



**2015/2065(INI)**

2.3.2016

# **AMENDMENTS**

## **273 - 403**

**Draft report**  
**Edward Czesak**  
(PE560.916v02-00)

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



**Amendment 273**

**Dennis de Jong, Robert Rochefort, Anna Maria Corazza Bildt**

**Motion for a resolution**

**Citation 1 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the report from the Commission to the European Parliament and the Council on unfair business-to-business trading practises in the food supply chain (COM (2016) 32),**

Or. en

**Amendment 274**

**Sofia Ribeiro**

**Motion for a resolution**

**Citation 2 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the European Commission's report to the European Parliament and to the Council on unfair business-to-business trading practices in the food supply Chain (COM(2016)32 final)**

Or. en

**Amendment 275**

**Sofia Ribeiro**

**Motion for a resolution**

**Citation 7 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the European Parliament's Annual report on EU Competition Policy, namely on paragraph**

**Amendment 276**  
**Sofia Ribeiro**

**Motion for a resolution**  
**Citation 9 a (new)**

*Motion for a resolution*

*Amendment*

*- having regard to the Final report of the Study "Monitoring the implementation of principles of good practice in vertical relationships in the food supply chain" produced by Areté srl for the European Commission (January 2016),*

**Amendment 277**  
**Sofia Ribeiro**

**Motion for a resolution**  
**Citation 13 a (new)**

*Motion for a resolution*

*Amendment*

*- having regard to the UK Groceries Code Adjudicator Investigation into Tesco plc from 26th January 2016,*

**Amendment 278**  
**Daniel Dalton, Vicky Ford**

**Motion for a resolution**  
**Citation 17 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the Report of the European Commission of 29th January 2016 on unfair business-to-business trading practices in the food supply chain,**

Or. en

**Amendment 279**

**Paloma López Bermejo**

**Motion for a resolution**

**Citation 17 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the universal framework for Sustainability Assessment of Food and Agriculture systems (SAFA) developed by FAO,**

Or. en

**Amendment 280**

**Marian Harkin**

**Motion for a resolution**

**Citation 17 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the European Parliament's Annual report on EU Competition Policy, namely on paragraph 104,**

Or. en

**Amendment 281**

**Mairead McGuinness, Angélique Delahaye, Norbert Erdős, Philippe Juvin, Marijana Petir**

**Motion for a resolution**  
**Citation 17 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the European Parliament's Annual report on EU Competition Policy, particularly paragraph 104,**

Or. en

**Amendment 282**  
**Sofia Ribeiro**

**Motion for a resolution**  
**Citation 17 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the extremely critical situation faced by farmers and agricultural cooperatives, especially, in the dairy, pigmeat, beef, fruit & vegetables and cereals,**

Or. en

**Amendment 283**  
**Paloma López Bermejo**

**Motion for a resolution**  
**Citation 17 b (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the European Parliament Resolution of 19 January 2016 on the Annual report on competition policy in 2015 (2015/2140(INI)),**

Or. en

**Amendment 284**

**Marian Harkin**

**Motion for a resolution**

**Citation 17 b (new)**

*Motion for a resolution*

*Amendment*

*- having regard to the extremely critical situation faced by farmers and agricultural cooperatives, especially, in the dairy, pig meat, beef, fruit & vegetables and cereals,*

Or. en

**Amendment 285**

**Mairead McGuinness, Angélique Delahaye, Norbert Erdős, Philippe Juvin, Marijana Petir**

**Motion for a resolution**

**Citation 17 b (new)**

*Motion for a resolution*

*Amendment*

*- having regard to the UK Groceries Code Adjudicator investigation into Tesco PLC from January 2016,*

Or. en

**Amendment 286**

**Marian Harkin**

**Motion for a resolution**

**Citation 17 c (new)**

*Motion for a resolution*

*Amendment*

*- having regard to the UK Groceries Code Adjudicator Investigation into Tesco plc from 26th January 2016,*

Or. en

**Amendment 287**

**Marian Harkin**

**Motion for a resolution**

**Citation 17 d (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the Final report of the Study "Monitoring the implementation of principles of good practice in vertical relationships in the food supply chain" produced by Areté srl for the European Commission (January 2016),**

Or. en

**Amendment 288**

**Dennis de Jong, Robert Rochefort, Anna Maria Corazza Bildt**

**Motion for a resolution**

**Recital A**

*Motion for a resolution*

*Amendment*

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

A. whereas unfair trading practices (UTPs) are a problem attested to by all entities in the food supply chain and by many national competition authorities; ***whereas the Commission's report of 29 January 2016 on unfair business-to-business trading practices in the food supply chain confirms that those practices can occur at every stage of the food supply chain;*** whereas the Commission and Parliament have repeatedly drawn attention to the problem of UTPs;

Or. en

**Amendment 289**

**Sofia Ribeiro**



## **Motion for a resolution**

### **Recital A**

#### *Motion for a resolution*

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

#### *Amendment*

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

Or. en

## **Amendment 290**

**Paloma López Bermejo**

## **Motion for a resolution**

### **Recital A a (new)**

#### *Motion for a resolution*

#### *Amendment*

*Aa. whereas 'unfairness' in the food supply chain is difficult to translate into infringement of current competition law, as its existing tools are only effective on some forms of anti-competitive behaviour;*

Or. en

## **Amendment 291**

**Edward Czesak**

## **Motion for a resolution**

### **Recital A a (new)**

#### *Motion for a resolution*

#### *Amendment*

*Aa. whereas the review of arrangements for addressing unfair trading practices (UTPs) in Member States set out in the Commission report confirms that voluntary measures (such as best-practice*

*schemes) are not enough and that almost all Member States have taken regulatory action in this area; whereas experience in other Member States, as detailed in the report, shows that voluntary measures can play only a supplementary role (education, raising awareness of UTPs); whereas the newly established High-Level Forum for a Better Functioning Food Supply Chain provides an opportunity to further develop the approach based on voluntary measures;*

Or. pl

**Amendment 292**  
**Mylène Troszczynski, Franz Obermayr**

**Motion for a resolution**  
**Recital A a (new)**

*Motion for a resolution*

*Amendment*

*Aa. whereas unfair commercial practices must be considered not only at inter-continental level but also within the internal market; whereas such unfair practices, combined with abuse of a dominant position, have already caused havoc in the economy and the collapse of many small enterprises in the food sector;*

Or. fr

**Amendment 293**  
**Eva Paunova**

**Motion for a resolution**  
**Recital C a (new)**

*Motion for a resolution*

*Amendment*

*Ca. whereas the Single Market has brought major benefits to operators in the food supply chain, whereas cross-border*

*trade within the EU accounts for about 20 % of total food and beverage production and whereas 70% of the total exports are destined to other EU Member States;*

Or. en

**Amendment 294**  
**Sofia Ribeiro**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

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

*Amendment*

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

Or. en

**Amendment 295**  
**Franc Bogovič**

**Motion for a resolution**  
**Recital F**

*Motion for a resolution*

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

*Amendment*

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

and may lead them to abandon production, processing or trading activities;

and may lead them to abandon production, processing or trading activities; *whereas UTPs pose a grave threat to the livelihood of European farmers, whose production is mostly based on family farms;*

