

EN

E-002615/2025

Answer given by Mr Hansen

on behalf of the European Commission

(24.9.2025)

1. The ruling of the Court of Justice of the European Union in case C-399/22 of 4 October 2024¹ has clarified that, in application of the current EU legislation, the labelling of fruit and vegetables harvested in the territory of Western Sahara must bear the indication ‘Western Sahara’ as country of origin. The control of the conformity to marketing standards (including origin labelling provisions) of fruit and vegetables marketed within the EU is the competence of Member States. The Commission has informed Member States of the outcome and the consequences of the ruling of the Court.

2. On 4 October 2024, the Court of Justice of the European Union, in Joined Cases C-779/21 P and C-799/21 P², annulled the Council Decision 2019/217³ concluding an agreement in the form of an exchange of letters whereby the same tariff preferences granted by the EU to Morocco were extended to products originating in Western Sahara. This Council decision applies only to the amendments of Protocols 1 and 4 of the Association Agreement between the EU and Morocco in relation to products originating in Western Sahara⁴. The 2012 Agreement on reciprocal liberalisation measures enabling the liberalisation of certain fruits and vegetables traded between the EU and Morocco⁵ is not the subject of the joined court cases, and it continues to apply including all necessary safeguards upon import into the EU. With regards to the annulled Council Decision, its effects continue to apply until 4 October 2025.

¹ <https://curia.europa.eu/juris/document/document.jsf?jsessionid=C294F130F5EC41294E44BA520F4F2A05?text=&docid=290679&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=16244129>.

² [https://curia.europa.eu/juris/liste.jsf?nat=or&mat=or&pcs=Oor&jur=C%2CT%2CF&num=C-779%252F21&for=&jge=&dates=&language=en&pro=&cit=none%252CC%252CCJ%252CR%252C2008E%252C%252C%252C%252C%252C%252C%252C%252Ctrue%252Cfalse%252Cfalse&oqp=&td=%3BALL&avg=&lgrc=en&lg=&page=1&cid=8987194](https://curia.europa.eu/juris/liste.jsf?nat=or&mat=or&pcs=Oor&jur=C%2CT%2CF&num=C-779%252F21&for=&jge=&dates=&language=en&pro=&cit=none%252CC%252CCJ%252CR%252C2008E%252C%252C%252C%252C%252C%252C%252C%252C%252Ctrue%252Cfalse%252Cfalse&oqp=&td=%3BALL&avg=&lgrc=en&lg=&page=1&cid=8987194).

³ Council Decision 2019/217 on the conclusion of the agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Morocco on the amendment of Protocols 1 and 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2019:034:TOC>).

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019D0217>.

⁵ [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22012A0907\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22012A0907(01)).