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Committee on the Environment, Public Health and Food Safety

2008/0028(COD)

22.12.2009

AMENDMENTS

502 - 575

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 502
Kartika Tamara Liotard

Proposal for a regulation
Article 38 – paragraph 1 – introductory part

Text proposed by the Commission

1. In addition to the mandatory particulars referred to in Article 9(1) and in Article 10, Member States may, in accordance with the procedure laid down in Article 42, require additional mandatory particulars for specific types or categories of foods, justified on grounds of:

Amendment

1. In addition to the mandatory particulars referred to in Article 9(1) and in Article 10, Member States may, in accordance with the procedure laid down in Article 42, require additional mandatory particulars for specific types or categories of foods, **as well as supplementary information on the nutrient content using colour and textual means**, justified on grounds of:

Or. en

Justification

There has to be a possibility for Member States to opt for using an obligatory colour coded labelling system, if they desire so.

Amendment 503
Renate Sommer

Proposal for a regulation
Article 38 – paragraph 1 – point d

Text proposed by the Commission

(d) the protection of industrial and commercial property rights, indications of provenance, registered designations of origin and the prevention of unfair competition.

Amendment

(d) the protection of industrial and commercial property rights, indications of **regional** provenance, registered designations of origin and the prevention of unfair competition.

Or. de

Amendment 504
Struan Stevenson

Proposal for a regulation
Article 38 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Such measures shall not give rise to obstacles to the free movement of goods in the internal market.

Or. en

Justification

In a new Regulation which is designed to consolidate and simplify EU labelling rules, and in line with the Better Regulation agenda, it is appropriate to introduce a requirement that new rules shall not hamper free movement in the internal market.

Amendment 505
Carl Schlyter

Proposal for a regulation
Article 38 – paragraph 2

Text proposed by the Commission

Amendment

2. By means of paragraph 1, Member States may introduce measures concerning the mandatory indication of the country of origin or place of provenance of foods only where there is a proven link between certain qualities of the food and its origin or provenance. When notifying such measures to the Commission, Member States shall provide evidence that the majority of consumers attach significant value to the provision of this information.

deleted

Or. en

Justification

This provision is too restrictive and is not in compliance with the Amendment on Article 9,

paragraph 1 (i).

Amendment 506
Elisabetta Gardini

Proposal for a regulation
Article 38 – paragraph 2

Text proposed by the Commission

Amendment

2. By means of paragraph 1, Member States may introduce measures concerning the mandatory indication of the country of origin or place of provenance of foods only where there is a proven link between certain qualities of the food and its origin or provenance. When notifying such measures to the Commission, Member States shall provide evidence that the majority of consumers attach significant value to the provision of this information.

deleted

Or. it

Amendment 507
Carl Schlyter

Proposal for a regulation
Article 38 a (new)

Text proposed by the Commission

Amendment

Article 38a

National provisions on specific forms of presentation

In addition to the requirements laid down in Article 34, Member States may decide to introduce a mandatory scheme which provides for an additional presentation of the nutrition information using colour and textual means.

Such national schemes shall be developed in compliance with the general principles and requirements laid down in Chapter II

and III of this Regulation, and must take into account the results of independent consumer research and of extensive stakeholder consultations.

The Commission shall encourage and facilitate the exchange of information between Member States and between itself and Member States on matters relating to the adoption and implementation of the national schemes and shall encourage the participation of stakeholders in this process.

On (the first day of the month 5 years after the entry into force of this Regulation), the Commission shall conduct an evaluation of the evidence gathered on consumers' use and understanding of the various national schemes in order to determine which scheme performs best and is most useful for European consumers. Based on the outcomes of this evaluation, the Commission shall come forward with a proposal for a harmonised European front-of-pack labelling scheme.

Or. en

Justification

Independent research has shown that a nutrition presentation using multiple colour coding is the system consumers prefer and understand best. Member States must therefore get the possibility to introduce national schemes for a certain period of time, with the aim to introduce the best performing scheme on the European level afterwards.

Amendment 508

Kartika Tamara Liotard

Proposal for a regulation

Article 38 a (new)

Text proposed by the Commission

Amendment

Article 38 a

In addition to the requirements laid down in Article 34(1) and 34(2), Member States

may, in accordance with the procedure laid down in Article 42, decide to promote additional voluntary schemes to present the nutrition information using other forms of expression provided that:

- such national schemes shall be developed in compliance with the general principles and requirements laid down in Chapters II and III of this regulation;

- the schemes promoted by Member States reflect the findings of independent consumer research and extensive stakeholder consultations as to what works best for consumers;

- it is based either on harmonised reference intakes or, in their absence, on generally accepted scientific advice on intakes for energy or nutrients.

The Commission shall facilitate the exchange of information on matters relating to the adoption and implementation of national schemes and shall encourage the participation of all stakeholders in this process. The Commission shall also make such details available to the public.

On (the first day of the month 5 years after the entry into force of this Regulation), the European Commission shall undertake an evaluation of the evidence gathered on consumers' use and understanding of the various national schemes in order to determine which performs best and is most useful to European consumers. Based on the outcomes of this evaluation, the Commission shall come forward with a report, which shall be sent to the European Parliament and to the Council.

Or. en

Justification

There has to be a possibility for Member States promote additional voluntary schemes to present the nutrition information using other forms of expression, if they desire so.

Amendment 509

Kartika Tamara Liotard

Proposal for a regulation

Article 39 – paragraph 1

Text proposed by the Commission

Member States may adopt measures derogating from Article 9(1) and Article 10(2) in the case of milk **and milk products** presented in glass bottles intended for reuse.

Amendment

Member States may adopt measures derogating from Article 9(1) and Article 10(2) in the case of milk, **fermented milk and cream, to which no ingredient other than lactic product and micro-organism cultures essential to manufacture have been added**, presented in glass bottles intended for reuse.

Or. en

Justification

The amendment ensures that national measures derogating from Article 9(1) and Article 10(2) do not apply to milk products to which e.g. sugars, flavourings or other non-milk ingredients are added.

Amendment 510

Glenis Willmott

Proposal for a regulation

Article 40

Text proposed by the Commission

Alcoholic beverages

Member States may, pending the adoption of the Community provisions referred to in Article 20(e), maintain national rules as regard the listing of ingredients in the case of beverages containing more than

Amendment

deleted

1,2% by volume of alcohol.

Or. en

Justification

Listing of ingredients of alcoholic beverages should be mandatory. The deletion of Article 20(e) renders Article 40 irrelevant

Amendment 511

Carl Schlyter

Proposal for a regulation

Article 40 a (new)

Text proposed by the Council

Amendment

Article 40a

40a. Member States may adopt or maintain national measures that set additional binding provisions for operators who choose to voluntarily label specific characteristics of foodstuffs.

Or. en

Justification

The article is added in order to allow member states to define national provisions on specific quality aspects of food or food ingredients. For instance, some Member States have established non-mandatory labels for 'gmo-free' foods (foods produced from animals that have not been fed with genetically modified feedingstuffs). These national schemes are sometimes of a 'facultative obligatory' nature: business operators do not have to participate, but IF they participate, they have to comply with specific requirements. Such schemes are not accounted for in the draft regulation (Art. 38 only concerns mandatory particulars and Art. 44 only concerns non-binding rules). Since Article 37 states as a principle that member states may only adopt provisions in the field of food information where this is provided for, a respective provision must be inserted.

