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Committee on the Environment, Public Health and Food Safety

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AMENDMENTS 202 - 349

Draft report
Renate Sommer
(PE430.616v01-00)

Food information to consumers

Proposal for a regulation
(COM(2008)0040 – C7-0052/2008 – 2008/0028(COD))

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United in diversity

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Amendment 202
Elena Oana Antonescu

Proposal for a regulation
Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) It is claimed of certain products that specific physical benefits result from their use: such claims should be expressed in a way that ensures that the effect of using the product is measurable or verifiable.

Or. ro

Justification

Products exist on the food market (e.g. cereal flakes) for which it is claimed that their long-term use can lead to weight loss. Where a product exploits such claims for marketing purposes, the consumer may be misled. The legislator may therefore reasonably require that such claims be accompanied by a diet plan explaining the conditions under which the purported results may be obtained.

Amendment 203
Holger Krahmer

Proposal for a regulation
Recital 21

Text proposed by the Commission

Amendment

(21) In order to prevent a fragmentation of the rules concerning the responsibility of food business operators with respect to food information ***it is appropriate to clarify*** the responsibilities of food business operators in this area.

(21) In order to prevent a fragmentation of the rules concerning the responsibility of food business operators with respect to ***incorrect, misleading or missing*** food information the responsibilities of food business operators in this area ***should be clearly laid down. The regulations adopted in Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed¹ should serve***

as a guide.

¹ OJ L 229, 1.9.2009, p. 1.

Or. de

Justification

With a view to establishing legal certainty for the stakeholders concerned, it is essential that their responsibilities should be clearly laid down. One of the aims is that businesses should not be held liable for problems outside their sphere of responsibility or outside their control. The CJEC judgment in the 'Lidl-Italia' case has highlighted the inadequate degree of legal certainty enjoyed by food traders under existing law.

Amendment 204

Mairead McGuinness, Struan Stevenson

Proposal for a regulation

Recital 23

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 205
Elena Oana Antonescu

Proposal for a regulation
Recital 24

Text proposed by the Commission

(24) When used in the production of foods and still present, certain ingredients or other substances are the cause of allergies or intolerances in consumers, and some of those allergies or intolerances constitute a danger to the health of those concerned. It is important that information on the presence of food additives, processing aids and other substances with allergenic effect should be given to enable consumers suffering from a food allergy or intolerance to make informed and safe choices.

Amendment

(24) When used in the production of foods and still present, certain ingredients or other substances are the cause of allergies or intolerances in consumers, and some of those allergies or intolerances constitute a danger to the health of those concerned. It is important that information on the presence of food additives, processing aids and other substances with allergenic effect **or which may increase the risk of illness** should be given to enable consumers suffering from a food allergy or intolerance to make informed and safe choices.

Or. ro

Justification

Certain ingredients, especially additives but also food-processing residues, may, if consumed in high concentrations, lead to increased health risks.

Amendment 206
Christofer Fjellner

Proposal for a regulation
Recital 24

Text proposed by the Commission

(24) When used in the production of foods and still present, certain ingredients or other substances **are the cause of** allergies or intolerances **in consumers, and some of those allergies or intolerances** constitute a danger to the health of those concerned. It is important that information on the presence of food additives, processing aids and other substances with allergenic effect

Amendment

(24) When used in the production of foods and still present, certain ingredients or other substances **can cause** allergies or intolerances **or** constitute a danger to the health of those concerned. It is important, therefore, that in particular information on the presence of food additives, processing aids and other substances with **scientifically proven** allergenic effect

should be given to enable consumers suffering from a food allergy or intolerance to make informed **and safe** choices.

should be given to enable consumers, ***particularly those*** suffering from a food allergy or intolerance, to make informed choices ***which are safe for them. Traces of such substances should also be indicated, so that those suffering from more serious allergies can make safe choices. Common rules should be drawn up for this.***

Or. sv

Amendment 207
Holger Krahmer

Proposal for a regulation
Recital 25

Text proposed by the Commission

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

Amendment

(25) Food labels should be clear and understandable to assist consumers to make **targeted** 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. de

Amendment 208
Mairead McGuinness, Struan Stevenson

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

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.

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 209

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 210

Åsa Westlund

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. sv

Justification

It is important that consumers should also be informed about the ingredients contained in alcoholic beverages. This is particularly important to consumers suffering from diabetes.

Amendment 211

Glenis Willmott and Nessa Childers

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, ***all*** alcoholic beverages should provide information on their ingredients.

Or. en

Amendment 212
Dagmar Roth-Behrendt

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 context of this Regulation.

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 ***apart from the energy content. The energy content should be given very legibly on the front of the product.*** 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. de

Justification

Notwithstanding the basic exception for wine and beer, the energy value should always be given even for these alcoholic beverages.

Amendment 213

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 wine¹ provides an exhaustive set of technical standards which fully cover all oenological practices, manufacturing methods and means of presentation and labelling of wines, thus ensuring that all stages in the chain are covered and that consumers are protected and properly informed. In particular, this legislation describes in a precise and exhaustive manner the substances likely to be used in the production process, together with the conditions for their use via a positive list of oenological practices and treatments; any practice not included in this list is prohibited. Therefore, it is appropriate to exempt wine at this stage from the obligation to list the ingredients and to provide for a nutrition declaration. As regards beer and spirits as defined in

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Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/892, and in order to ensure a consistent approach and coherence with the conditions established for wine, the same kind of exemptions shall apply. However, the Commission will produce a report after five years of the entry into force of this Regulation and 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 214
Renate Sommer

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

Amendment

(28) It is also important to provide consumers with information on the 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 context of this Regulation.

and properly informed. In particular, this legislation describes in a precise and exhaustive manner the substances likely to be used in the production process, together with the conditions for their use via a positive list of oenological practices and treatments; any practice not included in this list is prohibited. Therefore, it is appropriate to exempt wine at this stage from the obligation to list the ingredients and to provide for a nutrition declaration. As regards beer, ***liqueur wines, sparkling wines, aromatised wines and similar products obtained from fruits other than grapes, fruit beer*** and spirits as defined in Article 2(1) of Regulation (EC) No. ***110/2008*** of the European Parliament and of the Council ***of 15 January 2008*** on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks¹ ***and alcoholic mixed beverages***, 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.

¹ *OJ L 39, 13.2.2008, p. 11.*

Or. de

Justification

Clarification and adjustment to Articles 20 and 29.

Amendment 215
Bernadette Vergnaud

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 context of this Regulation.

Amendment

(28) It is also important to provide consumers with information on 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 or 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 any alcoholic beverage containing more than 1.2% alcohol by volume**, 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

three years *from* the entry into force of this Regulation and may propose, if necessary, specific requirements in the context of this Regulation.

Or. fr

Justification

The text temporarily exempts some alcoholic beverages from the requirement to list the ingredients and provide a nutrition declaration on the grounds that such beverages constitute a special category of food governed by specific rules.

However, it makes no reference to wine-based aromatised beverages, even though Regulation 1601/91 lays down detailed rules governing them. In addition, due account should be taken of all alcoholic beverages and the period for the consideration of special provisions should be reduced.

Amendment 216 **Åsa Westlund**

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

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exempt wine at this stage from the obligation to list the ingredients and to provide for a nutrition declaration. As regards beer and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/892, and in order to ensure a consistent approach and coherence with the conditions established for wine, the same kind of exemptions shall apply. However, the Commission will produce a report after five years of the entry into force of this Regulation and may propose, if necessary, specific requirements in the context of this Regulation.

Or. sv

Justification

It is important that consumers should also be informed about the ingredients contained in alcoholic beverages. This is particularly important to consumers suffering from diabetes.

