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Committee on the Environment, Public Health and Food Safety

2008/0028(COD)

28.1.2009

AMENDMENTS 144 - 310

Draft report
Renate Sommer
(PE415.015v01-00)

Proposal for a regulation of the European Parliament and of the Council on the provision of food information to consumers

Proposal for a regulation
(COM(2008)0040 – C6-0052/2008 – 2008/0028(COD))

AM_Com_LegReport

Amendment 144
Antonio De Blasio

Proposal for a regulation

Proposal for rejection

***The European Parliament rejects the
Commission proposal.***

Or. hu

Justification

Egyetértve a jelentéstevő véleményével, hogy a bizottsági javaslat előterjesztésének időpontja nem megalapozott a széleskörű, minden tagállamra kiterjedő, a fogyasztók választási döntéseiről szóló adatok hiánya miatt, javaslom a tervezet felülvizsgálatra való visszaküldését a Bizottsághoz, valamint a 2008. augusztusában elindított, a 7. kutatási keretprogramon keresztül támogatott, a valamennyi tagállamot magában foglaló, az élelmiszerek címkézésének a fogyasztók vásárlási döntéseire gyakorolt hatásáról szóló vizsgálat leendő eredményeinek figyelembevételét, azokra alapozva a javaslat átdolgozását.

Amendment 145
Dorette Corbey

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Given the wide variety of environmental labels claiming that food products are for example 'bio' or 'eco' or organic without explanation as to how this is achieved, the Commission, in consultation with relevant stakeholders, should formulate proposals for quality criteria on which these labels have to be based in order not to mislead consumers.

Or. en

Amendment 146

Avril Doyle

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 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.

Amendment

(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. ***Education and information campaigns are an important mechanism for improving consumer understanding of food 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.

Or. en

Justification

Improving diet and consumer understanding of food nutrition cannot be achieved by labelling alone. Even now, consumers do not understand some labelling information and it is essential that Member States are more involved in information campaigns designed to improve consumer understanding.

Amendment 147
Renate Sommer

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 to third parties**, serving and selling of food by private persons, **for example at charity events** or local community fairs and meetings, are not covered by the scope of this regulation. **Catering services provided by transport undertakings should fall under this Regulation only if they are provided on routes between two points within Community territory.**

Or. de

Justification

What is important here is not the handling of food but its delivery to third parties; avoidance of duplication. On routes beginning or ending in a country outside the EU, transport undertakings may not find any suppliers who satisfy the information requirements. If undertakings which serve such routes were to fall under the Regulation, this could place undertakings established in the EU at a competitive disadvantage, as only they would be compelled to comply with the Regulation.

Amendment 148
Jules Maaten

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

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 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.

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.
Catering services offered by transport companies should not be subject to this Regulation in the case of connections from outside the Community territory.

Or. en

Justification

A caterer may be unable to find suppliers meeting the food information requirements when operating outside EU countries.

Amendment 149 **Christofer Fjellner**

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 handling, serving and selling of food by private persons at events such as charities, ***carried out by volunteers for the benefit of associations, congregations or schools (or comparable organisations) and*** local community fairs and meetings are not covered by the scope of this regulation

Or. sv

Justification

The aim of the legislation is to help consumers as much as possible to obtain information on nutrition. Making these demands of operations of an extremely temporary nature is unreasonable. It is impossible for voluntary, occasional or altruistic activities to comply with

the rigorous requirements laid down by the legislator under this Regulation. As the consumer is not in a dependent position in relation to the producer/seller in these cases, there is no reason for those activities to be covered by the requirements.

Amendment 150

Anne Ferreira

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 ensure a balance between the protection of the internal market and the differences in the perception of consumers in the Member States.

Or. fr

Justification

Any inclusion of new requirements that could emerge in the future should be the subject of a legislative revision as the Commission thinks appropriate.

Amendment 151

Avril Doyle

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

To remain in line with current EU objectives for a fully functioning internal market it is crucial that any new requirements are notified and thoroughly examined by all stakeholders to ensure they are justified and will not impede the free movement of goods.

Amendment 152

Kartika Tamara Liotard

Proposal for a regulation

Recital 23

Text proposed by the Commission

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. Consultation with stakeholders should facilitate timely and well targeted changes of food information requirements. ***deleted***

Justification

Adoption provisions to amend the list of mandatory information and for enabling the availability of certain particulars through alternative means, involves a major change of the Regulation and should therefore not be subject to the comitology procedure but to the codecision procedure.

Amendment 153
Magor Imre Csibi

Proposal for a regulation
Recital 23

Text proposed by the Commission

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. Consultation with stakeholders should facilitate timely and well targeted changes of food information requirements. *deleted*

Or. en

Justification

Adoption provisions to amend the list of mandatory information and for enabling the availability of certain particulars through alternative means, involves a major change of the Regulation and should therefore not be subject to the comitology procedure but to the codecision procedure.

Amendment 154
Jill Evans

Proposal for a regulation
Recital 23

Text proposed by the Commission

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. Consultation with stakeholders should facilitate timely *deleted*

and well targeted changes of food information requirements.

Or. en

Justification

Adoption provisions to amend the list of mandatory information and for enabling the availability of certain particulars through alternative means, involves a major change of the Regulation and should therefore not be subject to the comitology procedure but to the co-decision procedure.

Amendment 155

Kathy Sinnott

Proposal for a regulation

Recital 23

Text proposed by the Commission

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. Consultation with stakeholders should facilitate timely and well targeted changes of food information requirements. ***deleted***

Or. en

Justification

Adoption provisions to amend the list of mandatory information and for enabling the availability of certain particulars through alternative means, involves a major change of the Regulation and should therefore not be subject to the comitology procedure but to the co-decision procedure.

Amendment 156
Anne Ferreira

Proposal for a regulation
Recital 23

Text proposed by the Commission

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. Consultation with stakeholders should facilitate timely and well targeted changes of food information requirements.

deleted

Or. fr

Justification

The comitology procedure can apply only to secondary measures; any change to mandatory provisions should come under the codecision procedure.

Amendment 157
Avril Doyle

Proposal for a regulation
Recital 25

Text proposed by the Commission

Amendment

(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.

(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 **consequently factors such as size, font, colour and contrast should be considered together to ensure consumer satisfaction** with food

labels.

Or. en

Justification

The legibility of labels is crucial for consumers and should continue to be a requirement under the new Regulation. However, when assessing label clarity a number of factors need to be considered and not just font size.

Amendment 158

Anne Ferreira

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 ***precise***, clear, ***easily readable*** and understandable to assist consumers wanting to make conscious 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.

Or. fr

Justification

Amendment aimed at all consumers and intended to make the whole recital consistent, while pointing out the minimum criteria for labelling.

Amendment 159
Thomas Ulmer

Proposal for a regulation
Recital 27

Text proposed by the Commission

Amendment

(27) With a view to provide consumers with food information that is necessary to make an informed choice, alcoholic mixed beverages should also provide information on their ingredients. **deleted**

Or. en

Justification

Indeed alcoholic mixed beverages (also known as alcopops) possess some characteristics that would warrant them heightened attention in the legislation on consumer information; they are highly appealing to young people and can contribute both to heavier drinking and to lowering the age of onset of drinking. They contain artificial, candy-like colourings and flavours (to conceal the taste of alcohol) and high sugar levels. Some also contain stimulants such as caffeine, ginseng, taurine or guarana.

Amendment 160
Horst Schnellhardt

Proposal for a regulation
Recital 27

Text proposed by the Commission

Amendment

(27) With a view to provide consumers with food information that is necessary to make an informed choice, *alcoholic mixed beverages should also provide information on their ingredients.*

(27) With a view to providing consumers with food information that is necessary to make an informed choice *in the case of alcoholic beverages, the Commission and the relevant stakeholders will carry out investigations in order to ascertain what information is most useful to consumers and how it can most effectively be provided.*

Or. de

Justification

Der Zweck der Bereitstellung von Verbraucherinformationen besteht darin, informiert eine Auswahl treffen zu können. Dies ist nicht möglich, wenn einige Getränke Informationen tragen, die andere nicht ausweisen. Der Erwägungsgrund 27 ist nicht vereinbar mit dem Regelungstext, der nur Bier, Wein und Spirituosen von den Regelungen ausnimmt, wohingegen andere alkoholische Getränke, und nicht nur alkoholische Mischgetränke, weiter unter die allgemeinen Bestimmungen fallen. Der Ausnahmezeitraum ist daher entscheidend, um die Bedürfnisse der Verbraucher besser zu verstehen und ein kohärentes Konzept zu gewährleisten.

Amendment 161

Anne Ferreira

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) With a view to provide consumers with food information that is necessary to make an informed choice, alcoholic mixed beverages should **also** provide information on their ingredients.

Amendment

(27) With a view to provide consumers with food information that is necessary to make an informed choice, alcoholic mixed beverages should **be labelled as such,** provide information on their ingredients **and state the alcohol content.**

Or. fr

Justification

Alcoholic mixed beverages should be labelled as such, i.e. clearly mentioning that they contain alcohol, stating which alcohol and what level. Consumers must be informed of the specific characteristics of alcoholic mixed beverages so they are properly informed, with information relating to policies against alcohol and excessive consumption of alcohol.

Amendment 162

Dorette Corbey, Glenis Willmott

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) With a view to provide consumers

Amendment

(27) With a view to provide consumers

with food information that is necessary to make an informed choice, alcoholic *mixed* beverages *should also* provide information on their ingredients.

with food information that is necessary to make an informed choice, *all* alcoholic beverages, *including wine, beers, spirits and alcoholic mixed beverages must* provide information on their ingredients.

Or. en

Amendment 163

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) With a view to provide consumers with food information that is necessary to make an informed choice, alcoholic *mixed* beverages should also provide information on their ingredients.

Amendment

(27) With a view to provide consumers with food information that is necessary to make an informed choice, alcoholic beverages should also provide information on their ingredients.

Or. en

Justification

As the aim of this regulation is a high level of consumer's health, this provision must be applicable for all alcoholic beverages.

Amendment 164

Riitta Myller

Proposal for a regulation

Recital 27

Text proposed by the Commission

(27) With a view to *provide* consumers with food information that is necessary to make an informed choice, alcoholic *mixed* beverages should also provide information on their ingredients.

Amendment

(27) With a view to *providing* consumers with food information that is necessary to make an informed choice, alcoholic beverages should also provide information on their ingredients.

Justification

It is important that consumers should also be informed about the ingredients contained in alcoholic beverages. This is particularly important to consumers who, for example, suffer from diabetes.

Amendment 165**Riitta Myller****Proposal for a regulation****Recital 28***Text proposed by the Commission**Amendment*

(28) It is also important to provide consumers with information on the other alcoholic beverages. 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 wine 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

deleted

of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 , 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 may propose, if necessary, specific requirements in the context of this Regulation.

Or. fi

Justification

It is important that consumers should also be informed about the ingredients contained in alcoholic beverages. This is particularly important to consumers who, for example, suffer from diabetes.

Amendment 166

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Recital 28

Text proposed by the Commission

Amendment

(28) It is also important to provide consumers with information on the other alcoholic beverages. 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 wine 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

deleted

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 1576/89, 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 may propose, if necessary, specific requirements in the context of this Regulation.

Or. en

Justification

As the aim of this regulation is a high level of consumer's health, it is inapprehensible why precisely alcoholic beverages should gain an advantage and be exempted from the labelling requirements.

Amendment 167

Thomas Ulmer

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) It is *also* important to provide consumers with information on *the other* alcoholic beverages. *Specific Community*

Amendment

(28) It is important to provide consumers with information on alcoholic beverages.

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 wine 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 1576/89, 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 may propose, if necessary, specific requirements in the context of this Regulation.

