calls for the increased support of national consumer organizations, so they can build capacity, develop their testing activities and contribute, alongside with competent authorities, to tracking and exposing situations of unfair product differentiation;

Or. en

Amendment 143

Urszula Krupa

Motion for a resolution

Paragraph 18 a (new)

Motion for a resolution

Amendment

18a. *Stresses the need, in the interests of consumers, to make public the details of producers who use unfair trade practices involving the dual quality of products;*

Or. pl

Amendment 144
Andreas Schwab

Motion for a resolution
Paragraph 19

Motion for a resolution

Amendment

19. *Believes that the experiences of competent authorities thus far suggest that they have been unable individually to tackle effectively any specific cases of dual quality at national level;*

deleted

Or. de

Amendment 145

Ivan Štefanec, Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen, Emil Radev

Motion for a resolution
Paragraph 19

Motion for a resolution

Amendment

19. Believes that *the* experiences of competent authorities *thus far suggest that they have been* unable individually to tackle effectively any specific cases of dual quality at national level;

19. Believes that *in the light of previous* experiences competent authorities *were* unable individually to tackle effectively any specific cases of dual quality at national level; *calls on Member States to better enforce the Unfair Commercial Practices Directive in order to better ensure that consumers are informed about food products when*

making a purchasing decision and are not misled by unfair marketing practices; stresses that the Member States shall ensure that the competent national authorities possess adequate technical, financial and human capacities in order to ensure effective enforcement;

Or. en

Amendment 146

Jiří Pospíšil

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Believes that the experiences of competent authorities thus far suggest that they have been unable individually to tackle effectively any specific cases of dual quality at national level;

Amendment

19. Believes that the experiences of competent authorities thus far suggest that they have been unable individually to tackle effectively any specific cases of dual quality at national level; *calls on the Commission to launch a cooperation platform for national authorities to deal effectively with cases of dual quality that involve a cross-border dimension;*

Or. cs

Amendment 147

Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova, Pavel Telička

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Believes that the experiences of competent authorities thus far suggest that they have been unable individually to tackle effectively any specific cases of dual quality at national level;

Amendment

19. Believes that the experiences of competent authorities thus far suggest that they have been unable individually to tackle effectively any specific cases of dual quality at national level; *reiterates therefore the need for an effective cross-*

border cooperation and calls on the Commission and Member States to engage in it more intensively;

Or. en

Amendment 148
Richard Sulík

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Believes that the experiences of competent authorities thus far suggest that they have been unable individually to tackle effectively any specific cases of dual quality at national level;

Amendment

19. Believes that the experiences of competent authorities thus far suggest that they have been unable individually to tackle effectively any specific cases of dual quality at national level, *or have attempted to do so only to a minimum extent, without testing methodologies or evaluations of the results, and without methodologies for the enforcement process;*

Or. sk

Amendment 149
Igor Šoltés

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Believes that the experiences of competent authorities thus far suggest that they have been unable individually to tackle effectively any specific cases of dual quality at national level;

Amendment

19. Believes that the experiences of competent authorities thus far suggest that they have been unable individually to tackle effectively any specific cases of dual quality at national level; *stresses the need for further cooperation and data-sharing between competent authorities;*

Or. en

Amendment 150

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Believes that the experiences of competent authorities thus far suggest that they have been unable individually to tackle effectively any specific cases of dual quality at national level;

Amendment

19. Believes that the experiences of competent authorities thus far suggest that they have been unable individually to tackle effectively any specific cases of dual quality at national level, ***also due to absence of an explicit legal provision on EU level;***

Or. en

Amendment 151

Inese Vaidere

Motion for a resolution

Paragraph 19

Motion for a resolution

19. ***Believes*** that the ***experiences of*** competent authorities ***thus far suggest that they*** have been unable ***individually*** to tackle effectively any specific cases of dual quality ***at national level;***

Amendment

19. ***Notes*** that the ***national*** competent authorities ***individually, heretofore,*** have been unable to tackle effectively any specific cases of dual quality;

Or. en

Amendment 152

Richard Sulík

Motion for a resolution

Paragraph 19 a (new)