Or. sl

**Amendment 296**  
**Maria Grapini**

**Motion for a resolution**  
**Recital G**

*Motion for a resolution*

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

*Amendment*

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

Or. ro

**Amendment 297**  
**Eva Paunova**

**Motion for a resolution**  
**Recital H**

*Motion for a resolution*

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

*Amendment*

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

*being imposed on them;*

Or. en

**Amendment 298**

**Marijana Petir**

**Motion for a resolution**

**Recital K**

*Motion for a resolution*

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

*Amendment*

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

Or. en

**Amendment 299**

**Lidia Senra Rodríguez**

**Motion for a resolution**

**Recital K a (new)**

*Motion for a resolution*

*Ka. whereas farmers are in a weak position in the supply chain as a result both of the abandonment of measures regulating output in the various sectors of production, which has given rise to serious imbalances between supply and demand (the latest example being the acute crisis following the removal of milk quotas), and of the politically-motivated decision to end collective bargaining by outlawing minimum price agreements via competition rules, which has made it wholly impossible for farmers' organisations to engage in collective bargaining;*

*Amendment*

**Amendment 300**  
**Marijana Petir**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

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

*Amendment*

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

Or. en

**Amendment 301**  
**Daniel Dalton, Vicky Ford**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

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

*Amendment*

1. Welcomes the steps taken to date by the Commission to combat UTPs with a view to securing a more balanced market ***and takes note of the Commission Report of the 29th January 2016 on unfair business-to-business trading practices in the food supply chain, supports its conclusions, which suggest that regulatory harmonisation at EU level would have no added value to actions already being taken at member state level;***

Or. en

**Amendment 302**  
**Mairead McGuinness, Angélique Delahaye, Norbert Erdős, Philippe Juvin, Marijana Petir**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

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

*Amendment*

1. Welcomes the steps taken to date by the Commission to combat UTPs with a view to securing a more balanced market;  
*regrets the Commission's conclusion in its 2016 report on unfair business-to-business trading practices in the food supply chain, that it does not currently propose to adopt a harmonised regulatory approach to tackle unfair trading practices at EU level;*

Or. en

**Amendment 303**  
**Paloma López Bermejo**

**Motion for a resolution**  
**Paragraph 1 a (new)**

*Motion for a resolution*

*Amendment*

*1a. Calls for binding action in the food supply chain against retailers harming farmers and consumers;*

Or. en

**Amendment 304**  
**Dennis de Jong, Robert Rochefort, Anna Maria Corazza Bildt**

**Motion for a resolution**  
**Paragraph 1 a (new)**

*Motion for a resolution*

*Amendment*

*1a. Welcomes the report by the Commission on unfair business-to-business trading practices in the food supply chain, as well as the long-expected accompanying study on the monitoring of*

*the implementation of principles of good practices in vertical relationship in the food supply chain;*

Or. en

**Amendment 305**  
**Mylène Troszczynski, Franz Obermayr**

**Motion for a resolution**  
**Paragraph 1 a (new)**

*Motion for a resolution*

*Amendment*

*1a. Affirms that the most effective way to protect the most vulnerable enterprises is to ensure that they once more become competitive (at regional, national or international level) on their own domestic markets, using a fair and effective system of tariff gates to combat all inadmissible practices and unfair competition on the part of certain supplier countries, all too often making it possible for dominant market players to bring inadmissible commercial pressure to bear; urges the Commission to ensure that any policies it decides to introduce do not defeat the object as a result of dominant market players deciding to avoid trade conflicts, by outsourcing food supplies completely, a far from negligible eventuality, given the absence, not to say the actual prohibition, of any form of smart protectionism on the internal market;*

Or. fr

**Amendment 306**  
**Marijana Petir**

**Motion for a resolution**  
**Paragraph 2**



*Motion for a resolution*

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

*Amendment*

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

Or. en

**Amendment 307**  
**Edward Czesak**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

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

*Amendment*

2. Welcomes the action taken by the High Level Forum for a Better Functioning of the Food Supply Chain and the setting up of the expert platform on B2B practices, which has drawn up a list, a description and an assessment of trading practices that may be regarded as grossly unfair; ***points out, nonetheless, that the role the forum is to play in promoting dialogue with economic operators will in practice be confined to promoting best practice, which, as the Commission report confirms, is not enough to get rid of UTPs once and for all;***

Or. pl

**Amendment 308**  
**Marijana Petir**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

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

*Amendment*

3. **Acknowledges** the setting up of the Supply Chain Initiative which has **set up a voluntary framework for the implementation of the** principles of good practice **for vertical relationships** in the food supply chain; believes that efforts to promote fair trading practices in the food supply chain can make **an** impact **but will not be enough to curb them**;

Or. en

**Amendment 309**

**Anna Maria Corazza Bildt**

**Motion for a resolution**

**Paragraph 3**

*Motion for a resolution*

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

*Amendment*

3. Welcomes the setting up **and development** of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a **comprehensive** voluntary framework for the implementation of those principles **which only in the second year of operation already numbers over one thousand participating companies from across the entire EU and mainly SMEs**; believes that efforts to promote fair trading practices in the food supply chain can make a real impact;

Or. en

**Amendment 310**

**Nicola Danti, Paolo De Castro, Clara Eugenia Aguilera García, Sergio Gaetano Cofferati, Sergio Gutiérrez Prieto, Virginie Rozière, Maria Grapini, Pina Picierno**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

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

*Amendment*

3. **Acknowledges** the setting up of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; believes that efforts to promote fair trading practices in the food supply chain can make *an* impact, **but cannot be considered sufficient to tackle the problem of UTPs in the food supply chain; notes that the results emerged from the conclusions of the Commission's study on the SCI recently published "seem very modest if measured against the actual or perceived magnitude and seriousness of the issue of UTPs in the food supply chain, and even more so if measured against the expectations of the stakeholders which are most seriously impacted by UTPs, and of policy makers"**;

Or. en

**Amendment 311**  
**Marco Zullo**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

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

*Amendment*

3. **Expresses doubts as to the Commission's assessment of the effectiveness** of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain and a voluntary framework for the implementation of those principles; **regrets, in particular, as regards the collection of data relating to complaints**

*received and resolved, that a more detailed analysis has not been carried out, in terms of both quantity and quality, to understand what types of operators have resorted to this option and whether large distributors or SMEs have benefited more greatly; believes that the failure to carry out such an in-depth assessment could undermine the overall judgment of the initiative;*

Or. it

**Amendment 312**  
**Lidia Senra Rodríguez**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

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

*Amendment*

3. Welcomes the setting up of the Supply Chain Initiative, which has resulted in the adoption of a set of principles of good practice in B2B relations in the food supply chain, and **takes the view that a mandatory framework is needed** for the implementation of those principles, **which should make provision for farm prices that will cover labour and production costs**; believes that efforts to promote fair trading practices in the food supply chain can make a real impact;

Or. es

**Amendment 313**  
**Olga Sehnalová, Sergio Gaetano Cofferati, Marc Tarabella, Liisa Jaakonsaari, Sergio Gutiérrez Prieto**