Amendment 217

Glenis Willmott and Nessa Childers

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 wine¹ provides an exhaustive set of technical standards which fully cover all

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

Or. en

Amendment 218
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

Amendment

(29) It is desirable to indicate the country of origin *and, in the case of processed*

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.

products, the place of provenance of the agricultural raw material used in the finished product, with a view to guaranteeing greater transparency and full traceability, to enable consumers to make informed purchases. 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. it

Amendment 219

Oreste Rossi

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

Amendment

(29) *Without prejudice to the existing compulsory sectoral rules on origin labelling,* 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, *including as regards the primary ingredient of processed products.* In other 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

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.

consumers' understanding of the information related to the country of origin or place of provenance of a food. Such criteria ***shall*** not apply to indications related to the name or address of the food business operator.

Or. it

Justification

Existing sectoral rules already provide for compulsory origin labelling. Consumers must not be misled.

Amendment 220
Dagmar Roth-Behrendt

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.***

Amendment

(29) The indication of the country of origin or of the place of provenance of a food ***or its main ingredient*** should ***always*** be provided.

Or. de

Justification

The country of origin of a product or its main ingredient should always be given.

Amendment 221

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. Such indication should also 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.

Or. en

Justification

The country of origin/ place of provenance is 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 222

Åsa Westlund

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 (including meat) 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. sv

Amendment 223

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 Code¹ 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 Code¹ 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 Code².

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 Code².

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 should 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 is of high importance for consumers.

Amendment 224

Frédérique Ries

Proposal for a regulation

Recital 31 a (new)

Text proposed by the Commission

Amendment

(31a) Regulation (EC) No 1829/2006 lays down positive labelling rules for foods containing derivatives of GMOs pursuant to which labels need not make specific reference to the fact that foods contain no GMOs or that they unintentionally contain traces of approved GMOs if those traces account for no more than 0.9% of the food concerned.

At the same time, non-identical national laws have been adopted which allow operators to label animal-based products in such a way as to make clear that the animals concerned were not fed GMOs. It would be useful for both producers and

consumers if the Commission were to propose the establishment of a harmonised 'GMO-free' labelling system which would foster the development of a Community market and enable consumers to make informed choices on the basis of the positive labelling of GMO-free products.

Or. fr

Justification

It would make sense for the Commission to propose in the near future a harmonised labelling system for 'GMO-free foods with a view not only to supplementing the current rules on the labelling and traceability of products which may contain GMOs, but also to meeting the growing demand among European consumers for GMO-free products, whilst guaranteeing those consumers freedom of choice.

Amendment 225
Antonyia Parvanova

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) The nutrition declaration on a food concerns information on the presence of energy and certain nutrients in foods. The mandatory provision of nutrition information should *assist action in the area of* nutrition education for the public and support informed food choice.

Amendment

(32) The nutrition declaration on a food concerns information on the presence of energy and certain nutrients in foods. The mandatory provision of nutrition information *on the front and back of the packaging should be supported by actions by Member States such as a nutritional action plan as part of their public health policy, which will provide specific recommendations for* nutrition education for the public and support informed food choice.

Or. en

Amendment 226
Antonyia Parvanova

Proposal for a regulation
Recital 33

Text proposed by the Commission

(33) The Commission White Paper on a Strategy for Europe on Nutrition, Overweight and Obesity related health issues highlighted certain nutritional elements of importance to public health. Therefore, it is appropriate that the requirements on the mandatory provision of nutrition information *should take into account such elements*.

Amendment

(33) The Commission White Paper on a Strategy for Europe on Nutrition, Overweight and Obesity related health issues highlighted certain nutritional elements of importance to public health. Therefore, it is appropriate that the requirements on the mandatory provision of nutrition information *are in line with the recommendations of that White Paper*.

Or. en

Amendment 227
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's health, this provision must be applicable for all alcoholic beverages.

Amendment 228
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 should conduct surveys during the derogation period in order to establish what information is most useful to consumers and how it can be made available 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 229
Glenis Willmott, Nessa Childers

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*** content of ***all*** alcoholic beverages is provided.

Or. en

Amendment 230

Esther de Lange

Proposal for a regulation

Recital 36

Text proposed by the Commission

(36) To avoid unnecessary burdens on ***the industry***, it is appropriate to exempt certain categories of foods that are unprocessed or for which nutrition information is not a determining factor for ***consumer choice*** from the mandatory inclusion of nutrition declaration, unless the obligation to provide such information is provided under other Community legislation

Amendment

(36) To avoid unnecessary burdens on ***food manufacturers and traders***, it is appropriate to exempt certain categories of foods that are unprocessed or for which nutrition information is not a determining factor for ***consumers' purchasing decisions, or whose outer packaging or label is too small to permit the mandatory labelling to be performed***, from the mandatory inclusion of ***a*** nutrition declaration, unless the obligation to provide such information is provided under other Community legislation

Or. en

Justification

It would not be right if, purely on account of extensive labelling regulations, food packagings or standardized labels had to be enlarged in future. This would generate more packaging waste and possibly also result in larger portions or misleadingly large packagings containing empty space.

Where the food information cannot be printed on the package itself, the size of the label, printed at the production site, is determined by the printing equipment. This equipment is often flexibly used for printing many different labels of a standard size on a daily basis.

Amendment 231

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

Amendment

(37) To appeal to the average consumer and to serve the informative purpose for which it is introduced, and given the

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

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 (fat, saturates, sugar and salt) and the energy value* 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

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 complimented by a more detailed mandatory nutrient declaration on the back of the pack.

Amendment 232 **Antonyia Parvanova**

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*

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 *understandable*. 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 information should be*

should be in the principal field of view of the label.

mandatory on the front of the pack and should be accompanied by a more complete nutrition declaration on the back of the pack.

Or. en

Justification

Research shows that consumers want mandatory information on a limited number of nutrients on the front of pack to help them 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 pack.

Amendment 233
Dagmar Roth-Behrendt

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 find the information ***on the energy content*** in the principal field of view or ‘front of pack’ is useful when making purchasing decisions. ***Nutrition information together with the energy content should be given in a clear format in the same place on the product packaging.***

Or. de

Justification

The energy content should always be given on the front of a product. Furthermore, nutrition information and the energy content should be given in a clear format.

Amendment 234
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 235
Antonyia Parvanova

Proposal for a regulation
Recital 38

Text proposed by the Commission

(38) Recent developments in the expression of the nutrition declaration,

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.***

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 ***healthy*** 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

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.

More information on the research can be found here:

“Summary of original research from December 2006 - June 2008 on consumer preferences and use of Front of Pack nutrition schemes” EHN, Brussels, August 2008:

<http://www.ehnheart.org/files/FOP%20research%202008-140414A.pdf>

Front-of-pack labelling - traffic light labelling get the green light, New South Wales Health Department, the University of Sydney and several Australian public health and consumer organizations, Australia, 2009: <http://heapro.oxfordjournals.org/cgi/content/abstract/dap012>

Expert Panel Report on Front-of-Pack Labelling, Food Standards Agency, United Kingdom, May 2009: <http://www.food.gov.uk/news/newsarchive/2009/may/pmp>

Amendment 236
Carl Schlyter

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 *speedy* choices quickly. *As consumer research has shown, the use of a multiple colour system in highly processed products is most appreciated and best understood by consumers. To facilitate comparisons of products in differing package sizes, it is appropriate to retain the mandatory stipulation that the nutrition declaration should refer to 100 g/100 ml amounts. If the food is prepacked as an individual portion, a nutrition declaration per portion should, in addition, be compulsory.*

Or. en

Justification

Modification of the respective amendment by the Rapporteur. As consumer research has shown, the use of a multiple colour system in highly processed products is best suited for consumers to make a quick and informed choice.

Amendment 237
Bernadette Vergnaud

Proposal for a regulation
Recital 38 a (new)

Text proposed by the Commission

Amendment

(38a) In order to allow for additional ways of presenting nutrition information, which will enable consumers to make healthier choices, the mandatory nutrition declaration may be expressed as percentages of recommended daily intakes. These recommended daily intakes must be based on reliable scientific findings. For this purpose, EFSA has issued a scientific opinion, which is the basis for the reference values.