Motion for a resolution

Amendment

19a. *Is convinced that any legislative or non-legislative proposal must be preceded by a detailed assessment of the issue of dual quality in the single market; calls, therefore, on the Commission to come up with a study to clarify what parts of a range being sold are affected by the issue of dual quality and what real enforcement options are available under current legislation;*

Or. sk

Amendment 153

Ivan Štefanec, Birgit Collin-Langen, Róza Gräfin von Thun und Hohenstein

Motion for a resolution

Paragraph 19 a (new)

Motion for a resolution

Amendment

19a. *Stresses that any action taken against business operators by enforcement authorities must be proportionate and non-discriminatory;*

Or. en

Amendment 154

Richard Sulík

Motion for a resolution

Paragraph 19 b (new)

Motion for a resolution

Amendment

19b. *Points out that amending the legislation does not remove the issue of double quality, because misleading consumers is already prohibited under current legislation; recalls that the factual nature of unfair practices will always be judged only on a case-by-case basis, since the extent of the act of misleading the*

consumer when comparing similar packaging is always a matter of subjective judgment;

Or. sk

Amendment 155
Andreas Schwab

Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. *Draws attention to the fact that the issue of dual quality is directly related to the essence of the functioning of the single market and consumer trust and therefore requires a solution at Union level, preferably via directly enforceable measures; is convinced that given the possibility of action at national level, Union-level action would safeguard the integrity of the single market;*

deleted

Or. de

Amendment 156
Richard Sulík

Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. *Draws attention to the fact that the issue of dual quality is directly related to the essence of the functioning of the single market and consumer trust and therefore requires a solution at Union level, preferably via directly enforceable measures; is convinced that given the possibility of action at national level, Union-level action would safeguard the*

deleted

integrity of the single market;

Or. sk

Amendment 157

Emil Radev, Filiz Hyusmenova, Andrey Novakov

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Draws attention to the fact that the issue of dual quality is directly related to the essence of the functioning of the single market and consumer trust and therefore requires a solution at Union level, preferably via directly enforceable measures; is convinced that given the possibility of action at national level, Union-level action would safeguard the integrity of the single market;

Amendment

20. Draws attention to the fact that the issue of dual quality is directly related to the essence of the functioning of the single market and consumer trust and therefore requires a solution at Union level, preferably via directly enforceable measures; is convinced that given the possibility of action at national level, Union-level action would safeguard the integrity of the single market; ***in this regard, urges the Commission to introduce common minimum standards for food and non-food products in the EU;***

Or. en

Amendment 158

Jiří Pospíšil

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Draws attention to the fact that the issue of dual quality is directly related to the essence of the functioning of the single market and consumer trust and therefore requires a solution at Union level, ***preferably via directly enforceable measures;*** is convinced that given the

Amendment

20. Draws attention to the fact that the issue of dual quality is directly related to the essence of the functioning of the single market and consumer trust and therefore requires a solution at Union level; is convinced that given the possibility of action at national level, Union-level action

possibility of action at national level,
Union-level action would safeguard the
integrity of the single market;

would safeguard the integrity of the single
market;

Or. cs

Amendment 159

Ivan Štefanec, Birgit Collin-Langen, Róza Gräfin von Thun und Hohenstein

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Draws attention to the fact that the issue of dual quality is directly related to the essence of the functioning of the single market and consumer trust and therefore requires a solution at Union level, preferably via directly enforceable measures; is convinced that given the possibility of action at national level, Union-level action would safeguard the integrity of the single market;

Amendment

20. Draws attention to the fact that the issue of **alleged** dual quality is directly related to the essence of the functioning of the single market and consumer trust and therefore requires a solution at Union level, preferably via directly enforceable measures; is convinced that given the possibility of action at national level, Union-level action would safeguard the integrity of the single market;

Or. en

Amendment 160

Igor Šoltes

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Draws attention to the fact that the issue of dual quality is directly related to the essence of the functioning of the single market and consumer trust and therefore requires a solution at Union level, **preferably** via directly enforceable measures; is convinced that given the possibility of action at national level, Union-level action would safeguard the

