

**Question for written answer P-001822/2019
to the Commission**
Rule 130
Richard Sulík (ECR)

Subject: New rules on the promotion of foodstuffs through leaflets in Slovakia

Pursuant to Article 2 of the new Act on unfair terms in the food trade¹, this Act amends Section 12 of the Act on foodstuffs by ensuring that, when promoting or marketing in paper or electronic format agricultural products and foodstuffs through a leaflet, it is compulsory to ensure that at least half of the agricultural products and foodstuffs of the total quantity being promoted or marketed are agricultural products and foodstuffs labelled according to Section 9b or foodstuffs produced in the Slovak Republic.

This may be a requirement that has an effect equivalent to the effect of quantitative restrictions on the free movement of goods (Article 34 TFEU), because it creates prejudices among consumers regarding foods produced outside Slovakia and encourages retailers to sell domestic products. With regard to the already completed Commission infringement proceedings against Slovakia concerning infringement of Implementing Regulation (EU) 2015/2048 on a similar matter, is it possible that the new Act on unfair terms in the food trade is contrary to EU law?

¹ Act No. 91/2019 Coll. concerning unfair terms in the food trade and amending certain acts.