

Tuesday 10 March 2009

32. Stresses the importance for the Member State of the residence of the consumer to be able to effectively control, limit and supervise gambling services provided on its territory;

33. Calls on the Commission and the Member States to clarify the place of taxation of online gambling activities;

\*

\* \*

34. Instructs its President to forward this resolution to the Council and Commission.

---

## **Ensuring food quality, including harmonisation or mutual recognition of standards**

P6\_TA(2009)0098

**European Parliament resolution of 10 March 2009 on ensuring food quality, including harmonisation or mutual recognition of standards (2008/2220(INI))**

(2010/C 87 E/09)

*The European Parliament,*

- having regard to Article 33 of the EC Treaty,
- having regard to the Commission's Green Paper of 15 October 2008 on agricultural product quality: product standards, farming requirements and quality schemes (COM(2008)0641),
- having regard to its resolution of 9 October 1998 on quality policy for agricultural products and agri-foodstuffs <sup>(1)</sup>,
- having regard to the Commission working document of October 2008 on food quality certification schemes,
- having regard to the health check for the common agricultural policy (CAP),
- having regard to the mandate issued by the European Council to the Commission for the negotiations in the field of agriculture, as laid down in the Commission's Proposal for Modalities in the WTO Agriculture Negotiations of January 2003 <sup>(2)</sup>,
- having regard to the conference organised by the Commission in Brussels on 5 and 6 February 2007 on 'Food Quality Certification – Adding Value to Farm Produce',
- having regard to the proposal for a regulation of the European Parliament and of the Council on the provision of food information to consumers (COM(2008)0040),
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Environment, Public Health and Food Safety (A6-0088/2009),

<sup>(1)</sup> OJ C 328, 26.10.1998, p. 232.

<sup>(2)</sup> Commission document 625/02.

Tuesday 10 March 2009

- A. whereas the European Union has the highest quality and standards for food products in the world,
  - B. whereas these high standards are demanded by EU consumers and represent a means of maximising high added value,
  - C. whereas there is ever-increasing consumer interest not only in food safety but also in the origins and production methods of food products; whereas the European Union has already responded to this trend by introducing four food quality and origin marks, namely Protected Designation of Origin (PDO), Protected Geographical Indication (PGI), Traditional Speciality Guaranteed (TSG) and Organic Farming,
  - D. whereas European quality products constitute a living cultural and gastronomic heritage for the European Union, and are an essential component of economic and social activity in many EU regions, bolstering activities directly linked to local realities, especially in rural areas,
  - E. whereas consumers associate certification schemes with a guarantee of higher quality,
  - F. whereas the European Union's specific quality systems offer a specific competitive advantage for EU products,
  - G. whereas the big distributors now dominate EU food markets and are imposing listing fees, commercial entry charges or considerable and unjustified contributions to promotion expenses, all of these being elements which affect small producers' chances of reaching a wide public,
  - H. whereas new technologies can be employed for providing detailed information on the origins and characteristics of agricultural and food products,
  - I. whereas counterfeiting causes damage to both producers and end-consumers,
1. Welcomes the reflection process launched by the Commission on the Green Paper, and supports the criterion of promoting the quality of EU agricultural products while not generating additional costs or burdens for producers;
  2. Believes that ensuring conditions of fair competition for strategic goods such as agricultural and food products should be a major EU objective of public interest; considers it vital that there should also be conditions of fair competition for imported products, which tend not to meet standards comparable to those governing Community products; believes that the EU's quality standards applicable to third-country products having access to the internal market also need to be laid down on the basis of agreement in the World Trade Organisation (WTO);
  3. Considers it necessary to step up controls and coordination among the various authorities to ensure that imported food products meet EU environmental, food safety and animal welfare standards; notes the conclusions of the Agriculture Council of 19 December 2008 concerning the safety of imported agri-food products and compliance with Community standards, but points to the lack of resolute political will, in those conclusions, to strengthen Community controls in third countries;
  4. Stresses that quality policy cannot be treated separately from the issue of the future of the CAP or from such challenges as climate change, the need to preserve biodiversity, energy supply and water resource management;
  5. Believes that, in a context of generally high raw material prices, incentives to increase production should not be used as a pretext for reducing standards;