Amendment

20. Draws attention to the fact that the issue of dual quality is directly related to the essence of the functioning of the single market and consumer trust and therefore requires a solution at Union level, via directly enforceable measures; is convinced that given the possibility of action at national level, Union-level action would safeguard the integrity of the single

integrity of the single market;

market;

Or. en

Amendment 161

Ivan Štefanec, Birgit Collin-Langen, Róza Gräfin von Thun und Hohenstein, Emil Radev

Motion for a resolution

Paragraph 20 a (new)

Motion for a resolution

Amendment

20a. Welcomes the European Commission's efforts to assist national enforcement authorities in identifying unfair commercial practices in the marketing of food products on the basis of the EU harmonised methodology being developed by the Joint Research Center of the European Commission as this issue is directly related to the essence of the functioning of the Single Market and consumer trust;

Or. en

Amendment 162

Igor Šoltés

Motion for a resolution

Paragraph 20 a (new)

Motion for a resolution

Amendment

20a. Calls for action to be taken at EU level by conferring the tasks to an existing agency or dedicated new unit to monitor, analyse and publish the findings of tests based on the common methodology via a public database, as well as ensure the cooperation among national competent authorities and support them in their enforcement duties;

Amendment 163
Urszula Krupa

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution

Amendment

20a. Notes that in addition to harmonisation at EU level and developing a common testing methodology and allocating a budget for its preparation and enforcement, testing should also be carried out at Member State level;

Or. pl

Amendment 164
Ivan Štefanec

Motion for a resolution
Paragraph 21

Motion for a resolution

Amendment

21. Recalls that Annex I to the UCPD was drawn up to enable the identification of certain unfair practices and the provision of **a more** immediate response; agrees with the Commission that listing a practice in Annex I leads to greater legal certainty;

21. Recalls that Annex I to the UCPD was drawn up to enable the identification of certain unfair practices and the provision of **a more** immediate response; agrees with the Commission that listing a practice in Annex I leads to greater legal certainty; ***underlines together with the Commission that the free movement of goods does not necessarily mean that every product must be identical in every corner of the Single Market; emphasises that business operators are permitted to market and sell goods with different composition and characteristics based on consumer preferences and food reformulation provided that they fully respect EU legislation; however, stresses that these products should not lead to their different***

quality when they are offered to consumers on different markets;

Or. en

Amendment 165

Jiří Maštálka, Kateřina Konečná

Motion for a resolution

Paragraph 21

Motion for a resolution

21. *Recalls that Annex I to the UCPD was drawn up to enable the identification of certain unfair practices and the provision of a more immediate response; agrees with the Commission that listing a practice in Annex I leads to greater legal certainty;*

Amendment

21. *Welcomes the new point c) of par. 2 of Article 6 of UCPD, which stipulates : Any marketing of a product as being identical to the same product marketed in several other Member States, while those products have significantly different composition or characteristics; is however strongly convinced that this provision should be listed in Annex I in order to ensure a greater legal certainty;*

Or. en

Amendment 166

Jiří Pospíšil

Motion for a resolution

Paragraph 21

Motion for a resolution

21. *Recalls that Annex I to the UCPD was drawn up to enable the identification of certain unfair practices and the provision of a more immediate response; agrees with the Commission that listing a practice in Annex I leads to greater legal certainty;*

Amendment

21. *Recalls that unfair commercial practices can be formulated in the Unfair Commercial Practices Directive in such a way that they are prohibited under all circumstances or under certain circumstances; considers that including dual quality in Annex I of the Unfair Commercial Practices Directive would increase legal certainty that consumers will be genuinely protected from this*

practice;

Or. cs

Amendment 167

Richard Sulík

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Recalls that Annex I to the UCPD was drawn up to enable the identification of certain unfair practices and the provision of a more immediate response; *agrees with the Commission that listing a practice in Annex I leads to greater legal certainty;*

Amendment

21. Recalls that Annex I to the UCPD was drawn up to enable the identification of certain unfair practices and the provision of a more immediate response; *points out that the addition of a new unfair practice to the list in Annex I to the UCPD could bring about negative unintended consequences in the form of supply constraints and an increase in products' price levels for consumers;*