Or. fr

Justification

The RDI scheme, which has been developed by the food industry, is not necessarily based on scientific findings. In addition, no scientific assessment of the implementation of the scheme has yet been carried out. It is therefore imperative, given the need to safeguard consumers' health and address the problem of obesity, that the scheme, including portion sizes, reference values, especially for sugar and carbohydrates, and the reference person (adult or child, woman or man) be scientifically evaluated to ensure that it is based on proper findings.

Amendment 238
Glenis Willmott

Proposal for a regulation
Recital 38 a (new)

Text proposed by the Commission

Amendment

(38a) The Commission should present a proposal for an EU-wide ban on artificial trans fatty acids. Until such a ban enters into force, the labelling of artificial trans fatty acids should be mandatory.

Or. en

Justification

In its report on the White Paper on nutrition-, overweight- and obesity-related health issues the European Parliament called for an EU-wide ban on artificial trans-fatty acids. As artificial trans fatty acids are detrimental to health and avoidable, an EU-wide ban should be introduced to protect consumers. The labelling of artificial trans fatty acids should be mandatory until such a ban enters into force.

Amendment 239

Antonyia Parvanova

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 **and comprehensive** 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. **To ensure the legibility of the nutritional information, the principal field of vision should refer to the right upper part of the front packaging.**

Or. en

Amendment 240

Edite Estrela, José Manuel Fernandes

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**

Amendment

(41) Member States should retain the right, depending on local practical conditions and circumstances, **to decide when and how** to lay down rules in respect of the provision of information concerning **allergens in the**

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 nonprepacked food. Therefore such information should always be provided to the consumer.

case of non-prepacked foods.

Or. en

Justification

Member States are better placed than the EU Institutions to address the issue of nonprepacked food, by national legislation.

Amendment 241
Andres Perello Rodriguez

Proposal for a regulation
Recital 41

Text proposed by the Commission

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. 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.

Deleted

Or. es

Justification

Non-prepacked foods should not fall within the scope of this regulation.

Amendment 242
Dagmar Roth-Behrendt

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. Although in such cases the consumer demand for other information is limited, information ***on the energy content and*** 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. de

Justification

Even in the case of non-prepacked products, it is very important for consumers that information should be provided on energy content and ingredients which cause allergies.

Amendment 243
Oreste Rossi

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***

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 foods supplied to mass catering services***. Although in such cases the consumer demand for other information is limited, information on potential allergens is very important.

food allergy incidents can be traced back to non-prepacked food. Therefore such information *should always* be provided to the consumer.

Therefore *it should always be possible for* such information *to* be provided to the consumer.

Or. it

Justification

To clarify and streamline the text.

Amendment 244
Christofer Fjellner

Proposal for a regulation
Recital 41

Text proposed by the Commission

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

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. ***'Non-prepacked food' refers to all food which is offered to the final consumer without packaging or is packed in direct contact with the final consumer.***

Or. sv

Amendment 245
Antonyia Parvanova

Proposal for a regulation
Recital 45

Text proposed by the Commission

(45) In order to ensure that more detailed food information requirements are designed and established in a dialectic manner and emerge from best practices, there should be flexible mechanisms at Community and national level based on open and transparent public consultation and sustained interaction between a wide range of representative stakeholders. Such mechanism may result in the development of national ***non-binding*** schemes on the basis of solid consumer research and wide stakeholder consultation. There should be mechanisms ***for*** consumers ***to*** be able to identify foods labelled in compliance with the national scheme ***such as through an identification number or symbol***.

Amendment

(45) In order to ensure that more detailed food information requirements are designed and established in a dialectic manner and emerge from best practices, there should be flexible mechanisms at Community and national level based on open and transparent public consultation and sustained interaction between a wide range of representative stakeholders. Such mechanism may result in the development of national schemes on the basis of solid consumer research and wide stakeholder consultation. There should be ***health promotion*** mechanisms ***led by Member States so that*** consumers ***will*** be able to identify foods labelled in compliance with the national scheme.

Or. en

Amendment 246
Åsa Westlund

Proposal for a regulation
Recital 46 a (new)

Text proposed by the Commission

Amendment

(46a) 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 if they do not mislead consumers and 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 247

Åsa Westlund

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation ***provides the basis for the assurance of*** a high level of consumer protection in relation to food information, taking into account the differences in the perception of consumers and their information needs whilst ensuring the smooth functioning of the internal market.

Amendment

1. This Regulation ***is intended to ensure*** a high level of consumer protection in relation to food information, taking into account the differences in the perception of consumers and their information needs whilst ensuring the smooth functioning of the internal market.

Or. sv

Amendment 248

János Áder

Proposal for a regulation

Article 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Foods originating from third countries may only be placed in circulation within the Community once they fulfil the requirements of this Regulation.

Or. hu

Justification

In the interests of consumers, it must be ensured that food from third countries also complies with labelling requirements.

Amendment 249
Glenis Willmott

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

Text proposed by the Commission

Amendment

3a. This Regulation shall not apply to any food prepared otherwise than in the course of a business, the concept of which does not imply 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 shall not be covered by the scope of this Regulation.

Or. en

Justification

The proposal should reflect the sentiment expressed in Recital 15 exempting charities and one-off events (schools and such like) from the scope of this proposal.

Amendment 250
Esther de Lange

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, if at all, only at the time of sale to the final consumer and food and fresh products which are prepacked on the day of sale for immediate sale;

Or. en

Justification

Limitation to packaging at the point of sale is not clear enough. In craft enterprises with several points of sale the products often will be packaged in its central production site at the date of sale before being distributed to its points of sale. E.g. in the Netherlands, the authorities agreed to assimilate "daily fresh" with "non-pre packed".

Amendment 251

Holger Krahmer

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 to the final consumer unpackaged and is not packaged or is packaged only at the time of its delivery to the final consumer, together with food and fresh products which are prepacked at the point of delivery for immediate delivery.

Or. de

Justification

In shops and mass catering establishments food is prepacked, notably for reasons of hygiene, and usually delivered to the final consumer in the presence of well-informed staff. In the case of individually packed food it is impossible, owing to the variety of the products on offer and the constantly changing composition of the food, to provide the information which is mandatory for prepacked food. It is irrelevant whether the food is sold or delivered free of charge.

Amendment 252

Frédérique Ries

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 to the final consumer without prepackaging, or is packed on the sales premises at the consumer's request or prepacked for direct sale;

Or. en

Amendment 253

Pilar Ayuso

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 to the final consumer without prepackaging, or is packed on the sales premises at the consumer's request or prepacked for direct sale;

Or. en

Justification

It is important that a definition of non pre-packed food includes food pre-packaged on the premises for direct sale and food packed at consumer's request, as there is no difference from non pre-packed food. The wording suggested is taken from art. 41. 1 of the Commission's proposal.

Amendment 254

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 **origin**' means any place where a food is indicated to come from as determined in accordance with Articles 23 to 26 of Council Regulation (EEC) No 2913/92;

Or. it

Amendment 255
Elisabetta Gardini

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

Text proposed by the Commission

Amendment

(ga) 'place of provenance' means any place other than the place of origin referred to in point (g) above from which the main agricultural raw material used in the preparation of the end-product comes.

Or. it

Justification

In order to inform consumers correctly, it is necessary to distinguish between 'place of provenance' and 'country of origin', which is defined in the Community Customs Code. Consumers often confuse the indication of the place where a food has been processed with that where the agricultural product used in the processing was grown or reared. To enable consumers to make informed choices, it is desirable to lay down precise, separate definitions of 'place of origin' and 'place of provenance'.

Amendment 256
Åsa Westlund

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. sv

Justification

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

Amendment 257
Elisabetta Gardini

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

Text proposed by the Commission

Amendment

(gb) 'processing' means a process which begins with one or more agricultural raw materials and results in a finished product.

Or. it

Amendment 258
Anja Weisgerber

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

Text proposed by the Commission

Amendment

sa) 'use by date of a food' means the date by which a food must be consumed. After that date, the food may no longer be delivered to consumers or further processed.

Or. de

Justification

The introduction of a definition of 'use by date' by rapporteur Sommer is to be welcomed. However, this definition should be supplemented: the ban on delivering such food to consumers should be extended to include further processing. Once the use by date has passed, it may no longer be used as food. A ban on further processing would prevent a trade in old meat.