Tuesday 10 March 2009

6. Reaffirms that the goal of higher food safety, animal welfare and environmental protection standards should be that of attaining a high level of product quality offering a strong competitive advantage to agricultural producers, and that agricultural producers must also be able to earn enough to cover the costs generated by EU food safety, animal welfare and environmental requirements; believes that, should the competitive advantage offered to agricultural producers not be sufficient to enable them to cover those costs, a key role needs to be played here by CAP funding, which farmers in Europe should use for ensuring safety, animal welfare and environmental protection in agriculture;

7. Believes that EU quality policy should be closely linked to the post-2013 reform of the CAP; is of the view that the European Union's role in this policy should be supportive (including financial support) with a view to obtaining high-quality agricultural and food production in Europe; stresses that more support should be given to producers' organisations, particularly with a view to not disadvantaging small producers;

8. Points out that the European Union has undertaken, in the International Treaty on Plant Genetic Resources for Food and Agriculture, to carry out measures to conserve genetic resources; calls, therefore, on the Commission to create specific sales promotion programmes to encourage the use of plant varieties threatened with genetic erosion; stresses that this is intended to make it more attractive for farmers and horticulturalists to grow varieties listed as plant genetic resources, and that similar sales promotion programmes should be created for endangered breeds of farm animals;

9. Recalls that the ongoing liberalisation of world agricultural markets is exposing EU producers to direct international competition, and that any additional measures that have to be complied with may be detrimental to competition but may also play to the advantage of EU farmers if they are effectively able to distinguish their products in the market place and gain premiums in return; recalls also that EU farmers can turn consumer demands to their advantage by providing consumers with locally produced high-quality products, higher animal welfare and environmental standards, among others;

10. Emphasises that in the WTO negotiations the Commission must seek to secure an agreement on the 'non-trade concerns' which ensures that as many imported products as possible meet the same requirements as those imposed on EU farmers, so that the quality of agricultural products which meet EU requirements in the areas of food safety, animal welfare and environmental protection offers agricultural producers a strong competitive advantage;

11. Is concerned at the influence of the big retail chains on the general quality level of EU food products, as well as at the trend on those markets characterised by a high levels of concentration of distribution towards standardisation and reduction of variety of agricultural and food products, in the wake of the declining presence of traditional products and a greater stress on processed products; suggests that the Commission take note of the need to regulate the reverse tendering practices imposed by a small number of bulk buyers, in view of their disastrous consequences for quality products;

#### ***Requirements concerning production and marketing standards***

12. Is concerned at the complexity of the EU system of basic standards and at the multiplicity of rules which farmers in the European Union have to comply with; favours a simplified system and calls for each new rule to be assessed in accordance with the criteria of suitability, necessity and proportionality;

13. Calls for further simplification of marketing standards by clarifying the main criteria to be applied; calls for the development of EU guidelines on the use of general reserved terms, such as 'low in sugar', 'low carbon', 'dietary' and 'natural', in order to avoid misleading practices;

Tuesday 10 March 2009

14. Is concerned at the fact that the majority of EU consumers are not sufficiently well-informed concerning the food chain, especially as regards products' and raw materials' origins; advocates mandatory indication of place of production of primary products based on a country of origin label, reflecting consumer desire to know more about the origins of the product they are buying; believes such a system should also apply to processed food products and should provide information on the origins of the main ingredients and raw materials, specifying their place of origin as well as the place of final processing;

15. Considers the Australian model to be an excellent example for such a system of labelling of the country of origin, while bearing in mind the specific characteristics of the European Union's various production sectors, in its defining of various different levels such as 'produced in' (for food products produced locally with local ingredients), 'made in' (for food products which have undergone substantial processing locally), or 'made in country X using local or imported ingredients'; recalls that similar labelling systems are used by other major trading partners such as the US and New Zealand;