Or. sk

Amendment 168

Maria Grapini

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Recalls that Annex I to the UCPD was drawn up to enable the identification of certain unfair practices and the provision of a more immediate response; agrees with the Commission that listing a practice in Annex I leads to greater legal certainty;

Amendment

21. Recalls that Annex I to the UCPD was drawn up to enable the identification of certain unfair practices and the provision of a more immediate response; agrees with the Commission that listing a practice in Annex I leads to greater legal certainty, *increased consumer protection and fair competition among producers on the market;*

Or. ro

Amendment 169

Dita Charanzová, Jasenko Selimovic

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Recalls that ***Annex I to*** the UCPD was drawn up to enable the identification of certain unfair practices and the provision of a more immediate response; ***agrees with the Commission that listing a practice in Annex I leads to greater legal certainty;***

Amendment

21. Recalls that the UCPD was drawn up to enable the identification of certain unfair practices and the provision of a more immediate response;

Or. en

Amendment 170

Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Recalls that ***Annex I to*** the UCPD was drawn up to enable the identification of certain unfair practices and the provision of a more immediate response; agrees with the Commission that ***listing a practice in Annex I*** leads to greater legal certainty;

Amendment

21. Recalls that the UCPD was drawn up to enable the identification of certain unfair practices and the provision of a more immediate response; agrees with the Commission that ***referring to the Article 6 of the UCPD when dealing with cases of dual quality*** leads to greater legal certainty;

Or. en

Amendment 171

András Gyürk, Norbert Erdős, György Hölvényi

Motion for a resolution

Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. *Welcomes the European Commission's communication titled 'A New Deal for Consumers' of 11 April 2018, regrets however, that the proposed amendment to Article 6 of the Unfair Commercial Practices Directive (UCPD) may not lead to greater legal certainty; believes that the preferred option should be adding the practice of dual quality to the blacklist of commercial practices which are in all circumstances considered unfair under Annex I of the UCPD;*

Or. en

Amendment 172
Igor Šoltes

Motion for a resolution
Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. *Welcomes the amendment to the 2005/29/EC Directive by introducing dual quality of products as a misleading practice in its Article 6; Regrets however that the Commission did not take this opportunity to amend the Annex I of the 2005/29/EC Directive that defines the practices prohibited in all circumstances and make it a non-exhaustive list;*

Or. en

Amendment 173
Andreas Schwab

Motion for a resolution
Paragraph 22

Motion for a resolution

Amendment

22. *Calls on the Commission, therefore, to amend Annex I to the UCPD by introducing another item onto the 'blacklist';* *deleted*

Or. de

Amendment 174
Philippe Juvin

Motion for a resolution
Paragraph 22

Motion for a resolution

Amendment

22. *Calls on the Commission, therefore, to amend Annex I to the UCPD by introducing another item onto the 'blacklist';* *deleted*

Or. fr

Amendment 175
Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen

Motion for a resolution
Paragraph 22

Motion for a resolution

Amendment

22. *Calls on the Commission, therefore, to amend Annex I to the UCPD by introducing another item onto the 'blacklist';* *deleted*

Or. en

Amendment 176
Olga Sehnalová, Biljana Borzan, Momchil Nekov, Sergio Gutiérrez Prieto

Motion for a resolution
Paragraph 22

Motion for a resolution

22. *Calls on* the Commission, therefore, to **amend** Annex I to the UCPD **by** introducing another item onto the ‘blacklist’;

Amendment

22. *Welcomes* the Commission **proposal to amend Article 6 of the UCPD by adding the marketing of a product as being identical to the same product marketed in several other Member States but at the same time with different composition or characteristics as a misleading commercial practice; Stresses, however, that open list of so called “legitimate factors” could jeopardize competent authorities’ ability to undertake assessment and apply the law; Believes, therefore, that amendment to Annex I to the UCPD introducing another item onto the ‘blacklist’ would address an unjustified cases of dual quality in the most effective way;**

Or. en

Amendment 177

Evelyne Gebhardt, Liisa Jaakonsaari, Kerstin Westphal, Lucy Anderson

Motion for a resolution
Paragraph 22

Motion for a resolution

22. *Calls on* the Commission, therefore, to amend Annex I to the UCPD by introducing another item onto the ‘blacklist’;

