Production and marketing of honey: pollen in honey; aligning the Directive with the TFEU (Commission delegated and implementing powers)

2012/0260(COD) - 15/01/2014 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted amendments to the proposal for a directive of the European Parliament and of the Council amending Council Directive 2001/110/EC relating to honey.

The matter was **referred back for reconsideration to the committee responsible**. The vote was postponed to a later session.

The main amendments adopted in plenary are as follows:

Geneticially modified pollen: Parliament rejected a proposal by its Environment Committee to consider GM pollen as an ingredient rather than a natural constituent of honey, in line with a Court of Justice ruling in 2011.

The amended text stipulates that **pollen, being a natural constituent particular to honey**, **shall not be considered an ingredient**, within the meaning of Article 2 (2)(f) of Regulation (EU) No 1169 /2011 on the provision of food information to consumers. Current EU legislation on labelling will continue to apply.

Alignment with the Lisbon Treaty (delegated acts): the proposal seeks to allow the Commission to amend the technical characteristics related to names, product descriptions and definitions in Annex I and composition criteria in Annex II to the present Directive. However, Members considered that these are all **essential elements** of the Directive and should not be amended through delegated acts in accordance with Article 290 of the TFEU. Therefore, they deleted these parts of the Commission proposal.

The power to adopt delegated acts relating to **non-essential elements is still to be conferred on the Commission.** Accordingly, Members called for the proposal in Article 4 for delegated acts to set out methods for the verification of compliance of honey with the provisions of this Directive to be maintained.

Members have also amended the length of time for which the power to adopt delegated acts can be conferred on the Commission. This has been changed from an indeterminate period to **five years** with tacit extension.