Amendment 259
Dan Jørgensen, Christel Schaldemose

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

Text proposed by the Commission

Amendment

(sa) 'date of manufacture' means the date on which the food became 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 260
Struan Stevenson

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

Text proposed by the Commission

Amendment

(ta) "processing" means a process whereby one (or more) agricultural raw material(s) is (are) transformed into a finished product.

Or. en

Justification

This definition is required for the reference made to processed food in the amended Article 9.

Amendment 261
Anja Weisgerber

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

Text proposed by the Commission

Amendment

(ta) ‘Food imitation’ means food that gives the impression of being another food in which an ingredient usually used is wholly or partly replaced by another.

Or. de

Justification

Consumers are misled by the increasing use of food imitations in which the usual ingredients are replaced by cheaper substitutes.

Amendment 262
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.
With regard to Member States, the country of origin shall always refer to the respective Member State.

Or. en

Justification

For the definition of the country of origin, paragraph 3 of the Commission proposal refers to the Community Customs Code. However, according to the Community Customs Code, the origin can be "EU" OR a Member State. It is therefore important to clarify that, for foods

originating in the EU, the country of origin always refers to the Member State, not to the EU as a whole.

Amendment 263

Carl Schlyter

Proposal for a regulation

Article 2 – paragraph 3 – subparagraph 2 (new)

Text proposed by the Commission

Amendment

For meat and foods containing meat, the origin 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 shall 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 information about the place where the animals were born, reared and slaughtered is of high importance for consumers.

Amendment 264

Åsa Westlund

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

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 considerations.

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, ***which is the purpose of this Regulation.***

Justification

Article 3(2) indicates that the purpose of the legislation is to achieve the free movement of food in the Community. In addition to this, another purpose of the legislation should be to achieve a high level of protection of consumers' health.

Amendment 265**Holger Krahmer****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, 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. ***New food labelling rules shall be introduced according to a standard date of implementation to be set by the Commission after consulting Member States and interest representatives.***

Or. de

Justification

Despite the transitional periods provided, the introduction of new labelling rules on different dates will have a significant impact on costs for developing new labels and the use of stocks of goods, packaging and labels. The principle that there should be a single starting date for the introduction of labelling rules should therefore be reintroduced (as originally proposed by the Commission).

Amendment 266
Struan Stevenson

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, 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.

Or. en

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.

Amendment 267
Andres Perello Rodriguez

Proposal for a regulation
Article 4 – paragraph 1 – point b – letter ii

Text proposed by the Commission

ii) durability, storage and safe use;

Amendment

ii) durability, storage, ***conservation requirements once the product is opened, if applicable,*** and safe use

Or. es

Justification

For many products today, no details are supplied regarding the time they may be conserved once opened or whether, for instance, they should be kept at a certain temperature. Consumer

safety requires the provision of this information.

Amendment 268

Mairead McGuinness, Struan Stevenson

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. When considering the need for mandatory food information, account shall be taken of ***a widespread need on the part of the majority of consumers*** for certain information to which they attach significant value or of any generally accepted benefits ***to the consumer*** to enable ***them*** to make informed choices.

Amendment

2. When considering the need for mandatory food information, account shall be taken of ***the potential costs and benefits to stakeholders (including consumers, producers and others) of providing*** certain information to which they attach significant value or of any generally accepted benefits to enable ***consumers*** to make informed choices.

Or. en

Justification

The introduction of new labelling rules should only proceed if there is evidence-based research showing the advantages of such new requirements. The costs of providing new information should not be disproportionate. Label changes have a significant impact on EU producers, as well as on imports from 3rd countries; a balance must be found between the needs of consumers and producers.

Amendment 269

Christa Klab

Proposal for a regulation

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

Text proposed by the Commission

Amendment

aa) in that the description or pictorial representations on the packaging suggest a particular product or an ingredient although in reality the product which the packaging contains is an imitation food or contains a substitute for an ingredient

normally used in a product. In such cases, the packaging must prominently bear the marking 'imitation' or 'produced with (designation of the substitute ingredient) instead of (designation of the ingredient replaced)'.

Or. de

Amendment 270

Carl Schlyter

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(aa) by pictorial representations that might mislead the consumer as to the origin of the food or its ingredients;

Or. en

Justification

Slight modification of the respective amendment by the Rapporteur. Images and graphics must not be used to deliberately mislead consumers as to the true origin of a product.

Amendment 271

Anja Weisgerber

Proposal for a regulation

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

Text proposed by the Commission

Amendment

aa) by pictorial representations that mislead the consumer as to the origin, nature or composition of the food;

Or. de

Justification

It is important to emphasise not only the origin, but also the nature and composition of the food. This amendment seeks to make pictorial representations on food clearer and more accurate. It is misleading to show a picture of vanilla beans on a vanilla-flavoured yoghurt.

Amendment 272

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

The average consumer assumes that a food which is advertised as having a reduced sugar or fat content will also have a reduced energy content. However, this is often not the case, where sugar or fat has been replaced by other ingredients. It should continue to be possible to make changes to products which have a positive effect on health, for instance replacing saturated fats by polyunsaturats, providing the energy content remains the same.

Amendment 273

Carl Schlyter, Satu Hassi

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ca) 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", or exposes a picture of vanilla, then the real vanilla should be the origin of the taste. The same applies e.g. for fruits.

Amendment 274

Carl Schlyter, Satu Hassi

Proposal for a regulation

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

Text proposed by the Commission

Amendment

*(cb) for foods containing fruits:
(i) by exhibiting disproportionately large pictures of fruits which are not the dominant fruits in the food. The dominant fruit(s) must be the one(s) dominating the picture;
(ii) by using a fruit's name in the name of the food, when this fruit is not present in amounts reasonably expected by the consumer.*

Or. en

Justification

Consumers can easily be misled when a juice contains a big picture of strawberries, but actually the main fruit is apple.

Amendment 275

Carl Schlyter

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(cc) for milk: by denoting milk as 'fresh' when its use-by-date is more than seven days after the date on which the milk packaging is filled.

Or. en

Justification

Currently, so-called 'ESL-milk' ('extended shelf life milk') is more and more replacing fresh milk on the shelves. This milk has been pasteurized like 'normal' milk, but to a higher temperature, and is microfiltrated. It can be kept up to 21 days, if the package is not opened. However, this milk is sold as 'fresh'; which is misleading consumers. Some Member States have therefore already established provisions prescribing a maximum use-by date for milk labelled as 'fresh'.

Amendment 276

Elena Oana Antonescu

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ca) Explicit claims concerning a substantial reduction in sugar and/or fat content, where they are not reflected in a corresponding reduction in the energy content (expressed in kilojoules or kilocalories) of the food product concerned, may be interpreted as information which may mislead the consumer;

Or. ro

Justification

Where product A has a concentration of sugar and/or fat which is under the level laid down in law for characterisation as a 'low sugar/fat' product, but includes other ingredients which increase its calorie content (e.g. carbohydrates of the starch family or modified starch additives), and a comparable product B exists on the market without including those ingredients, the producers of the first product may market it as a 'diet product' even though it is not a low-calorie product.

Amendment 277 **Struan Stevenson**

Proposal for a regulation **Article 7 – paragraph 2**

Text proposed by the Commission

2. Food information shall be accurate, clear, and easy to understand for the consumer.

Amendment

2. Food information shall be accurate, clear, and easy to understand for the consumer. ***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 times be prohibited or restricted.***

Or. en

Justification

This amendment seeks to retain existing provisions in EU food law which require 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 member states could legislate alone and diverse definitions could easily differ between member states, thereby creating trade barriers in the internal market.

Amendment 278

Åsa Westlund

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Food information shall be accurate, clear, and easy to understand for the consumer.

2. Food information shall be accurate, clear, ***easy to read*** and easy to understand for the consumer.

Or. sv

Amendment 279

Holger Krahmer

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

Amendment

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.