Or. en

Amendment 168
Horst Schnellhardt

Proposal for a regulation
Recital 28

Text proposed by the Commission

(28) It is also important to provide consumers with information on the other alcoholic beverages. 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 wine 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 1576/89, 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 may propose, if necessary, specific requirements in the

Amendment

(28) It must be clearly established what information consumers need regarding alcoholic beverages. It would therefore be inappropriate for certain provisions of this Regulation to be applicable to alcoholic beverages. Specific Community rules already exist on the labelling of wine: Council Regulation (EC) No 1493/1999 of 17 May 1999 and Council Regulation (EC) No 1601/91. The same applies to the labelling of spirit drinks (Regulation (EC) No 110/2008 of the European Parliament and of the Council). In order to ensure a consistent approach to information on alcoholic beverages and coherence with other Community provisions, alcoholic beverages should not be subject to any labelling requirements relating to ingredients or nutrition under the terms of this Regulation. However, the Commission will produce a report after five years of the entry into force of this Regulation and may propose, if necessary, specific requirements in the context of this Regulation.

context of this Regulation.

Or. de

Justification

If wine and beer are excepted, but other alcoholic beverages are not, it will not be possible to achieve harmony in the sector. Certain defined products would be favoured, while others would suffer discrimination. Consumers would be misled with regard to the relative composition of different products. The derogation period is therefore necessary in order to ascertain consumers' needs more clearly and to ensure a coherent approach.

Amendment 169

Anne Laperrouze

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) It is also important to provide consumers with information on the other alcoholic beverages. 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 wine **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

Amendment

(28) It is also important to provide consumers with information on the other alcoholic beverages. Specific Community rules already exist on the labelling of wine. Council Regulation (EC) No **479/2008 of 29 April 2008** on the common organisation of the market in wine **and Council Regulation (EC) No 1601/1991 of 10 June 1991 provide** an exhaustive set of technical standards which fully cover all oenological practices, manufacturing methods and means of presentation and labelling of wines **and wine products**, 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

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, 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 may propose, if necessary, specific requirements in the context of this Regulation.

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 1576/89, 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 may propose, if necessary, specific requirements in the context of this Regulation.

Or. en

Amendment 170

Dorette Corbey

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) It is also important to provide consumers with information on the other alcoholic beverages. 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

Amendment

(28) It is also important to provide consumers with information on the other alcoholic beverages. 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 wine² 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

¹ OJ L 179, 14.7.1999, p. 1.

² OJ L 179, 14.7.1999, p. 1.

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 1576/89, 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 may propose, if necessary, specific requirements in the context of this Regulation.*

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.

Or. en

Justification

This regulation must also apply to alcoholic beverages.

Amendment 171

Pilar Ayuso

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) It is also important to provide consumers with information on the other alcoholic beverages. Specific Community rules already exist on the labelling of wine. Council Regulation (EC) No **1493/1999** of

Amendment

(28) It is also important to provide consumers with information on the other alcoholic beverages. Specific Community rules already exist on the labelling of wine. Council Regulation (EC) No **479/2008** of

17 May 1999 on the common organisation of the market in wine *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 1576/89, 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 may propose, if necessary, specific requirements in the context of this Regulation.

29 April 2008 on the common organisation of the market in wine, *and Council Regulation (EC) No 1601/1991 of 10 June 1991 provide* an exhaustive set of technical standards which fully cover all oenological practices, manufacturing methods and means of presentation and labelling of wines *and wine products*, 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 1576/89, 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 may propose, if necessary, specific requirements in the context of this Regulation.

Or. en

Justification

The definition of the scope for the exemptions provided for Wines should be amended so as to ensure that all wines products defined and regulated under the Council Regulation (EC) 1601/1991 are exempted from the obligation to list the ingredients and to provide for a nutrition declaration. Wine products are defined and regulated in Regulation (EC) 479/2008 of 29 April 2008 on the common organisation of the market in wine, and in the Council

Regulation (EC) No 1601/1991 of 10 June 1991 regarding aromatised wines and other wine based products.

Amendment 172

Amalia Sartori, Françoise Grossetête, Guido Sacconi, Chris Davies, Alessandro Foglietta, Elisabetta Gardini

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 business operator.

Amendment

(29) The indication of the country of origin ***of the agricultural raw material used in the product*** should be provided ***in the most suitable way, with a view to guaranteeing complete transparency and traceability.*** 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 business operator.

Or. en

Justification

The definition of the 'country of origin' should be added to differentiate this from the definition of the place of provenance.

Amendment 173

Kathalijne Maria Buitenweg, Carl Schlyter

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 business operator.

Amendment

(29) The indication of the country of origin or of the place of provenance of a food should be provided ***for foods consisting of a single ingredient and for the significant ingredient and the characterising ingredient(s) in multi-ingredient food products; also*** 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 business operator.

Or. en

Justification

The country of origin/ place of provenance is a very valuable information for most consumers. Therefore, it should mandatory be given for single-ingredient products as well as for the significant ingredient and the characterising ingredient(s) in multi-ingredient food products.

Amendment 174
Marian Harkin

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 business operator.

Amendment

(29) The indication of the country of origin or of the place of provenance of a food should be **mandatory** 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 business operator.

Or. en

Amendment 175
Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation
Recital 31

Text proposed by the Commission

(31) The European Community's non-preferential rules of origin are laid down in Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code and its implementing provisions in Commission

Amendment

(31) The European Community's non-preferential rules of origin are laid down in Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code and its implementing provisions in Commission

Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code. Determination of the country of origin of foods will be based on these rules, which are well known to trade operators and administrations and should ease its implementation.

Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code. Determination of the country of origin of foods will be based on these rules, which are well known to trade operators and administrations and should ease its implementation. ***For meat and foods containing meat, more differentiated rules shall apply, taking into account the places of birth, rearing, and slaughter.***

Or. en

Justification

For meat, it is not appropriate to indicate only one place of origin, if it is different for birth, rearing and slaughtering. Surveys have shown that the place where the animals were born, reared and slaughtered are of high importance for consumers.

Amendment 176 **Dorette Corbey**

Proposal for a regulation **Recital 32 a (new)**

Text proposed by the Commission

Amendment

(32a) It is necessary to provide interpretation of the nutrient information on the front of the pack.

Or. en

Amendment 177
Horst Schnellhardt

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 to their overall diet. Therefore, ***the Commission and the other relevant parties are called upon, during the derogation period, to perform research in order to establish what information is of greatest use to consumers and how it can be provided most effectively.***

Or. de

Justification

Nutrition and ingredient labelling of alcoholic beverages should be further reviewed. The Commission should submit uniform proposals equally applicable to all alcoholic beverages.

Amendment 178
Dorette Corbey, Glenis Willmott

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) 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 ***energy and carbohydrate*** content of ***all*** alcoholic beverages is provided.

Or. en

Amendment 179

Kathalijne Maria Buitenweg, Carl Schlyter

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) 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 alcoholic beverages is provided.

Or. en

Justification

As the aim of this regulation is a high level of consumer health, this provision must be applicable for all alcoholic beverages.

Amendment 180

Kartika Tamara Liotard

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 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.***

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 ***want*** information ***on four key nutrients*** in the principal field of view or ‘front of pack’ ***as they find this information*** useful when making purchasing decisions. Therefore, ***this limited amount of nutrition information should be mandatory on the front of the pack and should be accompanied by a more complete mandatory nutrition declaration on the***

back of the pack. Furthermore, at the back of the pack it should be made clear to consumers in a separate statement whether foods contain genetically modified organisms and/or are produced with the aid of nanotechnologies.

Or. en

Justification

Research indicates that consumers want to have mandatory information on a limited number of nutrients on the front of pack to help them make their purchasing decisions. The majority of consumers want this limited information to be complemented by a more detailed mandatory nutrient declaration on the back of the pack.

Amendment 181

Anne Ferreira

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 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.

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 *in certain Member States* has indicated that consumers find the information *on the main nutrients/ingredients* in the principal field of view or ‘front of pack’ is useful when making purchasing decisions. *Thus* consumers can readily see the essential nutrition information if this information is placed in the principal field of view on the label. *But if consumers are to be able to buy this food on the basis of a sufficiently informed choice, it should be mandatory for an easily visible, readable, clear and comprehensible indication, placed under the essential information on the ‘front-of-*

pack labelling’, to refer consumers to the nutrition declaration on the back or side of the package.

Or. fr

Justification

Information on the front-of-pack labelling is not sufficient for informed consumer choice. Reference has to be made to the nutrition declaration, which provides other required information. This amendment removes a certain ambiguity from the initial wording.

Amendment 182
Kathy Sinnott

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 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.*

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 *shown* that consumers *want* information *on four key nutrients* in the principal field of view or ‘front of pack’ *as they find this information* useful when making purchasing decisions. Therefore, *this limited amount of nutrition information should be mandatory on the front of the pack and should be accompanied by a more complete mandatory nutrition declaration on the back of the pack.*

Or. en

Justification

Adds clarity.

Amendment 183
Hiltrud Breyer, Jill Evans

Proposal for a regulation
Recital 38

Text proposed by the Commission

(38) Recent developments in the expression of the nutrition declaration, other than per 100g/100ml/portion, by some Member States and organisations in the food sector suggest that consumers like ***such*** schemes as they can help them make informed choices quickly. ***However, there is not evidence across all the Community on how the average consumer understands and uses the alternative expression of the information. Therefore, it is appropriate to allow for different schemes to be developed and to allow research on consumer understanding in different Member States to continue so that, if appropriate, harmonised schemes may be introduced.***

Amendment

(38) Recent developments in the expression of the nutrition declaration, other than per 100g/100ml/portion, by some Member States and organisations in the food sector suggest that consumers like schemes ***with an interpretative element*** as they can help them make informed choices quickly. ***The available evidence has proven that a simplified labelling scheme which comprises multiple colour coding for easier and quicker interpretation of nutrition information is the best and preferred option for consumers.***

Or. en

Justification

The available evidence has shown that consumers prefer nutrition information on the front of pack to be expressed through the use of an interpretative element, namely multiple colour coding as it helps them to quickly and easily make informed food choices.

Amendment 184
Liam Aylward

Proposal for a regulation
Recital 38

Text proposed by the Commission

(38) Recent developments in the expression of the nutrition declaration, other than per 100g/100ml/portion, by some Member States and organisations in

Amendment

(38) Recent developments in the expression of the nutrition declaration, other than per 100g/100ml/portion, by some Member States and organisations in

the food sector suggest that consumers like such schemes as they can help them make informed choices quickly. ***However, there is not*** evidence across all the Community on how the average consumer understands and uses the alternative expression of the information. ***Therefore, it is appropriate to allow for different schemes to be developed and to allow research on consumer understanding in different Member States to continue so that, if appropriate, harmonised schemes may be introduced.***

the food sector suggest that consumers like such schemes as they can help them make informed choices quickly. Evidence across all the Community on how the average consumer understands and uses the alternative expression of the information ***is still being collected and analysed. However, an increasing body of evidence indicates that a simplified labelling scheme which comprises multiple colour coding for easier and quicker interpretation of nutrition information is the best and preferred option for consumers.***

Or. en

Amendment 185
Kartika Tamara Liotard

Proposal for a regulation
Recital 38

Text proposed by the Commission

(38) Recent developments in the expression of the nutrition declaration, other than per 100g/100ml/portion, by some Member States and organisations in the food sector suggest that consumers like ***such*** schemes as they can help them make informed choices quickly. ***However, there is not evidence across all the Community on how the average consumer understands and uses the alternative expression of the information. Therefore, it is appropriate to allow for different schemes to be developed and to allow research on consumer understanding in different Member States to continue so that, if appropriate, harmonised schemes may be introduced.***

Amendment

(38) Recent developments in the expression of the nutrition declaration, other than per 100g/100ml/portion, by some Member States and organisations in the food sector suggest that consumers like schemes ***with an interpretative element*** as they can help them make informed choices quickly. ***The available evidence has proven that a simplified labelling scheme which comprises multiple colour coding for easier and quicker interpretation of nutrition information is the best and preferred option for consumers.***

Or. en

Justification

The available evidence has shown that consumers prefer nutrition information on the front of pack to be expressed through the use of an interpretative element, namely multiple colour coding as it helps them to quickly and easily make informed food choices.

