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Committee on Agriculture and Rural Development

2008/0028(COD)

29.1.2010

OPINION

of the Committee on Agriculture and Rural Development

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council
on the provision of food information to consumers
(COM(2008)0040 – C7-0000/2009 – 2008/0028(COD))

Rapporteur: Marc Tarabella

PA_Legam

SHORT JUSTIFICATION

Introduction:

This new regulation will repeal two directives:

- Directive 2000/13/EC on the labelling of foodstuffs,
- Directive 90/496/EEC on nutrition labelling for foodstuffs.

The purpose of the regulation is to establish a legal framework regulating the information appearing on foods. A general awareness of the importance of eating healthier food provides the context. European consumers are becoming more and more conscious of the contents of food products as a result of the information campaigns run both by the Commission and by Member States. Moreover, several industrial groups have already begun to improve their labelling in response to consumer demand.

This regulation should lead to consumers having clear, legible and easily understood information allowing them to make fully informed food choices.

Guidelines proposed in the opinion of the Committee on Agriculture and Rural Development

- information which must appear on foodstuffs

In addition to the mandatory particulars proposed by the Commission, the Committee on Agriculture and Rural Development has adopted a compromise requiring the inclusion of particulars concerning provenance for certain types of product. The reference to the origin of foods has been deleted: when reference is made to the country of origin of a particular food, this may be the country in which the item in question was last processed (Council Regulation (EEC) No 2913/92 establishing the Community Customs Code). The Committee on Agriculture and Rural Development, however, would like the packaging to indicate the place where the fruit or vegetables were harvested, the place where the fish were caught, the place where the animals were born and reared, etc. and not the place where they were cooked or smoked. This is why he prefers to talk about the place of provenance of a food. Every member of the public must be told where each food he or she consumes comes from, so that he or she can make a more informed choice (for example whether or not to buy local produce) and is aware of a product's ecological footprint. These imperatives of transparency and traceability are the principles underpinning consumers' rights.

The Committee on Agriculture and Rural Development is thus insisting on a reference to the country of provenance for processed foods and mono-ingredient foods (the latter being defined as any food which, setting aside salt, sugar, spices, water, additives, flavourings or enzymes, contains only one ingredient) and for the primary meat and dairy ingredients contained in composite foods. In addition, in the case of meat other than beef and veal the place of provenance can be a single place only if the animals concerned were born, reared and slaughtered in the same country or place. In all other cases the various places of birth, rearing and slaughter should be specified.

Mandatory particulars must be presented in a clear, legible and easily understood way in order to rule out any confusion among consumers. The 3 mm print-size requirement is inappropriate: it will merely serve to increase the size of packages, causing further environmental pollution. This is why the Committee on Agriculture and Rural Development is proposing that the size of the mandatory items of information should be tailored to the size of the package concerned, with a minimum print size of 1 mm for packages whose largest side or label has an area of between 25 and 100 cm² and a minimum print size of 2 mm for packages whose largest side or label has an area in excess of 100 cm². In addition, it is vital to ensure that there is a sufficient degree of contrast between the printed characters and the background.

Information and training programmes are needed at European level with a view to ensuring that labels can be readily understood and to enhancing the effectiveness of this regulation. European consumers need to have greater in-depth knowledge if they are to make informed choices. Some countries now run adult education programmes, through evening classes for example, and have also started educational programmes for children at a very young age. Secondary schools in Belgium have 'health committees' made up of teachers, educators and cooks, who work to promote healthy food and a balanced diet. It is vital that these programmes should be encouraged throughout Europe so that consumers are given the information and skills they need to choose a healthier and more balanced diet. Associations working to this end are a vital means of making EU citizens more aware of these matters and must be supported and strengthened.

Moreover, new information and communication technologies may be employed in cases where the Commission authorises provision of some mandatory particulars by a means other than labelling. It is possible to envisage consumers being able to obtain all mandatory particulars at the moment of purchase through the use of electronic terminals placed in supermarkets.

- the mandatory nutrition declaration

The Committee on Agriculture and Rural Development takes the view that, in order to ensure that consumers are better informed, it is vital that details of the trans fatty acid, protein and fibre content of foods should be added to the mandatory nutrition declaration. A distinction should also be made between natural and added sugars. However, he opposes the addition of any further information, for one logical reason: too much information obscures the message.

The Committee on Agriculture and Rural Development has also amended the provisions of the Commission proposal dealing with the mandatory nutrition declaration. It is calling for an indication of the energy content, expressed in kcal, to be given at the bottom right of the upper side of the packaging and the rest of the nutritional labelling to be displayed in the same visual field as a single table.

- alcoholic beverages

The exemption of alcoholic beverages from these proposals is justified precisely on the grounds that they contain alcohol. It would be wrong to label these products in a way that could mislead consumers or encourage inappropriate consumption of these products. Equally, it would be wrong for these proposals to discriminate, and distort competition, between

competing products. In the Commission's original proposal, wines, beers and spirit drinks were exempted from the requirement to indicate mandatory particulars for a period of five years. That is why the Committee on Agriculture and Rural Development is proposing, for the sake of greater fairness, that all alcoholic beverages (i.e. beverages containing more than 1.2% alcohol), with the exception of so-called alcopops, should be exempted from this requirement. Young consumers are easily misled by these drinks, because the taste of the strong alcohol they contain is disguised by their fizzy sweetness. They must not therefore be exempted: the list of ingredients and the nutrition declaration must appear, so that young consumers are aware of what these drinks contain.

- non-prepacked foods

The Committee on Agriculture and Rural Development supports the Commission proposal that the labels on non-prepacked foods should include details of allergens. However, with a view to maintaining the status quo and not imposing too many constraints on sellers of non-prepacked foods, it is proposing to reverse the Commission proposal as regards the other mandatory particulars: indication of these particulars should not be compulsory unless a Member State adopts rules requiring all or some to be indicated. In addition, consumers should be provided with information about allergens at their request, at the point of sale.

AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) There is **public** interest in the relationship between diet and health and in the choice of an appropriate diet to suit individual needs. The Commission White Paper on a Strategy for Europe on Nutrition, Overweight and Obesity related health issues noted that nutrition labelling is ***an important tool to inform*** consumers about the composition of the foods and ***help*** them make an informed choice. The EU consumer policy strategy 2007 - 2013 underlined that allowing consumers to make informed choice is essential both to effective competition and consumer

Amendment

(10) There is interest ***amongst the general public*** in the relationship between diet and health and in the choice of an appropriate diet to suit individual needs. The Commission White Paper on a Strategy for Europe on Nutrition, Overweight and Obesity related health issues noted that nutrition labelling is ***one method of informing*** consumers about the composition of the foods and ***of helping*** them make an informed choice. ***Education and information campaigns run by Member States are an important mechanism for improving consumer***

welfare. Knowledge of the basic principles of nutrition and appropriate nutrition information on foods would contribute significantly towards enabling the consumer to make such an informed choice.

understanding of nutrition information.
The EU consumer policy strategy 2007 - 2013 underlined that allowing consumers to make informed choice is essential both to effective competition and consumer welfare. Knowledge of the basic principles of nutrition and appropriate nutrition information on foods would contribute significantly towards enabling the consumer to make such an informed choice. ***To this end, training programmes should be funded by the Member States which would enable European citizens to acquire knowledge or enhance their knowledge of this subject. This could also be achieved by means of on-line information and education programmes. In this way, consumers would have all the tools they need to make a fully informed choice.***

Justification

It should be made clear that the Member States are responsible for funding information and education programmes, so as to reduce the outflow of funds from the EU budget.

Amendment 2

Proposal for a regulation Recital 14

Text proposed by the Commission

(14) In order to follow a comprehensive and evolutionary approach to the information provided to consumers relating to food they consume, there should be a broad definition of food information law covering rules of a general and specific nature as well as a broad definition of food information covering information provided also by other means than the label.

Amendment

(14) In order to follow a comprehensive and evolutionary approach to the information provided to consumers relating to food they consume, there should be a broad definition of food information law covering rules of a general and specific nature as well as a broad definition of food information ***and education*** covering information provided also by *means other than* the label.

Amendment 3

Proposal for a regulation Recital 15

Text proposed by the Commission

(15) Community rules should apply only to undertakings, 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 charities**, or local community fairs and meetings are not covered by the scope of this regulation.

Amendment

(15) Community rules should apply only to undertakings, the concept of which implies a certain continuity of activities and a certain degree of organisation. Operations such as the occasional **delivery of food to third parties, the serving of meals and the selling of food, for example at charity events** or local community fairs and meetings, **and the sale of food in the various forms of direct marketing by farmers**, are not covered by the scope of this regulation. **In order to avoid overstretching, in particular, small and medium-sized enterprises in the traditional food production sector and the food retail trade, which also include providers of mass catering services, non-prepacked products should be excluded from the labelling requirements.**

Amendment 4

Proposal for a regulation Recital 16

Text proposed by the Commission

(16) Food information law should **provide sufficient flexibility to be able to keep up to date with new** information requirements **from consumers** and ensure **a balance between the protection of the internal market and the differences in the perception of consumers in the Member States**.

Amendment

(16) Food information law should **also be based on consumers'** information requirements and ensure **that innovation in the food industry is not thwarted. The possibility for food business operators to provide voluntary additional information makes for additional flexibility.**

Justification

Innovation benefits consumers. Adequate flexibility under the new legislation can only be

maintained if food business operators have the option of responding to customers' new wishes by providing voluntary additional information.

Amendment 5

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) New mandatory food information requirements should however only be established if and where necessary, in accordance with the principles of subsidiarity, proportionality and sustainability.

