

PROGRAMME

Public Hearing
Committee on the Internal Market and Consumer Protection

"Dual quality of goods in the Single Market"

28 October 2021, 09.40 - 11.10
European Parliament, ANTALL (4Q2), Brussels
and with remote participation

The aim of this hearing is to provide an overview of the state of play on 'dual quality'. Experts (e.g. from consumer associations and business organisations) may highlight the challenges that dual quality practices have created both for consumers and the industry, among others in terms of consumer information about the differentiation of goods. They could also address the problem of how to raise consumer awareness of the issue. The Commission may provide an overview of the progress, which has been made by Member States to meet the transposition deadline (28 November 2021) of Directive 2019/2161, introducing a new provision on dual quality in the Unfair Commercial Practices Directive, and the Joint Research Centre (JRC) may present the recent developments of its work on dual quality of goods.

09.40 Opening remarks: Mr Andrus Ansip, 1st IMCO Vice-Chair

09.43 Consumer associations/independent testing associations

- **Floriana Cimmarusti**, Secretary General at "SAFE - Safe Food Advocacy Europe", presentation of the [ECO project](#)
- **Libor Dupal**, Chairman of the Board of Trustees at "Sdružení českých spotřebitelů", the Czech association of consumers
- **Piotr Koluch**, Editor-in-chief at "Pro-Test Foundation", Polish independent testing association

09.58 Business organisations

- **Dirk Jacobs**, Deputy Director General and Director for Consumer Information, Nutrition and Health at "FoodDrinkEurope"
- **Fabian Fechner**, Deputy Head in Brussels Office of the "Handelsverband Deutschland (HDE)", the German Retail Federation

10.08 European Commission

- **Blanca Rodriguez-Galindo**, Head of Unit for Consumer and Marketing Law, Directorate-General for Justice and Consumers (DG JUST)

10.16 Joint Research Center

- **Giampiero Genovese**, Head of Unit for Economics of Agriculture
- **Franz Ulberth**, Head of Unit for Fraud Detection and Prevention

10.24 Exchange of views with IMCO Members

11.05 Closing remarks: Mr Andrus Ansip, 1st IMCO Vice-Chair

Background information

Consumers from a number of EU countries have complained that the composition of certain goods is different in their home country when compared to goods sold under the same brand with the same product name and with the same or very similar packaging in other Member States. This concern, which has come to be known as 'dual quality', has created several challenges for consumers.

To address this issue, article 6 of the Unfair Commercial Practices Directive 2005/29/EC, as amended by Directive (EU) 2019/2161, lays down that the marketing of a good, in one Member State, as being identical to a good marketed in other Member States, while that good has significantly different composition or characteristics, can constitute a misleading commercial practice on the basis of a case-by-case assessment, unless justified by legitimate and objective factors. The transposition deadline for the above-mentioned provision is on 28 November 2021 and Member States are required to apply the new measures as of 28 May 2022.

The IMCO Committee has been following the issue of dual quality extremely closely. On 24 April 2017, it adopted a proposal for a budgetary pilot project to look into how the quality of products of the same brands differ between Member States and include a comparative analysis of product advertisement, labelling and information. This pilot project was adopted as part of the 2018 budget, and renewed in the 2019 budget. On 2 April 2019, IMCO adopted a proposal to transform this pilot project into a preparatory action. This proposal was adopted by plenary as part of Parliament's position on the 2020 budget (AM 1184) and the budgetary procedure was closed in plenary on 27 November 2019. Moreover, since 2019 the IMCO Committee has held several exchanges of views on the issue of dual quality of goods.