Amendment 186 **Nicodim Bulzesc**

Proposal for a regulation **Recital 38**

Text proposed by the Commission

(38) Recent developments in the expression of the nutrition declaration, other than per 100g/100ml/portion, by some Member States and organisations in the food sector suggest that consumers like such schemes as they can help them make informed choices quickly. ***However, there is not evidence*** across all the Community on how the average consumer understands and uses the alternative expression of the information. ***Therefore, it is appropriate to allow for different schemes to be developed and to allow research on consumer understanding in different Member States to continue so that, if appropriate, harmonised schemes may be introduced.***

Amendment

(38) Recent developments in the expression of the nutrition declaration, other than per 100g/100ml/portion, by some Member States and organisations in the food sector suggest that consumers like such schemes as they can help them make informed choices quickly. ***Evidence*** across all the Community on how the average consumer understands and uses the alternative expression of the information ***is still being collected and analysed. However, an increasing body of evidence indicates that a simplified labelling scheme which comprises multiple colour coding for easier and quicker interpretation of nutrition information is the best and preferred option for consumers.***

Or. en

Justification

This amendment reflects the research which has shown that consumers want limited front of pack nutrition information with an interpretative element. They prefer the use of colours red, amber and green to indicate whether a food is high, medium or low in these nutrients. The definition of reference amounts for high, medium or low should be established through an independent scientific opinion adopted by the EFSA.

Amendment 187

Anne Ferreira

Proposal for a regulation

Recital 38 a (new)

Text proposed by the Commission

Amendment

(38a) At the latest five years after the entry into force of this Regulation, the Commission shall present to the European Parliament and the Council a report on the research into consumer understanding in the Member States of the various schemes and provisions for information on foods; it shall put forward, if necessary, a legislative proposal for a better framework for the various information schemes and provisions.

Or. fr

Justification

As this proposal allows for specific information schemes in the Member States, it is appropriate that the Commission should report to the European Parliament and the Council within a prescribed deadline, proposing if necessary a revision of the present legislation, so as to bring different systems into one framework.

Amendment 188

Liam Aylward

Proposal for a regulation

Recital 39

Text proposed by the Commission

Amendment

(39) The declaration in the principal field of **view** of the amounts of nutritional elements and comparative indicators in an easily recognisable form to enable an assessment of the nutritional properties of a food should be considered in its entirety as part of the nutrition declaration and not be treated as a group of individual claims.

(39) The **nutrition** declaration in the principal field of **vision** of the amounts of nutritional elements and comparative indicators in an easily recognisable form **and in a prominent place** to enable an assessment of the nutritional properties of a food should be considered in its entirety as part of the nutrition declaration and not be

treated as a group of individual claims.

Or. en

Amendment 189

John Bowis

Proposal for a regulation

Recital 39

Text proposed by the Commission

(39) The declaration in the principal field of **view** of the amounts of nutritional elements and comparative indicators in an easily recognisable form to enable an assessment of the nutritional properties of a food should be considered in its entirety as part of the nutrition declaration and not be treated as a group of individual claims.

Amendment

(39) The **nutrition** declaration in the principal field of **vision** of the amounts of nutritional elements and comparative indicators in an easily recognisable form **and a prominent place** to enable an assessment of the nutritional properties of a food should be considered in its entirety as part of the nutrition declaration and not be treated as a group of individual claims.

Or. en

Amendment 190

Péter Olajos

Proposal for a regulation

Recital 39

Text proposed by the Commission

(39) The declaration in the principal field of **view** of the amounts of nutritional elements and comparative indicators in an easily recognisable form to enable an assessment of the nutritional properties of a food should be considered in its entirety as part of the nutrition declaration and not be treated as a group of individual claims.

Amendment

(39) The **nutrition** declaration in the principal field of **vision** of the amounts of nutritional elements and comparative indicators in an easily recognisable form **and in a prominent place** to enable an assessment of the nutritional properties of a food should be considered in its entirety as part of the nutrition declaration and not be treated as a group of individual claims.

Or. en

Amendment 191
Kathy Sinnott

Proposal for a regulation
Recital 39

Text proposed by the Commission

(39) The declaration in the principal field of view of the amounts of nutritional elements and comparative indicators in an easily recognisable form to enable an assessment of the nutritional properties of a food should be considered in its entirety as part of the nutrition declaration and not be treated as a group of individual claims.

Amendment

(39) The ***nutrition*** declaration in the principal field of view of the amounts of nutritional elements and comparative indicators in an easily recognisable form to enable an assessment of the nutritional properties of a food should be considered in its entirety as part of the nutrition declaration and not be treated as a group of individual claims.

Or. en

Justification

Adds clarity.

Amendment 192
Dan Jørgensen

Proposal for a regulation
Recital 41

Text proposed by the Commission

(41) Member States should retain the right, depending on local practical conditions and circumstances, to lay down rules in respect of the provision of information concerning non-prepacked foods. Although in such cases the consumer demand for other information is limited, information on potential allergens is considered very important. Evidence suggests that most food allergy incidents can be traced back to non-prepacked food. Therefore such information should always be provided to

Amendment

(41) Member States should retain the right, depending on local practical conditions and circumstances, to lay down rules in respect of the provision of information concerning non-prepacked foods, ***and prepacked foods and meals produced by and directly supplied by local retail establishments or mass caterers to the final consumer if these foods and meals are produced in a non-standardised way in which the ingredients and recipes may vary frequently.*** Although in such cases the

the consumer.

consumer demand for other information is limited, information on potential allergens is considered very important. Evidence suggests that most food allergy incidents can be traced back to non-prepacked food. Therefore such information should always be provided to the consumer.

Or. en

Justification

Prepacked food or meals produced by small retail establishments or mass caterers are produced in a non-standardized way whereby the ingredients and recipes may vary frequently, maybe from day to day. It is therefore not possible to establish a precise nutrition declaration for these types of food. Moreover, the task would be too time consuming and expensive for these companies. It is therefore important that these types of food are exempted from the requirement for a nutrition declaration, either in general, or by giving Member States the right to lay down rules for these categories, as is already granted for non-prepacked foods.

Amendment 193

Amalia Sartori, Françoise Grossetête, Guido Sacconi, Alessandro Foglietta

Proposal for a regulation

Recital 41

Text proposed by the Commission

(41) Member States should retain the right, depending on local practical conditions and circumstances, to lay down rules in respect of the provision of information concerning non-prepacked foods. ***Although in such cases the consumer demand for other information is limited, information on potential allergens is considered very important. Evidence suggests that most food allergy incidents can be traced back to non-prepacked food. Therefore such information should always be provided to the consumer.***

Amendment

(41) Member States should retain the right, depending on local practical conditions and circumstances, to lay down rules in respect of the provision of information concerning non-prepacked foods.

Or. en

Justification

Member States should retain the right to decide which particulars are mandatory with regard to non-prepacked foods. As there is no consequence for the internal market, the current regime for non-prepacked foods should not be changed.

Amendment 194

Avril Doyle

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. ***However, as national labelling requirements are capable of giving 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 they apply in the least trade-restrictive manner.***

Or. en

Justification

One of the most important reasons behind the current proposal is to simplify the rules and ensure the functioning of the internal market. As national rules add costs to industry and complicate the free movement of goods, evidence to justify their introduction and to show how their operation is compatible with the free movement of goods, should be required.

Amendment 195
Åsa Westlund

Proposal for a regulation
Recital 45 a (new)

Text proposed by the Commission

Amendment

(45a) It should be possible to use graphical forms or symbols for the presentation of the nutrition declaration under a national scheme for non-binding rules, provided that they do not mislead consumers and that there is evidence that the average consumer is able to understand the form of presentation.

Or. sv

Justification

It is important that the Member States are given the opportunity to continue using product information (e.g. symbols such as the Swedish keyhole labelling scheme) which has proven to work well from a consumer point of view.

Amendment 196
Renate Sommer

Proposal for a regulation
Recital 49

Text proposed by the Commission

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 extended transition periods with an additional transition period provided for micro-businesses.

(49) In order to avoid over-stretching, 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, and agricultural direct marketing of food, their products should be excluded from the nutrition labelling requirements.

Or. de

Justification

Auch in Betrieben des Lebensmittel-Einzelhandels und des Lebensmittelhandwerks, inklusive der Anbieter von Gemeinschaftsverpflegung oder auch direktvermarktender landwirtschaftlicher Betriebe, werden Produkte zur unmittelbaren Abgabe an den Konsumenten hergestellt. Dabei existieren keine standardisierten Verfahren, Zutaten und Inhaltsstoffe ändern sich auf täglicher Basis. Zu bedenken ist auch, dass gerade das Lebensmittelhandwerk Garant für den Erhalt der regionalen Spezialitäten, für Kreativität und Innovation ist und damit die Vielfalt des Angebotes sichert. Es ist daher wichtig, diese genannten Hersteller von der verpflichtenden Nährwertdeklaration auszunehmen.

Amendment 197 **Christofer Fjellner**

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 ***avoid unreasonable burdens and bureaucracy*** for small and medium-sized enterprises, ***which include all mass caterers (e.g. restaurants, staff canteens, schools, nurseries and hospitals), their products should be exempt from the requirement of providing a nutrition declaration.***

Or. sv

Justification

The administrative burden which may arise through not exempting enterprises, which, by their nature, come into direct contact with the final consumer, from the requirement of producing a nutrition declaration is not reasonable. Since the nutrition value in such operations almost always varies from day to day - depending on the raw materials used by the entrepreneur - the requirement is unreasonable.

Amendment 198
Renate Sommer

Proposal for a regulation
Recital 49 a new)

Text proposed by the Commission

Amendment

(49a) Naturally, products of the traditional food production sector and fresh products of the food retail trade which are produced directly at the place of sale may contain substances which give rise to allergic or intolerance reactions in sensitive people. As, however, it is precisely non-prepacked products which are sold in direct contact with the customer, the corresponding information should, for example, be provided through dialogue at the time of sale or by means of a clearly visible sign in the sales area or by means of information material on display.

Or. de

Justification

In the case of non-prepacked goods, it would be virtually impossible to provide far-reaching allergy labelling for all products, and this would particularly place small and medium-sized undertakings at a considerable competitive disadvantage and increase their costs. In addition, the possibility of cross-contamination cannot be excluded in premises where the area available for processing is limited.

Amendment 199
Richard Seeber

Proposal for a regulation
Article 1 – paragraph 2

Text proposed by the Commission

Amendment

2. This Regulation establishes the general principles, requirements and responsibilities governing food information, and in particular food ***deleted***

labelling. It lays down the means to guarantee the right of consumers to information and procedures for the provision of food information, taking into account the need to provide sufficient flexibility to respond to future developments and new information requirements.

Or. de

Justification

Article 1(2) states an objective, without laying down any clear rules. It should therefore be deleted from the operative part of the Regulation for technical legal reasons and, if it is to be included at all, converted into a recital.

Amendment 200
Renate Sommer

Proposal for a regulation
Article 1 – paragraph 3

Text proposed by the Commission

(3) This Regulation applies to all stages of the food chain, where ***the activities of food businesses concern*** the provision of food information to consumers.

It shall apply to all foods intended for the final consumer, ***including foods delivered by mass caterers*** and foods intended for supply to mass caterers.

Amendment

(3) This Regulation applies to all stages of the food chain, where the provision of food information to consumers ***is concerned***.

It shall apply to all ***prepacked*** foods intended for ***delivery to*** the final consumer and foods intended for supply to mass caterers.

It shall not apply to foods which are packaged directly at the place of sale before delivery to the final consumer.