Amendment

(19) New mandatory food information requirements should however only be established if and where necessary, in accordance with the principles of subsidiarity, proportionality, **transparency** and sustainability.

Justification

In keeping with current EU objectives for a fully functioning internal market, it is crucial that any new requirements are notified to and considered in depth by all stakeholders so that they can satisfy themselves that they are justified and will not impede the free movement of goods.

Amendment 6

Proposal for a regulation

Recital 20

Text proposed by the Commission

(20) The rules on food information should prohibit the use of information that would mislead the consumer **or attribute medicinal properties to foods**. To be effective, this prohibition should also apply to the advertising and presentation of foods.

Amendment

(20) ***In addition to the existing rules designed to combat misleading advertising, the*** rules on food information should prohibit the ***indication of any particular*** that would mislead the consumer, ***particularly regarding the energy content, provenance or composition of the food***. To be effective, this prohibition should also apply to the advertising and presentation of foods.

Justification

It should be made clear that rules designed to combat misleading advertising already exist. Advertising of products which attributes medicinal properties to them is already regulated by

Amendment 7

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) A list should be drawn up of all mandatory information which should ***in principle*** be provided for all foods intended for the final consumer and the mass caterers. That list should maintain the information that is already required under existing legislation given that it is generally considered as a valuable *acquis* for consumer information.

Amendment

(22) A list should be drawn up of all mandatory information which should be provided for all foods intended for the final consumer and the mass caterers. That list should maintain the information that is already required under existing legislation given that it is generally considered as a valuable *acquis* for consumer information.

Amendment 8

Proposal for a regulation

Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) New information and communication technologies can play an important role in conveying additional information to consumers, as they allow information to be exchanged rapidly and at little cost. It is possible to envisage consumers obtaining additional information via terminals placed in supermarkets. These terminals would, by reading the barcode, furnish information about the product concerned. Likewise, it is possible to envisage consumers accessing additional information via a webpage on the Internet.

Justification

New technologies have an important role to play in improving consumers' understanding of

the information provided about the products they purchase.

Amendment 9

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) In order to take account of changes and developments in the field of food information, provisions should be made to empower the Commission to amend the list of mandatory information by adding or removing particulars and for enabling the availability of certain particulars through alternative means. Consultation with stakeholders should facilitate timely and well targeted changes of food information requirements.

Amendment

(23) In order to take account of changes and developments in the field of food information, provisions should be made to empower the Commission to amend the list of mandatory information by adding or removing particulars and for enabling the availability of certain particulars through alternative means. **Public** consultation with **all** stakeholders should facilitate timely and well targeted changes of food information requirements.

Justification

Any change in mandatory labelling requirements has a significant impact on the food and drink industry. It is therefore important that the legislation makes it clear that all stakeholders must be consulted when new labelling requirements are being considered, thereby ensuring that the procedure is transparent and that all parties are able to voice their opinions.

Amendment 10

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) Food labels should be clear and understandable to assist consumers wanting to make **better-informed** food and dietary choices. Studies show that legibility is an important element in maximising the possibility that labelled information can influence its audience and that **the small print size** is one of the main causes of consumer dissatisfaction with food labels.

Amendment

(25) Food labels should be clear and understandable to assist consumers wanting to make **selective** food and dietary choices. Studies show that **easy** legibility is an important element in maximising the possibility that labelled information can influence its audience and that **illegible product information** is one of the main causes of consumer dissatisfaction with food labels. **Consequently, factors such as**

font, colour and contrast should be considered together.

Amendment 11

Proposal for a regulation Recital 28

Text proposed by the Commission

(28) Specific Community rules already exist on the labelling of wine. Council Regulation (EC) No **1493/1999** of **17 May 1999** on the common organisation of the market in wine¹ provides an exhaustive set of technical standards which fully cover all oenological practices, manufacturing methods and means of presentation and labelling of wines thus ensuring that all stages in the chain are covered and that consumers are protected and properly informed. In particular, this legislation describes in a precise and exhaustive manner the substances likely to be used in the production process, together with the conditions for their use via a positive list of oenological practices and treatments; any practice not included in this list is prohibited. Therefore, it is appropriate to exempt wine at this stage from the obligation to list the ingredients and to provide for a nutrition declaration. As regards beer and spirits as defined in Article 2(1) of Regulation (EC) No [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89², and in order to ensure a consistent approach and coherence with the conditions established for wine, the same kind of exemptions shall apply. However, the Commission will produce a report after five years of the entry into force of this Regulation and propose the necessary specific requirements in the context of this

Amendment

(28) Specific Community rules already exist on the labelling of wine. Council Regulation (EC) No **497/2008** of **29 April 2008** on the common organisation of the market in wine, ***amending Regulations (EC) No 1493/1999, (EC) No 1782/2003, (EC) No 1290/2005 and (EC) No 3/2008 and repealing Regulations (EEC) No 2392/86 and (EC) No 1493/1999***¹ provides an exhaustive set of technical standards which fully cover all oenological practices, manufacturing methods and means of presentation and labelling of wines, thus ensuring that all stages in the chain are covered and that consumers are protected and properly informed. In particular, this legislation describes in a precise and exhaustive manner the substances likely to be used in the production process, together with the conditions for their use via a positive list of oenological practices and treatments; any practice not included in this list is prohibited. Therefore, it is appropriate to exempt wine at this stage from the obligation to list the ingredients and to provide for a nutrition declaration. As regards beer, ***liqueur wines, sparkling wines, aromatised wines and similar products obtained from fruits other than grapes, fruit beer*** and spirits as defined in Article 2(1) of Regulation (EC) No **110/2008** of the European Parliament and of the Council ***of 15 January 2008*** on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89²,

Regulation.

and in order to ensure a consistent approach and coherence with the conditions established for wine, the same kind of exemptions shall apply. However, the Commission will produce a report after five years of the entry into force of this Regulation and propose the necessary specific requirements in the context of this Regulation.

¹ OJ L 179, 14.07.99, p. 1.

² OJ L [...], [...], p.[...].

¹OJ L 148, 6.6.2008, p. 1.

²OJ L 39, 13.2.2008, p. 16.

Justification

Aromatised wines, the main component of which is wine, and to which a limited number of natural ingredients are added, would be discriminated against in relation to beers and spirits, for which the use of artificial additives is authorised. As a result, some products might well be placed at a commercial disadvantage.

Amendment 12

Proposal for a regulation

Recital 29

Text proposed by the Commission

(29) The indication of ***the country of origin or of*** the place of provenance of a food should be provided whenever its absence is likely to mislead consumers as to the true country of origin or place of provenance of that product. In ***other cases, the provision of the indication of country of origin or place of provenance is left to the appreciation of food business operators.*** In all cases, the indication of country of origin or place of provenance should be provided in a manner which does not deceive the consumer and on the basis of clearly defined criteria which ensure a level playing field for the industry and improve consumers' understanding of the information related to the country of origin or place of provenance of a food. ***Such criteria should not apply to indications related to the name or address of the food***

Amendment

(29) The indication of the place of provenance of a food should be provided whenever its absence is likely to mislead consumers as to the true country of origin or place of provenance of that product. In ***addition, with a view to guaranteeing greater transparency and greater traceability, the indication of the place of origin must be provided for non-processed foods, for mono-ingredient foods and for the primary meat and dairy ingredients of composite foods.*** In all cases, the indication of country of origin or place of provenance should be provided in a manner which does not deceive the consumer and on the basis of clearly defined criteria which ensure a level playing field for the industry and improve consumers' understanding of the information related to the country of origin

business operator.

or place of provenance of a food.

Justification

The place of provenance of the primary meat and dairy ingredients of the food should be indicated on the packaging, so that every consumer can make an informed choice. In the case of composite foods, the rapporteur is aware of the implications for the industries concerned, in particular the need to modify packaging regularly to take account of changes in suppliers. However, he regards the effort involved as vital to guaranteeing the well-being of consumers and fairer treatment of producers.

Amendment 13

Proposal for a regulation

Recital 34

Text proposed by the Commission

(34) ***In general***, consumers ***are not*** aware of the potential contribution of alcoholic beverages to their overall diet. Therefore, ***it is appropriate to ensure that information on the nutrient content of in particular mixed alcoholic beverages is provided.***

Amendment

(34) Consumers ***should be*** aware of the potential contribution of alcoholic beverages on their overall diet. Therefore, ***the Commission and the relevant stakeholders should undertake research during the exemption period to establish what information would be most useful for the consumer, as well as the most effective way of presenting such information.***

Justification

The exemption of alcoholic beverages from the scope of this proposal is justified by the fact that they contain alcohol. Care must be taken to ensure that measures intended to provide consumers with information do not mislead them or encourage inappropriate forms of consumption. The Commission and stakeholders should therefore seek to identify suitable ways of providing consumers with relevant information in an effective manner.

Amendment 14

Proposal for a regulation

Recital 37

Text proposed by the Commission

(37) To appeal to the average consumer and to serve the informative purpose for

Amendment

(37) To appeal to the average consumer and to serve the informative purpose for

which it is introduced, and given the current level of knowledge on the subject of nutrition, the information provided should be simple and easily understood. Research *has indicated that consumers find the information in the principal field of view or 'front of pack' is useful when making purchasing decisions*. Therefore, to ensure that consumers can readily see the essential nutrition information when purchasing foods such information should be *in the principal field of view of the label*.

which it is introduced, and given the current level of knowledge on the subject of nutrition, the information provided should be simple and easily understood. Research *regarding the positioning of such information is inconclusive*. Therefore, to ensure that consumers can readily see the essential nutrition information when purchasing foods such information should be *displayed together in the same field of view*.

