

# Press Release

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## ECJ case C-485/18: EU institutions defend Single Market against Mandatory National Origin Labelling

**General Advocate Gerard Hogan has issued this morning his legal opinion in the ECJ court case C-485/18 on the French national origin labelling decree: he fully defends the Single Market principle in his opinion and has put the EU Commission back on track!**

The EU dairy industry is a vital part of EU agriculture beyond the EU dairy industry sector chain. The 150 million tonnes of milk produced per year in the Union are processed in 12,000 milk processing and production sites across the EU. With 700,000 committed dairy farms and over 300,000 industrial jobs all over Europe, dairy is the industrial backbone and the economic basis of rural Europe and beyond.

The success of the European dairy sector is based on the European project and on its principles, especially the Single Market: France, for instance, is exporting 40% of its milk – and more than 65% of the exported French dairy excellence are enjoyed within our Union's Single Market.

The Court case C-485/18 deals with the French national mandatory labelling decree, that was approved – against the opinion of the legal services of the EU Commission, DG GROW and DG COMP – by the EU Commission back in 2016 for a test period of two years and which is still in place.

The French government claims that the consumer perception of quality is part of the product quality, while **Avocat General Gerard Hogan** makes it very clear in his today's opinion: only if the origin of a foodstuff has a tangible impact on the product itself, national origin labelling can be considered. *"Any other conclusion would pave the way ....to purely nationalistic – even chauvinistic – instincts"*, as he puts it.

It is good to see that even the EU Commission now finally adopts a pro-European approach. The representative of the EU Commission claimed: *"There is no difference between German and French milk; any difference of milk is only linked to the farming systems and conditions"*.

Over the past years, the EU Commission missed many opportunities to live up to its responsibility as 'guardian of the treaties'.

To get the EU Commission back on duty, **MEP Andreas Schwab** (EPP, DE) has been publishing ► [a list of recently adopted national measures](#) violating the Single Market principle in the food sector. "For a speedy post-COVID19 recovery, spending money is not sufficient. We must protect the basis of our economic success: the Single Market. Today, we are on a wrong way!"

The list of MEP Andreas Schwab includes the Bulgarian law obliging the retail sector to source 90% of all dairy produce at national level, ► [the Polish 'name & blame' website for dairy importers](#), ► [the French agricultural minister's call for food-patriotism and milk origin labelling decree](#) and many other initiatives.

"We are grateful for this call for action to the EU Commission that - in the past - missed many opportunities to take serious its role as guardian of the treaty. MEP Andreas Schwab highlights the problems, that the EU Commission's communication 'Identifying and addressing barriers to the Single Market' of March 2020 did not really tackle", congratulated **EDA secretary general Alexander Anton**. ► [see EDA Dairy Flash #5 2020](#). "Today's legal opinion of Hon. Mr Justice Gerard Hogan does not come as a surprise and we trust, the Court will follow his opinion."



*Tweet: Stéphane Le Foll, 14 March 2016*

**Honi soit qui mal y pense:** Then French Agriculture Minister Stéphane Le Foll tweeted the EU Commission's OK to his national origin labelling decree on 14 March 2016 – at a moment where this decree was not even notified to the EU Commission and the other EU Member States...

#### ABOUT THE EUROPEAN DAIRY ASSOCIATION

The European Dairy Association is the voice of dairy processors in the European Union. The membership of EDA consists of the associations of dairy processors in EU Member States.

#### FOR MORE INFORMATION

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