Foodstuffs for human consumption: amending certain 'Breakfast' Directives

2023/0105(COD) - 21/04/2023 - Legislative proposal

PURPOSE: to revise the so-called ‘breakfast directives’ to better address consumer needs and sustainability.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the so-called ‘Breakfast Directives’ are a set of seven directives laying down common rules on the composition, sale name, labelling and presentation of certain foodstuffs in order to protect the interests of consumers and ensure the free movement of these products in the internal market.

The Breakfast Directives are more than ten years old. Over the last decade, food markets have evolved considerably, driven by innovation but also by changes in societal concerns and consumer demand. Therefore, **some of the rules of the Breakfast Directives need to be revised**.

This revision is also carried out against the backdrop of the Commission’s Farm to Fork Strategy and the UN’s Sustainable Development Goals. The Commission announced that the revision of Union marketing standards, which is understood to cover the Breakfast Directives due to their similarity with marketing standards, would aim to **provide for the uptake and supply of sustainable products**. In addition, the Commission committed itself to seeking ways to facilitate the adoption of **healthy diets** and to encourage product reformulation, particularly for foods high in fat, sugar and/or salt. Lastly, the Commission announced that it would consider proposing the extension of mandatory origin or provenance indications to certain products, while fully taking into account impacts on the internal market.

CONTENT: the Commission proposes to **revise the Breakfast Directives**, in particular the Directives on (i) honey, (ii) fruit juices, (iii) fruit jams, jellies and marmalades, and chestnut purée, (iv) certain partly or wholly dehydrated preserved milk for human consumption.

Honey

To enhance the possibility for consumers to make informed choices, including with regard to the origin of their food, it is proposed to revise the rules for labelling the origin of honey and to **provide for the country or countries of origin to be indicated on the packaging**. As regards single portions of honey (breakfast packs), in view of their small size and the technical difficulties involved when the honey comes from several countries, it is proposed to exempt these packs from the obligation to indicate each of the countries of origin of the honey.

Fruit juices

It will be possible for fruit juices to bear the mention ‘**with no added sugars**’ to clarify that, contrary to fruit nectars, fruit juices cannot by definition contain added sugars – a feature that most of the consumers are not aware of. Moreover, to address the growing consumer demand for products with lower sugar content, a reformulated fruit juice would be allowed to indicate ‘**reduced-sugar fruit juice**’ on its label.

To support the production and marketing of fruits and to improve the minimum quality of nectars, it is proposed to lower the proportion of sugars and/or honey that may be added to fruit nectars that are naturally low in acidity and palatable as they are. It is also appropriate to add proteins from sunflower seeds to the list of authorised treatments and substances. To simplify further and adapt to consumer tastes, the term ‘coconut water’ could now be used alongside ‘coconut juice’.

Jams and marmalades

It is proposed to **increase the general minimum fruit content to 450g/1000g** (as opposed to 350 g/1000 g currently), so far reserved for ‘extra jam’ and ‘extra jelly’ which, as a consequence, reduces the amount of added sugar needed to reach the minimum content of soluble dry matter in these products.

The term ‘**marmalade**’, authorised until now only for citrus jams, would now be allowed for all jams to introduce the possibility to adjust the name of the product to the most used locally. To avoid confusion among consumers, the term "citrus marmalade" should be used throughout the EU to designate the product hitherto defined as ‘marmalade’ in order to distinguish the two product categories.

Wholly dehydrate preserved milk

In order to respond to evolving consumers’ needs, a treatment to produce **lactose-free dehydrated milk products** should be authorised. Furthermore, the particular designation for the English term ‘evaporated milk’ in Annex II to that Directive should be aligned with the international standards defined in the Codex Standard for evaporated milks.