Justification

The average consumer would find it more convenient and easier to understand a label if all essential information is found in the same field of vision. This will invariably mean that the back label will carry all the information consumers need to make informed choices.

Amendment 15

Proposal for a regulation Recital 42

Text proposed by the Commission

(42) Member States should not be able to adopt provisions other than those laid down in this Regulation in the field it harmonises, unless specifically indicated in it.

Amendment

(42) Member States should not be able to adopt provisions other than those laid down in this Regulation in the field it harmonises, unless specifically indicated in it. *Furthermore, as national labelling requirements may give rise to obstacles to free movement in the internal market, Member States should demonstrate why such measures are necessary and set out the steps they will take to ensure that they are applied in the manner which least restricts trade.*

Justification

One of the most important justifications for the current proposal is the need to simplify the rules and ensure the functioning of the internal market. As national rules add to the costs borne by firms and hamper the free movement of goods, evidence justifying their introduction

and showing how their operation is compatible with the free movement of goods should be required.

Amendment 16

Proposal for a regulation

Recital 49

Text proposed by the Commission

(49) In order to enable interested parties, especially small and medium-sized enterprises, to provide nutrition information on their products, the application of the measures to make nutrition information mandatory should be introduced gradually through ***extended*** transition periods with an additional transition period provided for micro-businesses.

Amendment

(49) In order to enable interested parties, especially small and medium-sized enterprises, to provide nutrition information on their products, the application of the measures to make nutrition information mandatory should be introduced gradually through ***appropriate*** transition periods with an additional transition period provided for micro-businesses. ***Provision should also be made for Union aid to help these small and medium-sized enterprises in the agricultural sector obtain the scientific knowledge they need to assess the nutritional value of their products. Training programmes should also be available for entrepreneurs in this sector so they can improve their skills in this field.***

Amendment 17

Proposal for a regulation

Article 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Foods originating from third countries may only be distributed within the Union once they fulfil the requirements of this Regulation.

Justification

In the interests of consumers, foods originating from third countries must fulfil the labelling

requirements.

Amendment 18

Proposal for a regulation

Article 2 – paragraph 2 – point (g)

Text proposed by the Commission

(g) ‘place of provenance’ means **any** place **where a food is indicated to come from, and that is not the ‘country of origin’ as determined** in accordance with **Articles 23 to 26** of Council Regulation (EEC) No 2913/92;

Amendment

(g) ‘place of provenance’ means **the** place, **country or region** where **the products or agricultural ingredients are wholly obtained**, in accordance with **Article 23(2)** of Council Regulation (EEC) No 2913/92;

Justification

The term ‘place of provenance’ should be correctly defined. Article 23(2) of Council Regulation (EEC) No 2913/92 offers what the rapporteur regards as a perfect definition. In particular, the phrase ‘place where the products or agricultural ingredients are wholly obtained’ is understood to refer to the plants harvested and the animals born and reared there. The rapporteur is adamant that a place where a food is processed cannot be regarded as a place of provenance.

Amendment 19

Proposal for a regulation

Article 2 – paragraph 2 – point g a (new)

Text proposed by the Commission

Amendment

(ga) ‘country of origin’ means the place of origin of the product or agricultural ingredient, in accordance with Articles 23 to 26 of Council Regulation (EEC) No 2913/92;

Justification

The definition of ‘country of origin’ should be added to make the distinction between this term and ‘place of provenance’ clear.

Amendment 20

Proposal for a regulation
Article 2 – paragraph 2 – point p

Text proposed by the Commission

Amendment

p) 'significant ingredient(s)' means the ingredient of a food that represents more than 50% of this food;

deleted

Amendment 21

Proposal for a regulation
Article 3 - paragraph 3

Text proposed by the Commission

Amendment

3. When food information law establishes new requirements, ***consideration shall be given to the need for*** a transitory period after the entry into force of the new requirements, during which foods bearing labels not complying with the new requirements can be placed on the market and for stocks of such foods that have been placed on the market before the end of the transitory period to continue to be sold until exhausted.

3. When food information law establishes new requirements, ***unless such requirements relate to the protection of human health*** a transitory period ***shall be granted*** after the entry into force of the new requirements, during which foods bearing labels not complying with the new requirements can be placed on the market and for stocks of such foods that have been placed on the market before the end of the transitory period to continue to be sold until exhausted.

Justification

To facilitate the smooth functioning of the internal market, and to minimise packaging waste, it is normal that provision should be made for a transitory period when new labelling requirements are introduced, unless those requirements relate to an immediate public health risk, in which case such a period is inappropriate.

Amendment 22

Proposal for a regulation
Article 3 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The new labelling requirements shall be introduced by uniform deadlines established by the Commission following

consultation with stakeholders in accordance with the procedure referred to in Article 290 TFEU.

Justification

Despite the transitory periods, the fragmented transposition of the new labelling requirements will have a significant impact on the cost of producing new labels and on the management of stocks, food packaging and labels. The new rules should therefore be implemented in accordance with a uniform timetable, as originally proposed by the Commission.

Amendment 23

Proposal for a regulation

Article 4 – paragraph 1 — point a

Text proposed by the Commission

(a) information on the identity and composition, properties or other characteristics of the food;

Amendment

(a) information on the identity and composition, **quantities**, properties or other characteristics of the food;

Amendment 24

Proposal for a regulation

Article 4 – paragraph 1 – point b – subpoint iii

Text proposed by the Commission

iii) the health impact, including the risks and consequences related to harmful and hazardous consumption of a food;

Amendment

deleted

Amendment 25

Proposal for a regulation

Article 4 - paragraph 2

Text proposed by the Commission

2. When considering the need for mandatory food information, account shall be taken of **a widespread need on the part of the majority of consumers for** certain information to which they attach

Amendment

2. When considering the need for mandatory food information, account shall be taken of **the potential costs and benefits to stakeholders of providing** certain information to which they attach

significant value or of any generally accepted benefits **to the consumer** to enable **them** to make informed choices.

significant value or of any generally accepted benefits to enable **consumers** to make informed choices.

Justification

New labelling rules should be introduced only if there is evidence-based research showing the benefits of such new requirements. The cost of providing new information should not be disproportionate. Label changes have a significant impact on EU producers, as well as on firms importing goods from third countries. A balance must be struck between the needs of consumers and producers.

Amendment 26

Proposal for a regulation

Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The European Parliament and the Council may, in accordance with the procedure laid down in Article 114 TFEU, draw up a non-exhaustive list of the claims and terms, the use of which shall at all events be prohibited or restricted pursuant to paragraph 1.

Justification

The amendment seeks to retain the existing provision in EU food law (Directive 2000/13/EC) which requires Member States to act together, in the event that limitations need to be placed on the use of particular label claims and terms. In the absence of such a provision, individual countries could legislate and the definitions could easily differ from one Member State to another, thereby creating trade barriers in the internal market.

Amendment 27

Proposal for a regulation

Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. Subject to derogations provided for by Community legislation applicable to natural mineral waters and foods for

3. Subject to derogations provided for by Community legislation applicable to natural mineral waters and foods for

particular nutritional uses, food information **shall** not attribute to any food the property of preventing, treating or curing a human disease, nor refer to such properties.

particular nutritional uses, food information **must** not attribute to any food the property of preventing, treating or curing a human disease, nor refer to such properties.

Amendment 28

Proposal for a regulation Article 8 - paragraph 5

Text proposed by the Commission

5. Food business operators within the business under their control shall ensure that information relating to non-prepacked food **shall be transmitted** to the operator **receiving** the food in order to enable, **where appropriate, the provision of** the mandatory food information specified in Article 9(1) points (a) to (c) and (f) **to the final consumer**.

Amendment

5. Food business operators within the business under their control shall ensure that information relating to non-prepacked food **is made available** to the operator **handling** the food in order to enable **him or her, when asked, to provide the final consumer with** the mandatory food information specified in Article 9(1) points (a) to (c) and (f).

Amendment 29

Proposal for a regulation Article 9 – paragraph 1 – point e

Text proposed by the Commission

(e) the net quantity of the food;

Amendment

(e) the net quantity of the food **at the time of packaging**;

Justification

The net quantity of a food may change during the period between production and sale and consumption. The producer can only influence the net quantity at the time of packaging and cannot be held responsible for any change in the net quantity which may have occurred by the time of sale and/or consumption of the food.

Amendment 30

Proposal for a regulation Article 9 – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) the name **or** business name and address of the manufacturer or packager, or of **a seller established within the Community**;

(h) the name, business name and address, **or a registered trade mark**, of the manufacturer **established within the Union** or **of the** packager or of **the importer in the case of products from third countries**;

Justification

In compliance with the principle of equal treatment of Community products and imported products, it is relevant to indicate the importer in the case of products imported from third countries.

Amendment 31

Proposal for a regulation

Article 9 – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) the country of origin or place of provenance where failure to indicate this might mislead the consumer to a material degree as to the true country of origin or place of provenance of the food, in particular if the information accompanying the food or the label as a whole would otherwise imply that the food has a different country of origin or place of provenance; **in such cases the indication shall be in accordance with the rules laid down in Article 35(3) and (4) and those established in accordance with Article 35(5)**;

(i) the place of provenance **shall be indicated**

- where failure to indicate this might mislead the consumer to a material degree as to the true country of origin or place of provenance of the food, in particular if the information accompanying the food or the label as a whole would otherwise imply that the food has a different country of origin or place of provenance

- *for non-processed foods and for mono-ingredient foods;*
- *for primary meat or dairy ingredients of composite foods.*

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

Amendment 32

Proposal for a regulation

Article 9 – paragraph 1 – point j

Text proposed by the Commission

Amendment

(j) instructions for use when it would be *impossible to make appropriate use of the food in the absence of such instructions;*

(j) instructions for use when it would be *dangerous to use the product in the form in which it is sold;*

Justification

The original wording would have meant that a packet of salt or bag of flour, for example, would have had to carry instructions for possible uses. The main aim is to guarantee safety.