**Motion for a resolution**  
**Paragraph 3 a (new)**

*Motion for a resolution*

*Amendment*

***3a. Is very concerned about recent findings that one of the early signatories of the SCI operating across Europe has been found guilty of unreasonably delaying payments to its suppliers; regrets that neither the Commission nor the SCI has directly reported this finding in their reports;***

Or. en

**Amendment 314**

**Nicola Danti, Paolo De Castro, Clara Eugenia Aguilera García, Sergio Gutiérrez Prieto, Virginie Rozière, Maria Grapini, Pina Picierno**

**Motion for a resolution**

**Paragraph 3 a (new)**

*Motion for a resolution*

*Amendment*

***3a. Notes that the complaints issued in the framework of the voluntary codes, specifically within the SCI, are very limited, as it has been spotted by the Commission's study on the SCI; notes also that the Commission's study does not precisely indicate the number of disputes solved in the last years, rendering thus impossible to assess the effectiveness of the SCI in tackling the problem of UTPs in the food supply chain;***

Or. en

**Amendment 315**

**Marian Harkin**

**Motion for a resolution**

**Paragraph 3 a (new)**

*Motion for a resolution*

*Amendment*

***3a. Believes that the Supply Chain Initiative, as recognised by the recent European Commission report, has inherent weaknesses such as:***

***- Lack of effective deterrents against UTPs;***

***- Not allowing for individual anonymous complaints by potential victims of UTPs or for own-initiative investigations by an independent body.***

Or. en

**Amendment 316**  
**Sofia Ribeiro**

**Motion for a resolution**  
**Paragraph 3 a (new)**

*Motion for a resolution*

*Amendment*

***3a. Believes that the Supply Chain Initiative, as recognised by the recent European Commission report, has inherent weaknesses such as lack of effective deterrents against UTPs, not allowing for individual anonymous complaints by potential victims of UTPs or for own-initiative investigations by an independent body.***

Or. en

**Amendment 317**  
**Mairead McGuinness, Angélique Delahaye, Norbert Erdős, Philippe Juvin, Marijana Petir**

**Motion for a resolution**  
**Paragraph 3 a (new)**

*Motion for a resolution*

*Amendment*

***3a. Reiterates farmers reluctance to join the Supply Chain Initiative due to the lack of anonymous complaints and sanctions; notes that in the case of Finland, farmers joined the SCI and subsequently left due to these limitations;***

Or. en

**Amendment 318**

**Olga Sehnalová, Sergio Gaetano Cofferati, Nicola Danti, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution  
Paragraph 3 b (new)**

*Motion for a resolution*

*Amendment*

***3b. Is concerned about the Commission report which does not take into account many findings of the study, notably with regard to the assessment of voluntary approaches;***

Or. en

**Amendment 319**

**Nicola Danti, Paolo De Castro, Clara Eugenia Aguilera García, Sergio Gaetano Cofferati, Sergio Gutiérrez Prieto, Virginie Rozière, Maria Grapini, Pina Picierno**

**Motion for a resolution  
Paragraph 3 b (new)**

*Motion for a resolution*

*Amendment*

***3b. Emphasizes that, as it has been reported by the Commission's study, the SCI, at the moment, does not have robust enforcement mechanisms nor effective deterrent instruments and penalties, such as monetary and/or economic sanctions, which will be able to address the problem***

*of the UTPs in the food supply chain; therefore, asks the Commission to undertake concrete actions to establish effective enforcement mechanisms capable to act cross-borders, such as the establishment of an independent EU enforcement authority or a network of national authorities, mutually recognized at the EU level; these independent authorities shall be empowered to conduct investigations ex-officio and/or on the basis of informal information and/or on the basis of complaints dealt with on a confidential basis, thus overcoming the so-called "fear factor";*

Or. en

**Amendment 320**  
**Marian Harkin**

**Motion for a resolution**  
**Paragraph 3 b (new)**

*Motion for a resolution*

*Amendment*

*3b. Points out that the Supply Chain Initiative needs to be further strengthened through a number of actions which are identified by the European Commission on its recent report. These include:*

- Stepping up efforts to publicise the SCI, particularly among SMEs;*
- Ensuring the impartiality of the governance structure, e.g. by establishing an independent chair who is not affiliated to specific stakeholder groups;*
- Allowing alleged victims of UTPs to complain confidentially;*
- Setting up an independent body with the power to investigate complaints and impose sanctions where appropriate;*
- Enhancing internal procedures to check that individual operators comply with*



*their processes commitments;*

*- Monitoring the occurrence and outcome of bilateral disputes in a confidential manner;*

Or. en

**Amendment 321**  
**Sofia Ribeiro**

**Motion for a resolution**  
**Paragraph 3 b (new)**

*Motion for a resolution*

*Amendment*

*3b. Points out that the Supply Chain Initiative must be further improved namely through the four actions identified by the European Commission on its recent report by: Step up efforts to publicise the SCI, especially among SMEs; Ensuring the impartiality of the governance structure, for instance by establishing an independent chair who is not affiliated to specific stakeholder groups; Allow alleged victims of UTPs to complain confidentially. Nominate an independent body with power to investigate and impose sanctions; Enhance internal procedures to check that individual operators comply with their processes commitments and to monitor the occurrence and outcome of bilateral disputes in a confidential manner;*

Or. en

**Amendment 322**

**Olga Sehnalová, Sergio Gaetano Cofferati, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution**  
**Paragraph 3 c (new)**

*Motion for a resolution*

*Amendment*

***3c. Regrets that no concrete case has been examined to assess the SCI role in tackling unfair trading practices;***

Or. en

**Amendment 323**

**Olga Sehnalová, Sergio Gaetano Cofferati, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution  
Paragraph 3 d (new)**

*Motion for a resolution*

*Amendment*

***3d. Regrets that some of the dispute resolution options promoted by the SCI have not yet been used in practice and the assessment of their effectiveness has been based more on "theoretical" judgments rather than on empirical observation;***

Or. en

**Amendment 324**

**Olga Sehnalová, Sergio Gaetano Cofferati, Nicola Danti, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution  
Paragraph 3 e (new)**

*Motion for a resolution*

*Amendment*

***3e. Rather than simply encouraging some improvements in the SCI, stresses that study evaluating the effectiveness of the SCI highlights a broad range of its shortcomings – lack of trust from external experts and organisations, weaknesses in governance, under-representation of SMEs, limitations in transparency and no enforcement measures and penalties;***

**Amendment 325**

**Olga Sehnalová, Sergio Gaetano Cofferati, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution**

**Paragraph 3 f (new)**

*Motion for a resolution*

*Amendment*

*3f. Stresses the evaluation of the study which concludes that SCI has very limited powers to directly enforce measures to address UTPs, notably due to the lack of effective deterrents against unfair behaviour;*

Or. en

**Amendment 326**

**Olga Sehnalová, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler**

**Motion for a resolution**

**Paragraph 3 g (new)**

*Motion for a resolution*

*Amendment*

*3g. Believes, that current voluntary framework's dispute resolutions should remain available for all suppliers who are not concerned about their anonymity and may usefully evolve as an educational and best practices sharing platform;*