Catering services provided by transport undertakings shall fall under this Regulation only if they are provided on routes between two points within Community territory.

Or. de

Justification

Straffung und sprachliche Verbesserung des Textes. Gerade im Lebensmittelhandel werden Produkte, die direkt am Verkaufsort zur unmittelbaren Abgabe hergestellt werden, mit einer Umhüllung versehen. So werden Produkte für die höhere Verbraucherfreundlichkeit (rascheres Einkaufen, bessere Handhabung) vorportioniert (Aufstriche) oder mit einer Folie umhüllt (Sandwiches). Derartige, kurz vor dem Verkauf umhüllte Produkte sollten grundsätzlich vom Geltungsberich der Verordnung ausgenommen werden, da sie keinesfalls mit industriell vorverpackten Produkten gleichgestellt werden können. Bei Verbindungen, die in einem Land außerhalb der EU beginnen oder enden, finden die Verkehrsunternehmen möglicherweise keine Lieferanten, die den Informationspflichten genügen. Würden Unternehmen, die diese Verbindungen anbieten unter die Verordnung fallen, könnte dies Wettbewerbsnachteile für in der EU ansässige Unternehmen mit sich bringen, da nur diese zur Einhaltung der Verordnung verpflichtet wären.

Amendment 201

Jules Maaten, Magor Imre Csibi, Frédérique Ries

Proposal for a regulation

Article 1 – paragraph 3

Text proposed by the Commission

3. This Regulation applies to all stages of the food chain, where the activities of food businesses concern the provision of food information to consumers.

It shall apply to all foods intended for the final consumer, including foods delivered by mass caterers and foods intended for supply to mass caterers.

Amendment

3. This Regulation applies to all stages of the food chain, where the activities of food businesses concern the provision of food information to consumers.

It shall apply to all foods intended for the final consumer, including foods delivered by mass caterers and foods intended for supply to mass caterers.

Enterprises with less than 10 employees and an annual turnover or a balance sheet total of less than EUR 2 million shall be excluded from the scope of this Regulation.

Or. en

Justification

Micro, small and medium-sized enterprises are socially and economically important, since they represent 99 % of all enterprises in the EU and provide around 65 million jobs and contribute to entrepreneurship and innovation. However, they face particular difficulties which the EU and national legislation try to redress by granting various advantages to

SMEs. The smallest enterprises ('micro') should be excluded from this directive since they would face a disproportionate administrative burden.

<i>Enterprise category</i>	<i>Headcount</i>	<i>Turnover</i>	<i>or</i>	<i>Balance sheet total</i>
<i>medium-sized</i>	<i>< 250</i>	<i>≤ € 50 million</i>		<i>≤ € 43 million</i>
<i>small</i>	<i>< 50</i>	<i>≤ € 10 million</i>		<i>≤ € 10 million</i>
<i>micro</i>	<i>< 10</i>	<i>≤ € 2 million</i>		<i>≤ € 2 million</i>

Amendment 202

Lambert van Nistelrooij

Proposal for a regulation

Article 1 – paragraph 3

Text proposed by the Commission

3. This Regulation applies to all stages of the food chain, where the activities of food businesses concern the provision of food information to consumers.

It shall apply to all foods intended for the final consumer, including foods delivered by mass caterers and foods intended for supply to mass caterers.

Amendment

3. This Regulation applies to all stages of the food chain, where the activities of food businesses concern the provision of food information to ***final*** consumers.

It shall apply to all foods intended for the final consumer, including foods delivered by mass caterers and foods intended for supply to mass caterers.

Or. en

Justification

This is in order to clarify the scope of the regulation and to exclude information that is only useful for business to business and is not useful for the final consumer.

Amendment 203
Richard Seeber

Proposal for a regulation
Article 1 – paragraph 3

Text proposed by the Commission

3. This Regulation applies to all stages of the food chain, where the activities of food businesses concern the provision of food information to consumers.

It shall apply to all foods intended for the final consumer, including foods delivered by mass caterers and foods intended for supply to mass caterers.

Amendment

3. This Regulation applies to all stages of the food chain, where the activities of food businesses concern the provision of food information to ***final*** consumers.

It shall apply to all foods intended for the final consumer, including foods delivered by mass caterers and foods intended for supply to mass caterers.

Or. en

Justification

This is to clarify the scope of the regulation and to exclude information provided in the context of the B2B and which are not useful for the final consumer.

Amendment 204
Péter Olajos

Proposal for a regulation
Article 1 – paragraph 4

Text proposed by the Commission

4. This Regulation shall apply without prejudice to labelling requirements provided in specific Community legislation applicable to particular foods.

Amendment

4. This Regulation shall apply without prejudice to labelling requirements provided in specific Community legislation applicable to particular foods.

By ... the Commission shall publish a comprehensive and updated list of the labelling requirements provided for in specific Community legislation applicable to particular foods. The Commission shall, not later than ... [18 months], submit a report to European Parliament and Council on the compliance of those specific labelling requirements with this

Regulation. The Commission shall, if appropriate, accompany the report with a relevant proposal.

Or. en

Justification

Simplification is one of the primary goals of this proposal.

Too many sector specific European Directives and Regulations contain labelling provisions.

It is necessary to collect all of them, to verify their consistency with general principles and to give easy access to this huge amount of requirements to all the operators and stakeholders in the food chain, taking into account any possible incoherence with the general rules.

Amendment 205
Renate Sommer

Proposal for a regulation
Article 1 – paragraph 4

Text proposed by the Commission

(4) This Regulation shall apply without prejudice to labelling requirements provided in specific Community legislation applicable to particular foods.

Amendment

(4) This Regulation shall apply without prejudice to labelling requirements provided in specific Community legislation applicable to particular foods. ***The Commission shall publish by [date of entry into force of this Regulation] a list of all labelling regulations contained in specific legal provisions of the Community for particular foods and shall make this list accessible on the Internet.***

Or. de

Justification

Clarification.

Amendment 206
John Bowis

Proposal for a regulation
Article 1 – paragraph 4

Text proposed by the Commission

4. This Regulation shall apply ***without prejudice to labelling requirements provided in specific Community legislation applicable to particular foods.***

Amendment

4. This Regulation shall ***not apply to activities such as the occasional handling, serving and selling of food by private persons at events such as charities, or local community fairs and meetings.***

Or. en

Justification

This amendment brings the legislation into line with the sentiment expressed in Recital 15 exempting charities and one-off events.

Amendment 207
Richard Seeber

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

Text proposed by the Commission

(a) ‘food information’ means information concerning a food and made available to the final consumer by means of a label, ***other accompanying material***, or any other means including modern technology ***tools or verbal communication***. It does not cover commercial communications as defined by Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market;

Amendment

(a) ‘food information’ means information concerning a food and made available to the final consumer by means of a label, or any other means ***of commercial communication including advertising and marketing, by a food business operator, directly connected with the promotion, sale or supply of a product to consumers***, including modern technology. It does not cover commercial communications as defined by Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market;

Justification

Proposed definition is too broad as it would also cover communication, which isn't made for commercial purposes. Wording should be aligned with Article 3(3) of Regulation 178/2002 and Article 2 (d) of Directive 2005/29/EC on unfair commercial practices to ensure that scope of definition is limited to food business operators and commercial communication made to the final consumer.

Amendment 208
Richard Seeber

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

Text proposed by the Commission

Amendment

(b) 'food information law' means the Community provisions governing the food information, and in particular labelling, including rules of a general nature applicable to all foods or to specified foods and rules which apply only to specific foods; ***deleted***

Or. de

Justification

This provision is dispensable. What 'food information law' means is apparent from the content of the respective provisions. Article 2(2)(b) should therefore be deleted.

Amendment 209
Richard Seeber

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

Text proposed by the Commission

Amendment

(c) 'mandatory food information' means the particulars that are required to be ***deleted***

*provided to the final consumer by
Community legislation;*

Or. de

Justification

This provision is dispensable. The definition merely indicates that mandatory information is information which is laid down by law (a pleonasm). Article 2(2)(c) should therefore be deleted.

Amendment 210
Françoise Grossetête

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

Text proposed by the Commission

(e) ‘prepacked food’ means any single item for presentation as such to the final consumer and to mass caterers, consisting of a food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging;

Amendment

(e) ‘prepacked food’ means any single item for presentation as such to the final consumer and to mass caterers, consisting of a food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging, ***with the exception of food prepacked at the point of sale before direct sale to the consumer;***

Or. fr

Justification

Clarification needed because of the introduction of the definition of non-prepacked food.

Amendment 211
Karl-Heinz Florenz

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

Text proposed by the Commission

(e) ‘prepacked food’ means any single item for presentation as such to the final consumer and to mass caterers, consisting of a food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging;

Amendment

(e) ‘prepacked food’ means any single item for presentation as such to the final consumer and to mass caterers, consisting of a food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging. ***This excludes food which is not prepacked;***

Or. de

Justification

Clarification necessitated by the new definition of 'non-prepacked food'.

Amendment 212
Richard Seeber

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

Text proposed by the Commission

(e) ‘prepacked food’ means any single item for presentation as such to the final consumer and to mass caterers, consisting of a food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging;

Amendment

Does not affect English version.

Justification

Linguistic adjustment to bring the terminology into line with that hitherto used in [the German version of] the Labelling Directive, 2000/13/EC. There is no reason to deviate from established terminology which is satisfactory.

Amendment 213

Christa Klač

Proposal for a regulation

Article 2 – paragraph 2 – point e

Text proposed by the Commission

(e) ‘prepacked food’ means any single item for presentation as such to the final consumer and to mass caterers, consisting of a food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging;

Amendment

(e) ‘prepacked food’ means any single item for presentation as such to the final consumer and to mass caterers, consisting of a food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging. ***This excludes food which is not prepacked;***

Justification

Clarification necessitated by the new definition of 'non-prepacked food'.

Amendment 214

Renate Sommer

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ea) 'non-prepacked food' means food

which is offered for sale to the final consumer without packaging and is packaged only at the time of sale to the final consumer and food and fresh products which are prepacked at the place of sale for immediate sale;

Or. de

Justification

In shops, food is also offered for sale prepacked and as a rule in proximity to counters manned by sales staff in order to avoid long waiting times for customers at the counter. As in the case of foods packaged in accordance with the individual wishes of customers, it is in practice impossible to provide the same information as is mandatory for prepacked products, on account of the diversity of the products which may be sold and because they are produced manually and the range of products on sale differs from day to day.

Amendment 215
Karl-Heinz Florenz

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

Text proposed by the Commission

Amendment

(ea) 'non-prepacked food' means any food which is offered for sale to the consumer without packaging or is packaged at the request of the consumer or is prepacked at the place of sale for immediate sale;

Or. de

Justification

In shops, food is also offered for sale prepacked and as a rule in proximity to counters manned by sales staff in order to avoid long waiting times for customers at the counter. As in the case of foods packaged in accordance with the individual wishes of customers, it is in practice impossible to provide the same information as is mandatory for prepacked products, on account of the diversity of the products which may be sold and because they are produced manually and the range of products on sale differs from day to day.

Amendment 216
Françoise Grossetête

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

Text proposed by the Commission

Amendment

(ea) ‘non-prepacked food’ means any food that is offered for sale to the consumer unpackaged, packaged at the consumer’s request or prepackaged at the point of sale for direct sale to the consumer;

Or. fr

Justification

In many shops, foods are also prepackaged and sold, with either self-service or assisted service. These products have the same specific characteristics as foods offered unpackaged and/or packaged at the consumer’s request. The variety of these products, their preparation or small-scale production in shops or small adjacent workshops, the variety of composition and recipes make compulsory provisions impossible.