Amendment 33

Proposal for a regulation

Article 9 – paragraph 3

Text proposed by the Commission

Amendment

(3) The Commission may amend the list of mandatory particulars laid down in paragraph 1. Those measures designed to amend non-essential elements of this Regulation by supplementing it shall be adopted, in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).

deleted

Justification

Given the importance of this provision, the Commission must not be given the exclusive right to amend the list of mandatory particulars.

Amendment 34

Proposal for a regulation Article 11 – paragraph 1a (new)

Text proposed by the Commission

Amendment

(1a) Member States may adopt measures derogating from Article 9(1) and Article 10(2) in the case of milk and milk products presented in glass bottles intended for re-use. They shall inform the Commission the substance of those measures without delay.

Amendment 35

Proposal for a regulation Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

Derogations for micro-enterprises and farmers

Handcrafted products produced by micro-enterprises and farmers shall be exempted from the requirement laid down in Article 9(1)(l). They may also be exempted from the information requirements laid down in Article 9 (1)(b), (c), (d), (g), (h), (i), (j) and (k) where the products are sold at the place of production, provided that the sales staff are able to provide the information concerned.

Justification

Micro-enterprises and farmers should not be burdened unnecessarily.

Amendment 36

Proposal for a regulation Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Weights and measures shall refer to the methods and techniques employed to define a model representing reality.

Amendment 37

Proposal for a regulation Article 13 – paragraph 3

Text proposed by the Commission

Amendment

3. ***The availability of certain*** mandatory particulars by means other than on the package or on the label ***may be established by the Commission*** provided the general principles and requirements laid down in Chapter II of this Regulation are met. Those measures designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted, in accordance with the ***regulatory*** procedure ***with scrutiny*** referred to in Article ***49(3)***.

3. ***In the interests of reducing packaging as much as possible, the Commission shall encourage the provision of*** mandatory particulars by means other than on the package or on the label, ***through the use of, for example, new information and communication technologies,*** provided the general principles and requirements laid down in Chapter II of this Regulation are met. Those measures designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted, in accordance with the procedure referred to in Article ***290 TFEU***.

Amendement 38

Proposal for a regulation Article 13 – paragraph 4

Text proposed by the Commission

Amendment

4. In the case of non-prepacked food, the provisions of Article 41 shall apply.

4. In the case of non-prepacked food ***or food packed at the place of sale,*** the provisions of Article 41 shall apply. ***However, at their request customers shall***

be informed of the mandatory particulars set out in Article 9(1)(c) at the place of sale.

Amendement 39

Proposal for a regulation Article 14 – paragraph 1

Text proposed by the Commission

1. Without prejudice to specific Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), when appearing on the package or on the label attached thereto, the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label in characters of a font size of at least 3mm and shall be presented in a way so as to ensure a significant contrast between the print and background.

Amendment

1. Without prejudice to specific Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), when appearing on the package or on the label attached thereto, the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label ***in such a way as to guarantee that they are legible, in particular by complying with the following font size criteria:***

- at least 1 mm for packages and containers whose largest surface or whose label has an area of between 25 and 100 cm²;

- at least 1.2 mm for packages and containers whose largest surface or whose label has an area of more than 100 cm².

Amendment 40

Proposal for a regulation Article 14 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The background colour of the label shall be different from the background colour of the product, thereby creating a contrast that ensures that the information provided is legible and easy to understand.

Amendment 41

Proposal for a regulation Article 14 – paragraph 3

Text proposed by the Commission

Amendment

3. Detailed rules concerning the presentation of mandatory particulars and the extension of the requirements referred to in paragraph 2 to the additional mandatory particulars for specific categories or types of food referred to in Articles 10 and 38 may be adopted by the Commission. Those measures designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted, in accordance with the regulatory procedure with scrutiny referred to in Article 49(3). *deleted*

Amendment 42

Proposal for a regulation Article 14 – paragraph 4

Text proposed by the Commission

Amendment

4. The minimum font size referred to in paragraph 1 shall not apply in case of packaging or containers the largest surface of which has an area of less than 10 cm². *deleted*

Amendment 43

Proposal for a regulation Article 14 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Abbreviations, including initials, may not be used if they are liable to mislead consumers.

Amendment 44

Proposal for a regulation Article 14 – paragraph 6

Text proposed by the Commission

(6) Mandatory food information shall be marked in a conspicuous place in such a way as to be easily visible, clearly legible and, where appropriate, indelible. It shall not in any way be hidden, obscured, detracted from or interrupted by any other written or pictorial matter **or** any other intervening material.

Amendment

(6) Mandatory food information shall be marked in a conspicuous place in such a way as to be easily visible, clearly legible and, where appropriate, indelible. It shall not in any way be hidden, obscured, or interrupted by any other written or pictorial matter, any other intervening material ***or the food packaging itself, for example an adhesive hinge.***

Justification

Necessary amplification: there could be differing interpretations of what constitutes material which detracts from the mandatory food information, jeopardising legal certainty for food traders.

Amendment 45

Proposal for a regulation Article 14 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. In the case of foodstuffs intended for particular nutritional uses within the meaning of Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses, for which Union legislation lays down labelling requirements in addition to the particulars referred to in Article 9(1), the font size shall satisfy the requirements of legibility for consumers and the requirements governing additional particulars regarding the specific purpose of the products in question.

Amendment 46

Proposal for a regulation

Article 14 – paragraph 6 b (new)

Text proposed by the Commission

Amendment

6b. Indicating the mandatory particulars must not lead to an increase in the size and/or bulk of the packing material or food container and must not otherwise increase the burden on the environment.

Justification

Mandatory indication of food information might give market operators cause to change the quantity of packaging, with an inherent risk of an increase in the amount of waste from packaging. This would be contrary to the principle of prevention which underpins the European Union's waste management rules.

Amendment 47

Proposal for a regulation

Article 14 – paragraph 6 c (new)

Text proposed by the Commission

Amendment

6c. Labels used to indicate mandatory food information must not be made from material which would significantly hamper or prevent the re-use or recycling of the packing material or food container.

Justification

In accordance with the European Union's waste management rules, efforts must be made to ensure that packing materials are re-used or recycled to the greatest extent possible. Making labels from material which is different from that used for packaging can significantly hinder proper waste management.

Amendment 48

Proposal for a regulation Article 16 – paragraph 2

Text proposed by the Commission

2. Within their own territory, the Member States in which a food is marketed may stipulate that the particulars shall be given in one or more languages from among the official languages of the Community.

Amendment

2. Within their own territory, the Member States in which a food is marketed may stipulate that the particulars shall be given in one or more languages from among the official languages of the Community ***or from among the other languages used in that Member State.***

Amendment 49

Proposal for a regulation Article 17 – paragraph 1

Text proposed by the Commission

(1) In the case of glass bottles intended for reuse which are indelibly marked and which therefore bear no label, ring or collar only the particulars listed in Article 9(1) (a), (c), (e), (f) and (l) shall be mandatory.

Amendment

deleted

Amendment 50

Proposal for a regulation Article 17 – paragraph 2

Text proposed by the Commission

(2) In the case of packaging or containers the largest surface of which has an area of less than **10** cm² only the particulars listed in Article 9(1) (a), (c), (e) and (f) shall be mandatory on the package or on the label. The particulars referred to in Article 9(1)(b) shall be provided through other means or shall be available at the request of the consumer.

Amendment

(2) In the case of packaging or containers the largest ***printable*** surface of which has an area of less than **80** cm² only the particulars listed in Article 9(1) (a), (c), (e) and (f) ***and in Article 29(1)(a)*** shall be mandatory on the package or on the label. ***Provision of further particulars on the package shall be possible on a voluntary basis.*** The particulars referred to in Article 9(1)(b) shall be provided through

other means or shall be available at the request of the consumer.

Justification

The indication of the energy content of a food is an essential item of information and can be a decisive factor in a well-informed purchasing decision. Additional voluntary indications by the manufacturer should be possible.

Amendment 51

Proposal for a regulation

Article 19 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The following ingredients may be listed in any order, at the end of the list of ingredients referred to in paragraph 1: condiments, aromatic plants and condiments (except salt), natural and artificial flavourings, flavour enhancers, food additives, vitamins and nutrients, and minerals and their salts.

Amendment 52

Proposal for a regulation

Article 20 – paragraph 1 – point e

Text proposed by the Commission

Amendment

e) wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report after [five years of the entry into force of this Regulation]

e) beverages containing more than 1.2% alcohol by volume, with the exception of alcoholic mixed beverages ('alcopops'); in particular, wine and wine products, as defined in Regulation (EC) No 479/2008 and in Article 2(1) of Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails¹, similar products based on

concerning the application of Article 19 on these products and may accompany this report by specific measures determining the rules for labelling ingredients. Those measures designed to amend non-essential elements of this Regulation, by supplementing it shall be adopted in accordance with the **regulatory** procedure **with scrutiny referred to in Article 49(3)**;

fruits other than grapes, cider, perry, beer and spirits as defined in Article 2(1) of Regulation (EC) No **110/2008**. **By ...* at the latest** the Commission shall produce a report concerning the application of Article 19 on these products and may accompany this report by specific measures determining the rules for labelling ingredients. Those measures designed to amend non-essential elements of this Regulation, by supplementing it shall, **where appropriate**, be adopted in accordance with the **following** procedure:

i) as regards the products referred to in Regulation (EC) No 479/2008, under the procedure laid down in Article 113(2) of that Regulation;

ii) as regards the products referred to in Article 2(1) of Regulation (EEC) No 1601/91, under the procedure laid down in Article 14 of that Regulation;

iii) as regards the products referred to in Regulation (EC) No 110/2008, under the procedure laid down in Article 25(3) of that Regulation;

iv) as regards other products, under the procedure referred to in Article 290 TFEU.

