

Origin marking

European Parliament resolution of 25 November 2009 on origin marking

The European Parliament,

- having regard to Council Regulation (EC) No 980/2005 of 27 June 2005 applying a scheme of generalised tariff preferences¹,
 - having regard to Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market²,
 - having regard to Article IX and Article XXIV:5 of the General Agreement on Tariffs and Trade (GATT 1994),
 - having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code³ and Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92⁴, which set out the Community's non-preferential rules of origin system,
 - having regard to Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty⁵,
 - having regard to its resolution of 5 February 2009 on enhancing the role of European SMEs in international trade⁶,
 - having regard to its resolution of 6 July 2006 on origin marking⁷,
 - having regard to its declaration on origin marking⁸,
 - having regard to the Commission proposal of 16 December 2005 for a Council regulation on the indication of the country of origin of certain products imported from third countries (COM(2005)0661),
 - having regard to Rule 110(4) of its Rules of Procedure,
- A. whereas, at present, the EU does not have any harmonised provisions or uniform practices on origin marking in the EU; whereas disparities between regulations in force in the Member States as well as the absence of clear Community rules in this area are resulting in

¹ OJ L 169, 30.6.2005, p. 1.

² OJ L 149, 11.6.2005, p. 22.

³ OJ L 302, 19.10.1992, p. 1.

⁴ OJ L 253, 11.10.1993, p. 1.

⁵ OJ L 105, 23.4.1983, p. 1.

⁶ Texts adopted, P6_TA(2009)0048.

⁷ OJ C 303 E, 13.12.2006, p. 881.

⁸ OJ C 323 E, 18.12.2008, p. 140.

a fragmented legal framework,

- B. whereas national measures imposing compulsory origin marking on goods imported from other Member States are prohibited, while there is no such limitation on compulsory origin marking on goods imported from third countries,
 - C. whereas a number of the EU's major trading partners, such as the United States, China, Japan and Canada, have enacted mandatory origin-marking requirements,
 - D. whereas, in the Lisbon Agenda, the EU set itself the objective of strengthening its economy by, inter alia, improving the competitiveness of its industry in the world economy; whereas competition can be considered fair when it operates with clear rules for producers as well as for exporters and importers and when it is built on common social and environmental assumptions and values,
 - E. whereas an origin marking scheme would have the aim of allowing consumers to be fully aware of the country of origin of the products they purchase; whereas consumers would thus be able to identify those products with the social, environmental and safety standards generally associated with that country,
 - F. whereas the proposal to introduce a mandatory country of origin marking system in the EU is restricted to a limited number of imported products, such as textiles, jewellery, apparel, footwear, furniture, leather, lamps and light fittings, glassware, ceramics and handbags, for which the 'made in' requirement provides valuable information for final consumer choice,
 - G. whereas it is crucial to ensure a level playing field with producers of those major partners of the European Union which have implemented origin marking,
 - H. whereas the entry into force of the Treaty of Lisbon on 1 December 2009 will put Parliament and the Council on an equal footing regarding the common commercial policy; whereas under Article 207 of the Treaty on the Functioning of the European Union the ordinary legislative procedure will apply to future regulation on origin marking,
1. Reiterates that consumer protection requires transparent and consistent trade rules, including indications of origin;
 2. Calls on the Commission and the Council to take all necessary steps to ensure a level playing field with trading partners which have enacted origin-marking requirements;
 3. Calls on the Commission and the Council to set up proper customs surveillance and enforcement mechanisms;
 4. Urges Member States to maintain a consistent Community approach to this issue so as to enable consumers to receive more complete and accurate information; regards compulsory origin marking as an important step towards more complete information about social and environmental production and processing standards;
 5. Encourages the Commission strongly to intervene, together with the Member States, to defend consumers' legitimate rights and expectations whenever there is evidence of fraudulent or misleading origin marking by importers and third country producers;
 6. Considers the above-mentioned proposal for a Council regulation introducing compulsory

indications of the country of origin of certain products imported from third countries into the European Union useful in reaching the objective of transparency and appropriate information for the consumer as well as consistency in international trade rules;

7. Considers that, from 1 December 2009, in the context of the ordinary legislative procedure introduced by the Treaty of Lisbon, consultation and exchanges of views between Parliament and the Council should formally start and that any further delay would seriously damage citizens' rights, employment in the EU and the principle of free and fair trade;
8. Calls on the Commission to maintain its proposal unchanged and resubmit it to Parliament in accordance with Article 207 of the Treaty on the Functioning of the European Union immediately after the Treaty of Lisbon enters into force;
9. Instructs its President to forward this resolution to the Council and the Commission.