Amendment 512
Edite Estrela, José Manuel Fernandes

Proposal for a regulation
Article 41

Text proposed by the Council

1. 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 concerning the manner in which the particulars specified in **Articles 9 and 10** are to be shown.

2. 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 still receives sufficient information.

3. Member States shall communicate to the Commission the text of the measures referred to in paragraphs 1 **and 2** without delay.

Amendment

1. 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 concerning the manner in which the particulars specified in **Article 9(1)(c), the provision of which they may require**, are to be shown.

3. Member States shall communicate to the Commission the text of the measures referred to **in paragraph 1** without delay.

Or. en

Justification

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

Amendment 513
Frédérique Ries

Proposal for a regulation
Article 41

Text proposed by the Council

1. Where foods are offered for sale to the final consumer or to mass caterers without

Amendment

1. 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 concerning the manner in which the particulars specified in Articles 9 and 10 are to be shown.***

2. 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 still receives sufficient information.

3. Member States shall communicate to the Commission the text of the measures referred to in ***paragraphs 1 and 2*** without delay.

prepackaging, or where foods are packed on the sales premises at the consumer's request or prepacked for direct sale,

a) only the provision of the particulars specified in Article 9(1)(c) is obligatory; b) the provision of other particulars referred to in Articles 9 and 10 is not obligatory unless Member States adopt rules requiring the provision of some or all of those particulars.

2. Member States may adopt rules concerning the manner in which the particulars specified in paragraph 1 are to be made available.

3. Member States shall communicate to the Commission the text of the measures referred to in paragraphs 1***(a)*** and 1***(b)*** without delay.

Or. en

Justification

The amendment aims at avoiding a situation in which Member States would be obliged to adopt legislation to prevent the potential direct applicability of the Regulation to non pre-packed food.

The amendment aims at maintaining the current status: non pre-packed foods are included in the scope of the legislation but Member States must take action for it to effectively apply to them (opt-in), bearing in mind that Member States cannot exempt non pre-packed from mandatory provision of allergen information.

Amendment 514
Glenis Willmott

Proposal for a regulation
Article 41

Text proposed by the Council

National measures for non -prepacked food

- 1. 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 concerning the manner in which the particulars specified in Articles 9 and 10 are to be shown.***
- 2. 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 still receives sufficient information.***

Amendment

Non-prepacked food

- 1. With regard to the foods mentioned in Article 13(4), the particulars in Article 9(1)(c) shall be provided.***

- 2. The provision of other particulars referred to in Articles 9 and 10 is not obligatory unless Member States adopt rules requiring the provision of some or all of those particulars, or elements of those particulars.***

- 2a. Member States may adopt detailed rules concerning the manner in which the information referred to in paragraphs 1 and 2 is to be made available.***

Or. en

Justification

Due to the difficulties of labelling inherent to non-prepacked foods, these foods should in principle be exempt from most labelling requirements – excluding allergen information. MS should retain the flexibility to decide how information should best be made available to consumers.

Amendment 515
Dan Jørgensen, Christel Schaldemose

Proposal for a regulation
Article 41 – paragraph 1

Text proposed by the Council

1. 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 concerning the manner in which** the particulars **specified** in Articles 9 and 10 **are** to be **shown**.

Amendment

1. Where foods are offered for sale to the final consumer or to mass caterers without **pre-packaging**, or where foods are **produced by and** packed on the sales premises at the consumer's request or **pre-packed** for direct sale,

a) the provision of the particulars specified in Article 9(1)(c) is mandatory;

b) the provision of other particulars referred to in Articles 9 and 10 is not mandatory unless Member States adopt rules requiring the provision of some or all of those particulars.

Rules adopted by Member States shall ensure that the particulars to be provided by food business operators for non-prepacked food provide for sufficient information to the consumer or mass caterers.

Or. en

Justification

Food or meals produced by retail establishments or mass caterers are often produced in a non-standardized way whereby the ingredients and recipes may vary frequently, maybe from day to day. It is therefore not possible, for example, to establish a precise nutrition declaration for these types of food. Moreover, the task would be too time consuming and expensive for the companies. Also, these types of foods are typically packed on the sales premises at the consumer's request or pre-packed for direct sale. It is therefore important to exempt these types of food from the requirement for a nutrition declaration. However, the Member States should be given the right to adopt rules requiring the provision of some or all of the particulars, which are mandatory for pre-packed food.

Amendment 516
Dan Jørgensen, Christel Schaldemose

Proposal for a regulation
Article 41 – paragraph 2

Text proposed by the Council

2. 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 still receives sufficient information.***

Amendment

2. Member States may ***adopt detailed rules concerning the manner in which*** the particulars ***specified*** in paragraph 1 ***are to be made available.***

Or. en

Amendment 517
Dagmar Roth-Behrendt

Proposal for a regulation
Article 41 – paragraph 2

Text proposed by the Council

2. 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 still receives sufficient information.

Amendment

2. 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) ***and Article 29(1)(a)***, provided that the consumer or mass caterer still receives sufficient information.

Or. de

Justification

It is mandatory to indicate allergens and energy content in non-prepacked foods.

Amendment 518

Carl Schlyter

Proposal for a regulation

Article 41 – paragraph 2

Text proposed by the Council

2. 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 still receives sufficient information.

Amendment

2. 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 **Articles** 9(1)(c) **and 10**, provided that the consumer or mass caterer still receives sufficient information.

Or. en

Justification

It is essential that the requirements of Annex III (to which Art 10 refers) on 'food for which the labelling must include one or more additional particulars' (e.g. food packaged in certain gases, food with high caffeine content etc) are in effect also for non-prepacked food.

Amendment 519

Dan Jørgensen, Christel Schaldemose

Proposal for a regulation

Article 41 – paragraph 3

Text proposed by the Council

3. Member States shall communicate to the Commission the text of the measures referred to in paragraphs 1 and 2 without delay.

Amendment

3. Member States shall communicate to the Commission the text of the measures referred to in paragraphs 1(**b**) and 2 without delay.

Or. en

Justification

Food or meals produced by retail establishments or mass caterers are often produced in a non-standardized way whereby the ingredients and recipes may vary frequently, maybe from day to day. It is therefore not possible, for example, to establish a precise nutrition declaration for these types of food. Moreover, the task would be too time consuming and expensive

for the companies. Also, these types of foods are typically packed on the sales premises at the consumer's request or pre-packed for direct sale. It is therefore important to exempt these types of food from the requirement for a nutrition declaration. However, the Member States should be given the right to adopt rules requiring the provision of some or all of the particulars, which are mandatory for pre-packed food.

Amendment 520

Mairead McGuinness, Struan Stevenson

Proposal for a regulation

Article 42 – paragraph 2

Text proposed by the Council

2. The Commission shall consult the Standing Committee on the Food Chain and Animal Health set up by Article 58(1) of Regulation (EC) No 178/2002 if it considers such consultation to be useful or if a Member State so requests.

Amendment

2. The Commission shall consult the Standing Committee on the Food Chain and Animal Health set up by Article 58(1) of Regulation (EC) No 178/2002 if it considers such consultation to be useful or if a Member State so requests. ***The Commission shall also introduce a formal notification procedure for all stakeholders in accordance with the provisions established in Directive 98/34/EC.***

Or. en

Justification

This amendment adds transparency and a requirement for consultation with all stakeholders when new labelling measures are introduced at the EU level.