Without prejudice to the specific provisions laid down by means of the above procedures for the products referred to in points i), ii) and iii), the measures shall apply systematically and shall be applicable to all the products listed at the same time.

***OJ: five years from the date of entry into force of this Regulation.**

¹OJ L 149, 16.6.1991, p. 1.

Amendment 53

Proposal for a regulation Article 22 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Where necessary, detailed rules for the presentation of the indication referred to in paragraph 1 may be adopted in accordance with the following procedures:

(i) as regards the products referred to in Article 1(2) of Regulation (EC) No 479/2008, under the procedure laid down in Article 113(1) of that Regulation;

(ii) as regards the products referred to in Article 2(1) of Regulation (EC) No 1601/91, under the procedure laid down in Article 13 of that Regulation;

(iii) as regards the products referred to in Regulation (EC) No 110 /2008, under the procedure laid down in Article 25(2) of that Regulation;

(iv) as regards other alcoholic beverages, under the procedure referred to in Article 290 TFEU.

Amendment 54

Proposal for a regulation

Article 23 – paragraph 1 – point b

Text proposed by the Commission

(b) the ingredient or category of ingredients concerned is emphasised on the labelling in words, pictures or graphics; or

Amendment

(b) the ingredient or category of ingredients concerned is emphasised on the labelling in words, pictures or graphics, ***to comply with the weights and measures rules and to avoid any misleading nutrition claims***; or

Amendment 55

Proposal for a regulation

Article 26 - paragraph 1

Text proposed by the Commission

1. The instructions for use of a food shall be indicated in such a way as to enable appropriate use to be made thereof.

Amendment

1. The instructions for **storage and** use of a food shall be indicated in such a way as to enable appropriate use to be made thereof.

Amendment 56

**Proposal for a regulation
Article 27 a (new)**

Text proposed by the Commission

Amendment

Article 27a

***Indication of the forms of rearing
different animal species***

By 31 December 2010 at the latest, in accordance with the procedure referred to in Article 290 TFEU, the Commission shall establish specific criteria for indicating the forms of rearing different animal species for the production of meat, meat products and milk, along the lines of the labelling of eggs under Commission Regulation (EC) No 557/2007 of 23 May 2007 laying down detailed rules for implementing Council Regulation (EC) No 1028/2006 on marketing standards for eggs¹. The labelling of foods containing milk and meat will then be made on this basis.

¹OJ L 132, 24.5.2007, p. 5.

Amendment 57

**Proposal for a regulation
Article 29 – paragraph 1 – point b**

Text proposed by the Commission

b) the amounts of fat, saturates, carbohydrates with specific reference to

Amendment

b) the amounts of fat, saturates, **industrial trans fatty acids and** carbohydrates with specific reference to **natural and added**

sugars, and salt.

sugars, **fibre** and salt.

Justification

The quantities of trans fatty acids and sugars must be included in the mandatory nutrition declaration in order to enable consumers to see the entire nutritional composition of the food in question. Trans fatty acids increase the amount of bad cholesterol (LDL) and decrease the amount of good cholesterol (HDL) in the body. The proportions of natural and added sugars should also be indicated, in order to keep consumers fully informed. Added sugars contain as many calories as natural sugars, but create more fat when not burnt by the body.

Amendment 58

Proposal for a regulation

Article 29 – paragraphe 1 – alinéa 2

Text proposed by the Commission

This paragraph shall not apply to wine **as defined in Council Regulation (EC) No 1493/1999**, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report **after [five years of the entry into force of this Regulation]** concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. Those measures designed to amend non-essential elements of this Regulation, by supplementing it shall be adopted in accordance with the **regulatory** procedure **with scrutiny referred to in Article 49(3)**.

Amendment

This paragraph shall not apply to **beverages containing more than 1.2% alcohol by volume, with the exception of alcoholic mixed beverages ('alcopops')**. **In particular, it shall not apply to wine and wine products, as defined in Regulation (EC) No 479/2008 and in Article 2(1) of Council Regulation (EEC) No 1601/91 of 10 June 1991, similar products obtained from fruits other than grapes, cider, perry, beer and spirits as defined in Article 2(1) of Regulation (EC) No 110/2008. By ... * at the latest** the Commission shall produce a report concerning the application of Article 19 on these products and may accompany this report by specific measures determining the rules for labelling ingredients. Those measures designed to amend non-essential elements of this Regulation, by supplementing it shall, **where appropriate**, be adopted in accordance with the **following** procedure:

i) as regards the products referred to in Regulation (EC) No 479/2008, under the procedure laid down in Article 113(2) of that Regulation;

ii) as regards the products referred to in Article 2(1) of Regulation (EC) No 1601/91, under the procedure laid down in Article 14 of that Regulation;

iii) as regards the products referred to in Regulation (EC) No 110 /2008, under the procedure laid down in Article 25(3) of that Regulation;

iv) as regards other products, under the procedure referred to in Article 290 TFEU.

Without prejudice to the specific provisions laid down by means of the above procedures for the products referred to in points i), ii) and iii), the measures shall apply systematically and shall be applicable to all the products listed at the same time.

**OJ: five years from the date of entry into force of this Regulation.*

Amendment 59

Proposal for a regulation Article 29 – paragraph 2 – point b

Text proposed by the Commission

b) mono-unsaturates;

Amendment

b) mono-unsaturates *(including omega 9)*

Amendment 60

Proposal for a regulation Article 29 – paragraph 2 – point c

Text proposed by the Commission

c) polyunsaturates;

Amendment

c) polyunsaturates *(including omega 3 and/or ALA and DHA/EPA, omega 6)*

Amendment 61

Proposal for a regulation
Article 29 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) cholesterol;

Amendment 62

Proposal for a regulation
Article 29 – paragraph 2 – point f

Text proposed by the Commission

Amendment

f) fibre;

deleted

Amendment 63

Proposal for a regulation
Article 29 – paragraph 2 – point g

Text proposed by the Commission

Amendment

g) protein;

deleted

Amendment 64

Proposal for a regulation
Article 29 – paragraph 2 – point h a (new)

Text proposed by the Commission

Amendment

***(ha) other substances as indicated in
Annex XIII, Part A.***

Amendment 65

Proposal for a regulation
Article 29 – paragraph 2 – subparagraph a (new)

Text proposed by the Commission

Amendment

Components of the above categories may also be included.

Amendment 66

Proposal for a regulation Article 31 - paragraph 2

Text proposed by the Commission

Amendment

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml **or**, subject to Article 32(2) **and (3)**, per portion.

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml **and**, subject to Article 32, per portion **or unit**.

Justification

In order to enable consumers to compare properly products they are thinking of buying, it is essential that energy values and quantities of nutrients should always be expressed per 100 g or 100 ml, the sole exception being the case defined in Article 32.

Amendment 67

Proposal for a regulation Article 31 – paragraph 3

Text proposed by the Commission

Amendment

3. **The mandatory** nutrition **declaration** shall be **expressed**, as **appropriate**, as a percentage of the reference intakes set out in Part B of Annex XI **in relation to** per 100 g or per 100 ml **or** per portion. When provided, **the declaration on** vitamins and minerals shall **also** be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

3. **Voluntary additional labelling indicating** nutrition **values** shall be **provided in table format, with the values expressed** as a percentage of the reference intakes set out in Part B of Annex XI per 100 g or per 100 ml **and, pursuant to Article 31(2)**, per portion. When provided, **labelling indications concerning** vitamins and minerals shall, **at a minimum**, be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Justification

It is worthwhile to lay down rules on voluntary additional labelling in order to achieve a certain standardisation in cases where the option is exercised and to prevent consumers from being misled, as might otherwise happen.

Amendment 68

Proposal for a regulation Article 32 - paragraph 2

Text proposed by the Commission

2. The nutrition declaration may be expressed on a per portion basis alone if the food is ***prepacked as an individual portion***.

Amendment

2. The nutrition declaration may be expressed on a per portion ***or per unit*** basis alone if the ***net weight of*** the food ***referred to in paragraph 1*** is less than 100 g.

Justification

If a food is rarely consumed in portions of 100 g (chewing gum or sweets, for example), it makes no sense for the nutrition declaration to be expressed per 100 g. If the food is presented in prepacked portions or equal, individual units, expression of information per portion or unit alone should be authorised.

Amendment 69

Proposal for a regulation Article 33 – paragraph 2

Text proposed by the Commission

2. ***Such additional forms of expression referred to in paragraph 1 shall be identified under a national scheme referred to in Article 44.***

Amendment

2. ***The Commission shall, in accordance with the procedure referred to in Article 290 TFEU, lay down rules governing the use of these additional forms of expression. The criteria shall be based on scientific knowledge of diet and nutrition and how these are linked to health. In order to establish the criteria, the Commission shall ask the European Food Safety Authority to provide a suitable scientific study within 12 months.***

Justification

Additional forms of expression for food information should be permitted. However, the conditions of use of such forms of expression should be established at Community level.