Amendment

22. *Calls on* the Commission, therefore, to amend Annex I to the UCPD by introducing another item onto the ‘blacklist’ **and explicitly mention dual quality of identically branded products when discriminatory and not respecting consumer expectations;**

Or. en

Amendment 178

Jiří Pospíšil

Motion for a resolution

Paragraph 22

Motion for a resolution

22. *Calls on* the Commission, *therefore, to amend Annex I to the UCPD by introducing another item onto* the 'blacklist';

Amendment

22. *Notes that* the Commission *has decided not to include dual quality as* another item *in* the 'blacklist' *in Annex I to the UCPD*;

Or. cs

Amendment 179

Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova, Pavel Telička

Motion for a resolution

Paragraph 22

Motion for a resolution

22. Calls on the Commission, therefore, to amend *Annex I to* the UCPD by introducing *another item onto the 'blacklist'*;

Amendment

22. Calls on the Commission, therefore, to amend the UCPD by introducing *dual quality of products into its scope*;

Or. en

Amendment 180

Ivan Štefanec, Róza Gräfin von Thun und Hohenstein, Birgit Collin-Langen, Emil Radev

Motion for a resolution

Paragraph 22 a (new)

Motion for a resolution

Amendment

22a. Welcomes the Commission's New Deal for Consumers presented by the European Commission on 11 April 2018 which will tackle dual quality of consumer products by updating the Unfair Commercial Practices Directive in order to make explicit that national

authorities can assess and address misleading commercial practices involving the marketing products as being identical in several EU countries, if their composition or characteristics are significantly different;

Or. en

Amendment 181

Jiří Maštálka, Kateřina Konečná

Motion for a resolution

Paragraph 22 a (new)

Motion for a resolution

Amendment

22a. Strongly opposes the idea of the Commission to retain the trader's right to adapt products on the basis of so-called legitimate reasons, where consumer preferences are among these reasons;

Or. en

Amendment 182

Olga Sehnalová, Biljana Borzan, Momchil Nekov, Catherine Stihler, Sergio Gutiérrez Prieto, Lucy Anderson, Liisa Jaakonsaari, Marlene Mizzi

Motion for a resolution

Paragraph 22 a (new)

Motion for a resolution

Amendment

22a. Emphasises that the outcome of the legislative process should be a clear definition of what can be considered as dual quality and how each case should be assessed and addressed by competent authorities;

Or. en

Amendment 183

Dita Charanzová, Jasenko Selimovic, Filiz Hyusmenova, Pavel Telička

Motion for a resolution

Paragraph 23

Motion for a resolution

23. Calls on the Commission to extend the mandate given to the Joint Research Centre to work on a harmonised methodology for comparing characteristics of non-food products in the near future;

Amendment

23. Calls on the Commission to extend the mandate given to the Joint Research Centre to work on a harmonised methodology for comparing characteristics of non-food products in the near future;
JRC should also reach out for a cooperation to Member States authorities which has already undertaken their own testing of products for exchange of best practices in this area;

Or. en

Amendment 184

Evelyne Gebhardt, Liisa Jaakonsaari, Kerstin Westphal

Motion for a resolution

Paragraph 23

Motion for a resolution

23. Calls on the Commission to extend the mandate given to the Joint Research Centre to work on a harmonised methodology for comparing characteristics of non-food products ***in the near future;***

Amendment

23. Calls on the Commission to extend the mandate given to the Joint Research Centre to work on a ***European-wide*** harmonised methodology for comparing characteristics of non-food products ***as well as on guidelines to improve product transparency through for instance codes of conduct within one year;***

Or. en

Amendment 185

Richard Sulík

Motion for a resolution

Paragraph 23

Motion for a resolution

23. Calls on the Commission to extend the mandate given to the Joint Research Centre to work on a harmonised methodology for comparing characteristics of non-food products in the near future;

Amendment

23. Calls on the Commission to extend the mandate given to the Joint Research Centre to work on a harmonised methodology for comparing characteristics of non-food products in the near future ***and to evaluate the results of tests using a clear definition of 'significant difference'***;

Or. sk

Amendment 186

Richard Sulík

Motion for a resolution

Paragraph 23 a (new)