16. Considers that, provided food safety requirements are complied with, marketing standards should not have the effect of blocking market access for products on grounds of their appearance, shape or size;

17. Takes the view that the use of the general EU quality label, bearing the words 'produced in the European Union', must ultimately ensure that EU products stand out on the market, on the basis of the high quality standards governing their production;

18. Considers that the optional reserved terms should be promoted as an alternative to compulsory marketing standards; considers, however, that the introduction of these uniform definitions satisfying all interested parties may encounter difficulties, bearing in mind the differences in dietary habits and traditions, with an increase in the amount of consumer information provided and the need to develop a system to monitor the use of these terms;

19. Advocates taking measures to simplify the EU rules, without this resulting in their dismantling, and to limit the scope for self-regulation; believes that common marketing standards are necessary and can be established in a more efficient manner; considers, in this connection, that joint regulation should be promoted as the usual means of adopting Community legislation in the field; calls for municipal authorities, food industry representatives and farmers' representatives to be involved in the process;

#### ***Specific quality systems in the European Union***

20. Underlines that food quality systems should provide information and offer a guarantee for consumers of the authenticity of local ingredients and production techniques; considers, therefore, that such schemes must be implemented and operated with reinforced controls and traceability systems;

21. Believes that there needs to be a more transparent labelling system enjoying broad consumer recognition, and that, in the interests of transparent labelling of origin, the provenance of essential product-defining agricultural ingredients should be shown both on EU products and on those imported from third countries;

22. Considers that the need to ensure the exclusive use of authentic PDO products as raw materials applies only where protected nomenclature is used for labelling and advertising a processed product; points out that this prevents consumers from being misled on the one hand, and stimulates demand for PDO products on the other;

23. Advocates the adoption of rules concerning the use of the terms 'mountain' and 'island' given the significant resulting added value for agricultural products and foodstuffs from these less-favoured areas; believes that use of the terms 'mountain' and 'island' must be accompanied by compulsory indication of the country of origin of the product;

24. Points out in this connection that, for the average consumer, the difference between PDO and PGI is not clear, and that an information campaign is needed to make consumers aware of that difference;

Tuesday 10 March 2009

25. Opposes the adoption of stricter assessment criteria, such as exportability and sustainability; points out that there are a number of examples of products which, while not exportable, are of major importance in shaping the local economy and ensuring continued social cohesion;
26. Stresses that designations of origin constitute a crucial part of the European heritage which needs to be preserved because of its crucial economic power and because it has a key socio-economic impact on many EU regions; believes that they offer a guarantee of quality, which must be reinforced, particularly by stricter control over the management of designations of origin by the applicant groups representing them; considers that they help consumers in making their choice from the range of goods on offer;
27. Considers that there is a need to better explain the differences between trademarks and designation of origin and to take measures to enable the existing Community rules preventing registration of a trademark containing or referring to PDOs/PGIs by operators who do not represent the producer organisations of those PDOs/PGIs to be applied in practice; considers it vitally important to launch promotional campaigns, with their own budgets, to inform consumers on the benefits of those public sector certification systems;
28. Believes that, in the interests of preserving quality and maintaining the reputation of the geographical indications, producers of products bearing geographical indications should have instruments at their disposal to enable them to manage the volumes produced in a proper manner;
29. Considers that, where a product with a PGI is used in a compound cooked product and the characteristics of the PGI product are altered, the protecting bodies or competent authorities must be allowed to conduct specific checks aimed at ascertaining whether or not the characteristics of the PGI product have been altered excessively;
30. Advocates greater protection for registered nomenclature, in particular at certain stages of packaging and marketing outside the production area wherever there is a danger of such nomenclature being improperly used; calls for the Community rules prohibiting the registration of marks with a designation similar to that of a PDO or PGI that has already been registered to be enforced;
31. Advocates the introduction of common rules to enable producers of products bearing geographical indications to determine the conditions for applying those indications, also in relation to their use in the designation of processed products;
32. Favours simplifying the procedure for registering designations of origin and reducing the time required for obtaining them;
33. Stresses that the degree of protection of designations of origin varies between Member States; advocates legislative and procedural harmonisation in this field, especially for the rules on *ex officio* protection;
34. Believes that the international protection of designations of origin should be strengthened; calls on the Commission to step up its efforts, particularly at political level, to bring about an improvement in PGI protection in the course of the WTO talks (either by extending the protection under Article 23 of the Agreement on Trade-Related Aspects of Intellectual Property Rights to all products, or by establishing a multilateral register of PGIs), and also in the accession negotiations for new member countries joining the WTO and bilateral agreements currently being negotiated;