Amendment 521

Struan Stevenson

Proposal for a regulation

Article 42 – paragraph 5

Text proposed by the Council

5. Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of

Amendment

deleted

technical standards and regulations shall not apply to the measures falling within the notification procedure specified in paragraphs 1 to 4.

Or. en

Justification

The proposed amendment to Article 42 (2) introduces a requirement for a transparent notification procedure which involves consumers and producers. It is therefore appropriate to remove the exemption from formal scrutiny of any new labelling requirements.

Amendment 522
Carl Schlyter

Proposal for a regulation
Article 43

Text proposed by the Commission

Detailed rules for the application of this Chapter may be adopted by the Commission. Those measures designed to amend non-essential elements of this Regulation by supplementing it shall be adopted in accordance with the procedure referred to in **Article 49(2)**.

Amendment

Detailed rules for the application of this Chapter may be adopted by the Commission. Those measures designed to amend non-essential elements of this Regulation by supplementing it shall be adopted in accordance with the **regulatory** procedure **with scrutiny** referred to in **Article 49(3)**.

Or. en

Justification

If measures are designed to amend non-essential elements of this Regulation by supplementing it, they shall be adopted in accordance with the regulatory procedure with scrutiny.

Amendment 523
Karin Kadenbach

Proposal for a regulation
Article 44 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States may adopt, recommend or otherwise endorse national schemes ***consisting of exclusively non-binding rules***, such as recommendations, guidance, standards or any other ***non binding*** rules, (hereinafter referred to as the ‘national schemes’) aimed at ensuring the application of the following provisions and in compliance with the essential requirements set out therein:

Amendment

1. Member States may adopt, recommend or otherwise endorse national schemes, such as recommendations, guidance, standards or any other rules, (hereinafter referred to as the ‘national schemes’) aimed at ensuring the application of the following provisions and in compliance with the essential requirements set out therein:

Or. de

Amendment 524
Carl Schlyter

Proposal for a regulation
Article 44 – paragraph 5

Text proposed by the Commission

5. Member States shall provide the Commission with the details of the national schemes referred to in paragraph 1, including an identifier for foods that are labelled in compliance with that national scheme. The Commission shall make those details available to the public, in particular through a dedicated page on the Internet.

Amendment

5. Member States shall provide the Commission with the details of the national schemes referred to in paragraph 1, ***such as the underlying criteria and scientific studies***, including an identifier for foods that are labelled in compliance with that national scheme. The Commission shall make those details available to the public, in particular through a dedicated page on the Internet.

Or. en

Justification

This provision is essential to ensure transparency concerning national schemes.

Amendment 525
Renate Sommer

Proposal for a regulation
Article 51 a (new)

Text proposed by the Commission

Amendment

Article 51a

Amendments to Regulation (EC) No 178/2002

Article 25 of Regulation (EC) 178/2002 paragraph 1 is replaced by the following:

1. The Management Board shall be composed of 16 members appointed by the Council in consultation with the European Parliament from a list drawn up by the Commission which includes a number of candidates substantially higher than the number of members to be appointed, plus a representative of the Commission. Out of the 16, two members shall be designated by the European Parliament. Four of the members shall have their background in organisations representing consumers and other interests in the food chain. The list drawn up by the Commission, accompanied by the relevant documentation, shall be forwarded to the European Parliament. As soon as possible and within three months of such communication, the European Parliament may make its views available for consideration by the Council, which will then appoint the Management Board.

The members of the Board shall be appointed in such a way as to secure the highest standards of competence, a broad range of relevant expertise and, consistent with these, the broadest possible geographical distribution within the Union.

Or. en

Amendment 526
Carl Schlyter

Proposal for a regulation
Article 51 a (new)

Text proposed by the Commission

Amendment

Article 51a
Amendments to Regulation (EC)
104/2000

***In Article 4 of Regulation (EC) No 104/2000, the following point is added:
"(d) whether the fish comes from a stock that is subject to a recovery plan adopted by the EU."***

Or. en

Justification

It is of outermost interest for the purchase decision of many consumers to know whether the fish stock of the relevant species is endangered. Therefore, the article on consumer information in the Council Regulation (EC) 104/2000 on the common organisation of the markets in fishery and aquaculture products should be changed as to enable consumers to take an informed decision.

Amendment 527
Françoise Grossetête, Catherine Soullie, Michel Dantin

Proposal for a regulation
Article 53 – subparagraphs 3 and 3 a (new)

Text proposed by the Commission

Amendment

Articles 29 to 34 shall apply from [*the first day of the month 3 years after the entry into force*] except in the case of foods labelled by food business operators with, on the date of entry into force, less than **10** employees and whose annual turnover and/or annual balance sheet total does not exceed EUR **2** million where they shall apply [*the first day of the month 5 years*

Articles 29 to 34 shall apply from [*the first day of the month 3 years after the entry into force*] except in the case of foods labelled by food business operators with, on the date of entry into force, less than **50** employees and whose annual turnover and/or annual balance sheet total does not exceed EUR **10** million where they shall apply [*the first day of the month 5 years*

after the entry into force].

after the entry into force].

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

Or. fr

Justification

The European definition of SMEs should be incorporated, and account should also be taken of stock management.

Amendment 528

Anja Weisgerber

Proposal for a regulation

Article 53 – subparagraphs 3 and 3 a (new)

Text proposed by the Commission

Articles 29 to 34 shall apply from [*the first day of the month 3 years after the entry into force*] except in the case of foods labelled by food business operators with, on the date of entry into force, less than **10** employees and whose annual turnover and/or annual balance sheet total does not exceed EUR **2** million where they shall apply [*the first day of the month 5 years after the entry into force*].

Amendment

Articles 29 to 34 shall apply from [*the first day of the month 3 years after the entry into force*] except in the case of foods labelled by food business operators with, on the date of entry into force, less than **100** employees and whose annual turnover and/or annual balance sheet total does not exceed EUR **5** million where they shall apply [*the first day of the month 5 years after the entry into force*].

Foods placed on the market prior to the entry into force of this Regulation may continue to be marketed until stocks are exhausted.

Or. de

Justification

The special provisions applicable to SMEs and the number of their employees must be

expanded if they are to be effective. For foods placed on the market before the Regulation enters into force, the option must be provided of continuing to sell them until stocks are exhausted.

Amendment 529

Peter Liese, Horst Schnellhardt

Proposal for a regulation

Article 53 – subparagraph 3

Text proposed by the Commission

Articles 29 to 34 shall apply from [*the first day of the month 3 years after the entry into force*] except in the case of foods labelled by food business operators with, ***on the date of entry into force***, less than **10** employees and whose annual turnover and/or annual balance sheet total does not exceed EUR 2 million where they shall apply [*the first day of the month 5 years after the entry into force*].

Amendment

Articles 29 to 34 shall apply from [*the first day of the month 3 years after the entry into force*] except in the case of foods labelled by food business operators with less than **50** employees and whose annual turnover and/or annual balance sheet total does not exceed EUR 2 million, where they shall apply [*the first day of the month 5 years after the entry into force*]. ***Member States may adopt their own provisions for these small and medium-sized food business operators.***

Or. de

Justification

Small and medium-sized undertakings with fewer than 50 employees and whose annual turnover and/or annual balance sheet total does not exceed €2 million which have one or more branches independent of the place of production should likewise be exempted from the labelling requirement. These food business operators are not in a position to provide the required information.

