

Food information to consumers

2008/0028(COD) - 19/04/2011

The Committee on the Environment, Public Health and Food Safety adopted the recommendation for second reading contained in the report drafted by Renate SOMMER (EPP, DE) on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 and repealing Directives 87/250/EEC, 90/496/EEC, 1999/10/EC, 2000/13/EC, 2002/67/EC, 2008/5/EC and Regulation (EC) No 608/2004.

It recommended that the European Parliament's position at second reading under the ordinary legislative procedure should be to amend the Commission proposal as follows:

Subject matter and scope: Members stipulate that **catering services provided by transport undertakings** shall fall within the scope of this Regulation only if they are provided on routes between two points within Union territory.

This Regulation shall only apply to food prepared in the course of a business, the concept of which implies a certain continuity of activities and a certain degree of organisation. Operations such as the occasional handling, serving and selling of food by private persons at events such as charity events or local community fairs and meetings shall not fall within the

scope of this Regulation.

Food labelling shall be easily recognisable, legible and understandable for the consumer. To facilitate the smooth functioning of the internal market, as well as to minimise packaging waste, it is normal that a transitory period is provided when new labelling requirements are introduced.

Principles governing mandatory food information: information must also concern the durability, storage, conservation requirements once the product is opened, if applicable, and safe use.

Fair information practices: food information shall **not be misleading**, particularly:

- by specifically emphasising the absence of certain ingredients and/or nutrients which the food in question does not contain as a matter of course;
- by explicitly advertising a substantial reduction in sugar and/or fat content, without a corresponding reduction in the energy content of the food in question;
- by suggesting in the description or pictorial representations on the packaging the presence of a particular product or an ingredient although in reality the product which the packaging contains is an imitation food or contains a substitute for an ingredient normally used in a product. In such cases, the packaging shall prominently bear the marking 'imitation' or 'produced with (designation of the substitute ingredient) instead of (designation of the ingredient replaced)';
- by suggesting, in the case of meat products, that a product comprises one piece of meat, although it in fact consists of combined meat pieces. In such cases, the product shall be labelled on the front of the packaging 'formed meat – from combined meat pieces.

Mandatory information: the date of first freezing for unprocessed meat, poultry and fish should be included. Indication of the **country or place of provenance** shall be mandatory: (i) for all meat and poultry; (ii) for milk and dairy products; (iii) for fresh fruit and vegetables; (iv) for other single-ingredient products; (v) for meat, poultry and fish when used as an ingredient in processed foods.

For meat and poultry, the country or place of provenance may be given as a single place for animals only where the animals have been born, reared and slaughtered in the same country or place. In other cases information on each of the different places of birth, rearing and slaughter shall be given.

The mandatory particulars shall be printed on the package or on the label in such a way as to ensure clear legibility. Criteria other than font size, such as font type, contrast between the print and background, line and character pitch, should be considered.

In case of packaging or containers the largest printable surface of which has an area of **less than 80 cm²**, the minimum xheight of the font size shall be equal to or greater than 0.9 mm.

Derogations for micro-enterprises: derogations should be permitted for micro-enterprises producing handcrafted products.

Specific national provisions may be adopted for such packaging or containers in the case of Member States which have more than one official language.

Alcoholic beverages: certain information shall not be mandatory for beverages containing alcohol.

The Commission shall produce a **report** after two years from the entry into force of this Regulation, including a definition of "**alcopops**" (alcoholic beverages specifically targeted at young people), addressing whether alcoholic beverages should in future be included, in particular, as regards the requirement to provide the information on the energy value, and the reasons justifying possible exemptions. The Commission shall accompany this report by a **legislative proposal**, if appropriate, determining the rules for a list of ingredients or a mandatory nutrition declaration for those products.

Mandatory inclusion of a nutrition declaration: this should include the amounts of protein, carbohydrates, and trans fats.

The content of the mandatory nutrition declaration may be supplemented with an indication of the amounts of one or more of the following: cholesterol, sodium and novel sugars.

The 'back of pack mandatory nutrition declaration' shall include the amount of energy in kcal and all the mandatory nutrients and, where appropriate, the voluntary nutrients. It shall be expressed, where appropriate, in the order of presentation provided for in Annex XV, both per 100 g/ml and per portion. It shall be presented in tabular form, with the numbers aligned.

Presentation: where the labelling of a prepacked food provides the mandatory nutrition declaration, the information on energy may be repeated on the bottom right-hand corner of the front of pack per 100 g/ml in a **font size of 3 mm** and surrounded by a border. In addition, that information may be presented in the same way per portion.

Nutritional information declared on a voluntary basis: Members stipulate that the term 'vegetarian' shall not be applied to foods that are, or are made from or with the aid of, products derived from animals that have died, have been slaughtered, or animals that die as a result of being eaten. The term 'vegan' shall not be applied to foods that are, or are made from or with the aid of, animals or animal products, including products from living animals.

Additional voluntary nutrition information for specific target groups, for example children, shall continue to be permitted provided that the specific reference values used are scientifically proven, do not mislead the consumer and are in accordance with the general conditions laid down in this Regulation.

Delegated acts: the power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this proposed Regulation.