Amendment 217
Christa Klab

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

Text proposed by the Commission

Amendment

(ea) ‘non-prepacked food’ means any food which is offered for sale to the consumer without packaging or is packaged at the request of the consumer or is prepacked at the place of sale for immediate sale;

Or. de

Justification

In shops, food is also offered for sale prepacked and as a rule in proximity to counters manned by sales staff in order to avoid long waiting times for customers at the counter. As in

the case of foods packaged in accordance with the individual wishes of customers, it is in practice impossible to provide the same information as is mandatory for prepacked products, on account of the diversity of the products which may be sold and because they are produced manually and the range of products on sale differs from day to day.

Amendment 218

Christa Klač

Proposal for a regulation

Article 2 – paragraph 2 – point f

Text proposed by the Commission

(f) ‘ingredient’ means any substance, including food additives and food enzymes, and any **constituent** of a compound ingredient, used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form; **residues shall not be considered as ingredients;**

Amendment

(f) ‘ingredient’ means any substance, including food additives and food enzymes, and any **ingredient** of a compound ingredient, used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form;

Or. de

Justification

The amendment is intended as a clarification and to bring the terminology into line with terms already in use. If no mention is made of constituents, there will be no need for the supposed clarification that residues are not ingredients.

Amendment 219

Richard Seeber

Proposal for a regulation

Article 2 – paragraph 2 – point f

Text proposed by the Commission

(f) ‘ingredient’ means any substance, including food additives and food enzymes, and any **constituent** of a compound ingredient, used in the manufacture or preparation of a food and still present in the finished product, even if

Amendment

(f) ‘Ingredient’ means any substance including food additives and food enzymes and any **ingredient** of a compound ingredient used in the manufacture or preparation of a food and still present in the finished product even if in an altered

in an altered form; residues shall not be considered as ingredients;

form; residues shall not be considered as ingredients.

Or. en

Justification

A change of the ingredient definition would have undesired effects on Community legislation, which makes reference to the ingredient definition (e.g. Regulation 1829/2003).

Amendment 220

María Sornosa Martínez

Proposal for a regulation

Article 2 – paragraph 2 – point f

Text proposed by the Commission

f) ‘ingredient’ means any substance, including food additives and food enzymes, and any **constituent** of a compound ingredient, used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form; **residues shall not be considered as ingredients**;

Amendment

f) ‘ingredient’ means any substance, including food additives and food enzymes, and any **ingredient** of a compound ingredient, used in the manufacture or preparation of a food and still present in the finished product, even if in an altered form;

Or. es

Justification

The concept of residues should be deleted from this definition to bring it into line with Regulation No 178/2002, laying down the general requirements of food law. The definition given in Article 2 of that regulation stipulates that food does not include ‘residues and contaminants’. In addition, the word ‘constituent’ should be replaced by ‘ingredient’, in the interests of consistency with paragraph 2(h) of the same article.

Amendment 221
Richard Seeber

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

Text proposed by the Commission

Amendment

(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; **deleted**

Or. en

Justification

The current Article 2(1) (a) (i) of Directive 2000/13/EC gives a clear and practical rule for origin labelling. The industry is familiar with this provision and its application, which does not cause any problems. At CODEX level either, the differentiation between country of origin and place of provenance is no longer maintained. This approach should be retained in the EU law, as provided for in the Directive 2000/13/EC.

Amendment 222

Amalia Sartori, Françoise Grossetête, Guido Sacconi, Chris Davies, Alessandro Foglietta, Elisabetta Gardini

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

Text proposed by the Commission

Amendment

(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;

(g) ‘place of provenance’ means any place where a food is indicated to come from, and that is not the ‘country of origin’;

Or. en

Justification

The definition of the ‘country of origin’ should be added to differentiate this from the definition of the place of provenance

Amendment 223

Amalia Sartori, Françoise Grossetête, Guido Sacconi, Chris Davies, Alessandro Foglietta, Elisabetta Gardini

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 main agricultural raw material used in the preparation of the product.

Or. en

Justification

The definition of the ‘country of origin’ should be added to differentiate this from the definition of the place of provenance

Amendment 224

Richard Seeber

Proposal for a regulation

Article 2 – paragraph 2 – point k

Text proposed by the Commission

Amendment

(k) ‘field of vision’ means all the surfaces of a package that can be read from a single viewing point, permitting rapid and easy access to labelling information by allowing consumers to read this information ***without needing to turn the package back and forth;***

(k) ‘field of vision’ means all the surfaces of a package that can be read from a single viewing point, permitting rapid and easy access to labelling information by allowing consumers to read this information;

Or. de

Justification

Partly a linguistic adjustment [of the German version] to bring the terminology into line with that hitherto used in the Labelling Directive, 2000/13/EC. In addition, the exclusion of the need to turn the package and forth is contrary to the present legal situation and, potentially, also to the possibility of including indications on other parts of the packaging, and should therefore be entirely deleted.

Amendment 225

Richard Seeber

Proposal for a regulation

Article 2 – paragraph 2 – point 1

Text proposed by the Commission

Amendment

(1) ‘legal name’ means the name of a food prescribed in the Community provisions applicable to it or, in the absence of such Community provisions, the name provided for in the laws, regulations and administrative provisions applicable in the Member State in which the food is sold to the final consumer or to mass caterers; ***deleted***

Or. de

Justification

The meaning of the definition in Article 2(2)(1) is unclear. In German, the term 'rechtmässige Bezeichnung' means a name which does not contravene any legal provision. It would therefore be better to continue to refer to the names prescribed in the legal provisions. However, these must be defined (pleonasm). It is proposed that the definitions be dealt with in conjunction with Article 18.

Amendment 226
Richard Seeber

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

Text proposed by the Commission

Amendment

(m) ‘customary name’ means a name which is accepted as the name of the food without it needing further explanation by consumers in the Member State in which it is sold;

Does not affect English version.

Or. de

Justification

The terminology used in German in the Labelling Directive (2000/13/EC) should be retained (cf. Article 5(a)).

Amendment 227
Richard Seeber

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

Text proposed by the Commission

Amendment

(o) ‘primary ingredient(s)’ means the significant and/or characterising ingredients of a food;

deleted

Or. en

Justification

As we oppose the Commission’s attempt to add on to the existing provision on origin labelling, there is no need to have definitions of primary, significant and characterising food ingredients hitherto not used in the context of food law. As we have constantly advocated simplification, we oppose the creation of ever-new terms and concepts without apparent benefit.

These criteria are impractical. They are confusingly inconsistent with QUID definitions. A 50% level does not have the same practical significance for all foods.

Amendment 228
Christa Klab

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

Text proposed by the Commission

Amendment

(o) ‘primary ingredient(s)’ means the significant and/or characterising ingredients of a food; **deleted**

Or. de

Justification

This definition is unnecessary, as the term is not used in the rest of the Regulation. It should therefore be deleted.

Amendment 229
Richard Seeber

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**

Or. en

Justification

As we oppose the Commission’s attempt to add on to the existing provision on origin labelling, there is no need to have definitions on primary, significant and characterising food ingredients hitherto not used in the context of food law. As we have constantly advocated simplification, we oppose the creation of ever-new terms and concepts without apparent benefit.

These criteria are impractical. They are confusingly inconsistent with QUID definitions. A 50% level does not have the same practical significance for all foods.

Amendment 230
Christa Klab

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**

Or. de

Justification

This definition is unnecessary, as the term is not used in the rest of the Regulation. It should therefore be deleted.

Amendment 231
Richard Seeber

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

Text proposed by the Commission

Amendment

(q) ‘characterising ingredient(s)’ means any ingredient of a food which is usually associated with the name of the food by the consumer and for which in most cases a quantitative indication is required; **deleted**

Or. en

Justification

As we oppose the Commission’s attempt to add on to the existing provision on origin labelling, there is no need to have definitions on primary, significant and characterising food ingredients hitherto not used in the context of food law. As we have constantly advocated simplification, we oppose the creation of ever-new terms and concepts without apparent benefit.

These criteria are impractical. They are confusingly inconsistent with QUID definitions. A 50% level does not have the same practical significance for all foods.

Amendment 232

Christa Klaß

Proposal for a regulation

Article 2 – paragraph 2 – point q

Text proposed by the Commission

Amendment

(q) ‘characterising ingredient(s)’ means any ingredient of a food which is usually associated with the name of the food by the consumer and for which in most cases a quantitative indication is required;; **deleted**

Or. de

Justification

This definition is unnecessary, as the term is not used in the rest of the Regulation. It should therefore be deleted.

Amendment 233

María Sornosa Martínez

Proposal for a regulation

Article 2 – paragraph 2 – point s

Text proposed by the Commission

Amendment

s) ‘date of minimum durability of a food’ means the date until which the food retains its specific properties when properly stored;

s) ‘date of minimum durability of a food’ means the date until which the food retains its specific properties when properly stored ***and after which the product may not be placed on sale;***

Or. es

Justification

The definition should be made more specific by including a reference to the possibility of

placing the product on sale.

Amendment 234
Renate Sommer

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

Text proposed by the Commission

Amendment

(sa) 'date of production' means the date on which products were produced and possibly packed and deepfrozen.

Or. de

Justification

Definition necessitated by Article 25.

Amendment 235
Richard Seeber

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

Text proposed by the Commission

Amendment

(t) 'best practices' means standards, schemes, initiatives, or any other activities endorsed by competent authorities that have been shown through experience and research to be the most effective for the majority of consumers and are considered as models for others to follow.

deleted

Or. de

Justification

Deletion for the sake of consistency with the deletion of Chapters 6 and 7.

Amendment 236
John Bowis

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

Text proposed by the Commission

Amendment

(ta) ‘Graphical forms and symbols’ means a clear visual expression or representation of the overall or specific nutritional content of a product in a format that can include numbers, tables or colour coding.

Or. en

Amendment 237
Dan Jørgensen

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

Text proposed by the Commission

Amendment

(ta) ‘date of manufacture’ means the date on which the food becomes the product as described.

Or. en

Justification

In order to improve consumer information, there should be a definition of manufacture date. The suggested definition is identical with the definition in Codex (CODEX STAN 1-1985).

Amendment 238

Amalia Sartori, Françoise Grossetête, Chris Davies, Guido Sacconi, Alessandro Foglietta

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ta) ‘Processing’ means the process whereby one (or more) agricultural raw material(s) is (are) transformed into a finished product.

Or. en

Amendment 239

Avril Doyle

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ta) ‘local or farmers’ market’ means a market in which farmers, growers or local food producers sell their produce or local produce directly to the public.

Or. en

Justification

This amendment provides for flexibility in the enforcement of food labelling rules at local and farmers markets.

Amendment 240
Liam Aylward

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

Text proposed by the Commission

Amendment

**(ta) ‘principal field of vision’ means
‘front of pack’.**

Or. en

Justification

Clarification of ‘principal field of vision’

Amendment 241
Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation
Article 2 – paragraph 3

Text proposed by the Commission

Amendment

3. For the purposes of this Regulation the country of origin of a food shall refer to the origin of a food as determined in accordance with Articles 23 to 26 of Council Regulation (EEC) No 2913/92.

3. For the purposes of this Regulation the country of origin of a food shall refer to the origin of a food as determined in accordance with Articles 23 to 26 of Council Regulation (EEC) No 2913/92.

For meat and foods containing meat, the origin of the foodstuff or the respective ingredient shall be defined as the country in which the animal was born, reared for most of its life, and slaughtered. If different, all three places have to be given when reference is made to the ‘country of origin’.

Or. en

Justification

For meat, it is not appropriate to indicate only one place of origin, if it is different for birth,

rearing and slaughtering. Surveys have shown that the place where the animals were born, reared and slaughtered are of high importance for consumers.

Amendment 242

Dorette Corbey

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. The provision of food information shall pursue a high level of protection of consumers' health and interests by providing a basis for final consumers to make informed choices and to make safe use of food, with particular regard to health, economic, environmental, social and ethical considerations.

Amendment

1. The provision of food information shall pursue a high level of protection of consumers' health and interests by providing a basis for final consumers to make informed choices and to make safe use of food, with particular regard to health, economic, environmental, social and ethical ***and animal welfare*** considerations.