Amendment 530

George Lyon

Proposal for a regulation

Article 53 –paragraph 3 a (new)

Text proposed by the Commission

Amendment

Food placed in circulation prior to the

entry into force of this Regulation which does not comply with its requirements may continue to be placed in circulation until stocks are exhausted. However, before the entry into force of this Regulation, the Commission, after consultation of the food industry and other interested stakeholders, shall define a later final date beyond which all food products should comply with this Regulation, regardless of stocks or expiry dates.

Or. en

Amendment 531
Chris Davies

Proposal for a regulation
Annex I – point 1

Text proposed by the Commission

1. ‘nutrition declaration’ or ‘nutrition labelling’ means information ***consisting of***:

- (a) energy value; or
- (b) energy value and one or more of the following nutrients:
 - fat,
 - carbohydrate,
 - fibre,
 - protein,
 - salt,
 - vitamins and minerals listed in Annex XI, Part A; point 1 and present in significant amounts as defined in Annex XI, Part A; point 2.

Amendment

1. ‘nutrition declaration’ or ‘nutrition labelling’ means information ***stating***:

- (a) energy value; or
- (b) energy value and one or more of the following nutrients ***and their components***:
 - fat,
 - carbohydrate,
 - fibre,
 - protein,
 - salt,
 - vitamins and minerals listed in Annex XI, Part A; point 1 and present in significant amounts as defined in Annex XI, Part A; point 2.

Or. en

Amendment 532
Renate Sommer

Proposal for a regulation
Annex I – point 4

Text proposed by the Commission

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

Amendment

4. *Does not affect the English version.*

Or. de

Justification

Alignment with Article 29(2).

Amendment 533
Horst Schnellhardt

Proposal for a regulation
Annex I - point 9

Text proposed by the Commission

9. ‘polyols’ means ***alcohols containing more than two hydroxyl groups;***

Amendment

9. ‘polyols’ means ***carbohydrates which are reduced mono-, di- or oligosaccharides or polysaccharides and are listed as permitted sweeteners;***

Or. de

Justification

The definition proposed by the Commission is correct but has negative implications; moreover, only those polyols should be referred to which are relevant to food labelling, namely sweeteners.

Amendment 534
Esther de Lange

Proposal for a regulation
Annex I – point 13

Text proposed by the Commission

13. ***'principal field of vision'*** means the ***field of vision*** that is most likely to be displayed or visible under normal or customary conditions of sale or use.

Amendment

13. ***'front of the package'*** means the ***side or surface of the food packaging*** that is most likely to be displayed or visible under normal or customary conditions of sale or use, ***provided that the traditional appearance of products is not affected.***

Or. en

Justification

The term 'front of the package' is more appropriate here, since what is being referred to is commonly the front of the packaging (where this is not possible, it may refer to the top instead). In order not to hinder the presentation of traditional food products, the information is usually mentioned on the bottom or back of the traditional food product.

Amendment 535
Françoise Grossetête, Catherine Soullie, Michel Dantin

Proposal for a regulation
Annex I – point 13

Text proposed by the Commission

13. ***'principal field of vision'*** means the ***field of vision that is most likely to be displayed or visible under normal or customary conditions of sale or use.***

Amendment

deleted

Or. fr

Justification

The nutrition declaration should be placed on the packaging wherever the operator wishes. There is therefore no need to define the concept of 'principal field of vision'.

Amendment 536
Carl Schlyter

Proposal for a regulation
Annex III – point 1.1 a (new)

Text proposed by the Commission

Amendment

***1.1a. Foods which packaging contains
nanomaterials
'packaging using nanomaterials' this
statement shall accompany the name of
the food.***

Or. en

Justification

In order to ensure consumer's freedom of choice, it should be stated if a product is packed in a packaging that uses nanomaterials.

Amendment 537
Carl Schlyter

Proposal for a regulation
Annex III – point 2.1

Text proposed by the Commission

Amendment

2.1 Foods containing a sweetener or sweeteners authorised pursuant to Directive 89/107/EEC
'with sweetener(s)' this statement shall accompany the name of the food.

2.1 Foods containing a sweetener or sweeteners authorised pursuant to Directive 89/107/EEC
'with sweetener(s)' this statement shall accompany the name of the food ***in the principal field of vision.***

Or. en

Amendment 538

Carl Schlyter

Proposal for a regulation

Annex III – point 2.2

Text proposed by the Commission

2.2 Foods containing both an added sugar or sugars and a sweetener or sweeteners authorised pursuant to Directive 89/107/EEC ‘with sugar(s) and sweetener(s)’ this statement shall accompany the name of the food.

Amendment

2.2 Foods containing both an added sugar or sugars and a sweetener or sweeteners authorised pursuant to Directive 89/107/EEC ‘with sugar(s) and sweetener(s)’ this statement shall accompany the name of the food *in the principal field of vision*.

Or. en

Amendment 539

Carl Schlyter

Proposal for a regulation

Annex III – point 2.3

Text proposed by the Commission

2.3 Foods containing aspartame authorised pursuant to **Directive 89/107/EEC**

‘contains a source of phenylalanine’

Amendment

2.3 Foods containing aspartame *or neotame* authorised pursuant to **Regulation (EC) No 1333/2008**

‘contains a source of phenylalanine’

Or. en

Justification

Neotame is just about to be authorised via Comitology. It is derived from aspartame and also contains phenylalanine. It is therefore important, especially for people suffering from Phenylketonuria, to adapt the labelling provisions.

Both Dir 89/107/EEC (referred to in the Commission proposal) as well as Dir 94/35/EC (basis for the authorisation of neotame) will be repealed on 20/01/2010 and replaced by new Regulation 1333/2003 on food additives.

Amendment 540**Carl Schlyter****Proposal for a regulation****Annex III – point 3 a (new)***Amendment*

3a. FOODS CONTAINING GLUTAMIC ACIDS OR ITS SALTS	
3a.1 Foods containing one or more of the food additives E620, E 621, E622, E623, E624 and E625	'contains appetite-enhancing ingredients'

Or. en

Amendment 541**Carl Schlyter****Proposal for a regulation****Annex III – point 3 b (new)***Amendment*

3b. FOODS CONTAINING HEAVY METALS	
3b.1 Meat of large predatory fish species as specified in Commission Regulation 466/2001, Annex I, point 3.3.1.1. or foodstuffs containing meat from these fish species	'contains methylmercury- not recommended for pregnant or breastfeeding women, women who might become pregnant, and children' shall be added immediately after the list of ingredients. In absence of a list of ingredients, the statement shall accompany the name of the food.

Or. en

Justification

In its information note from 12/05/2004, the Commission, referring to EFSA's scientific opinion from March 2004, states: "Methyl mercury (organic) is the chemical form of concern and can make up more than 90% of the total mercury in fish and seafood. Fish and seafood contain mercury as a result of its natural presence in the environment and from pollution. Large predatory fish accumulate higher levels of mercury through intake over a long life-time.(...)The Commission wishes to pursue the need to give more specific advice to vulnerable groups, i.e. women who might become pregnant, are pregnant, are breast-feeding and young children. The Commission considers that it is important to ensure that the advice reaches these target groups of consumers on a continual basis."