Or. en

**Amendment 327**

**Olga Sehnalová, Nicola Danti, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution**

**Paragraph 3 h (new)**

*Motion for a resolution*

*Amendment*

***3h. Regrets that study assessed only 4 national voluntary initiatives; points out that only one of those is generally considered as effective and adequate; on the contrary, another one has been negatively affected by serious weaknesses and no disputes have been brought before the board to date;***

Or. en

**Amendment 328**

**Olga Sehnalová, Sergio Gaetano Cofferati, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution**

**Paragraph 3 i (new)**

*Motion for a resolution*

*Amendment*

***3i. Points out that recent study findings do not bring the evidence for the Commission's evaluation statement that voluntary initiatives seem to work better in some countries than in others, and that the Commission should seriously take into account several rather negative national experiences with voluntary agreements in order to move towards establishing concrete legislative and enforcing measures to prevent unfair trading practices;***

Or. en

**Amendment 329**

**Maria Grapini**

**Motion for a resolution**

**Paragraph 5**

*Motion for a resolution*

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

*Amendment*

5. Welcomes the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs, *with the aim being to nurture trust throughout the food supply chain, from producer to consumer, to the benefit of all;*

Or. ro

**Amendment 330**

**Marco Zullo**

**Motion for a resolution**

**Paragraph 5**

*Motion for a resolution*

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

*Amendment*

5. Welcomes the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs; *regrets, however, that in assessing the effectiveness of the Supply Chain Initiative, cross-border trading practices between stakeholders in different countries, which remain outside the area of responsibility of the national platforms, have not been sufficiently taken into consideration; stresses that in order to build an efficient European single market it is vital not to neglect this aspect, on which there is a lack of data, also concerning the negative impact on producers' income;*

Or. it

**Amendment 331**

**Marian Harkin**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

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

*Amendment*

5. **Notes** the setting up of **Supply Chain Initiative** national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs; ***points out however that some national platforms have not delivered on these objectives and, as in the case of Finland, farmers have abandoned that platform;***

Or. en

**Amendment 332**  
**Sofia Ribeiro**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

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

*Amendment*

5. Welcomes the setting up of national platforms of organisations and businesses in the food supply chain to promote fair trading practices and seek to put an end to UTPs; ***points out that some national platforms have not delivered on these objectives and, as in the case of Finland, farmers have abandoned that platform;***

Or. en

**Amendment 333**  
**Eva Paunova**

**Motion for a resolution**  
**Paragraph 5 – point 1 (new)**

*Motion for a resolution*

*Amendment*

***(1) Welcomes the Commission`s currently***

*on-going study on choice and innovation in the retail sector; believes that this exercise would be instrumental for clarifying the evolution and drivers for choice and innovation at overall market level;*

Or. en

**Amendment 334**  
**Paloma López Bermejo**

**Motion for a resolution**  
**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

*5a. Calls for the establishment of a European observatory for food and agricultural prices at origin and at destination; draws attention to the Spanish origin-destination price index IPOD as a possible model for monitoring potential abuses by retailers of farmers and consumers;*

Or. en

**Amendment 335**  
**Lidia Senra Rodríguez**

**Motion for a resolution**  
**Paragraph 6**

*Motion for a resolution*

*Amendment*

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

6. *Takes the view that* the development of mechanisms for dispute settlement and redress, in particular through mediation and amicable arrangements, *should be enshrined in law*;

Or. es

**Amendment 336**  
**Anna Maria Corazza Bildt**

**Motion for a resolution**  
**Paragraph 7**

*Motion for a resolution*

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

*Amendment*

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

Or. en

**Amendment 337**  
**Eva Paunova**

**Motion for a resolution**  
**Paragraph 7**

*Motion for a resolution*

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

*Amendment*

7. Welcomes the regulatory action taken by some Member States, which have introduced provisions supplementing national competition law, broadened the scope of application of the directives on UTPs by extending their provisions to cover B2B relations, and set up independent enforcement agencies; **notes, however, that diversity of approaches results in various degrees and type of protection granted against UTPs**;

Or. en

**Amendment 338**  
**Mairead McGuinness, Angélique Delahaye, Norbert Erdős, Philippe Juvin, Marijana Petir**



**Motion for a resolution**  
**Paragraph 7**

*Motion for a resolution*

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

*Amendment*

7. Welcomes the *fact that more than 20* Member States *have or are planning to introduce legislation to tackle UTPs, indicating the extent of the problem and the need for legislative action at EU level so as to ensure a level playing field;*

Or. en

**Amendment 339**

**Olga Sehnalová, Nicola Danti, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution**  
**Paragraph 7 a (new)**

*Motion for a resolution*

*7a. Points out, following the recent Commission study main findings on the Supply chain initiative, that more than 20 Member States have introduced legislation to combat UTPs or are planning to do so in the near future; welcomes that Commission report identifies a number of specific areas to be improved in this regard; believes, that this set of best practices should serve as a basis for effective and transparent framework of legislative and enforcement measures in the EU;*

*Amendment*

Or. en

**Amendment 340**  
**Marian Harkin**

**Motion for a resolution**  
**Paragraph 7 a (new)**

*Motion for a resolution*

*Amendment*

*7a. Stresses that whilst many Member States have adopted legislation to combat UTPs in the food supply chain, a coordinated and harmonised binding action at EU level to improve the functioning of the food supply chain is still necessary;*

Or. en

**Amendment 341**  
**Sofia Ribeiro**

**Motion for a resolution**  
**Paragraph 7 a (new)**

*Motion for a resolution*

*Amendment*

*7a. Stresses that whilst many Member States have adopted legislation to combat UTPs in the food supply chain, a coordinated and harmonised binding action at EU level to improve the functioning of the food supply chain is still necessary; stresses that whilst many Member States have adopted legislation to combat UTPs in the food supply chain, a coordinated and harmonised binding action at EU level to improve the functioning of the food supply chain is still necessary;*

Or. en

**Amendment 342**  
**Marijana Petir**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

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

*Amendment*

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

Or. en

**Amendment 343**

**Maria Grapini**

**Motion for a resolution**

**Paragraph 8**

*Motion for a resolution*

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

*Amendment*

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

Or. ro

**Amendment 344**

**Anna Maria Corazza Bildt**

**Motion for a resolution**

**Paragraph 9**

*Motion for a resolution*

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

*Amendment*

9. condemns practices that exploit imbalances in bargaining power between economic operators and have an adverse effect on freedom to contract;

*dealing*; condemns practices that exploit imbalances in bargaining power between economic operators and have an adverse effect on freedom to contract;

Or. en

**Amendment 345**  
**Maria Grapini**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

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

*Amendment*

9. Endorses the Commission's view that UTPs arise as a result of a lack of balance in commercial relationships and a worrying increase in the bargaining power of larger entities, which gives them a dominant position on the market that allows them to impose unfavourable contractual terms on weaker trading partners and to make use of unfair practices that grossly deviate from good commercial conduct and are contrary to the principles of good faith and fair dealing; condemns practices that exploit imbalances in bargaining power between economic operators and have an adverse effect on freedom to contract, *with the damaging effects of UTPs impacting not just on weaker parties in contracts, but also on consumers and national economic interests*;