1. ***The person responsible for food information shall ensure the presence and substantive accuracy of the particulars given.***

Or. de

Justification

Das Prinzip zielt darauf, dass Handelsunternehmen nicht für solche Umstände zur Verantwortung gezogen werden, die nicht in ihrem Geschäftsbereich bzw. Einflussbereich liegen. Um die Kohärenz des Gemeinschaftsrechts zu gewährleisten, ist es erforderlich, die Formulierung des Artikels 8 an die neulich verabschiedete Verordnung (EG) 767/2009 über das Inverkehrbringen und die Verwendung von Futtermitteln () anzupassen. Dieser Text und der gegenwärtige Vorschlag basieren auf den gleichen Prinzipien der Verordnung (EG) 178/2002 und unterliegen den gleichen Kontrolleregeln der Verordnung (EG) 882/2004. Somit ist also unerlässlich, dass die Vorschriften bezüglich der Verantwortung der Betreiber dem gleichen Ansatz entsprechen und der deutlicheren Formulierung genießen, damit, wie von der Kommission im Erwägungsgrund 21 gewünscht, "es nicht zu einer Zersplitterung der Rechtsvorschriften in diesem Rahmen kommt".

Amendment 280
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 281
Holger Krahmer

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. ***To the extent that their activities affect the food information within the business under their control, food business operators shall ensure that the information provided satisfies the requirements of this Regulation.***

Or. de

Amendment 282
Christa Klaß

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 ***learn that a food does not comply with the provisions of this Regulation, they shall respond immediately and to the appropriate extent.***

Or. de

Justification

This Regulation is intended to ensure a clear and proportionate distribution of responsibilities corresponding to the tasks of each food business operator in the food delivery and supply chain. This means that economic operators should in each case be responsible for observing the legal provisions concerning their sphere of activity within the food supply chain.

Amendment 283
Holger Krahmer

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

Amendment

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

in their possession as professionals.

not comply with those requirements.

Or. de

Amendment 284

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.

Or. en

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 285

Carl Schlyter, Jill Evans

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

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 **for further sale or further processing** in order to enable,

mandatory food information specified in Article 9(1) **points (a) to (c) and (f)** to the final consumer.

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 (store etc.) the food and to pass the information down to the consumer. Furthermore, this provision is indispensable to comply with traceability requirements.

Amendment 286

Åsa Westlund

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 **so that** the mandatory food information specified in Article 9(1) points (a) to (c) and (f) **is made available** to the final consumer.

Or. sv

Justification

The final consumer's right to information should be strengthened.

Amendment 287
Glenis Willmott

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

The inclusion of (d) means that operators will be obliged to transmit to the operator receiving the food, information on the quantity of certain ingredients or categories of ingredients. The inclusion of (i) means that operators will be obliged to transmit information on the origin of certain ingredients or category of ingredients. 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 288
Andres Perello Rodriguez

Proposal for a regulation
Article 8 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Pursuant to Article 14(6), the operators of food companies shall ensure that the companies for which they are responsible do not distribute products which are incorrectly or illegibly labelled.

Or. es

Justification

A clear duty must be established not to put goods on sale where their labels have printing errors or are illegible and thus make it difficult or impossible for the consumer to be properly informed.

Amendment 289

Åsa Westlund

Proposal for a regulation

Article 8 – paragraph 6 – introductory part

Text proposed by the Commission

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:

Amendment

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 ***and that the information reaches the final consumer:***

Or. sv

Justification

The final consumer's right to information where required should be strengthened.

Amendment 290

Carl Schlyter

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),

Amendment

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.

(e), (f), **(g)** and (h) also appear on the external packaging in which the food is presented for marketing.

Or. en

Justification

The net quantity is also an important information that should appear on the external packaging, as well as particulars relating to special storage conditions or special conditions of use.

Amendment 291

Oreste Rossi

Proposal for a regulation

Article 9 – paragraph 1 - point a

Text proposed by the Commission

Amendment

(a) the name of the food;

(a) the name of the food ***and/or the sales denomination***;

Or. it

Amendment 292

Esther de Lange

Proposal for a regulation

Article 9 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) the net quantity of the food;

(e) the net quantity of the food, ***at the moment of packing***;

Or. en

Justification

The net weight of the food can change from the moment of the production until the selling and the consumption. The food producer can, however, only influence the production and packing process and is hence only able to give the correct net weight at the moment of packing.

It is clear that the food producer is responsible for indicating the net weight but the rule should be modified to clarify that the food producer has the duty to give correct indications about the net weight only at the moment of packing the food. After packing and selling of the food, the food producer is no longer able to guarantee the correct handling of the product in order to minimize the changes of the net weight.

Amendment 293

Andres Perello Rodriguez

Proposal for a regulation

Article 9 – paragraph 1 – point g

Text proposed by the Commission

Amendment

g) any special storage conditions or conditions of use;

g) any special storage conditions or conditions of use, *including specifications for the conservation of the product once opened*;

Or. es

Justification

For many products today, no details are supplied regarding the time they may be conserved once opened or whether, for instance, they should be kept at a certain temperature. Consumer safety requires the provision of this information.

Amendment 294

Dan Jørgensen, Christel Schaldemose

Proposal for a regulation

Article 9 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) 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 295

Sergio Berlato, Giancarlo Scotta, Oreste Rossi, Elisabetta Gardini, Vittorio Prodi

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. it

Justification

It is essential to establish a requirement to indicate the real producer of a food both in order to provide correct information to consumers and to promote the competitiveness of the food industry. The lack of such a requirement in the past has contributed to the spread of the phenomenon of private labels, which compromise the viability of undertakings and hence the very existence of agrofood undertakings.

Amendment 296

Carl Schlyter

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 and address of the manufacturer, **the** packager, **and, when applicable, of the** seller established within the Community;

Or. en

Justification

The name of the manufacturer and packager are important information for consumers, especially if the product is sold under a supermarket's own brand.

Amendment 297

Oreste Rossi

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. it

Justification

In the case of products imported from third countries it is necessary to indicate the importer.

Amendment 298

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 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 in Article 35(3) and (4) and those***

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***

established in accordance with Article 35(5);

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 299

Françoise Grossetête, Catherine Souille

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 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. fr

Justification

Adding provisions on the origin of products makes no sense in that would generate additional costs and greatly complicate the task of obtaining supplies on the basis of the availability of raw materials.

Amendment 300
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 country of origin or place of provenance *having regard to Article 35(3) and (4), and the rules established in accordance with Article 35(5);*

Or. de

Justification

The place of provenance of the product or its main ingredients should always be stated.

Amendment 301
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

Amendment

(i) the country of origin or place of provenance *shall be given for the following:*
a) meat;
b) poultry;
c) dairy products;
d) fresh fruit and vegetables;
and for meat and poultry when used as an ingredient in processed foods.

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);

Where the country of origin or the place of provenance of the food is not the same as the primary ingredient(s), the country of origin or place of provenance of those ingredient(s) shall also be given.

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

For all other foods, unless subject to specific legislative provisions, the country of origin or place of provenance shall be given 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);

Or. en

Justification

Consumers have a right to information, which should include the information about where the food they buy comes from. There is a significant amount of consumer interest in the origin of foods and therefore it is necessary to extend requirements for mandatory labelling.

Amendment 302
Glenis Willmott

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 ***shall be given for the following:***

- meat;***
- poultry;***
- dairy products;***
- fresh fruit and vegetables;***

and for meat and poultry when used as an ingredient in processed foods.

Where the country of origin or the place of provenance of the food is not the same as the primary ingredient(s), the country of origin or place of provenance of those ingredient(s) shall also be given.

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

For all other foods, unless subject to specific legislative provisions, the country of origin or place of provenance shall be given 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);

Or. en

Justification

Consumers have a right to information, which should include the information about where the food they buy comes from. There is a significant amount of consumer interest in the origin of foods and therefore it is necessary to extend requirements for mandatory labelling.