Several Member States and third countries (U.S., Australia, New Zealand) have already issued specific advice to vulnerable groups to limit their intake or abstain from the intake of large predatory fish with regard to dangers arising from methylmercury.

Following to an amendment to Commission Regulation 466/2001, the maximum level of mercury for the above mentioned fish species was set twice as high as for all other fish species. This amendment to the Regulation had been conducted on the request of some Member States, without any preceding risk assessment.

Amendment 542

Carl Schlyter

Proposal for a regulation
Annex III – point 3 c (new)

Amendment

3c. WHOLE NUTS	
3c.1 Whole nuts in packages	<i>'Do not eat nuts that look bad or taste bad as they may contain high levels of Aflatoxins' this statement shall appear clearly on the labelling.</i>

Or. en

Justification

After agreement on the UN-level, Europe has increased permitted levels of Aflatoxins in nuts to more than twice of earlier levels. Studies have shown that when people are asked to pick out nuts that they perceive as bad intake of Aflatoxins can be reduced by 90%. A warning label could keep consumer aflatoxin exposure on a lower level inspite increased limit vales.

Amendment 543

Dan Jørgensen, Christel Schaldemose

Proposal for a regulation
Annex III – point 5a (new)

Amendment

5a. Surface treatment of fruits and vegetables	
<i>Fruits and vegetables that have received post-harvest surface treatment by use of</i>	<i>“Surface treated”</i>

Justification

The current rules do not contain a general requirement for information on post-harvest surface treatment of fruits and vegetables by either additives or pesticides to maintain freshness. This means that products appear with another form of “freshness” than expected by the consumer. Consumers are entitled to receive information on the fact that the foodstuff they purchase is surface treated.

Amendment 544**Françoise Grossetête, Catherine Soullie, Michel Dantin****Proposal for a regulation****Annex IV – point 2***Text proposed by the Commission*

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

Amendment

– processed products which the only processing they have been subjected to is smoking or maturing, ***and dried fruits and vegetables such as prunes or apricots***, and that comprise a single ingredient or category of ingredients;

Justification

Dried fruits and vegetables, which are processed products, should likewise be exempt from the nutrition labelling requirement, as the drying process does not modify the composition of the product.

Amendment 545**Hans-Peter Mayer****Proposal for a regulation****Annex IV – point 2 a (new)***Text proposed by the Commission**Amendment*

- products which essentially (>50%)

consist of a single ingredient or category of ingredients which determine their value;

Or. de

Justification

Unprocessed poultry meat is not subject to the nutrition declaration requirement. The same is true of spices or salt. Dry spiced poultry meat would however be subject to the nutrition declaration requirement. Likewise meat preparations with a liquid seasoning. Unprocessed meat and fruit or vegetables are prone to natural fluctuations in nutritional values. The fat content of chicken breast fillets, for example, fluctuates with sex, age, diet, etc. between 0.5% and 4% and can therefore not be declared with exactitude. The influence of a marinade is small in this context.

Amendment 546
Holger Krahmer

Proposal for a regulation
Annex IV - point 15 a (new)

Text proposed by the Commission

Amendment

- mixed multi-packs;

Or. en

Justification

Santa Claus figures and Easter Bunnies as well as other gifts for festive occasions made of chocolate and sugar are elaborately manufactured products of tradition. These should not be deformed by any kind of nutrition labelling on the front side and should therefore be exempted from mandatory nutrition information of any kind.

Amendment 547
Holger Krahmer

Proposal for a regulation
Annex IV - point 15 b (new)

Text proposed by the Commission

Amendment

- assortments;

Or. en

Justification

Santa Claus figures and Easter Bunnies as well as other gifts for festive occasions made of chocolate and sugar are elaborately manufactured products of tradition. These should not be deformed by any kind of nutrition labelling on the front side and should therefore be exempted from mandatory nutrition information of any kind.

Amendment 548
Holger Krahmer

Proposal for a regulation
Annex IV - point 15 c (new)

Text proposed by the Commission

Amendment

- giftings;

Or. en

Justification

Santa Claus figures and Easter Bunnies as well as other gifts for festive occasions made of chocolate and sugar are elaborately manufactured products of tradition. These should not be deformed by any kind of nutrition labelling on the front side and should therefore be exempted from mandatory nutrition information of any kind.

Amendment 549

Carl Schlyter

Proposal for a regulation

Annex IV – point 16

Text proposed by the Commission

Amendment

- food in packaging or containers the largest surface of which has an area of less than 25 cm²; ***deleted***

Or. en

Justification

Refers to the AM on Article 17, paragraph 2a (new), where this sentence has been added in an Article, and saying that the provision of the related nutrition information via internet shall be mandatory and the information shall be available at the point of purchase.

Amendment 550

Glenis Willmott

Proposal for a regulation

Annex IV – point 16

Text proposed by the Commission

Amendment

- food in packaging or containers the largest surface of which has an area of less than 25 cm²;

- food in packaging or containers the largest surface of which has an area of less than 25 cm²; *the energy content as set out in Article 29(1)(a)(v) shall still be provided in the principal field of vision;*

Or. en

Amendment 551

Struan Stevenson

Proposal for a regulation

Annex IV – point 17 a (new)

Text proposed by the Commission

Amendment

- food items with a seasonal, luxury and

gift design or packaging.

Or. en

Justification

Seasonal confectionary products and products in gift packaging should be exempt from the nutrition declaration requirement.

Amendment 552

János Áder

Proposal for a regulation

Annex V – part B – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. hu

Amendment 553

Jill Evans

Proposal for a regulation

Annex V – part A – paragraph 1 – subparagraph 2

Text proposed by the Commission

However, where the application of the other provisions of this Regulation, in particular those set out in Article 9, would not enable consumers in the Member State of marketing to know the true nature of the food and to distinguish it from foods with which they could confuse it, the name of the food shall be accompanied by other

Amendment

However, where the application of the other provisions of this Regulation, in particular those set out in Article 9, would not enable consumers in the Member State of marketing to know the true nature of the food and to distinguish it from foods with which they could confuse it, the name of the food shall be accompanied by other

descriptive information which shall appear
in proximity to the name of the food.

descriptive information which shall appear
*in the same field of vision adjacent to the
name of the food and be written in a clear
and easily legible font.*

Or. en

Justification

*Descriptive information need to appear in the same field of view as the name, in an easily
legible font, to ensure that the consumer is not misled.*

Amendment 554
Glenis Willmott

Proposal for a regulation
Annex V – part B – paragraph 2 a (new)

Text proposed by the Commission

Amendment

***2a. The name of the food shall indicate
any added ingredients from a different
animal origin to the primary animal, for
meat products that have the appearance
of a cut, joint, slice, portion or carcase
and for fish products.***

Or. en

Justification

*Information on all meat and fish species included in a meat product should be as to not
mislead the consumer.*

Amendment 555
Carl Schlyter

Proposal for a regulation
Annex V – part B – paragraph 2 a (new)

Text proposed by the Commission

Amendment

***2a. The name of the food in the labelling
of any meat product which has the***

appearance of a cut, joint, slice, portion or carcase of meat, or of cured meat shall include an indication of:

(a) any added ingredient of a different animal origin to the rest of the meat; and

(b) any added water in the following circumstances:

- in the case of cooked and uncooked meat, or cooked cured meat, any added water making up more than 5 % of the weight of the product

- in the case of uncooked cured meat, any added water making up more than 10 % of the weight of the product.