Amendment 70

Proposal for a regulation Article 34 – paragraph 1

Text proposed by the Commission

1. The particulars ***referred to Article 31(2) related to the mandatory nutrition declaration*** shall be included in the ***principal*** field of vision. They shall be presented, ***where appropriate, together in a clear format*** in the following order: energy, fat, saturates, carbohydrates with specific reference to sugars, and salt.

Amendment

1. ***All the particulars concerning nutrition labelling included pursuant to Article 31(1) and (2) shall appear in the same field of vision, in the same place, in the form of a table. The mandatory particulars*** shall be presented in the following order: energy, ***protein***, fat, saturates, ***industrial trans fatty acids***, carbohydrates with specific reference to ***natural and added*** sugars, fibre and salt. ***Additional voluntary particulars shall be presented in the order indicated in Annex XIII.***

Amendment 71

Proposal for a regulation Article 34 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In addition to the information presented pursuant to Article 34(1), the mandatory particular concerning energy content referred to in Article 29(1)(a) and in Annex XI, Part B, expressed as kcal per 100 g/ml and, where appropriate pursuant to Article 31(2), per portion shall appear at the bottom right of the outward-facing side of the package.

Amendment 72

Proposal for a regulation

Article 34 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. If the nutrition declaration for foods listed in Annex IV is mandatory because a nutrition or health claim is made, the nutrition declaration shall not be required to appear in the principal field of view.

Justification

In Anhang IV aufgeführte Lebensmittel sind von der vorgeschriebenen Nährwertdeklaration ausgenommen, da sie nicht signifikante Mengen von Nährstoffen enthalten. Nach Artikel 7 der Verordnung (EG) Nr. 1924/2006 und Artikel 17 Absatz 3 des gegenwärtigen Entwurfes sind jedoch alle – auch die in Anhang IV aufgeführten – Lebensmittel zu einer Nährwertdeklaration verpflichtet, wenn sie eine nährwert- oder gesundheitsbezogene Angabe machen. Wenn Lebensmittel, die in Anhang IV aufgeführt werden, eine nährwert- oder gesundheitsbezogene Angabe machen, sollten sie deshalb von der Verpflichtung, dass sich die Nährwertdeklaration im Hauptblickfeld befinden muss, ausgenommen werden.

Amendment 73

Proposal for a regulation

Article 34 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Paragraph 1 shall not apply to foods defined in Council Directive 89/398/EEC and in the specific directives referred to in Article 4(1) of that Directive.

Justification

PARNUTS foods such as infant formulae, follow-on formulae, complementary foods for infants and young children and dietary foods for special medical purposes falling under Council Directive 2009/39/EC are specifically formulated to meet the particular nutritional needs of their target population. The requirement to include a nutrition declaration on the basis of Article 9.1(l) of the proposed regulation is not in line with the use of these products. Furthermore, limited nutrition information in the principal field of vision on PARNUTS foods may present the products in a misleading way, prompting vulnerable consumer groups to

choose other products believed to be nutritionally superior.

Amendment 74

Proposal for a regulation

Article 34 – paragraph 5 – introductory part

Text proposed by the Commission

5. Graphical forms or symbols for the presentation of the nutrition declaration may be used ***under a national scheme referred to in Article 44*** provided the following essential requirements are met:

Amendment

5. Graphical forms or symbols for the presentation of the nutrition declaration may be used provided the following essential requirements are met:

Justification

Nutrition symbols should be harmonised at European level in order to foster the free movement of products.

Amendment 75

Proposal for a regulation

Article 35 – paragraph 1

Text proposed by the Commission

1. Where food information covered by this Regulation is provided on a voluntary basis, such information shall ***comply with the relevant specific requirements laid down in this Regulation.***

Amendment

1. Where food information covered by this Regulation is provided on a voluntary basis, such information shall ***be clearly legible.***

Justification

If information given voluntarily on foods is required to be presented in the same way as for those products where a mandatory requirement applies, it is likely that producers will stop providing it voluntarily. Thus, the impact of the current proposal is that consumers would receive less information than they do at present.

Amendment 76

Proposal for a regulation
Article 35 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Without prejudice to paragraph 1, additional voluntary nutrition information for specific target groups, for example children, shall continue to be permitted provided that these specific reference values are scientifically proven, do not mislead the consumer and are in accordance with the general conditions laid down in this Regulation.

Justification

The reference values given in Annex IX, Part B refer to the average adult. Divergent reference values, for products with a specific target group, for example children, which have already been introduced by the industry and which have been scientifically tested, should continue to be admissible as additional information.

Amendment 77

Proposal for a regulation
Article 35 - paragraph 2

Text proposed by the Commission

Amendment

2. Without prejudice to labelling in accordance with specific Community legislation, paragraphs 3 and 4 shall apply where the country of origin or the place of provenance of a food is ***voluntarily*** indicated to inform consumers that a food originates or comes from ***the European Community*** or a given country or place.

2. Without prejudice to labelling in accordance with specific Community legislation, ***in particular Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialties guaranteed¹, Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs², Council Regulation (EC) No 491/2009 of 25 May 2009 amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain***

agricultural products (Single CMO Regulation)³, Regulation (EC) No 110/2008 and Council Regulation (EEC) No 1601/91, paragraphs 3 and 4 shall apply where the country of origin or the place of provenance of a food is indicated to inform consumers that a food originates or comes from a given country or place.

¹ OJ L 93, 31.3.2006, p. 1.

² OJ L 93, 31.3.2006, p. 12.

³ OJ L 154, 17.6.2009, p. 1.

Justification

In order to rule out problems in connection with the implementation of the regulation, it is vital to refer to the Community legislation in force, in particular that dealing with designations of origin for agricultural products.

Amendment 78

Proposal for a regulation

Article 35 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. In order to ensure full farm-to-fork traceability of food, the labelling system shall also ensure that products can be traced to both the country of origin and the producer of origin. However, this rule shall not be applied to products where the producer of origin cannot be determined, as in the case of milk.

Amendment 79

Proposal for a regulation

Article 35 – paragraph 4

Text proposed by the Commission

Amendment

4. For meat, other than beef and veal, the indication on the country of origin or place of provenance may be given as a

deleted

single place only where 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.

Justification

Article 35 of the Commission proposal would create unnecessary problems for people running firms.

Amendment 80

Proposal for a regulation Article 35 – paragraph 5

Text proposed by the Commission

Amendment

5. Implementing rules concerning the application of paragraph 3 shall be established by the Commission. Those measures designed to amend non-essential elements of this Regulation by supplementing it shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 49(3). ***deleted***

Justification

Es ist wichtig für die Verbraucher, zu wissen, woher ein Erzeugnis stammt. Bei manchen Erzeugnissen könnte es sich allerdings als unmöglich erweisen, ein bestimmtes Ursprungsland anzugeben, weil die Zutaten u. U. aus unterschiedlichen Ländern stammen oder sich täglich ändern. Die geltenden Vorschriften über die Ursprungskennzeichnung sehen die Angabe der Herkunft auf freiwilliger Basis vor, sofern ohne diese Angaben ein schwerwiegender Irrtum des Verbrauchers über den tatsächlichen Ursprung des Lebensmittels möglich wäre. Diese Vorschriften sollten nicht neu formuliert, sondern beibehalten werden.

Amendment 81

Proposal for a regulation
Article 35 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

For whisky, the indication of the country of origin shall always be given, and shall be in the principal field of view. Where the whisky is the product of more than one country, each shall be listed.

Justification

It is traditional that whisky sold in the European Union should bear the name of its country of origin; consumers attach considerable importance to that information. Some whiskies which do not bear indications of origin use other indications to suggest they originate in one of the major whisky-producing countries when they do not. It is therefore appropriate that all whiskies sold in the EU state their origin to avoid misleading consumers.

Amendment 82

Proposal for a regulation
Article 35 – paragraph 6

Text proposed by the Commission

Amendment

6. Implementing rules concerning the conditions and criteria of use of particulars voluntarily provided may be established by the Commission. Those measures designed to amend non-essential elements of this Regulation by supplementing it shall be adopted in accordance with the **regulatory** procedure **with scrutiny** referred to in Article 49(3).

6. Implementing rules concerning the conditions and criteria of use of particulars voluntarily provided may be established by the Commission. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the procedure referred to in Article 290 TFEU, **in consultation with interested parties.**

Amendment 83

Proposal for a regulation
Chapter VI

Text proposed by the Commission

Amendment

This chapter and its provisions are deleted.

Justification

National provisions are contrary to the principle of harmonisation and the free movement of goods in the internal market.

Amendment 84

Proposal for a regulation Chapter VII

Text proposed by the Commission

Amendment

This chapter and its provisions are deleted.

Justification

National provisions are contrary to the principle of harmonisation and the free movement of goods in the internal market.

Amendment 85

Proposal for a regulation - amending act Article 51 a (new) Directive 2001/110/EC Article 2 (4)

Text proposed by the Commission

Amendment

Article 51a

Amendments to Directive 2001/110/EC

1. Article 2(4)(a) of Council Directive 2001/110/EC of 20 December 2001 on honey¹ is replaced by the following:

'a. The country or countries of origin where the honey has been harvested shall be indicated on the label. If, however, the honey originates from more than one Member State or third country, one of the following indications should appear instead:

- *"Blend of honeys from EU countries"*

- *"Blend of honeys from non-EU countries"*

If the proportion of honey from EU countries exceeds that of honey from non-EU countries:

- *"Blend of honeys from EU and non-EU countries"*

If the proportion of honey from non-EU countries exceeds that of honey from EU countries:

- *"Blend of honeys from non-EU and EU countries".'*

2. The following point is added to Article 2(4) of Directive 2001/110/EC:

'(aa) If the honey contains honey which originates from a third country, the percentage of honey from the Member State and the third country must be indicated.'