Tuesday 10 March 2009

35. Takes the view that both exporting and non-exporting producers should be covered by that international protection on the part of the EU, which might differ on the basis of the risk of the actual counterfeiting of products, in such a way that products at high risk of counterfeiting, and which are exported, enjoy international protection at the WTO, while for products running a more moderate risk of counterfeiting, on markets at local level, a simplified procedure could be proposed, which, once recognised by the Member States, shall be notified to the Commission (comparable to the level of the current temporary protection) and enjoy Community legal protection;

36. Points out that certain nomenclatures are being systematically usurped on the territory of third countries, thereby misleading consumers and undermining the reputation of authentic products; points out that measures to ensure the protection of a nomenclature in a third country is a particularly time-consuming process which cannot easily be achieved by isolated producer groups given that specific protection arrangements and procedures exist in each country; urges the Commission to play an advisory role, providing producer groups with know-how and legal support regarding the conclusion of agreements with third countries;

37. Takes the view that Community and national checks are essential with regard to protected designations of origin and protected geographical indications, and advocates severe penalties to deter unauthorised use of those instruments, in such a way that Member States are required to apply these automatically in the event of counterfeiting or imitation of protected designations; suggests bringing forward a specific clause in Article 13 of Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs<sup>(1)</sup> in that respect; favours simplifying the procedures for obtaining PDOs, as well as stringent checks by Member State authorities when certifying that all stages of the production process have taken place in the geographical area concerned;

38. Considers that market monitoring for the enforcement of all PDO and PGI provisions will increase administrative costs for the Member States but will greatly contribute to more effective protection; favours Community technical assistance for monitoring by the Member States so as to ensure that PDO and PGI protection arrangements are implemented as uniformly as possible on the territory of the EU;

39. Advocates further action to disseminate information on these systems and popularise them, with Community financial support, both within the internal market and in third countries; believes that the Community cofinancing rate for EU information and promotion programmes on quality EU products needs to be increased; hopes that the Commission will continue to promote the concept of PGI with non-member States, particularly by undertaking more technical assistance missions in conjunction with PGI producer groups;

40. Suggests setting up a European Agency for Product Quality, which would work closely with the European Food Safety Authority and the Commission's units responsible for food quality, and which would also adjudicate on the increasing number of requests from third countries in relation to PDO, PGI and traditional speciality guaranteed products;

41. Stresses the importance for consumer choice of Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed<sup>(2)</sup>; calls on the Commission to submit a legislative proposal whereby a labelling requirement would also be introduced for animal products such as milk, meat and eggs produced by feeding animals with genetically modified feed;

42. Favours preserving and simplifying the TSG system; expresses disappointment at the performance of this instrument, under which so far only a small number of TSGs have been registered (20, with 30 applications pending); stresses that the register of TSGs mentioned second in Article 3(2) of Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed<sup>(3)</sup> – the register in which the name of the product or foodstuff is not reserved to the producers – should be abolished since this weakens TSG protection; recalls that the TSG system remains a useful instrument for protection of the networks and that it offers substantial room for development provided certain conditions are met;

<sup>(1)</sup> OJ L 93, 31.3.2006, p. 12.