Motion for a resolution

Amendment

23a. Calls on the responsible national authorities of the Member States concerned to pay increased attention to the enforcement of the UCPD and to issues of dual quality, and to specify the specific problems they face in enforcing the UCPD;

Or. sk

Amendment 187

Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution

Paragraph 23 a (new)

Motion for a resolution

Amendment

23a. Considers that the competent national authorities ought to monitor compliance with the applicable law on food effectively;

Amendment 188
Jiří Maštálka, Kateřina Konečná

Motion for a resolution
Paragraph 23 a (new)

Motion for a resolution

Amendment

23a. Calls on the Commission to come up with new tolls to fight also non-food products, such as detergents as soon as possible;

Or. en

Amendment 189
Richard Sulík

Motion for a resolution
Paragraph 23 b (new)

Motion for a resolution

Amendment

23b. Calls on the Member States to exchange experiences and information on possible unfair practices in the food sector, as appropriate, in order to improve and approximate the enforcement of existing legislation following the best practices approach;

Or. sk

Amendment 190
Richard Sulík

Motion for a resolution
Paragraph 23 c (new)

Motion for a resolution

Amendment

23c. Calls on the Member States to inform consumers as far as possible of their rights and options as regards the enforcement of existing legislation and the obligations of vendors to inform them of the composition and origin of products;

Or. sk

Amendment 191
Richard Sulík

Motion for a resolution
Paragraph 23 d (new)

Motion for a resolution

Amendment

23d. Recalls that the adequate enforcement of the UCPD is fully in the hands of the Member States, and it is thus their duty to provide consumers with a space for the submission of complaints and their further investigation;

Or. sk

Amendment 192
Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution
Paragraph 24 a (new)

Motion for a resolution

Amendment

24a. Stresses that EU law on fair business practices (Directive 2005/29/EC on unfair commercial practices (UCPD)) and the numerous harmonised provisions on food labelling provide an appropriate legal basis for combating practices designed to mislead consumers (Regulation (EU) No 1169/2011 on the provision of food information to consumers);

Amendment 193
Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution
Paragraph 24 b (new)

Motion for a resolution

Amendment

24b. Rejects attempts to standardise the taste and recipes of food throughout the EU or to prescribe to manufacturers the exact composition of the various products, as a result of which they can no longer respond to the wishes of consumers on their local markets;

Or. de

Amendment 194
Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution
Paragraph 24 c (new)

Motion for a resolution

Amendment

24c. Calls on the Commission to provide a legally secure definition of the concept of an 'EU reference product';

Or. de

Amendment 195
Othmar Karas, Sabine Verheyen

Motion for a resolution
Paragraph 24 d (new)

Motion for a resolution

Amendment

24d. *Considers that an amendment to define 'dual quality' as an unfair commercial practice under Directive 2005/29/EC on unfair commercial practices should not be made until a method has been developed, with a lead role being played by the Commission's Joint Research Centre;*

Or. de

Amendment 196

Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution

Paragraph 24 e (new)

Motion for a resolution

Amendment

24e. *Is opposed to the creation of an agency or a specialised unit to monitor the consistency, the composition and the proportional use of ingredients in identical branded products and packaged foodstuffs, since the existing legal and monitoring structures are sufficient;*

Or. de

Amendment 197

Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution

Paragraph 24 f (new)

Motion for a resolution

Amendment

24f. *Calls for the work to develop a methodology, led by the Commission's Joint Research Centre, to result in clear formulations, in order to avoid contradictory interpretations by the competent national authorities;*

Amendment 198
Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution
Paragraph 24 g (new)

Motion for a resolution

Amendment

24g. Calls on the Commission, after EU-wide tests have been conducted in accordance with the standards developed by the Commission's Joint Research Centre, to publish the results in a report and if necessary to draw conclusions;

Or. de

Amendment 199
Othmar Karas, Sabine Verheyen, Birgit Collin-Langen

Motion for a resolution
Paragraph 24 h (new)

Motion for a resolution

Amendment

24h. Points out that the results of EU-wide testing in accordance with the common testing methodology developed by the Commission's Joint Research Centre will enable Member States to provide their people with objective and factual information;

Or. de