Or. en

Justification

It is not unusual to add water or animal ingredients of a different species (such as hydrolysed beef or pork proteins) to meat, e.g. to chicken breast. In order not to mislead the consumers and in order to give them the possibility to avoid such products (e.g. on religious grounds), is essential that such practice is declared.

This provision is already effective law in the UK and shall ensure that the name of the food reflects its true nature so that consumers are accurately informed and not misled e.g. 'chicken breast fillet' versus 'chicken breast fillet with added water'.

To note, the 5% and 10% allowances of added water for the specific meat/fish products mentioned relates to the amount of water technically needed for their manufacture.

Amendment 556

Carl Schlyter

Proposal for a regulation

Annex V – part B – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. The name of the food in the labelling of any fish product which has the appearance of a cut, fillet, slice, or portion of fish shall include an indication of:

(a) any added ingredient of vegetable origin and, of an animal origin other than

*fish; and
(b) any added water making up more than
5 % of the weight of the product.*

Or. en

Justification

It is not unusual to add water or animal ingredients of a different species (such as hydrolysed beef or pork proteins) to meat, e.g. from fish. In order not to mislead the consumers and in order to give them the possibility to avoid such products (e.g. on religious grounds), is essential that such practice is declared.

This provision is already effective law in the UK and shall ensure that the name of the food reflects its true nature so that consumers are accurately informed and not misled e.g. 'chicken breast fillet' versus 'chicken breast fillet with added water'.

To note, the 5% and 10% allowances of added water for the specific meat/fish products mentioned relates to the amount of water technically needed for their manufacture.

Amendment 557
Anja Weisgerber

Proposal for a regulation
Annex V – part C a (new)

Amendment

***PART Ca - OFFICIAL DESIGNATION OF FOODS WHICH GIVE THE IMPRESSION
OF BEING A DIFFERENT FOOD***

<i>No</i>	<i>Divergence in terms of type, quality and composition</i>	<i>Official designation</i>
<i>1.</i>	<i>As compared with cheese, full or partial replacement of milk fat with vegetable fat</i>	<i>Imitation cheese</i>
<i>2.</i>	<i>As compared with ham, altered composition consisting of chopped-up ingredients with a much lower meat content</i>	<i>Imitation ham</i>

Or. de

Justification

Consumers are being disappointed in their expectations by the increasing use of imitation foods containing cheaper substitute ingredients.

Amendment 558**Carl Schlyter****Proposal for a regulation****Annex VI – part B – row 17***Text proposed by the Commission*

Definition of category of food	Designation												
<p>17. Skeletal muscles¹ of mammalian and bird species recognised as fit for human consumption with naturally included or adherent tissue, <i>where the total fat and connective tissue content does not exceed the values indicated below and</i> where the meat constitutes an ingredient of another food. The products covered by the definition of ‘mechanically separated meat’ are excluded from this definition.</p> <p><i>Maximum fat and connective tissue contents for ingredients designated by the term ‘... meat’</i></p> <table><tr><th><i>Species</i></th><th><i>Fat (%)</i></th><th><i>Connective tissue³ (%)</i></th></tr><tr><td><i>Mammals (other than rabbits and porcines) and mixtures of species with mammals predominating</i></td><td><i>25</i></td><td><i>25</i></td></tr><tr><td><i>Porcines</i></td><td><i>30</i></td><td><i>25</i></td></tr><tr><td><i>Birds and rabbits</i></td><td><i>15</i></td><td><i>10</i></td></tr></table>	<i>Species</i>	<i>Fat (%)</i>	<i>Connective tissue³ (%)</i>	<i>Mammals (other than rabbits and porcines) and mixtures of species with mammals predominating</i>	<i>25</i>	<i>25</i>	<i>Porcines</i>	<i>30</i>	<i>25</i>	<i>Birds and rabbits</i>	<i>15</i>	<i>10</i>	‘... meat’ and the name(s) ² of the animal species from which it comes
<i>Species</i>	<i>Fat (%)</i>	<i>Connective tissue³ (%)</i>											
<i>Mammals (other than rabbits and porcines) and mixtures of species with mammals predominating</i>	<i>25</i>	<i>25</i>											
<i>Porcines</i>	<i>30</i>	<i>25</i>											
<i>Birds and rabbits</i>	<i>15</i>	<i>10</i>											
<p><i>If these maximum limits are exceeded, but all other criteria for the definition of ‘meat’ are satisfied, the ‘... meat’ content must be adjusted downwards accordingly and the list of ingredients must mention, in addition to the term ‘... meat’, the presence of fat and/or connective tissue.</i></p>													

¹ The diaphragm and the masseters are part of the skeletal muscles, while the heart, tongue, the muscles of the head (other than the masseters), the muscles of the carpus, the tarsus and the tail are excluded.

² For labelling in English, this designation may be replaced by the generic name of the ingredient for the animal species concerned.

³ The connective tissue content is calculated on the basis of the ratio between collagen content and meat protein content. The collagen content means the hydroxyproline content multiplied by a factor of 8.

Amendment

Definition of category of food	Designation
17. Skeletal muscles ¹ of mammalian and bird species recognised as fit for human consumption with naturally included or adherent tissue, where the meat constitutes an ingredient of another food. The products covered by the definition of ‘mechanically separated meat’ are excluded from this definition.	‘... meat’ and the name(s) ² of the animal species from which it comes, <i>followed by the words ‘of which’ and the share in total fat and connective tissue (in %)</i>

Or. en

Justification

It is unacceptable that animal products consisting of up to 55% of fat and connective tissue can be labelled as ‘meat’. The percentage of fat and connective tissue should therefore always be given in the list of ingredients.

Amendment 559
Hans-Peter Mayer

Proposal for a regulation
Annex VI – part B – row 17 – left column – definition

Text proposed by the Commission

17. Skeletal muscles of mammalian and bird species recognised as fit for human consumption with naturally included or adherent tissue, where the meat constitutes an ingredient of another food. The products covered by the definition of ‘mechanically separated meat’ are excluded from this definition.

Amendment

17. Skeletal muscles of mammalian and bird species recognised as fit for human consumption with naturally included or adherent tissue, where the meat constitutes an ingredient of another food. The products covered by the definition of ‘mechanically separated meat’ are excluded from this definition ***unless they comply with the requirements of Annex III, Section V, Chapter III, Point 3 of Regulation (EC) No 853/2004.***

¹ The diaphragm and the masseters are part of the skeletal muscles, while the heart, tongue, the muscles of the head (other than the masseters), the muscles of the carpus, the tarsus and the tail are excluded.

² For labelling in English, this designation may be replaced by the generic name of the ingredient for the animal species concerned.

Justification

Mechanically separated meat (MSM) produced with the aid of modern technology under low pressure is equivalent in hygienic and visual quality to mince. In various EU countries, the concept of MSM has such negative connotations that the quality product is unsalable. This leads to higher prices for the final consumer in these countries and causes enormous distortions of competition.