Amendment 303
Struan Stevenson

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 ***of all unprocessed meat, fish, fruit and vegetables and, for processed meat, fish and dairy products, the country or area of origin that produced the main agricultural raw material used. 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, and to prevent consumers being misled, labels should show the country of origin of the animals used to produce for food, allowing consumers to make an informed choice. Similar criteria should apply for processed fish, such as smoked salmon or canned caviar, to prevent consumers making assumptions about the origin of the produce. This amendment also includes existing EU food legislation regarding fresh fish, fruit and vegetables to the current Regulation.

Amendment 304
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 food products, the place of provenance 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. it

Justification

For reasons of transparency, consumers should know the provenance of a foodstuff. Consumers have the right to know where products which they use have come from in order to make informed and independent choices and, because in the case of processed products the places where the various stages of production took place may be different, it is desirable to ensure 'traceability' of the information.

Amendment 305
Holger Krahmer

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

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);***

degree as to the true country of origin or place of provenance of the food;

Or. de

Justification

The additions to the currently applicable rules are not endorsed. They would result in additional complications and costs, since the origin of raw materials varies in practice according to availability. The additional costs would have to be borne by consumers. Since the place of origin must be given in all cases in which the consumer would otherwise be misled, there is no additional value for consumers. The proposal is at odds on this point with the objective of simplifying legislation

Amendment 306

Carl Schlyter

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 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 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

Amendment 307

Åsa Westlund

Proposal for a regulation

Article 9 – paragraph 1 – point i

Text proposed by the Commission

Amendment

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

(i) the country of origin ***of unprocessed agricultural products and, for processed products, an indication of 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. sv

Justification

In order for consumers to make informed choices, it is important that they should know the origin of the main ingredient used in a processed food.

Amendment 308

Pilar Ayuso

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 such particulars*** might mislead the consumer to a material degree as to the true origin or provenance of the ***foodstuff***;

Or. en

Justification

The additions to the current provision are not supported as they will cause a lot of additional complication and cost as eventually raw material cannot be sourced according to availability. The additional cost will have to be carried by consumers

Amendment 309

Karin Kadenbach

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***

Amendment

i) ***a declaration of place of origin and provenance indicating the origin of the product and of the ingredients which determine its value;***

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. de

Justification

Consumers are increasingly demanding reliable information about the origin of products and the ingredients which determine their value (particularly in the case of meat and meat products) as a basis for their purchasing decisions. This requirement must be taken into account. A list of products for which this information is mandatory should be submitted in the regulatory procedure.

Amendment 310
János Áder

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

Text proposed by the Commission

Amendment

(ia) If any stage of the production of the food has taken place outside the Community, indication of the country in accordance with the place where the processing step in question took place.

Or. hu

Justification

It is often the case that, for particular economic reasons, a particular stage of food production has taken place outside the Community. Consumers can, however, be misled if the label or the exterior of the product gives justifiable grounds for concluding that not only the place of origin but also the place of processing of the product is within the Community

Amendment 311

Carl Schlyter

Proposal for a regulation

Article 9 – paragraph 1 – point i a (new)

Text proposed by the Commission

Amendment

(ia) with respect to meat and foods containing meat, the places of birth, rearing, and slaughter in accordance with Article 2(3)

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 is of high importance for consumers, e.g. if they wish to avoid animal transports.

Amendment 312

Richard Seeber

Proposal for a regulation

Article 9 – paragraph 1 – point i a (new)

Text proposed by the Commission

Amendment

ia) For meat, other than beef and veal, the following information shall be provided on the label:

(i) the Member State or third country of birth,

(ii) the Member State or third country where fattening took place,

(iii) the Member State or third country where slaughter took place,

Where the meat is derived from animals born, raised and slaughtered,

(i) in the same Member State, the indication may be given as: ‘Origin: (Name of Member State)’;

(ii) in the same third country, the indication may be given as: ‘Origin:

(Name of third country)';

Or. de

Justification

Particularly in the case of meat, consumers expect a great deal of information about origin. These expectations can be met by providing clear information about the major steps in meat processing (where the animal was born, reared and slaughtered) which the consumer can then follow.

Amendment 313

Oreste Rossi

Proposal for a regulation

Article 9 – paragraph 1 – point i a (new)

Text proposed by the Commission

Amendment

(ia) in the case of processed food products, the country of origin of the primary ingredient;

Or. it

Justification

To clarify information to consumers. Many consumers attach considerable value to the provision of such information.

Amendment 314

George Lyon

Proposal for a regulation

Article 9 – paragraph 1 – point i a (new)

Text proposed by the Commission

Amendment

(ia) The country of origin in the case of certain primary products, following a case-by-case approach, and after consultation of the stakeholders in the sectors concerned.

Justification

Country of origin labelling is already mandatory for certain primary products (for instance in the case of beef) where it was deemed necessary for traceability and safety reasons. There might still be some products which deserve the same treatment; the possibility should therefore remain available. Furthermore, this would reflect consumers' expectations in certain food sectors.

Amendment 315
Karin Kadenbach

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

Text proposed by the Commission

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

Amendment

j) instructions for use ***which also contain information on storage conditions and how long the food can be kept after opening***, when it would be impossible to make appropriate use of the food in the absence of ***this information***;

Justification

The mandatory provision of information about storage conditions and of information on how the product should be treated or stored after opening is necessary particularly in the case of products which need to be refrigerated and which are thus microbiologically sensitive.

Amendment 316
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 percentage terms) 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 Convention 138;

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

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

(4) violation of the freedom of association, as defined in Article 2 of ILO Convention 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 317

Richard Seeber

Proposal for a regulation

Article 9 – paragraph 1 – point 1

Text proposed by the Commission

Amendment

1a) for unprocessed foodstuffs, a declaration of place of origin and provenance;

Or. de

Justification

Consumers are increasingly demanding reliable information about the origin of unprocessed foodstuffs (in particular in the case of milk and meat) to help them decide what to buy. This must be taken into account.

Amendment 318
Carl Schlyter, Bas Eickhout

Proposal for a regulation
Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Derogations for micro-enterprises

Handcrafted products produced by micro-enterprises shall be exempted from the requirement laid down in Article 9(1)(l). They may also be exempted from the information requirements laid down in Article 9(1)(a) to (k) if the products are sold on site of production and the sales staff is able to provide the information on request. Alternatively, the information may be given via labels on the shelves.

Or. en

Justification

Derogations should be admitted for micro-enterprises producing handcrafted products.

Amendment 319
Oreste Rossi

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission may amend Annex III. 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(4).

deleted

Or. it

Justification

Amendments to mandatory labelling elements are not 'non-essential elements'.

Amendment 320

Andres Perello Rodriguez

Proposal for a regulation

Article 13 – paragraph 4

Text proposed by the Commission

Amendment

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

Deleted

Or. es

Justification

Non-prepacked foods should not fall within the scope of this regulation.

Amendment 321

Horst Schnellhardt

Proposal for a regulation

Article 13 – paragraph 4

Text proposed by the Commission

Amendment

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

(4) In the case of non-prepacked food, the **following** provisions shall apply:

a) Where foods are offered for sale to the final consumer or to mass caterers without prepackaging, or where foods are packed on the sales premises at the consumer's request or prepacked for direct sale, the Member States may adopt detailed rules on whether and how the particulars specified in Articles 9 and 10 are to be shown.

b) Member States may decide not to require the provision of some of the particulars referred to in paragraph 1, other than those referred to in Article 9(1)

(c), provided that the consumer or mass caterer receives sufficient information.
c) Member States shall communicate to the Commission the text of the measures referred to in paragraphs 1 and 2 without delay.

Or. de

Justification

Chapter IV on national measures should be deleted and replaced by a Community approach in order to bring about complete harmonisation throughout the Union.

Amendment 322
Glenis Willmott

Proposal for a regulation
Article 13 – paragraph 4

Text proposed by the Commission

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

Amendment

4. Article 41 shall apply *to food offered for sale to the final consumer without prepackaging, or where foods are packed on the premises at the consumer's request, or prepacked for direct sale.*

Or. en

Justification

Due to the problems inherent to the labelling of Non-prepacked food, including that sold in catering establishments, such food should be exempt from the mandatory labelling particulars, with the exception of allergen information.