¹ *OJ L 10, 2.1.2002, p. 47.*

Justification

Current rules do not guarantee that consumers will be properly informed and can actually mislead them. Honey might contain a minimal amount of honey from EU countries (5% for example), yet the indication 'blend of honeys from EU and non-EU countries' must still appear on the label.

Amendment 86

Proposal for a regulation Article 53 – paragraph 3

Text proposed by the Commission

Articles 29 to 34 shall apply from [*the first day of the month 3 years after the entry into force*] except in the case of foods labelled by food business operators with, on the date of entry into force, less than **10** employees and whose annual turnover

Amendment

Articles 29 to 34 shall apply from [*the first day of the month 3 years after the entry into force*] except in the case of foods labelled by food business operators with, on the date of entry into force, less than **50** employees and whose annual turnover

and/or annual balance sheet total does not exceed EUR **2** million where they shall apply [*the first day of the month 5 years after the entry into force*].

and/or annual balance sheet total does not exceed EUR **10** million where they shall apply [*the first day of the month 5 years after the entry into force*].

Foods placed on the market or labelled prior to [date of entry into force] which do not comply with this Regulation may continue to be sold until their date of minimum durability or use-by date.

Amendment 87

Proposal for a regulation

Annex I – point 1 – subpoint b – indent 2 a (new)

Text proposed by the Commission

Amendment

- natural sugars,

Amendment 88

Proposal for a regulation

Annex I – point 1 – subpoint b – indent 2 b (new)

Text proposed by the Commission

Amendment

- added sugars,

Amendment 89

Proposal for a regulation

Annex I – point 1 – subpoint b – indent 2 c (new)

Text proposed by the Commission

Amendment

- saturates,

Amendment 90

Proposal for a regulation

Annex I – point 1 – subpoint b – indent 2 d (new)

Text proposed by the Commission

Amendment

- trans fats,

Amendment 91

Proposal for a regulation

Annex I – point 1 – subpoint b – indent 3

Text proposed by the Commission

Amendment

- fibre,

deleted

Amendment 92

Proposal for a regulation

Annex I – point 1 – subpoint b – indent 4

Text proposed by the Commission

Amendment

- protein,

deleted

Amendment 93

Proposal for a regulation

Annex I – point 4

Text proposed by the Commission

Amendment

4. ‘trans fat’ means fatty acids with at least one non-conjugated (namely interrupted by at least one methylene group) carbon-carbon double bond in the trans configuration;

4. ‘trans fat’ means fatty acids with at least one non-conjugated (namely interrupted by at least one methylene group) carbon-carbon double bond in the trans configuration, ***with the exception of naturally derived trans fats produced by ruminants;***

Amendment 94

Proposal for a regulation
Annex I – point 8 a (new)

Text proposed by the Commission

Amendment

**8a. 'natural sugars' means
monosaccharides and disaccharides
naturally present in the food;**

Amendment 95

Proposal for a regulation
Annex I – point 8 b (new)

Text proposed by the Commission

Amendment

**8b. 'added sugars' means
monosaccharides and disaccharides used
as sweeteners;**

Amendment 96

Proposal for a regulation
Annex I – point 10

Text proposed by the Commission

Amendment

10. 'protein' means the protein content
calculated using the formula: protein =
total Kjeldahl nitrogen × 6,25;

10. 'protein' means the protein content
calculated using the formula: protein =
total Kjeldahl nitrogen × 6,25 **and, in the
case of milk protein, × 6,38;**

Justification

*This is in line with the international 'Codex Standard 1-1985 for General Standard for the
Labelling of Prepackaged Foods', which is accepted by the European Commission.*

Amendment 97

Proposal for a regulation
Annex I – point 13

Text proposed by the Commission

Amendment

13. 'principal field of vision' means the

deleted

field of vision that is most likely to be displayed or visible under normal or customary conditions of sale or use.

Amendment 98

Proposal for a regulation Annex II – point 1 – subpoint d

Text proposed by the Commission

Amendment

(d) cereals used for making distillates *or ethyl alcohol of agricultural origin for spirit drinks and other beverages containing more than 1,2 % by volume of alcohol.*

(d) cereals used for making **alcoholic** distillates.

Justification

This amendment is necessary to make the exception more explicit and to bring it into line with the EFSA opinion. The original wording could lead to products being labelled as allergenic even though, as the EFSA opinion shows, they do not contain any allergenic material. The Commission agrees that the current wording needs to be amended so as to ensure that vulnerable consumers are not misled.

Amendment 99

Proposal for a regulation Annex II – point 7 – subpoint a

Text proposed by the Commission

Amendment

(a) whey used for making distillates *or ethyl alcohol of agricultural origin for spirit drinks and other beverages containing more than 1,2 % by volume of alcohol;*

(a) whey used for making **alcoholic** distillates;

Justification

This amendment is necessary to make the exception more explicit and to bring it into line with the EFSA opinion. The original wording could lead to products being labelled as allergenic even though, as the EFSA opinion shows, they do not contain any allergenic material. The Commission agrees that the current wording needs to be amended so as to ensure that vulnerable consumers are not misled.

Amendment 100

Proposal for a regulation Annex II – point 8 – subpoint a

Text proposed by the Commission

(a) nuts used for making distillates ***or ethyl alcohol of agricultural origin for spirit drinks and other beverages containing more than 1,2 % by volume of alcohol.***

Amendment

(a) nuts used for making ***alcoholic*** distillates.

Justification

This amendment is necessary to make the exception more explicit and to bring it into line with the EFSA opinion. The original wording could lead to products being labelled as allergenic even though, as the EFSA opinion shows, they do not contain any allergenic material. The Commission agrees that the current wording needs to be amended so as to ensure that vulnerable consumers are not misled.

Amendment 101

Proposal for a regulation - amending act Annex III -Title 5 a (new)

Amendment by Parliament

TYPE OR CATEGORY OF FOOD

PARTICULARS

5A. FOODS CONTAINING INGREDIENTS DERIVED FROM GENETICALLY MODIFIED ORGANISMS

Foods containing ingredients derived from genetically modified organisms

'Food ingredients derived from genetically modified organisms'

Amendment 102

Proposal for a regulation Annex IV – indent 2

Text proposed by the Commission

- processed products which the only processing they have been subjected to is smoking or maturing and that comprise a single ingredient or category of ingredients;

Amendment

- processed products which the only processing they have been subjected to is smoking or maturing, ***and fruits and vegetables, such as prunes and apricots, that have been dried and possibly***

rehydrated by adding water, and that
comprise a single ingredient or category of
ingredients;

Justification

This amendment applies to fruits such as prunes (a single ingredient) which are dehydrated for purposes of conservation and to which water may be added.

Amendment 103

Proposal for a regulation
Annex IV – indent 4

Text proposed by the Commission

– a herb, a spice or mixtures thereof;

Amendment

– a herb, ***a flavouring***, a spice or mixtures
thereof;

Amendment 104

Proposal for a regulation
Annex IV – indent 18

Text proposed by the Commission

– food directly supplied by ***the manufacturer of*** small quantities of
products to the final consumer or to local
retail establishments directly supplying the
final consumer;

Amendment

– food directly supplied by ***small undertakings in*** small quantities of
products to the final consumer or to local
retail establishments directly supplying the
final consumer;

Amendment 105

Proposal for a regulation
Annex IV – 19 a (new)

Text proposed by the Commission

Amendment

– ***chewing gum***;

Amendment 106

Proposal for a regulation
Annex IV – indent 19 c (new)

Text proposed by the Commission

Amendment

– food in a quantity of less than 5 g/ml;

Amendment 107

Proposal for a regulation
Annex IV – indent 19 e (new)

Text proposed by the Commission

Amendment

– indelibly marked glass bottles.

Amendment 108

Proposal for a regulation
Annex V – part B – paragraph 1

Text proposed by the Commission

Amendment

1. The name of the food shall include or be accompanied by particulars as to the physical condition of the food or the specific treatment which it has undergone (for example, powdered, freeze-dried, deep-frozen, quick-frozen, concentrated, smoked) in all cases where omission of such information could mislead the purchaser.

1. The name of the food shall include or be accompanied by particulars as to the physical condition of the food or the specific treatment which it has undergone (for example, powdered, **refrozen**, freeze-dried, deep-frozen, quick-frozen, concentrated, smoked) in all cases where omission of such information could mislead the purchaser.

Amendment 109

Proposal for a regulation
Annex V - Part C a (new)

Text proposed by the Commission

Amendment

**PART CA - SPECIFIC RULES CONCERNING
USE OF THE WORD "HONEY"**

***Use of the word 'honey' or the terms
'containing honey' or 'made with honey'***

in the designation of the product, or in any graphic or non-graphic element indicating that the product contains honey, may be used only if at least 50% of the sugar-content of the product originates from honey.