Or. en

Amendment 243

Mojca Drčar Murko

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. The provision of food information shall pursue a high level of protection of consumers' health and interests by providing a basis for final consumers to make informed choices and to make safe use of food, ***with particular regard to health, economic, environmental, social and ethical considerations.***

Amendment

1. The provision of food information shall pursue a high level of protection of consumers' health and interests by providing a basis for final consumers to make informed choices and to make safe use of food.

Or. en

Justification

The aim of the Commission was the consolidation of mandatory labelling requirements to essentials that are the prerequisite of informed consumer choice, safe use and handling of the product. Ethical, social, environmental, and economic considerations are in this article not precise enough definitions for achieving this aim.

Amendment 244 **Richard Seeber**

Proposal for a regulation **Article 3 – paragraph 2**

Text proposed by the Commission

2. Food information law shall aim to achieve in the Community the free movement of food legally produced and marketed, ***taking into account, where appropriate, the need to protect the legitimate interests of producers and to promote the production of quality products.***

Amendment

2. Food information law shall aim to achieve in the Community the free movement of food legally produced and marketed.

Or. de

Justification

The second half of the sentence does not lay down any rule. It should be deleted from the Regulation for technical legal reasons and, if it is to be included at all, converted into a recital. It is not clear when and how the interests of producers and the quality of 'quality products' are to be promoted or taken into account.

Amendment 245 **Péter Olajos**

Proposal for a regulation **Article 3 – paragraph 3**

Text proposed by the Commission

3. When food information law establishes new requirements, consideration shall be given to the need for a ***transitory*** period

Amendment

When food information law establishes new requirements, consideration shall be given to the need for a ***transitional*** 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.

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 **transitional** period to continue to be sold until exhausted.

New food labelling rules shall be implemented on the basis of uniform compliance dates established by the Commission, after consulting the Member States and the interested parties.

Or. en

Justification

It is a widely shared need to follow an agreed timetable to update either general or specific rules on food labelling. Food operators must be prepared for the periodical revision of their packages and labels, whatever the legal reason is. Fragmented implementations of new rules, despite transitional periods, have a significant impact on the costs of new label layouts, orders, management of the packaging stocks.

Amendment 246

Avril Doyle

Proposal for a regulation

Article 3 – paragraph 3

Text proposed by the Commission

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.

Amendment

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, as well as to minimise packaging waste, it is normal that a transitory period is provided when new labelling requirements are introduced, unless it relates to an immediate health risk to the public, in which case such a period may not be appropriate.

Amendment 247**Richard Seeber****Proposal for a regulation****Article 3 – paragraph 3***Text proposed by the Commission*

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.

Amendment

3. When food information law establishes new requirements, ***appropriate transition periods of at least three years*** after the entry into force of the new requirements ***shall be laid down***, during which foods bearing labels not complying with the new requirements can be placed on the market. ***This shall take account of the fact that*** stocks of such foods that have been placed on the market before the end of the ***transition*** period ***may*** continue to be sold until exhausted, ***but not later than three years after the entry into force of the new provisions. The same shall apply to stocks of labels which food business operators have in their possession before the entry into force of the new provisions.***

Justification

In order to ensure practicable transition periods, particularly for SMEs, in practice, appropriate transition periods (of at least three years) should be instituted. In laying down the transition period, it is important to avoid the substantial costs of investment in printing and the development of packaging material, as well as the costly destruction of stocks of labels.

Amendment 248
Richard Seeber

Proposal for a regulation
Article 4

Text proposed by the Commission

Amendment

1. Where mandatory food information is required by food information law, it shall concern information that falls, in particular, into one of the following categories: ***deleted***

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

(b) information on the protection of consumers' health and the safe use of a food. In particular, it shall concern information on:

(i) compositional attributes that may be harmful to the health of certain groups of consumers;

(ii) durability, storage and safe use;

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

(c) information on nutritional characteristics so as to enable consumers, including those with special dietary requirements, to make informed choices.

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

Or. de

Justification

The principles relating to mandatory information on food are addressed not to the operators governed by the Regulation but to the legislature. Their meaning is therefore unclear. Accordingly, the provisions should be deleted, or at most included in the recitals.

Amendment 249
Magor Imre Csibi

Proposal for a regulation
Article 4 – paragraph 1 – point b – point iii

Text proposed by the Commission

Amendment

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

Or. en

Justification

Food by virtue of Article 14 Regulation 178/2002 must be safe for consumption. Labelling is there to provide information about the food and not about consumer behaviour.

Amendment 250
Antonio De Blasio

Proposal for a regulation
Article 4 – paragraph 1 – point b – point iii

Text proposed by the Commission

Amendment

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

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

Or. hu

Justification

Given that it is not the direct aim of the Commission proposal to protect the health of consumers by means of warnings, I think it is important to stress that it is vital that consumers be guaranteed the opportunity of making a healthy choice.

Amendment 251
Antonio De Blasio

Proposal for a regulation
Article 4 – paragraph 1 – point c

Text proposed by the Commission

c) information on nutritional characteristics so as to enable consumers, including those with special dietary requirements, to make informed choices.

Amendment

c) information on nutritional characteristics so as to enable consumers, including those with special dietary requirements, to make **sufficiently** informed choices.

Or. hu

Justification

Listing nutritional characteristics item-by-item is not in itself sufficient to enable the average consumer to make judicious decisions on food products.

Amendment 252
Dorette Corbey

Proposal for a regulation
Article 4 – paragraph 1 – point c a – c b – c c (new)

Text proposed by the Commission

Amendment

(ca) interpretive information on products referred to in Article 33(2a) in order to enable the consumers to make informed choices;

(cb) information on the origins of food products;

(cc) information on the production and processing of the food on products.

Or. en

Amendment 253
Jan Březina

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

New food labelling rules shall be implemented on the basis of uniform compliance dates on a two-year cycle, which enables an orderly adjustment to new labelling requirements, except in cases of information requirements with safety implications.

Or. en

Justification

This addition aims at bringing legal certainty for the food operators as well as an orderly adjustment to new labelling requirements. In order to minimize the economic impact, especially on SMEs, of any labelling changes by the food business operators but also to make them more efficient, the new labelling rules shall be implemented on the basis of uniform compliance dates. Cases of emergencies with safety implications have to be excluded from this principle.

Amendment 254
Richard Seeber

Proposal for a regulation
Article 7 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) as to the characteristics of the food and, in particular, as to its nature, identity, properties, composition, quantity, durability, **country of** origin or **place of** provenance, method of manufacture or production;

(a) as to the characteristics of the food and, in particular, as to its nature, identity, properties, composition, quantity, durability, origin or provenance, method of manufacture or production;

Or. en

Justification

The current Article 2(1) (a) (i) of Directive 2000/13/EC gives a clear and practical rule for origin labelling. The industry is familiar with this provision and its application, which does not cause any problems. At CODEX level either, the differentiation between country of origin and place of provenance is no longer maintained. This approach should be retained in the EU law, as provided for in the Directive 2000/13/EC.

Amendment 255

Karl-Heinz Florenz

Proposal for a regulation

Article 7 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) by explicitly advertising a significant reduction in sugar and/or fat unless at the same time the energy content (kilojoules or kilocalories) is correspondingly reduced, except in cases where the sugar or fat reduction has the effect of improving the impact of the product on health;

Or. de

Justification

Der durchschnittliche Verbraucher geht davon aus, dass ein Lebensmittel, das auf der Schauseite einer Verpackung mit einer deutlichen Zucker- oder Fettreduktion beworben wird, auch einen dementsprechenden reduzierten Energiegehalt hat. Dieses ist aber oft nicht der Fall, weil Zucker oder Fett durch andere Inhaltsstoffe ersetzt wurden. Insofern handelt es sich bei derartigen Produktaufschriften um eine Irreführung des Verbrauchers.

Der Ersatz von gesättigten Fettsäuren, z. B. durch mehrfach ungesättigte Fettsäuren, sollte jedoch erlaubt werden, weil dieser Ersatz förderlich für die Gesundheit ist, auch wenn der Energiegehalt derselbe bleibt.

Amendment 256
John Bowis

Proposal for a regulation
Article 7 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

***(ca) by pictorial representations that
mislead the consumer as to the true
nature or origin of the food.***

Or. en

Justification

Images and graphics shall not be used to deliberately mislead consumers as to the true origin of a product.

Amendment 257
Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation
Article 7 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

***(ca) by exhibiting pictures suggesting that
the food is made of certain ingredients
when it is not;***

Or. en

Justification

For instance, a vanilla yoghurt with the vanilla flavour coming from artificial flavourings should not show the picture of vanilla on its package.

Amendment 258

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 7 – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

(cb) by suggesting that the flavour of the food comes from natural ingredients when it essentially comes from flavourings.

Or. en

Justification

For instance, if a product claims ‘vanilla’, real vanilla should be the origin of the taste.

Amendment 259

Avril Doyle

Proposal for a regulation

Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The committee referred to in Article 49(1) may draw up a non-exhaustive list of the claims and terms within the meaning of paragraph 1, the use of which must at all events be prohibited or restricted.

Or. en

Justification

The proposed amendment seeks to retain the existing provision in EU food law (Directive 2000/13) 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 between Member States and thereby create trade barriers in the internal market.

Amendment 260
Jill Evans

Proposal for a regulation
Article 7 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. No later than three years from the date of entry into force of this Regulation, the Commission shall forward to the European Parliament and Council a report on the available evidence on the properties of natural mineral waters to prevent, treat or cure a human disease.

Or. en

Justification

To our knowledge there is no convincing evidence demonstrating that natural mineral waters have the property of preventing, treating or curing a human disease. The European Commission should investigate whether there is sufficient evidence to justify such claims for natural mineral waters.

Amendment 261
Anne Ferreira

Proposal for a regulation
Article 7 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. At the latest three years after the entry into force of this Regulation, the Commission shall present to the European Parliament and the Council a report showing the particular properties of natural mineral water with regard to the prevention, treatment or cure of a human disease,

Or. fr

Justification

As far as is known, there is no obvious proof; consequently the Commission must provide proof of these properties to justify the use of such health claims.

Amendment 262

Jan Březina

Proposal for a regulation

Article 8

Text proposed by the Commission

1. ***Without prejudice to paragraphs 3 and 4***, food business operators, within the businesses under their control, shall ensure compliance with the requirements of food information law which are relevant to their activities and ***shall verify that such requirements are met.***

2. Food business operators, within the business under their control, shall not modify the information accompanying a food if such modification would mislead the final consumer or otherwise reduce the level of consumer protection, particularly with regard to health.

3. Food business operators placing on the market for the first time a food intended for supply to the final consumer or mass caterer shall ensure the presence and accuracy of the food information in accordance with the applicable food information law.

4. Food business operators responsible for retail or distribution activities which do not affect food information shall act ***with due care to ensure***, within the limits of their respective activities, ***the presence of the applicable food information requirements, in particular by not supplying foods which***

Amendment

1. ***Subject to more specific provisions of paragraph 3***, food business operators, within the businesses under their control, shall ensure ***and verify*** compliance ***of the food information*** with the requirements of ***the*** food information law which are relevant to their ***respective*** activities and ***in particular the presence and accuracy of the food information when they place a food for the first time on the Community market.***

2. Food business operators, within the business under their control, shall not modify the information accompanying a food if such modification would mislead the final consumer or otherwise reduce the level of consumer protection, particularly with regard to health.

3. Without prejudice to Article 19 of Regulation (EC) No 178/2002, food business operators responsible for retail or distribution activities which do not affect food information shall act ***promptly when they have been notified, or when they become aware*** within the limits of their

they know or presume to be non compliant, on the basis of the information in their possession as professionals.

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.