Amendment 323
Bernadette Vergnaud

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

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

Amendment

1. Without prejudice to specific Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), when appearing on the package or on the label, the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label in a ***legible*** font ***consistent with the following size criteria, taking the letter 'x' as the standard:***

- at least 1 mm for packages or containers the largest printable surface or label of which has an area of between 25 and 75 cm²;

- at least 1.4 mm for packages or containers the largest printable surface or label of which has an area of more than 75 cm².

Or. fr

Justification

A minimum font size of 3 mm would increase package sizes, which is contrary to environmental objectives. A slightly smaller size is sufficient for most consumers, providing that strict legibility criteria are applied.

Amendment 324
Holger Krahmer

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

Text proposed by the Commission

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

Amendment

1. Without prejudice to specific Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), when appearing on the package or on the label attached thereto, the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label ***in such a way as to ensure clear legibility.***

1a. Together with representatives of the relevant interest groups, the Commission shall draw up guidelines for legibility.

Or. de

Justification

The legibility of the label depends on a number of factors, for instance the font type and font size, the colour, contrast, print density, etc. One of these factors taken in isolation is not enough to ensure the required legibility. A minimum font size of 3 mm is not feasible. Larger labels lead to more packaging and therefore generate more environmental pollution.

Amendment 325
Jan Březina, Miroslav Ouzký

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

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

Amendment

1. Without prejudice to specific Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label ***in a clearly legible manner.***

In a consultation procedure with representatives of the relevant interest groups, the Commission may propose guidelines on the legibility of food information to consumers.

Or. en

Justification

The legibility of food labels depends on many elements, not only on font size. A minimum font size of 3 mm would make it impossible for certain packages to display all the compulsory information, particularly in the case of multilingual labels. It would inevitably lead to an enlargement of certain packages, which would run counter to the objective of reducing packaging waste. The Commission should nevertheless be encouraged to develop guidelines on the legibility of labelling information.

Amendment 326
Jill Evans

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

1. Without prejudice to specific

Amendment

1. Without prejudice to specific

Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), when appearing on the package or on the label attached thereto, the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label in ***characters of a font size of at least 3mm and shall be presented in a way so as to ensure a significant contrast between the print and background.***

Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), when appearing on the package or on the label attached thereto, the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label in ***a clearly legible format, and with a significant contrast between the print and the background of a font size with an x-height of at least 1,2mm.***

Other elements that shall be taken into account to ensure the legibility of food information are:

- (i) The layout of the text;***
- (ii) the style;***
- (iii) the size;***
- (iv) colour of the text font;***
- (v) the colour of the background;***
- (vi) the packaging and printing; and***
- (vii) the viewing distance and angle.***

The Commission shall draw up rules specifying how those elements need to be applied to ensure the legibility of food information for consumers in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).

Or. en

Justification

Information on packages needs to be clearly legible for consumers to be able to provide them with information. To clarify what font size that should be used an x-height (the reference typically used for the font is height of the letter x in lower case) is included. Information on all packaging, regardless of its size, should be clearly legible for consumers otherwise it is pointless.

Amendment 327
Gerben-Jan Gerbrandy, George Lyon

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

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

Amendment

1. Without prejudice to specific Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label in a ***clearly legible manner, through the use of font type, colour, and contrast.***

In a consultation procedure with representatives of the relevant interest groups, the Commission shall draw up binding rules governing the legibility of food information for consumers. 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

It is not sufficient to prescribe a fixed font size of 3 mm for all compulsory labelling indications in order to ensure clear legibility. Moreover, a minimum font size of 3 mm is not practicable either, as, particularly in the case of multilingual packagings there would not be enough room to comply with all the compulsory labelling requirements using such a font. Increasing the minimum size of the compulsory labelling components to 3 mm would make it necessary to enlarge packagings, which in turn would run counter to the objective of reducing the volume of packaging waste and would lead to larger portions.

Amendment 328
Kartika Tamara Liotard

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

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

Amendment

1. Without prejudice to specific Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), when appearing on the package or on the label attached thereto, the mandatory particulars listed in Article 9(1) shall be printed on the package *in a clearly legible format, which shall leave no possibility for misleading the consumer.*

Elements that shall be taken into account to ensure the legibility of food information are the layout of the text, the style, the size and colour of the text font, the colour of the background, the packaging and printing and the viewing distance and angle.

The Commission shall draw up, in cooperation with European consumer organisations and stakeholders, rules specifying how each of these elements needs to be applied to ensure the legibility of food information for consumers. 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

All information presented on a label should be easily visible, clearly legible and not misleading for consumers, in order for consumers to make an informed choice.

Amendment 329
Dagmar Roth-Behrendt

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

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

Amendment

1. Without prejudice to specific Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), when appearing on the package or on the label attached thereto, the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label in characters of a font size of at least **1.5** mm and shall be presented in a way so as to ensure a significant contrast between the print and background.

Or. de

Justification

It is unfeasible to make a minimum font size of 3 mm mandatory and, in the case of many foodstuffs, there would not be enough room to comply with the compulsory labelling requirements.

Amendment 330
Glenis Willmott

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

1. Without prejudice to specific Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), when appearing on the package or on the label attached thereto, the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label in **characters of a font size of at least**

Amendment

1. Without prejudice to specific Community legislation applicable to particular foods as regards to the requirements referred to in Article 9(1)(a) to (k), when appearing on the package or on the label attached thereto, the mandatory particulars listed in Article 9(1) shall be printed on the package or on the label in **a clearly legible format, and with**

3mm and shall be presented in a way so as to ensure a significant contrast between the print and background.

a significant contrast between the print and the background of a font size with an x-height of at least 1,2mm.

Other elements that shall be taken into account to ensure the legibility of food information are:

i) The lay-out of the text;

ii) the style;

iii) the size;

iv) colour of the text font;

v) the colour of the background;

vi) the packaging and printing; and

vii) the viewing distance and angle.

The Commission shall draw up rules specifying how these elements need to be applied to ensure the legibility of food information for consumers in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).

Or. en

Justification

Information on packages needs to be clearly legible for consumers to be able to provide them with information. To clarify what font size that should be used an x-height (the reference typically used for the font is height of the letter x in lower case) is included. Information on all packaging, regardless of its size, should be clearly legible for consumers otherwise it is pointless.

Amendment 331
Bernadette Vergnaud

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

Text proposed by the Commission

Amendment

1a. The mandatory particulars listed in Article 9(1) shall be presented in such a way as to guarantee a significant degree of contrast between print and background and to be easily visible, clearly legible and indelible.

Or. fr

Amendment 332
Glenis Willmott

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

Text proposed by the Commission

Amendment

1a. The minimum font size requirements referred to in paragraph 1 shall not apply to foods falling under Commission Directive 1999/21/EC of 25 March 1999 on dietary foods for special medical purposes.

Or. en

Justification

Dietary Foods for Special Medical Purposes (FSMP) have extensive additional mandatory text requirements in addition to those specified in Article 9(1) of the proposed regulation and even relatively large pack sizes will not be able to include all mandatory text at the proposed minimum font size. FSMP labels are submitted to competent Member States authorities at notification and legibility can be checked if the exemption is used by a manufacturer.

Amendment 333
Bernadette Vergnaud

Proposal for a regulation
Article 14 – paragraph 2

Text proposed by the Commission

2. The particulars listed in Article 9(1) (a), (e) and (k) shall appear in the same field of vision.

Amendment

2. The particulars listed in Article 9(1) (a), (e) and (k) ***on the one hand, and in Article 9(1)(c), (f), (g) and (j) on the other***, shall appear in the same field of vision.

Or. fr

Justification

All health-related information (allergens, 'use-by' date, storage conditions and instructions for use) should appear in the same field of vision.