Or. ro

**Amendment 346**  
**Marijana Petir**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

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

*Amendment*

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

Or. en

**Amendment 347**  
**Maria Grapini**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

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

*Amendment*

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

Or. ro

**Amendment 348**  
**Mairead McGuinness, Angélique Delahaye, Norbert Erdős, Philippe Juvin, Marijana Petir**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. Believes that the Supply Chain Initiative and other national and EU voluntary systems (codes of good practice,

*Amendment*

11. Believes that the Supply Chain Initiative and other national and EU voluntary systems (codes of good practice,

voluntary dispute settlement mechanisms) should be further developed and promoted; *encourages producers and traders to become involved in such initiatives; takes the view that they should play a leading role in efforts to combat UTPs;*

voluntary dispute settlement mechanisms) should be further developed and promoted; *notes that the Commission states in its recent report that the SCI needs to be improved, in particular to take account of confidential complaints, and the granting of investigations and sanctioning powers to independent bodies;*

Or. en

#### **Amendment 349**

**Nicola Danti, Paolo De Castro, Clara Eugenia Aguilera García, Sergio Gaetano Cofferati, Sergio Gutiérrez Prieto, Virginie Rozière, Maria Grapini, Pina Picierno**

**Motion for a resolution  
Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

*11a. Regrets that, despite the limits of voluntary codes and initiatives have been clearly highlighted by the conclusions of the Commission's study on the SCI, the Commission does not seem willing to proceed with the swift adoption of a specific EU legislative framework which could better protect consumers, ensure a level-playing field among the stakeholders of the food supply chain, limit the current fragmentation of the single market and effectively tackle the UTPs;*

Or. en

#### **Amendment 350**

**Nicola Danti, Paolo De Castro, Clara Eugenia Aguilera García, Sergio Gaetano Cofferati, Sergio Gutiérrez Prieto, Virginie Rozière, Maria Grapini, Pina Picierno**

**Motion for a resolution  
Paragraph 11 b (new)**

*Motion for a resolution*

*Amendment*

*11b. Underlines that the safeguard of*

*confidentiality is an essential component of any dispute resolution process; stresses that the SCI does not provide for a mechanism ensuring confidential or anonymous complaints for potential victims of UTPs. Therefore, asks the Commission to establish a monitoring instrument to ensure and preserve the confidentiality between the parties involved in the dispute, thus reducing the so-called "fear factor";*

Or. en

**Amendment 351**  
**Franc Bogovič**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

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

*Amendment*

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

Or. sl

**Amendment 352**  
**Dennis de Jong, Robert Rochefort, Anna Maria Corazza Bildt**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

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

*Amendment*

12. Acknowledges, nonetheless, that voluntary and self-regulatory schemes **require independent and effective enforcement mechanisms, as well as appropriate and impartial governance**

*structures, in order* to put an end to UTPs once and for all;

Or. en

### **Amendment 353**

**Mairead McGuinness, Angélique Delahaye, Norbert Erdős, Marijana Petir**

#### **Motion for a resolution**

##### **Paragraph 12**

###### *Motion for a resolution*

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

###### *Amendment*

12. *Emphasises* that voluntary and self-regulatory schemes are not *sufficient in eradicating UTPs from the food supply chain* once and for all; *calls therefore on the Commission to consider framework legislation that would protect all stakeholders in the food supply chain, including those who are already fully engaged with the SCI*;

Or. en

### **Amendment 354**

**Dennis de Jong, Robert Rochefort, Anna Maria Corazza Bildt**

#### **Motion for a resolution**

##### **Paragraph 12 a (new)**

###### *Motion for a resolution*

*12a. Urges the Commission to follow-up its recommendations from its report of 29 January 2016 on unfair business-to-business trading practices in the food supply chain, to increase the credibility and effectiveness of the Supply Chain Initiative (SCI) by requiring the relevant stakeholders to:*

*a. improve awareness of the SCI, especially among SMEs,*

*b. ensure the impartiality of the SCI's*



*governance structure,*  
*c. allow alleged victims of UTPs to*  
*complain confidentially, and*  
*d. grant investigatory and sanctioning*  
*power to independent bodies;*

Or. en

**Amendment 355**

**Mairead McGuinness, Angélique Delahaye, Norbert Erdős, Marijana Petir**

**Motion for a resolution**

**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

*12a. Points to the UK Groceries Code*  
*Adjudicator as a possible model for*  
*adaption at EU level which could create a*  
*real deterrent to unfair trading practices*  
*and help to eliminate the fear factor;*

Or. en

**Amendment 356**

**Marijana Petir**

**Motion for a resolution**

**Paragraph 13**

*Motion for a resolution*

*Amendment*

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

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

Or. en

**Amendment 357**

**Maria Grapini**

**Motion for a resolution**  
**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

***13a. Stresses that food supply chain monitoring and control systems must be tailored to guaranteeing food security and to combating any adverse impact on public health by preventing incidents liable to affect food security which may have severe repercussions for the integrity of the entire food supply chain;***

Or. ro

**Amendment 358**  
**Fredrick Federley, Jan Huitema, Ulrike Müller**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

*Amendment*

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

14. Calls on the Commission and the Member States fully and consistently to enforce competition law, rules on unfair competition and anti-trust rules; points out, nonetheless, that competition law can go only a limited way towards resolving the problem of unfair practices; ***points to the rules in the CAP and calls on the Commission to support the market to make better use of the opportunities provided under the Single CMO Regulation, with a view to enable the establishment of producer organisations, associations of producers organisations and inter-branch organisations;***

Or. en

**Amendment 359**  
**Eva Paunova**

**Motion for a resolution**  
**Paragraph 14 – point 1 (new)**

*Motion for a resolution*

*Amendment*

***(1) Encourages Member States to examine whether their current national regulatory framework is appropriate to address UTPs, taking into account best practice in other Member States; Calls on the Commission to continue supporting the exchange of best practices between Member States;***

Or. en

**Amendment 360**  
**Paloma López Bermejo**

**Motion for a resolution**  
**Paragraph 14 a (new)**

*Motion for a resolution*

*Amendment*

***14a. Calls on the Commission to develop progressively the EU competition framework to include in the monitoring of the food supply chain in Europe the Sustainability Assessment of Food and Agriculture systems (SAFA) indicators of the Food and Agriculture Organization of the United Nations (FAO), including indicators under the headings of Fair Pricing and Transparent Contracts (S.2.1.1) and Right of Suppliers (S.2.2.1);***

Or. en

**Amendment 361**  
**Maria Grapini**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

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

*Amendment*

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

Or. ro

**Amendment 362**  
**Paloma López Bermejo**

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

*Motion for a resolution*

**Amendment 363**  
**Marijana Petir**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

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

*Amendment*

***15a. Is particularly concerned by the situation in the dairy sector, where retailers have been imposing prices well below costs following the end of the quota system;***

Or. en

*Amendment*

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

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

those terms;