<sup>(2)</sup> OJ L 268, 18.10.2003, p. 1.

<sup>(3)</sup> OJ L 93, 31.3.2006, p. 1.

Tuesday 10 March 2009

43. Considers the definition of 'traditional' products contained in Regulation (EC) No 509/2006 to be inadequate; considers that association of a traditional product with the country in which the tradition exists or the exclusive use of the designation by producers complying with traditional requirements will make TSG status more attractive;

44. Believes that organic farming offers EU farmers a major growth opportunity and that a programme of measures should be launched to enhance the credibility of the EU logo; notes, however, that the Community regulation on the subject lays down a single standard, even though the Member States apply the certification procedure differently, some of them choosing to delegate expensive inspection tasks to inspection authorities and others to state-accredited bodies; notes that the certification procedure varies between Member States and is expensive; calls for the harmonisation of legislation concerning upper detection limits of banned pesticides in organic products; supports, in principle, the proposal for an EU organic label;

45. Takes the view that greater standardisation is needed in the typology of control and certification bodies and procedures for ecological products, so that consumers are provided with an assurance of safety and reliability in the form of a new EU logo for ecological agriculture, guaranteeing identical production, control and certification criteria at EU level and helping to resolve problems and further promote the internal market in ecological products;

46. Considers that the appearance of non-organic products labelled in such a way as to suggest that they are products of organic farming may harm the development of a single EU market in organic products, expresses concern in this connection at attempts to extend the scope of the Ecolabel to food products not produced in accordance with organic farming principles;

47. Advocates the compulsory indication of country of origin in the case of fresh and processed organic products imported from third countries independently of whether they bear EU organic production certification;

48. Considers that, in order to improve the functioning of the internal market in organic products, it will be necessary to:

- register the country of origin in the case of fresh and processed organic products imported from third countries independently of whether the EU organic product logo is used,
- enhance the credibility of EU logo by means of a programme to promote organic products,
- establish upper detection limits for banned pesticides in organic agricultural products,
- examine the question of dual certification required in many cases by major distributors, since this is resulting in a shortage of organic products on the EU market,
- the designation of non-agricultural products referred to in connection with organic production methods must be distinct from that of organic agricultural products;

49. Welcomes the creation at Member State level of offices for traditional and organic products; believes that every Member State should have bodies, whether public or private, that are universally recognised by producers and consumers for purposes of promoting and validating local organic and quality production;

50. Recognises that consumers have ever growing demands concerning the quality of food and food products, not only in terms of safety, but also in terms of ethical concerns, such as environmental sustainability, animal welfare protection and genetically modified organisms (GMO) technologies; calls on the Commission to provide criteria for quality initiatives such as voluntary GMO-free labelling schemes which will provide consumers with a clear choice;

Tuesday 10 March 2009

51. Considers it necessary to promote environment-friendly production systems; regrets, therefore, the lack of Community rules on integrated production, enabling the efforts of EU producers to be highlighted, by means of suitable promotion and marketing campaigns designed to publicise the added value of those types of production;

### ***Certification systems***

52. Takes the view that EU rules on the harmonisation of standards are unnecessary; considers that there is no need to introduce new certification schemes for foodstuffs at EU level, as this would undermine existing schemes and mislead consumers;

53. Stresses that the development of quality marks, as well as the related communication activities, must not result in more red tape for producers; believes, therefore, that producers should be able to take the initiative regarding the use of such marks, and that the intervention of Community bodies should be confined to ensuring the protection of those marks with a view to guaranteeing producers a fair price for their efforts and protecting the consumer from counterfeiting or other forms of fraud;

54. Stresses that existing certification systems, as well as ensuring compliance with legal rules by close monitoring, should also guarantee other important food safety factors such as traceability; stresses that certification requirements should reflect the demands of society and that there should therefore be state support for the costs incurred by farmers; advocates the promotion of more active cooperation by producers' associations, since individual farmers are unable to challenge obsolete trade certification rules;

