

# Food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control

2011/0156(COD) - 22/08/2017 - Follow-up document

The Commission presented a report on the **exercise of the delegation** conferred on the Commission pursuant to Regulation (EU) No 609/2013 on food intended for infants and young children, food for special medical purposes and total diet replacement for weight control (FSG Regulation).

As a reminder, the FSG Regulation empowers the Commission to adopt delegated acts for a **period of five years from 19 July 2013** (which may be extended for periods of identical duration).

With this report the Commission fulfills the obligation to draw up a report on the exercise of delegation no later than nine months before the end of the five-year period.

**Exercise of the delegation:** the FSG regulation has been in force for less than one year and is not yet fully applicable. Since the entry into force of the FSG Regulation, the Commission has adopted four delegated acts accordingly:

1) [Commission Delegated Regulation \(EU\) 2016/127](#) supplementing the Food for Specific Groups Regulation as regards the specific compositional and information requirements for infant formula and follow-on formula and as regards requirements on information relating to infant and young child feeding. This legal act was adopted on 25 September 2015 with the objective to update the requirements for formulae intended for infants based on the latest scientific evidence.

2) **Commission Delegated Regulation** supplementing the Food for Specific Groups Regulation as regards the specific compositional and information requirements for processed cereal-based food and baby food.

In a [resolution](#) adopted on 20 January 2016, Parliament objected to the Delegated Regulation. It expressed concerns on the compositional requirements for processed cereal-based food and baby food (in particular with respect to the sugar levels in the products) and the labelling and marketing requirements for these products (with respect to the provision of information on the introduction of complementary feeding before six months of age).

3) [Commission Delegation Regulation \(EU\) 2016/128](#) supplementing the FSG Regulation as regards the specific compositional and information requirements for food for special medical purposes.

The Delegated Regulation extended, *inter alia*, the rules on pesticides that apply to infant formula, follow-on formula, processed cereal-based food and baby food to food for special medical purposes for infants and young children. The Regulation will apply from 22 February 2019.

4) Commission Delegated Regulation supplementing the Food for Specific Groups Regulation as regards the specific compositional and information requirements for total diet replacement for weight control. This Delegated Regulation was adopted by the Commission on 2 June 2017 and was **submitted to the European Parliament and the Council for scrutiny**.

Lastly, the delegated act amending the Annex to Regulation (EU) No 609/2013 as regards the list of substances that may be added to processed cereal-based food and baby food and to food for special medical purposes was adopted by the Commission on 10 April 2017.