Amendment 334
Kartika Tamara Liotard

Proposal for a regulation
Article 14 – paragraph 4

Text proposed by the Commission

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

Amendment

4. The Commission shall draw up, in cooperation with European consumer organisations and stakeholders, rules specifying how the elements mentioned in Article 14(1) need to be applied to ensure the legibility of food information for consumers for packaging or containers with a very limited surface area.

Or. en

Justification

Information which appears on all packaging, regardless of its size, should be clearly legible for consumers otherwise it is pointless.

Amendment 335

George Lyon

Proposal for a regulation

Article 14 – paragraph 4

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 336

Andres Perello Rodriguez

Proposal for a regulation

Article 14 – paragraph 4

Text proposed by the Commission

Amendment

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

4. The minimum font size referred to in paragraph 1 shall not apply in case of packaging or containers the largest surface of which has an area of less than 10 cm²,
provided it is ensured that the information is legible or exists in another format easily available to the consumer.

Or. es

Justification

The rapporteur proposes eliminating the exception directly; this amendment, however, retains the text of the Commission proposal but adds a guarantee concerning consumer information.

Amendment 337
Bernadette Vergnaud

Proposal for a regulation
Article 14 – paragraph 4

Text proposed by the Commission

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

Amendment

4. The minimum font size referred to in paragraph 1 shall not apply in case of packaging or containers the largest **printable** surface of which has an area of less than **25 cm²**. ***Specific national provisions may be introduced for such packaging or containers by Member States which have more than one official language.***

Or. fr

Amendment 338
Glenis Willmott

Proposal for a regulation
Article 14 – paragraph 4

Text proposed by the Commission

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

Amendment

4. The minimum font size referred to in paragraph 1 shall not apply in **the** case of packaging or containers the largest surface of which has an area of less than **25 cm²**. ***Specific national provisions may be adopted in the case of Member States which have more than one official language.***

Or. en

Amendment 339

Françoise Grossetête, Catherine Souille

Proposal for a regulation

Article 14 – paragraph 4 - subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The criteria in terms of minimum font size set out in paragraph 1 shall not apply to foods which fall within the scope of Commission Directive 1999/21/EC of 25 March 1999 on dietary foods for special medical purposes.

Or. fr

Justification

Ces aliments diététiques destinés à des fins médicales spéciales sont soumis à des réglementations européennes spécifiques car ils sont destinés à répondre aux besoins nutritionnels de patients dont le métabolisme est perturbé et qui ne peuvent assimiler correctement les nutriments issus d'une alimentation traditionnelle. La création de conditionnements plus importants risquerait de compromettre la sécurité des patients (puisque le produit restant conservé pour une utilisation ultérieure présente un risque accru de prolifération microbienne) ou de générer du gaspillage (le produit restant étant jeté). L'augmentation de la taille des conditionnements et le gaspillage seraient également préjudiciables pour l'environnement.

Amendment 340

Françoise Grossetête, Catherine Souille

Proposal for a regulation

Article 14 – paragraph 4 - subparagraph 1 b (new)

Text proposed by the Commission

Amendment

The criteria in terms of minimum font size set out in paragraph 1 shall not apply to infant formulae, follow-on formulae and diversification foods intended for infants and young children which fall within the scope of Commission Directive 2006/141/EC of 22 December 2006 on infant formulae and follow-on formulae and Commission Directive 2006/125/EC

of 5 December 2006 on processed cereal-based foods and baby foods for infants and young children.

Or. fr

Justification

L'étiquetage des préparations pour nourrissons, préparations de suite et aliments de diversification destinés aux nourrissons et enfants en bas-âge doit comporter des mentions obligatoires spécifiques. C'est le cas par exemple des petits-pots pour bébés. Une taille minimale de caractères obligatoires est impossible sur ces produits particuliers sauf à augmenter la taille de l'emballage. Ceci entraînerait des risques pour la santé des consommateurs car le produit restant non consommé pourrait être conservé dans des conditions d'hygiène inappropriées ou durant un temps trop important.

Amendment 341
Christofer Fjellner

Proposal for a regulation
Article 14 – paragraph 6

Text proposed by the Commission

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

Amendment

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

Or. sv

Amendment 342

János Áder

Proposal for a regulation

Article 14 – paragraph 6a (new)

Text proposed by the Commission

Amendment

(6a) Indicating the mandatory particulars must not lead to an increase in the size and/or bulk of the packing material and/or food container.

Or. hu

Justification

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

Amendment 343

Karin Kadenbach

Proposal for a regulation

Article 14 – paragraph 6a (new)

Text proposed by the Commission

Amendment

(6a) In the case of non-prepacked products, the mandatory information shall be provided in writing. This information may be provided in the form of wall signs, information leaflets, etc., but must be available at the sales points and be easily accessible to consumers at all times.

Or. de

Justification

It is objectively justifiable that, as a matter of principle, even in the case of open goods, all the mandatory information should be made available to the consumer.

Amendment 344

János Áder

Proposal for a regulation

Article 14 – paragraph 6 b (new)

Text proposed by the Commission

Amendment

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

Or. hu

Justification

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

Amendment 345

Holger Krahmer

Proposal for a regulation

Article 15 - point a

Text proposed by the Commission

Amendment

a) **mandatory** food information shall be available before the purchase is concluded and **shall** appear on the material supporting the distance selling or be provided through other appropriate means;

a) the food information **stipulated in Articles 9 and 29** shall be available **at the request of consumers** before the purchase is concluded and **may** appear on the material supporting the distance selling or be provided through other appropriate means.

Or. de

Justification

Regular changes in product composition, for example a reduction in the salt content and the

substitution of fat make it practically impossible to provide up-to-date information on all material supporting distance selling. Catalogues and brochures are the most widespread sales means in distance selling, particularly in the case of small and medium-sized undertakings. In addition to the considerable costs involved, this proposal would result in considerable environmental pollution, since catalogues would in future need four times the volume of paper in order to comply with the mandatory information requirements.

Amendment 346

Kartika Tamara Liotard

Proposal for a regulation

Article 15 – point a

Text proposed by the Commission

(a) mandatory food information shall be available ***before the purchase is concluded and shall appear on the material supporting the distance selling or be provided through other appropriate means;***

Amendment

(a) mandatory food information shall be available ***prior to the conclusion of the contract and be legible in a way appropriate to the means of distance communication used; the consumer shall receive the mandatory information on a durable medium, in reasonable time after the conclusion of the contract and at the latest at the time of the delivery of the food, in accordance with Article 13(2) of this Regulation.***

Or. en

Justification

The proposed wording reflects the approach that is used in other relevant EU consumer legislation.

Amendment 347

Carl Schlyter

Proposal for a regulation

Article 15 – paragraph 1 – point b

Text proposed by the Commission

(b) the particulars provided in Article 9(1) points ***(d), (f), (g), (h) and (k)*** shall be

Amendment

(b) the particulars provided in Article 9(1) point (f) shall be mandatory only at the

mandatory only at the moment of delivery. moment of delivery.

Or. en

Justification

Except for the minimum durability date, which cannot be given in advance, food supplied through distance selling should meet the same information requirements as food sold in shops.

Amendment 348
Kartika Tamara Liotard

Proposal for a regulation
Article 15 – point b

Text proposed by the Commission

Amendment

(b) the particulars provided in Article 9(1) points (d), (f), (g), (h) and (k) shall be mandatory only at the moment of delivery. ***deleted***

Or. en

Justification

The mandatory food information (i.e. the particulars listed in Article 9(1) and the additional mandatory particulars for specific types of categories of food laid down in Annex III) shall be available before the purchase is concluded. 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 349
Oreste Rossi

Proposal for a regulation
Article 16 – paragraph 1

Text proposed by the Commission

Amendment

1. Without prejudice to Article 9(2), mandatory food information shall appear in ***a language easily understood by the***

1. Without prejudice to Article 9(2), mandatory food information shall appear in ***the official languages*** of the Member

consumers of the Member States where a food is marketed.

States where a food is marketed *and shall be couched in a form of words understandable to the average consumer.*

Or. it

Justification

The use of the official languages is a more reliable way of ensuring that consumers understand information.