Or. en

**Amendment 364**  
**Edward Czesak**

**Motion for a resolution**  
**Paragraph 16 a (new)**

*Motion for a resolution*

*Amendment*

*16a. Views the fact that Member States see regulatory action as the only effective means of addressing UTPs (most Member States have taken, or are taking, such action) and that such measures were introduced only relatively recently as a good reason for taking regulatory action at EU level at the earliest opportunity, rather than delaying it; points out that it will be easier to adjust to uniform EU-wide measures at this stage than at some time in the future;*

Or. pl

**Amendment 365**  
**Edward Czesak**

**Motion for a resolution**  
**Paragraph 16 b (new)**

*Motion for a resolution*

*Amendment*

*16b. Points out that differences in the type and scope of regulatory action at national level can have an adverse effect on competition in the single market and that the regulatory measures taken should*

*therefore be reviewed and harmonised at EU level;*

Or. pl

**Amendment 366**

**Maria Grapini**

**Motion for a resolution**

**Paragraph 17**

*Motion for a resolution*

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

*Amendment*

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

Or. ro

**Amendment 367**

**Franc Bogovič**

**Motion for a resolution**

**Paragraph 17**

*Motion for a resolution*

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

*Amendment*

17. Urges the Commission to submit specific proposals for EU legislation banning UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors; *believes that these specific proposals for EU legislation should be based on an assessment of the Supply Chain Initiative drawn up by the Commission and must take into account farming organisations' concerns about the CSI as well as indicators of the success of the initiative*;

**Amendment 368**

**Marijana Petir**

**Motion for a resolution**

**Paragraph 17**

*Motion for a resolution*

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

*Amendment*

17. Urges the Commission to submit specific proposals for EU legislation banning UTPs in the food supply chain that will enable markets to operate as they should and fair and transparent relations to be maintained between food producers, suppliers and distributors; ***notes that the food supply chain operating on the single European market extends beyond Member States' borders and that is therefore essential that the EU should, as soon as possible, establish an appropriate legislative framework to regulate this area and meet existing needs;***

Or. hr

**Amendment 369**

**Dennis de Jong, Robert Rochefort, Anna Maria Corazza Bildt**

**Motion for a resolution**

**Paragraph 17**

*Motion for a resolution*

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

*Amendment*

***17. Supports the Commission's efforts in assessing the effectiveness and credibility of available mechanisms for the enforcement of rules against UTPs in Member States; agrees with the Commission that at this stage, there is no added value of a specific harmonized regulatory approach at EU level, given the fact that the large majority of Member States have introduced regulatory measures and public enforcement***

*mechanisms;*

Or. en

**Amendment 370**  
**Fredrick Federley**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

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

*Amendment*

**17. Concludes that recent improvement has been made regarding introduction of regulatory measures and public enforcement systems in a large majority of Member States and that there is no added value at this stage for a specific harmonised regulatory approach at EU level;**

Or. en

**Amendment 371**  
**Mairead McGuinness, Angélique Delahaye, Norbert Erdős, Philippe Juvin, Marijana Petir**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

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

*Amendment*

**17. Notes the Commission's intention in its 2016 report to closely monitor the different approaches for tackling UTPs at Member State level; urges the Commission to submit specific proposals for framework legislation banning UTPs in the food supply chain so as to ensure a level playing field across the Member States;**

Or. en



**Amendment 372**

**Olga Sehnalová, Sergio Gaetano Cofferati, Marc Tarabella, Liisa Jaakonsaari, Nicola Danti, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution**

**Paragraph 17 a (new)**

*Motion for a resolution*

*Amendment*

*17a. Notes results of the study, where survey respondents indicated as the most preferred approaches in tackling UTPs the combination of voluntary initiatives and public enforcement (33% of total answers) or a specific legislation at EU level (32%); on the other side, reliance on voluntary initiatives alone at national (4%) or EU level (9 %) resulted to be the less preferred approach;*

Or. en

**Amendment 373**

**Olga Sehnalová, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution**

**Paragraph 17 b (new)**

*Motion for a resolution*

*Amendment*

*17b. Believes that in order to reduce UTPs effectively, the Commission should take concrete measures to create common binding rules and should establish or appoint a network of national enforcement authorities which operate according to minimum principles and enforcement standards developed at the EU level;*

Or. en

**Amendment 374**

**Olga Sehnalová, Sergio Gaetano Cofferati, Marc Tarabella, Liisa Jaakonsaari, Nicola**

**Danti, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution  
Paragraph 17 c (new)**

*Motion for a resolution*

*Amendment*

*17c. Questions the Commission's vague statement that different approaches in Member States do not seem to have negative consequences for the Single market; points out that previous study accompanying Commission's communication recommended to address the fragmentation of legal rules and approaches in the EU in order to prevent a negative impact of fragmentation on the EU Single Market; Is convinced that fragmentation and different legislative approaches in MS contribute to legal uncertainty, additional costs for businesses, notably SMEs, and raise difficulties to the cross-border market access and cooperation;*

Or. en

**Amendment 375**

**Olga Sehnalová, Sergio Gaetano Cofferati, Marc Tarabella, Liisa Jaakonsaari, Nicola Danti, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution  
Paragraph 17 d (new)**

*Motion for a resolution*

*Amendment*

*17d. Welcomes that the Commission finds it necessary to ensure that UTP legislation covers operators from non-EU countries; Believes that clear and transparent rules at the EU level would facilitate fair trading practices towards third countries traders;*

Or. en

## **Amendment 376**

**Franc Bogovič**

### **Motion for a resolution**

#### **Paragraph 18**

##### *Motion for a resolution*

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

##### *Amendment*

18. Suggests that work should begin on EU rules on the establishment or recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain, ***which would enable ex-ante checks to be carried out in order to protect against abuses of dominant market position***; takes the view that public agencies of this kind should be empowered to conduct investigations on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor), as well as to impose penalties;

Or. sl

## **Amendment 377**

**Franc Bogovič**

### **Motion for a resolution**

#### **Paragraph 18 a (new)**

##### *Motion for a resolution*

##### *Amendment*

***18a. Calls on the Commission to consider the possibility of establishing a European regulatory body to play a coordinating role between the national regulatory bodies;***

Or. sl

## **Amendment 378**

**Olga Sehnalová, Sergio Gaetano Cofferati, Marc Tarabella, Liisa Jaakonsaari, Nicola Danti, Catherine Stihler**

**Motion for a resolution**  
**Paragraph 18 a (new)**

*Motion for a resolution*

*Amendment*

***18a. Is convinced that functioning enforcement mechanisms should be accessible to all market operators in the food supply chain, regardless of geographical origin;***

Or. en

**Amendment 379**

**Olga Sehnalová, Sergio Gaetano Cofferati, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution**  
**Paragraph 18 b (new)**

*Motion for a resolution*

*Amendment*

***18b. Believes that the scope of enforcement should cover entire supply chain both inside Europe and overseas in order to positively contribute to the overall sustainability of the food production; suggests coordinated enforcement across the EU to discourage market players from moving their purchasing department to low-enforcement countries to continue with UTPs;***