6. In the following cases, food business operators, within the businesses under their control shall ensure that the mandatory particulars required under Article 9 shall appear on the external packaging in which the food is presented for marketing, or on the commercial documents referring to the foods where it can be guaranteed that such documents either accompany the food to which they refer or were sent before or at the same time as delivery:

(a) where prepacked food is intended for the final consumer but marketed at a stage prior to sale to the final consumer and where sale to a mass caterer is not involved at that stage;

(b) where prepacked food is intended for supply to mass caterers for preparation, processing, splitting or cutting up.

Notwithstanding subparagraph 1, food business operators shall ensure that the particulars referred to in Article 9(1) (a), (f) and (h) also appear on the external packaging in which the food is presented for marketing.

respective activities, *of the absence or of the inaccuracy on the label of mandatory particulars provided for in Article 9(1).*'

4. 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.

5. In the following cases, food business operators, within the businesses under their control shall ensure that the mandatory particulars required under Article 9 shall appear on the external packaging in which the food is presented for marketing, or on the commercial documents referring to the foods where it can be guaranteed that such documents either accompany the food to which they refer or were sent before or at the same time as delivery:

(a) where prepacked food is intended for the final consumer but marketed at a stage prior to sale to the final consumer and where sale to a mass caterer is not involved at that stage;

(b) where prepacked food is intended for supply to mass caterers for preparation, processing, splitting or cutting up.

Notwithstanding subparagraph 1, food business operators shall ensure that the particulars referred to in Article 9(1) (a), (f) and (h) also appear on the external packaging in which the food is presented for marketing.

Or. en

Justification

a) Compliance of the text with the wording of Regulation 178/2002

b) The responsibility of the operators has been laid down in a clear and unambiguous way.

The wording proposed by the Commission leaves room for interpretation. In order to provide legal coherence and logic, paragraph 3 should be incorporated into paragraph 1. Furthermore there is a clear need to specify that the 'first placing on the market' concerns the 'Community' market, according to the Internal Market principle. Finally, distributors who simply market products without affecting food information should be exempted from the general principle laid down in paragraph 1. Nevertheless they should not be discharged from the obligations relative to safety issues (Art. 19 of Regulation 178/2002).

This amendment proposal is fully in line with the existing EU legislation and notably with Article 17 of Regulation 178/2002 and Decision 768/2008 (even if the latter does not concern the foodstuffs).

Amendment 263

Jill Evans

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

2. Food business operators, within the business under their control, shall not modify the information accompanying a food if such modification would mislead the final consumer or otherwise reduce the level of consumer protection, particularly with regard to health.

Amendment

2. Food business operators, within the business under their control, shall not modify the information accompanying a food if such modification would mislead the final consumer or otherwise reduce the level of consumer protection, particularly with regard to health ***and their possibilities to make informed choices.***

Or. en

Justification

The addition clarifies the requirement imposed on the food business operator.

Amendment 264

Anne Ferreira

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

2. Food business operators, within the business under their control, shall not

Amendment

2. Food business operators, within the business under their control, shall not

modify the information accompanying a food if such modification would mislead the final consumer or otherwise reduce the level of consumer protection, particularly with regard to health.

modify the information accompanying a food if such modification would mislead the final consumer or otherwise reduce the level of consumer protection, particularly with regard to health and the ability to make an informed choice, ***and the possibility of making a sufficiently informed choice.***

Or. fr

Justification

This addition clarifies the requirements for consumer protection and information.

Amendment 265
Magor Imre Csibi

Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

2. Food business operators, within the business under their control, shall not modify the information accompanying a food if such modification would mislead the final consumer or otherwise reduce the level of consumer protection, particularly with regard to health.

Amendment

2. Food business operators, within the business under their control, shall not modify the information accompanying a food if such modification would mislead the final consumer or otherwise reduce the level of consumer protection, particularly with regard to health ***and their possibilities to make informed choices.***

Or. en

Justification

The addition clarifies the requirement imposed on the food business operator.

Amendment 266
Kartika Tamara Liotard

Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

2. Food business operators, within the business under their control, shall not modify the information accompanying a food if such modification would mislead the final consumer or otherwise reduce the level of consumer protection, particularly with regard to health.

Amendment

2. Food business operators, within the business under their control, shall not modify the information accompanying a food if such modification would mislead the final consumer or otherwise reduce the level of consumer protection, particularly with regard to health ***and their possibilities to make informed choices.***

Or. en

Justification

Clarification

Amendment 267
María Sornosa Martínez

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. Food business operators placing on the market ***for the first time*** a food intended for supply to the final consumer or mass caterer shall ensure the presence and accuracy of the food information in accordance with the applicable food information law.

Amendment

3. Food business operators placing on the market a food intended for supply to the final consumer or mass caterer shall ensure the presence and accuracy of the food information in accordance with the applicable food information law.

Or. es

Justification

The amendment seeks to ensure that food business operators are not exempt from liability.

Amendment 268
Christa Klab

Proposal for a regulation
Article 8 – paragraph 4

Text proposed by the Commission

4. Food business operators responsible for retail or distribution activities which do not affect food information ***shall act*** with due care ***to ensure***, within the limits of their respective activities, ***the presence of the applicable food information requirements, in particular by not supplying foods which they know or presume to be non compliant, on the basis of the information in their possession as professionals.***

Amendment

4. ***If*** food business operators responsible for retail or distribution activities which do not affect food information, ***acting*** with due care within the limits of their respective activities, ***learn that a food does not comply with the provisions of this Regulation, they shall respond immediately and to the appropriate extent.***

Or. de

Amendment 269
Kathy Sinnott

Proposal for a regulation
Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Food business operators responsible for retail or distribution activities which do not affect food information shall not modify the food information on the package or on the label attached thereto.

Or. en

Justification

This is in order to protect consumers.

Amendment 270

Kathalijne Maria Buitenweg, Carl Schlyter

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 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) to the final consumer.

Or. en

Justification

The provision of all particulars mentioned in Article 9 (1) is essential in order to enable the operator receiving the food to accordingly handle (e.g. store etc.) the food and to pass the information down to the consumer. Furthermore, this provision is indispensable to comply with traceability requirements.

Amendment 271

Kartika Tamara Liotard

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 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 **(d), (f) and (i)** to the final consumer.

Justification

The information required by (d) and (i) are necessary to enable the operator who supplies the food to the final consumer to provide the mandatory food information specified in Article 9(1) to the final consumer.

Amendment 272
Magor Imre Csibi

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 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 **(d)**, (f) **and (g)** to the final consumer.

Amendment 273
Anne Ferreira

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

Amendment

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 **(d)**, (f) **and (i)** to

final consumer.

the final consumer.

Or. fr

Justification

This amendment extends the number of information requirements on food.

Amendment 274

Kathy Sinnott

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 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 **(d), (f) and (i)** to the final consumer.

Or. en

Justification

Brings Article 8 in line with proposed changes to Article 9.

Amendment 275

Marian Harkin

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

Amendment

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.

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) **and (i)** to the final consumer.

Or. en

Amendment 276
Magor Imre Csibi

Proposal for a regulation
Article 8 – paragraph 6 – subparagraph 2

Text proposed by the Commission

Notwithstanding subparagraph 1, food business operators shall ensure that the particulars referred to in Article 9(1) (a), (f) and (h) also appear on the external packaging in which the food is presented for marketing.

Amendment

Notwithstanding subparagraph 1, food business operators shall ensure that the particulars referred to in Article 9(1) (a), (f), **(g)** and (h) also appear on the external packaging in which the food is presented for marketing.

Or. en

Justification

Providing special storage conditions, such as temperature or humidity, is needed to be able to respect the date of minimal durability or the ‘use by’ date. Such information should be available on the external packaging.

Amendment 277
Francesco Enrico Speroni

Proposal for a regulation
Article 8 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Operators in the catering sector and anyone administering food products shall inform consumers where the product intended for consumption is a GMO

product and/or contains derivatives and substances that may be classified as GMOs within the meaning of Regulation(EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003, concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC¹.

¹ OJ L 268, 18.10.2003, p. 23.

Or. it

Justification

To provide more extensive protection of consumers and guarantee consumers' right to information in order to allow them to make informed choices in relation to the foods they consume.

Amendment 278

Francesco Enrico Speroni

Proposal for a regulation

Article 8 – paragraph 6 b (new)

Text proposed by the Commission

Amendment

6b. Operators in the catering sector shall also be required to inform consumers wherever the product intended for consumption, or a part thereof, has been prepared with frozen or deep-frozen components.

Or. it

Justification

To provide more extensive protection of consumers and guarantee consumers' right to information in order to allow them to make informed choices in relation to the foods they consume.

Amendment 279
Francesco Enrico Speroni

Proposal for a regulation
Article 8 – paragraph 6 c (new)

Text proposed by the Commission

Amendment

6c. As from 1 January 2010 the provisions of Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97¹ shall apply to all farmed meats and meat-based product.

¹ OJ L 204, 11.8.2000, p. 1.

Or. it

Justification

To provide consumers with comprehensive information, not limited to certain types of meat.

Amendment 280
Richard Seeber

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

Amendment

1. In accordance with Articles 10 to 34 and subject to the exceptions contained in this Chapter, indication of the following particulars shall be mandatory.

- (a) the ***name of the food***;
- (b) the list of ingredients;
- (c) any ingredient listed in Annex II causing allergies or intolerances, and any

1. In accordance with Articles 10 to 34 and subject to the exceptions contained in this Chapter, indication of the following particulars shall be mandatory.

- (a) the ***sales denomination***;
- (b) the list of ingredients;
- (c) any ingredient listed in Annex II causing allergies or intolerances, and any

substance derived therefrom;

(d) the quantity of certain ingredients or categories of ingredients;

(e) the net quantity of the food;

(f) the date of minimum durability or the 'use by' date;

(g) any special storage conditions or conditions of use;

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

(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)***;

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

(k) with respect to beverages containing more than 1,2 % by volume of alcohol, the actual alcoholic strength by volume;

(l) a nutrition declaration.

substance derived therefrom;

(d) the quantity of certain ingredients or categories of ingredients;

(e) the net quantity of the food;

(f) the date of minimum durability or, ***in the case of foods which are microbiologically perishable***, the 'use by' date;

(g) any special storage conditions or conditions of use;

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

(i) the country of origin or place of provenance where failure to indicate this might mislead the consumer as to the true provenance of the food;

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

(k) with respect to beverages containing more than 1,2 % by volume of alcohol, the actual alcoholic strength by volume.

Or. de

Amendment 281
Dan Jørgensen

Proposal for a regulation
Article 9 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) the date of manufacture;

Or. en

Justification

In order to fulfil the purpose of the regulation of providing the consumer with appropriate information about the food they consume in order to enable him to make informed choices, it is essential that the consumer be informed about the date of manufacture.

Amendment 282
Niels Busk

Proposal for a regulation
Article 9 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

***(fa) in the case of food of animal origin,
the date of manufacture;***

Or. en

Justification

In order to fulfil the purpose of the regulation of providing the consumer with appropriate information about the food they consume in order to enable him/her to make informed choices, it is essential that the consumer be informed about the date of manufacture.

Amendment 283

Amalia Sartori, John Bowis, Guido Sacconi, Alessandro Foglietta

Proposal for a regulation

Article 9 – paragraph 1 – point h

Text proposed by the Commission

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

Amendment

(h) The name or business name **or a registered trademark** and the address of the manufacturer, **of the** packager **and, for products coming from third countries,** of a seller established within the Community.

Or. en

Justification

In the case of private labels, the use of a registered trademark of the food manufacturer, would minimize any problem of competition and reputation as it would give producers the possibility to use specific trademarks for private labels. In fact many Companies use different brands/trademarks to address different markets. Anyhow such a trademark would be an exclusive property of the producer who will have the possibility to invest in 'brand awareness' and to give rise to a business partnership with the retailers on a stronger basis.