Amendment 110

Proposal for a regulation Annex V - Part C b (new)

Text proposed by the Commission

Amendment

Part Cb – OFFICIAL DESIGNATION OF FOODS WHICH GIVE THE IMPRESSION OF BEING A DIFFERENT FOOD

Foods which give the impression of being a different food or in which an ingredient has been replaced by an imitation shall be labelled as follows:

<i>Divergence in terms of type, quality and composition</i>	<i>Official designation</i>
<i>As compared with cheese, full or partial replacement of milk fat with vegetable fat</i>	<i>‘Imitation cheese’</i>
<i>As compared with ham, altered composition consisting of chopped-up ingredients with a much lower meat content</i>	<i>‘Imitation ham’</i>

Justification

In the case of imitation cheese and imitation ham a problem is posed by the fact that the particulars of the ingredients in the list of ingredients do not make it immediately clear that substitute products are involved. This difficulty can be resolved by making the official

designation more precise so as to ensure that consumers can tell at once what type of product they are looking at.

Amendment 111

Proposal for a regulation

Annex VI – part B – point 1 – subparagraph 2

Text proposed by the Commission

The adjective ‘hydrogenated’ must accompany the indication of a hydrogenated oil ***unless the amount of saturates and trans fats are included in the nutrition declaration.***

Amendment

The adjective ‘hydrogenated’ must accompany the indication of a hydrogenated oil.

Justification

Consumers are used to looking for the term ‘hydrogenated oil’ on the ingredients list when checking the amount of artificial trans fats a foodstuff contains.

Amendment 112

Proposal for a regulation

Annex VI – part B – point 2 – column 2 – subparagraph 2

Text proposed by the Commission

The adjective ‘hydrogenated’ must accompany the indication of a hydrogenated fat ***unless the amount of saturates and trans fats are included in the nutrition declaration.***

Amendment

The adjective ‘hydrogenated’ must accompany the indication of a hydrogenated fat.

Justification

Consumers are used to looking for the term ‘hydrogenated fat’ on the ingredients list when checking the amount of artificial trans fats a foodstuff contains.

Amendment 113

Proposal for a regulation

Annex VI – part B – point 17 – column 1 – subparagraph 1

Text proposed by the Commission

17. Skeletal muscles of mammalian and bird species recognised as fit for human consumption with naturally included or adherent tissue, where the total fat and connective tissue content does not exceed the values indicated below and where the meat constitutes an ingredient of another food. ***The products covered by the definition of ‘mechanically separated meat’ are excluded from this definition.***

Amendment

17. Skeletal muscles of mammalian and bird species recognised as fit for human consumption with naturally included or adherent tissue, where the total fat and connective tissue content does not exceed the values indicated below and where the meat constitutes an ingredient of another food. ***This definition includes meat obtained from flesh-bearing bones by mechanical means and which is not covered by the definition of mechanically separated meat within the meaning of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin¹.***

¹ OJ L 139, 30.4.2004, p. 55.

Justification

In accordance with the definition of mechanically separated meat (MSM), meat produced using ‘Baader’ technology (‘viandes gros grain’) is meat. The conclusions of the EU's 2007 Histalim research project clearly showed that from an organoleptic, composition and microbiological point of view there is no difference between this type of meat and minced meat.

Amendment 114

Proposal for a regulation

Annex VIII – point 5 – subparagraph 1

Text proposed by the Commission

Where a solid food is presented in a liquid medium, the drained net weight of the food shall also be indicated.

Amendment

Where a solid food is presented in a liquid medium, the drained net weight of the food ***at the moment of packing*** shall also be indicated.

Amendment 115

Proposal for a regulation

Annex XI – part A – point 1 – table

<i>Text proposed by the Commission</i>		<i>Amendment</i>	
Vitamin A (µg)	800	Vitamin A (µg)	800
Vitamin D (µg)	5	Vitamin D (µg)	5
Vitamin E (mg)	10	Vitamin E (mg)	12
		Vitamin K (µg)	75
Vitamin C (mg)	60	Vitamin C (mg)	80
Thiamin (mg)	1,4	Thiamin (mg)	1,1
Riboflavin (mg)	1,6	Riboflavin (mg)	1,4
Niacin (mg)	18	Niacin (mg)	16
Vitamin B6 (mg)	2	Vitamin B6 (mg)	1,4
Folacin (µg)	200	Folic acid (µg)	200
Vitamin B12 (µg)	1	Vitamin B12 (µg)	2,5
Biotin (mg)	0,15	Biotin (mg)	50
Pantothenic acid (mg)	6	Pantothenic acid (mg)	6
Calcium (mg)	800	Calcium (mg)	800
		Potassium (mg) 2000	
		Chloride (mg) 800	
Phosphorus (mg)	800	Phosphorus (mg)	700
Iron (mg)	14	Iron (mg)	14
Magnesium (mg)	300	Magnesium (mg)	375
Zinc (mg)	15	Zinc (mg)	10
		Copper (mg)	1
		Manganese (mg)	2
		Fluoride (mg)	3,5
		Selenium (µg)	55
		Chrome (µg)	40
		Molybdenum (µg)	50
Iodine (µg)	150	Iodine (µg)	150

Justification

The new regulation must take account of Directive 2008/100/EC on nutrition labelling for foodstuffs as regards recommended daily allowances, energy conversion factors and definitions, which was published in the Official Journal on 28 October 2008. The rapporteur is thus suggesting that the table headed 'Vitamins and minerals which may be declared and their recommended daily allowances (RDAs)' proposed by the Commission should be replaced by that in Directive 2008/100/EC, for the sake of consistency in the legislation in force.

Amendment 116

Proposal for a regulation

Annex XI – Part A – paragraph 2

Text proposed by the Commission

As a rule, 15 % of the recommended allowance ***specified in point 1 supplied by*** 100 g or ***100 ml or*** per package if the package contains only a single portion should be taken into consideration in deciding what constitutes a significant amount.

Amendment

As a rule,

- 15 % of the recommended ***daily*** allowance ***(RDA) per 100 g for solids*** or per package if the package contains only a single portion, ***or***
- ***7.5% of RDA per 100 ml for liquids, or***
- ***5% of RDA per 100 kcal (12% of RDA 1 MJ), or***
- ***an amount provided for under derogations granted in accordance with Article 6 of Regulation (EC) No 1925/2006 of the European Parliament and of the Council of 20 December 2006 on the addition of vitamins and minerals and of certain other substances to foods*** should be taken into consideration in deciding what constitutes a significant amount.

Amendment 117

Proposal for a regulation
Annex XI – part B – Title

Text proposed by the Commission

Reference intakes for energy and selected nutrients other than vitamins and minerals (adults)

Amendment

Reference intakes for energy and selected nutrients other than vitamins and minerals (adults)¹

¹ *The reference intakes are indicative values; they will be laid down more precisely by the European Food Safety Authority.*

Justification

The reference intakes are indicative values; they will be laid down more precisely by the European Food Safety Authority.

Amendment 118

Proposal for a regulation
Annex XI – Part B – table - line 3 a (new)

Text proposed by the Commission

Amendment

Energy or nutrient	Reference Intake
<i>Monounsaturates</i>	<i>34 g</i>

Amendment 119

Proposal for a regulation
Annex XI – Part B – table - line 3 b (new)

Text proposed by the Commission

Amendment

Energy or nutrient	Reference Intake
<i>Polyunsaturates</i>	<i>16 g</i>

Amendment 120

Proposal for a regulation
Annex XI – Part B – table - line 3 c (new)

Text proposed by the Commission

Amendment

Energy or nutrient	Reference Intake
<i>Omega-6 fatty acids</i>	<i>14 g</i>

Amendment 121

Proposal for a regulation
Annex XI – Part B – table - line 3 d (new)

Text proposed by the Commission

Amendment

Energy or nutrient	Reference Intake
<i>Omega-3 fatty acids</i>	<i>2,2 g</i>
<i>-ALA</i>	<i>2,0 g</i>
<i>-EPA/DHA</i>	<i>0,2 g</i>

Amendment 122

Proposal for a regulation
Annex XIII – part A – table – row 1

Text proposed by the Commission

Amendment

- energy ***kJ and*** kcal

- energy kcal

PROCEDURE

Title	Food information to consumers						
References	COM(2008)0040 – C6-0052/2008 – 2008/0028(COD)						
Committee responsible	ENVI						
Opinion by Date announced in plenary	AGRI 19.10.2009						
Rapporteur Date appointed	Marc Tarabella 15.9.2009						
Discussed in committee	1.12.2009						
Date adopted	26.1.2010						
Result of final vote	<table> <tr> <td>+: </td><td>33</td></tr> <tr> <td>–: </td><td>6</td></tr> <tr> <td>0: </td><td>1</td></tr> </table>	+:	33	–:	6	0:	1
+:	33						
–:	6						
0:	1						
Members present for the final vote	John Stuart Agnew, Liam Aylward, José Bové, Luis Manuel Capoulas Santos, Michel Dantin, Paolo De Castro, Albert Deß, Diane Dodds, Herbert Dorfmann, Robert Dušek, Lorenzo Fontana, Iratxe García Pérez, Béla Glattfelder, Martin Häusling, Esther Herranz García, Peter Jahr, Elisabeth Jeggle, Jarosław Kalinowski, Elisabeth Köstinger, Giovanni La Via, Stéphane Le Foll, George Lyon, Miguel Angel Martínez Martínez, Mairead McGuinness, Mariya Nedelcheva, James Nicholson, Rareş-Lucian Niculescu, Wojciech Michał Olejniczak, Georgios Papastamkos, Marit Paulsen, Britta Reimers, Ulrike Rodust, Alfreds Rubiks, Czesław Adam Siekierski, Alyn Smith, Csaba Sándor Tabajdi, Marc Tarabella, Janusz Wojciechowski						
Substitute(s) present for the final vote	Margrete Auken, Astrid Lulling, Maria do Céu Patrão Neves, Christel Schaldemose						
Substitute(s) under Rule 187(2) present for the final vote	Geoffrey Van Orden						