Or. en

**Amendment 380**

**Olga Sehnalová, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution**  
**Paragraph 18 c (new)**

*Motion for a resolution*

*Amendment*

***18c. Calls on Member States without a***

*competent enforcement authority to consider establishment of enforcement authority and provide it with the power to supervise and enforce measures necessary to tackle UTPs;*

Or. en

**Amendment 381**

**Olga Sehnalová, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution**

**Paragraph 18 d (new)**

*Motion for a resolution*

*Amendment*

*18d. Points out that existing fragmented and low enhanced cooperation within different national enforcement bodies is not sufficient to address cross-border challenges regarding UTPs;*

Or. en

**Amendment 382**

**Olga Sehnalová, Marc Tarabella, Liisa Jaakonsaari, Catherine Stihler, Sergio Gutiérrez Prieto**

**Motion for a resolution**

**Paragraph 18 e (new)**

*Motion for a resolution*

*Amendment*

*18e. Highlights that the enforcement authorities should have a number of different enforcement measures and different range of sanctions at their disposal to allow, according to the gravity, flexibility of response; believes that these measures should aim at changing behaviour and deterrence;*

Or. en

**Amendment 383**  
**Maria Grapini**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

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

*Amendment*

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

Or. ro

**Amendment 384**  
**Fredrick Federley**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

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

*Amendment*

19. ***Considers that it is too early to make a robust assessment if initiatives already in force have been effective in addressing or reducing UTPs;***

Or. en

**Amendment 385**  
**Theodoros Zagorakis**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

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

*Amendment*

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

Or. en

**Amendment 386**  
**Maria Grapini**

**Motion for a resolution**  
**Paragraph 19 a (new)**

*Motion for a resolution*

**Amendment 387**  
**Marijana Petir**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

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

*Amendment*

***19a. Advocates the establishing of control methods which, when uniformly applied in the EU, will help to detect and combat UTPs, enforce the applicable legislation and strengthen national control bodies and cooperation between them;***

Or. ro

*Amendment*

***deleted***

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

Or. en

#### **Amendment 388**

**Robert Rochefort, Anna Maria Corazza Bildt**

#### **Motion for a resolution**

#### **Paragraph 20**

##### *Motion for a resolution*

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

##### *Amendment*

20. *Notes that, in adopting measures to counter unfair trading practices within the food supply chain, due account must be taken* of the specific features of each market and the legal requirements obtaining on it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors; takes the view that ***it is necessary to*** ensure that there is relatively broad discretion to tailor the measures to be taken to the specific features of each market and should be based on the general principle of improving enforcement by involving the relevant public agencies ***and/or competent national bodies and platforms;***

Or. fr

#### **Amendment 389**

**Marian Harkin**

#### **Motion for a resolution**

#### **Paragraph 20**



*Motion for a resolution*

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

*Amendment*

20. Calls for due account to be taken when drafting **binding action in the food supply chain against retailers harming farmers and consumers**, of **the following aspects:** the specific features of each market and the legal requirements **pertaining to** it, the different situations and approaches in individual Member States, the degree of consolidation or fragmentation of individual markets, and other significant factors;

Or. en

**Amendment 390**  
**Sofia Ribeiro**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

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

*Amendment*

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

**Amendment 391**

Robert Rochefort, Dennis de Jong, Anna Maria Corazza Bildt

**Motion for a resolution****Paragraph 21***Motion for a resolution*

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

*Amendment*

21. Calls on the Commission to *continue to assess closely the effectiveness of the* voluntary and self-regulatory schemes put in place and of the regulatory action taken at national level *to combat unfair trading practices; expects the results of the review to be communicated before 2019, focusing in particular on the creation of national platforms and follow-up to the recommendations made in the report of 29 January 2016 (COM (2016) 32) by the various stakeholders, particularly the SCIs;*

Or. fr

**Amendment 392**

Igor Šoltes

**Motion for a resolution****Paragraph 21 a (new)***Motion for a resolution**Amendment*

*21a. Notes that the Commission's report on the SCI (COM(2016)32) highlights that one of the weaknesses of the SCI is that it does not allow for individual confidential complaints. Supports the Commission's proposal to improve the functioning of the SCI to allow alleged victims of UTP to complain confidentially. Furthermore suggests that anonymity and confidentiality be incorporated into any future legislative initiatives in this area.*

**Amendment 393**

**Igor Šoltes**

**Motion for a resolution**

**Paragraph 21 b (new)**

*Motion for a resolution*

*Amendment*

***21b. Notes that the Commission's report regarding the supply chain initiative (SCI) (COM (2016)32) highlights that one of the weaknesses of the SCI is lack of effective deterrents. Thereby calls on the Commission to establish mechanisms to ensure effective deterrents such as fines (as a percentage of turnover in the Member State(s) affected.***

***Supports the Commission's proposal to nominate an independent body with the power to investigate and impose sanctions. In addition, suggests that this independent body have the power to monitor, perform unannounced spot-checks, right to initiate investigation into alleged or potential UTPs as well as to investigate UTPs originating from a complaint.***

Or. en

**Amendment 394**

**Igor Šoltes**

**Motion for a resolution**

**Paragraph 21 c (new)**

*Motion for a resolution*

*Amendment*

***21c. Notes that the Commission's report on the SCI (COM(2016)32) highlights as a strength, the SCI's EU wide nature. Nevertheless is disappointed that the Commission's report and underlying***

*study by Areté does not examine in detail the nature of cross-border UTPs. Underlines that large food retail companies use centralised sourcing more and more as it increases their bargaining position and allows them to exploit economies of scale. Notes accordingly the subsequent weakening of the position of their suppliers and other actors in the supply chain. Highlights that centralised sourcing can also lead to forum shopping for the Member State with the weakest enforcement/legislative framework or penalties. Underlines that one of the priorities for the Juncker Commission is a deeper and fairer internal market and emphasises that failure to address UTPs, including centralised purchasing, undermines this priority as well as another Juncker Commission priority, that of growth and jobs. Therefore calls on the Commission to evaluate the impact of central sourcing by multinationals on UTPs and to check that adequate enforcement mechanisms exist to curb cross-border UTPs by such companies.*

Or. en

## **Amendment 395**

**Igor Šoltes**

### **Motion for a resolution**

#### **Paragraph 21 d (new)**

*Motion for a resolution*

*Amendment*

*21d. Is disappointed in the Commission's conclusion to reassess the potential added-value of EU action only by the end of its mandate. Highlights that actors in the food supply chain suffer significant financial injury as the result of late or postponed payment or remittances due to accounting errors as well as unilateral imposition of arbitrary penalties. Therefore is disappointed that the*

*Commission is willing to continue to allow food supply chain actors to continue to suffer financial detriment for at least another 3 years before reconsidering the need to introduce EU action. Calls on the Commission to evaluate the cost of non-action in this sector, and to make this information public.*

*Reminds that the issue of unfair trading practices in the supply chain has been the subject of 5 European Parliament resolutions including 3 specifically on imbalances and abuses in the food supply chain, since 2009; further notes that the European Commission has produced 3 Communications, one Green paper and commissioned two Final Reports on similar subjects in the same timeframe; on this basis declares that yet more analysis on the state of UTPs in the food supply chain will merely delay the pressing need for action to help all food supply chain actors address UTPs.*