55. Points out that, as things stand, private certification systems do not fulfil the objective of helping producers to communicate the characteristics of their products to consumers, and are in fact becoming an exclusive means of access to the market, increasing red tape for farmers and becoming a business for many food distribution companies; sees a need to refrain from promoting the proliferation of such systems, which limit access to the market to a section of the production sector;

56. Stresses that the current proliferation of private certification systems is hindering access to the market for some in the sector, and that those systems are not helping to improve the communication of product characteristics to consumers; calls on the Commission to promote the mutual recognition of private certification systems in order to limit that proliferation and exclusion from the market of quality products; sees a need for Community guidelines to be drawn up that contain aspects those systems cannot regulate, such 'status-enhancing' references, which should be defined on the basis of objective, scales and circumstances;

57. Points out that regional products are highly significant for local economies and communities and that therefore any proposals to limit the number of geographical indications which may be registered should be opposed;

58. Considers that there is no need to develop new initiatives for promoting traditional products, as this may undermine the TSG scheme;

59. Calls for closer cooperation with the International Organisation for Standardisation and the implementation on as large a scale as possible of alternative systems such as HACCP (Hazard Analysis Critical Control Points);

60. Notes, with regard to the international dimension, the existence of a number of problems relating to competitiveness vis-à-vis the European Union's main trading partners; is concerned at pressure from products from emerging countries which do not meet the same security and quality standards and often benefit from lax controls; reiterates, in this connection, the need to implement the concept of 'qualified market access', as affirmed in numerous resolutions of Parliament;



Tuesday 10 March 2009

61. Calls for the generalisation of bilateral agreements with key markets, as well as for agreements on fighting counterfeiting; believes that the Commission should work for clarification of the issues facing international trademark protection, including protection of PGIs, PDOs and TSGs;

#### **Additional aspects**

62. Supports action to communicate, as extensively as possible, the benefits of the European Union's policies for food quality and safety; regrets the lack of full information and the difficulties of access for the public regarding the European Union's work in this field; recommends that the Commission and the Member States step up their information and promotion efforts regarding quality and food safety standards for EU products;

63. Emphasises the potential role of EU funding in this area; notes that in the 'convergence Member States' Community participation in the quality programmes is as high as 75 %; nonetheless stresses that credit requirements have now become tighter for small producers in the wake of the world financial crisis, and that this will drastically limit their access to cofinancing;

64. Considers that farmers' markets, as outlets for local, seasonal produce run directly by farmers, should be encouraged because they ensure that a fair price is paid for high-quality produce, strengthen the link between product and place of production and encourage consumers to make informed, quality-based choices; considers that Member States should encourage the creation of marketing spaces in which producers can present their products direct to the consumer;

65. Calls for the creation of sales promotion programmes for local markets, to promote local and regional processing and marketing initiatives; takes the view that this could for example be done by producer cooperatives, which boost added value in rural areas and which by avoiding long transport routes set a good example for combating climate change;

\*

\*      \*

66. Instructs its President to forward this resolution to the Council and the Commission.

---

## **Commission Reports on Competition Policy 2006 and 2007**

P6\_TA(2009)0099

### **European Parliament resolution of 10 March 2009 on the Reports on competition policy 2006 and 2007 (2008/2243(INI))**

(2010/C 87 E/10)

*The European Parliament,*

— having regard to the Commission Report on Competition Policy 2006 of 25 June 2007 (COM(2007)0358) and its Report on Competition Policy 2007 of 16 June 2008 (COM(2008)0368),

— having regard to the Commission State Aid Action Plan of 7 June 2005 on Less and better targeted state aid: a roadmap for state aid reform 2005-2009 (COM(2005)0107),

— having regard to its resolution of 14 February 2006 on State aid reform 2005-2009 <sup>(1)</sup>,

---

<sup>(1)</sup> OJ C 290 E, 29.11.2006, p. 97.