



European Association of Dairy Trade  
Europäischer Verband  
des Handels mit Milcherzeugnissen  
Association Européenne du Commerce  
des Produits Laitiers et Dérivés



Mr Vytenis Andriukaitis  
Commissioner for Health and Food Safety  
European Commission  
Rue de la Loi 200  
1049 Brussels

13 September 2016

**Subject: proliferation of mandatory origin labelling for dairy products in EU Member States**

Dear Commissioner,

Eucolait thanks you for your responses to our previous letters on the subject of national mandatory origin labelling decrees (specifically, our letter of 29 April on the French decree and our letter of the 29 June on the Italian decree), sent by Mrs Nikolakopoulou on your behalf.

We very much regret the decision of the Commission not to object the French decree on the origin of milk used as an ingredient, which in our view constitutes a first step towards dismantling the internal market for dairy products. It is clear that the sole purpose of this decree is to limit the use of milk and dairy ingredients from other Member States in dairy products processed in France. For the reasons outlined in our initial letter, we believe it is neither compatible with the core principle of the free movement of goods, nor with the provisions in the food Information to consumers regulation which only allow national rules in this field under very strict criteria. The fact that the decree is presented as a two year trial – which it most probably is not – by no means changes this assessment. Incidentally, we would like to point out that the difficult situation on the dairy market which led to the adoption of the decree is now improving at a rapid pace.

Aside from the disastrous impact on companies engaged in dairy trade between France and other Member States, the most worrying consequence of this development is the snowball effect it has created. Member States such as Italy, Greece and Lithuania which had previously submitted mandatory origin labelling plans for approval – without success – have now been encouraged to submit revised drafts, taking the French measure as a blueprint. Other countries have also followed suit and most likely we have not seen the end of it.

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We strongly urge the Commission, as the Guardian of the Treaties, to reject any further mandatory origin labelling pilots, whether they are limited in time or not and whether there is a mutual recognition clause or not. The fact is that the purpose of mandatory origin labelling is always to grant preference to domestic products by limiting trade between Member States. The same goes for 'like' initiatives such as the amendments to the Romanian law on trading food products obliging retailers to source locally. After a long legislative process, mandatory origin labelling at EU level has been rejected and for very good reasons. Why should each individual Member States now be able to decide the opposite? It seems like an option that is even worse as not only does the labelling become obligatory but in addition the rules are not harmonised.

At the very least, the assessment of the other decrees should be put on hold until the results of the French experience can be evaluated and pending the outcome of possible legal challenges.

Eucolait remains committed to the principle of a fully functioning internal market and we remain at your disposal should you have any further questions.

Yours sincerely,



Jukka Likitalo

Secretary General