*Therefore recommends that work should begin swiftly on a Directive based on Article 114 TFEU which should provide for the establishment or recognition of national public agencies with responsibility for enforcing laws to combat unfair practices in the food supply chain; takes the view that the EU should establish minimum standards for principles, including an open list of outlawed UTPs, and operational procedures regarding investigations undertaken by such agencies on their own initiative and on the basis of informal information and complaints dealt with on a confidential basis (thus overcoming the fear factor); in addition this Directive should provide that national and EU agencies monitor the implementation of such a Directive including unannounced spot-checks, as well as to impose dissuasive penalties of amounts sufficient to ensure that no enterprise can profit from imposing UTPs; Such a Directive should also provide for a single European*

*market coordination forum to enable national enforcement bodies to provide advice, facilitate exchange of good practice and information, cooperate on cross border cases, analyse new forms of UTPs and where appropriate, cooperate in setting and imposing penalties in cases involving operators from more than one Member State. Such public agencies should be sufficiently staffed and funded, and also coordinate with relevant enforcement bodies in Member States and in third countries.*

Or. en

**Amendment 396**  
**Igor Šoltes**

**Motion for a resolution**  
**Paragraph 21 e (new)**

*Motion for a resolution*

*Amendment*

*21e. Takes note that the Commission's report on the SCI notes that overall level of trust in SCI is high amongst companies who are aware of it; nevertheless points out that this does not correlate with high trust in SCI amongst food supply chain actors as a whole as SMEs and farmers are under-represented and less aware of the SCI due to their relatively lower resources and lack of support from their representative organisations such as COPA-COGECA (European representative organisations for farmers and agri-cooperatives). Therefore, it cannot be claimed that SCI adequately covers all stakeholders in the food supply chain, especially the weakest actors in this chain.*

*Furthermore notes that the Commission's report states that SCI members are significantly more likely to say that the situation regarding UTPs in the food*

*supply chain has improved since the establishment of the SCI. Points out that this does not necessarily mean improvements throughout the food supply chain as the SCI membership is not representative of all the actors in the food supply chain, i.e. that SCI members input into the governance of the SCI to their own advantage whilst non-members cannot, thus further introducing further bias into the voluntary governance of UTPs in the food supply chain.*

Or. en

**Amendment 397**  
**Igor Šoltes**

**Motion for a resolution**  
**Paragraph 21 f (new)**

*Motion for a resolution*

*Amendment*

*21f. Is disappointed that the Commission's report fails to understand that the SCI is structurally unsuited to achieving the aim of reducing or eliminating SCIs in the food supply chain; underlines that without significant restructuring of SCI leadership and internal governance, the SCI will never be able to reliably protect complainants (fear factor) nor apply enforceable sanctions.*

Or. en

**Amendment 398**  
**Igor Šoltes**

**Motion for a resolution**  
**Paragraph 21 g (new)**

*Motion for a resolution*

*Amendment*

*21g. Regrets that the Areté study did not*

*examine the cost of food wastage which is a consequence of UTPs, suppliers often find food being sent back for arbitrary reasons and that this is being used as a form of market control used by retailers and tier-one suppliers to offset changes in supply and demand, thus transferring risk up the supply chain. This is contrary to the general principle of fair dealing ('contracting parties should deal with each other responsibly, in good faith and with professional diligence') of the SCI's own Principles of Good practice (PGP); as well as the PGP's specific principles of predictability ('Unilateral change to contract terms shall not take place unless this possibility and its circumstances and conditions have been agreed in advance. The agreements should outline the process for each party to discuss with the other any changes necessary for the implementation of the agreement or due to unforeseeable circumstances, as provided in the agreement'), compliance ('Agreements must be complied with'), responsibility for risk ('All contracting parties in the supply chain should bear their own appropriate entrepreneurial risks');*

Or. en

**Amendment 399**  
**Igor Šoltes**

**Motion for a resolution**  
**Paragraph 22 a (new)**

*Motion for a resolution*

*Amendment*

*22a. Notes the Commission's observation that farmers' representatives decided not to join the SCI as in their view it does not ensure sufficient confidentiality for complainants, lacks statutory powers for independent investigations and meaningful sanctions as well as an*



*absence of mechanisms to combat well-documented UTPs and that their concerns about imbalances in the nature of enforcement mechanisms have not been properly taken into account. Believes that farmer participation is crucial and that increasing participation is not due to lack of awareness, rather lack of faith in current SCI procedures and governance. Therefore proposes that improving the functioning of the SCI inter alia via independent governance, confidentiality and anonymity, and effective enforcement and effective deterrent, could as a first step increase farmer interest, support, and thereby participation.*

Or. en

**Amendment 400**  
**Igor Šoltes**

**Motion for a resolution**  
**Paragraph 22 b (new)**

*Motion for a resolution*

*Amendment*

*22b. Notes that the Commission report states that more than 20 Member States have introduced legislation or are planning to do so in the near future. Nevertheless notes that the national schemes examined as examples in the Areté report are either weakly enforced, embryonic in their development and/or lack farmer participation. Therefore their added value in combatting UTPs at this moment is questionable.*

*In addition, highlights that national schemes have a fundamental weakness, that of problems ensuring that actors based in other Member States respect their UTP initiatives in their own Member States, i.e. that Member States alone cannot ensure respect for their national initiatives alone, be they legislative or*

*non-legislative; thus highlighting once again the need for a EU-wide solution(s).*

Or. en

**Amendment 401**  
**Igor Šoltes**

**Motion for a resolution**  
**Paragraph 22 c (new)**

*Motion for a resolution*

*Amendment*

*22c. Supports the Commission's intention to publicise and increase awareness of the SCI, particularly amongst SMEs; encourages the Commission to also target micro-enterprises in their publicity campaigns.*

Or. en

**Amendment 402**  
**Igor Šoltes**

**Motion for a resolution**  
**Paragraph 22 d (new)**

*Motion for a resolution*

*Amendment*

*22d. Questions the Commission's unwavering support for the Supply Chain Initiative (SCI) in its report, given its limitations; reiterates farmers' reluctance to participate on account of a lack of trust, restrictions on anonymous complaints, a lack of statutory power, an inability to apply meaningful sanctions, the absence of mechanisms adequate to combat well-documented UPTs, and concerns about imbalances in the nature of enforcement mechanisms, which have not been adequately taken into account; regrets the Commission's reluctance to ensure anonymity and appropriate*

*sanctions.*

Or. en

**Amendment 403**

**Igor Šoltes**

**Motion for a resolution**

**Paragraph 22 e (new)**

*Motion for a resolution*

*Amendment*

***22e. As a follow up to the Commission's report, calls on the Commission, Member States and other relevant stakeholders to facilitate the incorporation of farmers' organisations (including POs and APOs) within the scope of national enforcement bodies governing the food supply chain, primarily by securing the anonymity of complaints and an effective sanctions regime.***

Or. en