

## Food information to consumers

2008/0028(COD) - 22/02/2011 - Commission communication on Council's position

The Commission accepted in full, in part, or in principle 113 out of 247 amendments adopted at the first reading as it considered that these amendments clarified or improved the Commission proposal and were consistent with the general aim of the proposal.

The Commission takes the view that the position of the Council at first reading contains elements departing from the Commission's proposal. Although there are remaining concerns, in order to allow the legislative process to move forward, the Commission did not stand against the position adopted by the Council by qualified majority.

Nutrition declaration in the principal field of vision (front-of-pack): in the Commission Communication on the EP position, the Commission indicated its agreement to mandatory front-of-pack (FOP) nutrition labelling for five elements (energy, fat, saturates, sugars and salt) and the Commission agreed in principle with the European Parliament's amendment that the application of the requirement of FOP to foods that are regulated under the framework of Directive 2009/39/EC on foods for particular nutritional uses would need to be clarified. The declaration of the Commission (attached) specifically notes that the Commission regrets the position of the Council to remove the requirement for some nutrition information to be provided on the FOP. On this issue the Commission continues to believe that FOP labelling would allow consumers to readily see the nutrition information when purchasing foods and the Commission reserves the right to support the EP position to include five nutritional elements on the FOP.

Amendments of the European Parliament accepted by the Commission as such or subject to rewording, but not incorporated in the position of the Council at first reading concern the following issues:

Name of the food business operator: Parliament position would oblige, not only the name and address of the food business operator under whose name or business name the product is marketed, but also the name, business name or trademark of the manufacturer of the food itself. The Commission continues to support the intention of the Parliament's position as it would provide transparency for the consumer on the manufacturer of the product.

Date of minimum durability: the Commission agreed to the Parliament's position on the need to clarify the distinction between "use-by" and "best before" dates. A recent study led by the European Commission indicated that food wastage represents a huge amount of waste with an average of about 76 kg/person/per year at households level, of which 60% could be avoided. Some of this avoidable wastage would be due to a poor understanding of the date labelling system.

Scope of the Regulation: the Parliament proposed that the Regulation should not apply to transport catering services, such as planes and trains, on routes that are not wholly within the EU. The Commission believes that there is merit in considering further the issue of how the regulation should apply to transport catering services.

Definition of ingredient: the Commission considers it necessary to replace the definition of "ingredient" contained in the initial proposal as defined in the general labelling Directive 2000/13/EC. The definition should be adapted to take account of the European Parliament's amendment.

Labelling of meat consisting of combined meat pieces: the European Parliament proposed that when a food is meat consisting of combined meat pieces that this should be indicated on the front of pack or associated with the name of the food. The Commission believes that this proposal would ensure that consumers are informed about the specific characteristics of the food they are purchasing. The Commission accepts the intention of the amendments in principle but considers that the drafting of the provision needs to be reviewed.

Labelling of meat with added protein and/or water: the Commission accepted in principle the European Parliament position that certain meat and fish products containing added protein and/or water should indicate the source of the added protein and the presence of added water on the labelling.