Amendment 560**Hans-Peter Mayer****Proposal for a regulation****Annex VI – part B – row 17 – left column – table – last row**

<i>Text proposed by the Commission</i>			<i>Amendment</i>		
Birds and rabbits	15	10	Birds and rabbits	30	25

Or. de

Justification

Die niedrigen Werte für Fett und Bindegewebe (Haut) diskriminieren Geflügelfleisch als Zutat z. B. in Wurstwaren gegenüber Rinder- und Schweinefleisch. Bindegewebe ist beim Herstellen von Wurstwaren zwingend erforderlich, um dem Produkt Festigkeit und Konsistenz zu geben. Ein Anteil von lediglich 10 % schränkt die Herstellung von reinen Geflügelprodukten erheblich ein. Ein Anheben auf 25 % wie bei den andern Tierarten wird den Weg für neue Produkte öffnen, ohne dass der Verbraucher eine Qualitätsminderung befürchten müsste. Für das Herstellen von Geflügelwurstwaren werden häufig die Schenkel verwendet. Hähnchen- oder Putenschenkel mit Haut weisen heute oft einen Fettanteil von über 15 % auf. Bei Geflügelwurst muss dann bei der Deklaration der Inhaltsstoffe Geflügelfleisch und Geflügelfett angegeben werden, während bei Verwendung von magerem Schweinefleisch Fett hinzugefügt werden kann, ohne dass eine Deklaration notwendig ist. Da der Verbraucher zukünftig über die Nährwertangabe über den Fettgehalt des Nahrungsmittels informiert wird, muss hier Chancengleichheit geschaffen werden.

Amendment 561
Hans-Peter Mayer

Proposal for a regulation
Annex VI – part B – row 18 – left column

Text proposed by the Commission

18. All types of products covered by the definition of ‘mechanically separated meat’.

Amendment

18. All types of products covered by the definition of ‘mechanically separated meat’ ***which do not meet the requirements of Annex III, Section V, Chapter III, Point 3 of Regulation (EC) No 853/2004.***

Or. de

Justification

Necessary insertion to make a distinction from the amended Annex VI, Part B, table, row 17, column 1.

Amendment 562
Carl Schlyter

Proposal for a regulation
Annex VI – part B – row 18 – right column

Text proposed by the Commission

‘mechanically separated meat’ and the name(s) ⁽³⁾ of the animal species from which it comes

Amendment

‘mechanically separated meat’ and the name(s) ⁽³⁾ of the animal species from which it comes, ***followed by words 'of which' and the share in total fat and connective tissue (in %)***

Or. en

Justification

See above. The percentage of fat and connective tissue should always be given in the list of ingredients.

Amendment 563
Esther de Lange

Proposal for a regulation
Annex VI – part C – listing – row 9 a (new)

Text proposed by the Commission

Amendment

Enzymes¹

¹*The specific name or EC number shall not be required to be indicated.*

Or. en

Justification

Additives: A number of additives have very long and/or technical names, which do not provide additional information to consumers but occupy considerable space on the label. Therefore it is justified to allow the use of shorter or more generic names.
Enzymes: The actual names of the enzymes are not consumer informative and might be found in various categories. The generic name "enzymes" will adequately inform consumers on the product. This approach is not unique as it is already applied since years for modified starches.

Amendment 564
Horst Schnellhardt

Proposal for a regulation
Annex VI – part C – listing – row 16 a (new)

Text proposed by the Commission

Amendment

Cellulose extract¹

¹*It is not necessary to indicate the specific name or the EC number.*

Or. de

Justification

Nach europäischem Recht muss nicht bei allen in Lebensmitteln genutzten, künstlich hergestellten Stabilisatoren die entsprechende E-Nummer auf der Verpackung genannt werden, sondern nur der generische Name. Da E-Nummern bei Verbrauchern teilweise einen negativen Ruf haben, führt diese Ungleichbehandlung zu Wettbewerbsverzerrungen. Es sollte daher geregelt werden, dass auch alle Celulosederivate ("Celluloseextrakt"), die als Stabilisatoren, Bindemittel und Fett- und Glutenersatz in Lebensmitteln verwendet werden,

mit ihrem generischen Namen aufgeführt werden können.

Amendment 565

Esther de Lange

Proposal for a regulation

Annex VIII – paragraph 1

Text proposed by the Commission

1. The net quantity shall not be mandatory in the case of foods:
(a) which are subject to considerable losses in their volume or mass **and** which are sold by number or weighed in the presence of the purchaser; or
(b) the net quantity of which is less than 5 g or 5 ml; however, this provision shall not apply to spices and herbs.

Amendment

1. The net quantity shall not be mandatory in the case of foods:
(a) which are subject to considerable losses in their volume or mass **or** which are **non pre-packed** sold by number or weighed in the presence of the purchaser; or
(b) the net quantity of which is less than 5 g or 5 ml; however, this provision shall not apply to spices and herbs.
(ba) for which exemptions are laid down in other legal provisions.

Or. en

Justification

Linguistic adjustment which respects the terminology used hitherto in [the German version of] the Labelling Directive, 2000/13/EC („Nettofüllmenge“).

Re point (a): The targeted products are usually presented non pre-packed when sold to the consumer. The wording "or" instead of "and" covers more correctly this product category.

Re point (c): reference is made to Article 2(2) of Directive 2001/111/EC concerning sugars (exemption of products with a net weight of less than 20 g). In paragraph 3, therefore, it should be made clear that such special provisions remain in force.

Amendment 566

Renate Sommer

Proposal for a regulation

Annex VIII – paragraph 1 – point a

Text proposed by the Commission

(a) which are subject to considerable losses

Amendment

(a) which are subject to considerable losses

in their volume or mass **and** which are sold by number or weighed in the presence of the purchaser; or

in their volume or mass **or** which are sold by number or weighed in the presence of the purchaser; or

Or. de

Amendment 567
Horst Schnellhardt

Proposal for a regulation
Annex VIII – paragraph 1

Text proposed by the Commission

1. The net quantity shall not be mandatory in the case of foods:
(a) which are subject to considerable losses in their volume or mass and which are sold by number or weighed in the presence of the purchaser; or

(b) the net quantity of which is less than 5 g or 5 ml; however, this provision shall not apply to spices and herbs.

Amendment

1. The net quantity shall not be mandatory in the case of foods:
(a) which are subject to considerable losses in their volume or mass and which are sold by number or weighed in the presence of the purchaser; or

(b) the net quantity of which is less than 5 g or 5 ml; however, this provision shall not apply to spices and herbs; **or**
(ba) the net quantity of which is less than 50 g for confectionery, chocolate and other cocoa-based products, products based on almonds or nuts or other oilseeds; or
(bb) the net quantity of which is less than 100 g for biscuits, cakes and other fine bakery ware;
without prejudice to specific Community legislation.

Or. de

Justification

Currently, a number of countries provide national derogations from the indication of the net quantity (e.g. France, Germany, Ireland, UK). If these are no longer possible, the Annex needs to stipulate a net quantity of 50 g and 100 g as the lowest common denominator.

Amendment 568

Carl Schlyter

Proposal for a regulation

Annex VIII – paragraph 5 – subparagraph 1

Text proposed by the Commission

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

Amendment

5. Where a solid food is presented in a liquid medium, the drained net weight of the food shall also be indicated. ***The price per kilogram referring to the respective food shall be based solely on the drained net weight.***

Or. en

Justification

Provision in order not to mislead the consumers with regard to the labelled price.