Amendment 284

Kathalijne Maria Buitenweg, Carl Schlyter, Jill Evans

Proposal for a regulation

Article 9 – paragraph 1 – point i

Text proposed by the Commission

(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

Amendment

(i) **the country of origin or place of provenance of foods consisting of a single ingredient and of the significant ingredient and the characterising ingredient(s) in multi-ingredient food products;** 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

35(5);

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);

Or. en

Justification

The country of origin/ place of provenance is a very valuable information for most consumers. Therefore, it should mandatory be given for single-ingredient products as well as for the significant ingredient and the characterising ingredient(s) in multi-ingredient food products.

Amendment 285

Glenis Willmott, Dorette Corbey

Proposal for a regulation

Article 9 – paragraph 1 – point i

Text proposed by the Commission

(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);***

Amendment

(i) the country of origin or **place(s)** of provenance ***of foods consisting of a single ingredient or the countries of origin of the two most significant ingredients in multi-ingredient food products.*** The indication shall be in accordance with the rules laid down in ***Article 14a;***

Or. en

Justification

It is in the interest of consumers to know where a product is produced, especially if consumers want to reduce the foodmiles.

Amendment 286

Amalia Sartori, Françoise Grossetête, John Bowis, Guido Sacconi, Chris Davies,
Alessandro Foglietta, Elisabetta Gardini

Proposal for a regulation

Article 9 – paragraph 1 – point i

Text proposed by the Commission

(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);

Amendment

(i) the country of origin *of unprocessed agricultural products and, for processed products, the area of cultivation or rearing of the main agricultural raw material used in the processing.* 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);

Or. en

Justification

For reasons of transparency, consumers should know the country of origin of a foodstuff. To be aware about the origin of the main ingredient used in a processed food represents an essential element to allow consumer to make an informed choice.

Amendment 287

Antonio De Blasio

Proposal for a regulation

Article 9 – paragraph 1 – point i

Text proposed by the Commission

(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*

Amendment

(i) the country of origin or place of provenance;

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);

Or. hu

Justification

The country of origin or place of provenance of a product must always be indicated, as the increasing number of food scandals recently has made this a significant consideration for consumers. It is therefore vital that indicating the origin or provenance of products on the packaging be compulsory rather than just voluntary. This information may also promote moves to encourage the purchase of local (in this case European) products which are already proving successful in other continents and some European countries.

Amendment 288

Dagmar Roth-Behrendt

Proposal for a regulation

Article 9 – paragraph 1 – point i

Text proposed by the Commission

(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);

Amendment

(i) the *place* of origin or provenance in accordance with the rules laid down in Article 35(3) and (4) and those established in accordance with Article 35(5);

Justification

The place of origin should always be indicated.

Amendment 289

Christa Klač

Proposal for a regulation

Article 9 –paragraph 1 – point i

Text proposed by the Commission

(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);**

Amendment

(i) the **place** of origin or provenance where failure to indicate this might mislead the consumer to a material degree as to the true origin or provenance of the food;

Justification

Clarification.

Amendment 290
Lambert van Nistelrooij

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

Text proposed by the Commission

(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);***

Amendment

(i) ***particulars of*** the country of origin where failure to ***give this information*** might mislead the consumer to a material degree as to the true origin or provenance of the ***foodstuff***;

Or. en

Justification

It is important for the consumer to know where the product comes from. In some cases, however, it may not always be possible to state one country of origin. Current existing rules relating to the provision of origin labelling foresee the indication of provenance on voluntary basis unless the exclusion of such provisions would seriously mislead the consumer as to the true origin of the foodstuff. This should be maintained and not be renewed as is done in Article 35 of this regulation. Therefore, all reference to this article should be deleted.

Amendment 291
Kartika Tamara Liotard

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

Text proposed by the Commission

(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

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);***

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; ***the country of origin or place of provenance of foods consisting of a single ingredient and of the significant ingredient;***

Or. en

Justification

An increasing number of consumers want to know where their food is originating from, therefore country of origin or place of provenance of the food should be required for all single ingredient products, including e.g. lamb, pork, goat, poultry, dairy products and nuts. Country of origin or place of provenance of the food information should apply to all variations of the food product, whether it is fresh, frozen, canned or otherwise minimally processed.

Amendment 292

Kathy Sinnott

Proposal for a regulation

Article 9 – paragraph 1 – point i

Text proposed by the Commission

(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);***

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; ***the country of origin or place of provenance of foods consisting of a single ingredient and of the significant ingredient and the characterising ingredient(s) in multi-ingredient food products;***

Justification

The list of mandatory particulars is the core of the Regulation. Therefore, the forms of expression of these particulars should not be changed by means of the Comitology procedure which is designed to amend non-essential elements.

Amendment 293

Christa Klač

Proposal for a regulation

Article 9 – paragraph 1 – point 1

Text proposed by the Commission

Amendment

(1) a nutrition declaration.

deleted

Or. de

Justification

There are objections to a general requirement to provide a nutrition declaration.

Amendment 294

María Sornosa Martínez

Proposal for a regulation

Article 9 – paragraph 1 – point 1

Text proposed by the Commission

Amendment

1) a nutrition *declaration*.

1) a nutrition *label*.

Or. es

Justification

In Annex 1 of the proposal, the words ‘nutritional label’ are synonymous with ‘nutritional declaration’. The aim is to improve clarity.

Amendment 295
María Sornosa Martínez

Proposal for a regulation
Article 9 – paragraph 1 – point l a (new)

Text proposed by the Commission

Amendment

la) the batch to which the product belongs

Or. es

Justification

The mandatory particulars should also include an indication making it possible to identify the batch to which a food product belongs, as this is vital for product traceability, enabling consumers to identify whether a product they have purchased is affected by a food emergency.

Amendment 296
Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation
Article 9 – paragraph 1 – point l a (new)

Text proposed by the Commission

Amendment

(la) the extent to which (expressed in %) the food business operator whose name is indicated on the label guarantees the absence of the following practices in the supply chain of the food:

(1) child labour, as defined in Article 2 of ILO covenant 138;

(2) forced labour, as defined in Article 2 of ILO covenant 29;

(3) discrimination, as defined in Article 1 of ILO covenant 111;

(4) violation of the freedom of association, as defined in Article 2 of ILO covenant 87.

Or. en

Justification

It is of main concern for many consumers to know if their food has been produced under conditions such as child labour, forced labour, discrimination, or violation of the freedom to association. Therefore, producers should be obliged to label the extent to which they can guarantee the absence of such practices. If a guarantee on the absence of such practices cannot be given, the percentage would be at 0.

Amendment 297

Anne Ferreira

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

2. The particulars referred to in paragraph 1 shall be indicated with words and numbers ***unless the consumers are informed, as regards one or more particulars, by other forms of expression established by implementing measures 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).***

Amendment

2. The particulars referred to in paragraph 1 shall be indicated with words and numbers.

Or. fr

Justification

The provisions in paragraph 1 of this article are mandatory, so it is not possible to diverge from them by introducing other forms of expression. Thus consumer information is guaranteed, with account also being taken of the various policies of the EU and Member States, particularly those countering excess weight, obesity and nutrition problems.

Amendment 298
Anja Weisgerber

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

2. The particulars referred to in paragraph 1 shall be indicated with words and numbers unless the consumers are informed, as regards one or more particulars, by other forms of expression established by implementing measures 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).

Amendment

2. The particulars referred to in paragraph 1 shall be indicated with words and numbers unless the consumers are informed, as regards one or more particulars, by other forms of expression established by implementing measures 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).
This paragraph shall be without prejudice to Article 34(1).

Or. de

Justification

The nutrition declaration provided for in Article 34 (as worded according to the amendment to Article 34 by the same tabler) in graphic form necessitates a clarification in Article 9(2) to the effect that the requirement laid down in Article 9(2) to provide all the information in the form of words and numbers is without prejudice to Article 34.

Amendment 299
Kartika Tamara Liotard

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

2. The particulars referred to in paragraph 1 shall be indicated with words and numbers ***unless the consumers are informed, as regards one or more particulars, by other forms of expression established by implementing measures***

Amendment

2. The particulars referred to in paragraph 1 shall be indicated with words and numbers.

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).

Or. en

Justification

The list of mandatory particulars is the core of the Regulation. Therefore, the forms of expression of these particulars should not be changed by means of the comitology procedure which is designed to amend non-essential elements.

Amendment 300

Liam Aylward

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

2. The particulars referred to in paragraph 1 shall be indicated with words **and numbers** unless the consumers are informed, as regards one or more particulars, by other forms of expression established by implementing measures 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).

Amendment

2. The particulars referred to in paragraph 1 shall be indicated with words, **numbers and colour coding** unless the consumers are informed, as regards one of more particulars, by other forms of expression established by implementing measures adopted by the Commission. Those measures, designated 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)

Or. en

Justification

Clarification of ‘principal field of vision’

Amendment 301

John Bowis

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

2. The particulars referred to in paragraph 1 shall be indicated with words and numbers ***unless the consumers are informed, as regards one or more particulars, by other forms of expression established by implementing measures 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).***

Amendment

2. The particulars referred to in paragraph 1 shall be indicated with words and numbers.

Or. en

Justification

The list of mandatory particulars is the core of the Regulation. Therefore, the forms of expression of these particulars should not be changed by means of the comitology procedure which is designed to amend non-essential elements.

Amendment 302

Kathalijne Maria Buitenweg, Carl Schlyter, Jill Evans

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

2. The particulars referred to in paragraph 1 shall be indicated with words ***and*** numbers ***unless the consumers are informed, as regards one or more particulars, by other forms of expression established by implementing measures adopted by the Commission. Those measures designed to amend non-essential elements of this Regulation by***

Amendment

2. The particulars referred to in paragraph 1 shall be indicated with words ***or*** numbers.

supplementing it, shall be adopted, in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).

Or. en

Justification

The list of mandatory particulars is the core of the Regulation. Therefore, the forms of expression of these particulars should not be changed by means of the Comitology procedure which is designed to amend non-essential elements.

Amendment 303

Kathalijne Maria Buitenweg, Carl Schlyter, Jill Evans

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**

Or. en

Justification

The list of mandatory particulars is the core of the Regulation. Therefore, the mandatory indication of these particular should not be changed by means of the Comitology procedure which is designed to amend non-essential elements.

Amendment 304
Magor Imre Csibi

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**

Or. en

Justification

Amendments to the mandatory labelling elements are not ‘non-essential elements’ of the Regulation that could possibly be agreed via Comitology.

Amendment 305
John Bowis

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**

Or. en

Justification

The list of mandatory particulars is the core of the Regulation. Therefore, the mandatory indication of these particular should not be changed by means of the Comitology procedure which is designed to amend non-essential elements.

Amendment 306

Anne Ferreira

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**

Or. fr

Justification

Amendment in line with the amendment to recital 23.

Amendment 307

Kartika Tamara Liotard

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 **deleted**

Article 49(3).

Or. en

Justification

The list of mandatory particulars is the core of the Regulation. Therefore, the mandatory indication of these particular should not be changed by means of the comitology procedure which is designed to amend non-essential elements.

Amendment 308

Kathy Sinnott

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**

Or. en

Justification

This amendment shall ensure that in the case of distant selling all mandatory food information including the information required by Article 9(1) points (d), (f), (g), (h) and (k) shall also be available when the purchase is concluded.

Amendment 309
Marian Harkin

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

Or. en

Amendment 310
Antonio De Blasio

Proposal for a regulation
Article 9 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. However, the situation must be avoided whereby food product labels carry a bewilderingly large amount of information and thus become unreadable; it is therefore necessary to ensure, through regulation, that products packaged in small quantities or containers show only the four most important pieces of nutritive information (energy, protein, carbohydrate, fat content).

Or. hu

Justification

In order to avoid unreadability due to too much information on labels and an increase in the size of labels (and therefore an increase in additional costs and the amount of waste created by packaging materials), there is a need to reduce the amount of information which must be

given on labels which are below a certain size.