Amendment 569

Esther de Lange

Proposal for a regulation

Annex XI – part A – paragraph 2

Text proposed by the Commission

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

Amendment

As a rule,

***- 15 % of RDA per 100g or serving for solids, or
- 7,5 % of RDA per 100ml or serving for liquids or
- 5 % of RDA per 100kcal (12 % of RDA 1 MJ), or
- an amount provided for by derogations granted in accordance with Article 6 of Regulation (EC) No 1925/2006 of the European Parliament and of the Council***

of 20 December 2006 on the addition of vitamins and minerals and of certain other substances to foods, or

- per package if the package contains only a single portion should be taken into consideration in deciding what constitutes a significant amount.

Or. en

Justification

The current proposal for significant amount of 15% of the RDA per 100g or 100ml is an arbitrary level that excludes most of the basic foodstuffs like fruits, vegetables, potatoes, bread and milk from declaring certain vitamins and minerals on the label. These basic food groups are a major contributor to the vitamin and mineral intake, and are recommended in dietary guidelines in EU countries. The current proposal favours non-basic food stuffs with added vitamins and minerals over basic food groups with naturally present vitamins and minerals.

In addition, the proposal penalises liquid foods with a low content of dry matter and a low energy density. This is especially the case for beverages such as consumption milk and liquid milk products. Finally, this amendment will bring the provisions in line with the Codex Alimentarius.

Amendment 570 **Renate Sommer**

Proposal for a regulation **Annex XI – part B**

Text proposed by the Commission

PART B – REFERENCE INTAKES FOR ENERGY AND SELECTED NUTRIENTS OTHER THAN VITAMINS AND MINERALS (ADULTS)

Amendment

PART B – REFERENCE **DAILY** INTAKES FOR ENERGY AND SELECTED NUTRIENTS OTHER THAN VITAMINS AND MINERALS (ADULTS)

Energy or nutrient	Reference Intake	Energy or nutrient	Reference Intake
Energy	8400 kJ (2000 kcal)	Energy	2000 kcal
		Protein	80 g
Total fat	70 g	Total fat	70 g
Saturates	20 g	Saturates	20 g
Carbohydrate	230 g	Carbohydrate	230 g

Sugars	90 g	Sugars	90 g
Salt	6 g	Sodium	2.4 g

Or. de

Justification

Given that it constitutes an essential nutrient, which also contributes to energy intake, protein must also be indicated. A separate indication for sugars is not relevant, as total carbohydrates are indicated. The energy content should be indicated only in kilo-calories, as this is the information which consumers understand and may use.

Amendment 571

Anna Rosbach

Proposal for a regulation

Annex XI – part B – table – row 6 a (new)

Text proposed by the Commission

Amendment

Added sugar¹ **45 g**

¹*If refined sugars have been added to a food the content and percent of reference values thereof shall also be specified.*

Or. en

Justification

The 45 grams of added sugar was proposed by EFSA.

Amendment 572

Elena Oana Antonescu

Proposal for a regulation

Annex XI – part B – rows 4 a, b, c, d (new)

<i>Text proposed by the Commission</i>		<i>Amendment</i>	
Energy or nutrient	Reference Intake	Energy or nutrient	Reference Intake
Energy	8400 kJ	Energy	8400 kJ

	(2000 kcal)		(2000 kcal)
Total fat	70 g	Total fat	70 g
Saturates	20 g	Saturates	20 g
		<i>Monosaturated fatty acids</i>	34 g
		<i>Polysaturated fatty acids</i>	16 g
		<i>Omega-6 fatty acids</i>	14 g
		<i>Omega-3 fatty acids</i>	2.2 g
Carbohydrate	230 g	Carbohydrate	230 g
Sugars	90 g	Sugars	90 g
Salt	6 g	Salt	6 g

Or. ro

Justification

The list of nutrients should be more exhaustive, as some types of fats are beneficial to health, and consumers can choose among products on the basis of this information.

Amendment 573

Carl Schlyter

Proposal for a regulation

Annex XI – part B

<i>Text proposed by the Commission</i>		<i>Amendment</i>	
Energy or nutrient	Reference Intake	Energy or nutrient	Reference Intake¹
Energy	8400 kJ (2000 kcal)	Energy	
Total fat	70 g	Total fat	
Saturates	20 g	Saturates	
Carbohydrate	230 g	Carbohydrate	
Sugars	90 g	Sugars	
Salt	6 g	Salt	
		¹ <i>Values to be established in reference to Article 31(3a)</i>	

Or. en

Justification

The values currently foreseen in Annex XI differ from recommendations such as the ones from the UK Food Standards Agency or from WHO. The latest EFSA opinion on Dietary Reference Values (5 August 2009) comes to the conclusion that no recommendations for sugars can be given due to the insufficient data available. It is therefore reasonable to further weigh scientific findings before establishing reference values that are not generally accepted.

Linked to AM on Article 31, paragraph 3a (new)

Amendment 574

Anja Weisgerber, Thomas Ulmer

Proposal for a regulation

Annex XIII – part C a (new)

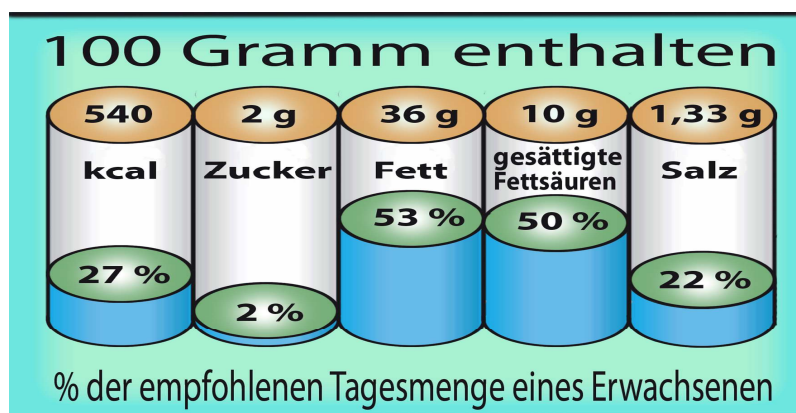
Text proposed by the Commission

Amendment

Part Ca - Graphic representation of the nutrition declaration

If the die nutrition declaration is also represented graphically, it may also, in addition to other graphic depictions, be shown in one of the following forms:

Cylinder model



***100 g contains:
kcal / sugars / fat / saturates / salt
percentage of the recommended daily intake of an adult***

1 plus 4 model

Variant 1



per portion (portion = 50 g)
energy / sugars / fat / saturates / salt
guide values as % of daily intake

Variant 2



per portion (portion = 50 g)
energy / sugars / fat / saturates / salt
guide values as % of daily intake

Or. de

Justification

This amendment should be read in conjunction with the amendment tabled by the same Member to Article 33(1). A graphic representation can substantially improve consumer comprehension of nutrition labelling.

Amendment 575
Carl Schlyter

Proposal for a regulation
Annex XIII a (new)

Text proposed by the Commission

Amendment

ANNEX XIIIa
CATEGORIES OF FOOD
As referred to in Article 34(1b)

For food falling under the following categories of food, the presentation through a multiple colour coding system is compulsory.

- Ready to eat meals*
- Prepared products of animal origin*
- Pre-packaged snacks*
- Breakfast cereals*
- Drinks except fruit juices as defined in Council Directive 2001/112/EC of 20 December 2001.*

Or. en