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2009 - 2014

Committee on the Environment, Public Health and Food Safety

23.3.2011

2008/0028(COD)

AMENDMENTS 108 - 402

Draft recommendation for second reading

Renate Sommer

(PE460.612v01-00)

on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on the proposal for the provision of food information to consumers

Council position

(17602/1/2010 – C7-0060/2011 – 2008/0028(COD))

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EN

United in diversity

EN

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Amendment 108
Giommaria Uggias

Proposal for a regulation
Recital 15

Council position

(15) Union rules *should* apply only to undertakings, *the concept of which implies a certain continuity of activities and a certain degree of organisation*. Operations such as the occasional handling, serving and selling of food by private persons *at events such as* charity events, or local community fairs and meetings, *should* not fall within the scope of this Regulation.

Amendment

(15) Union rules *must* apply only to undertakings, *i.e. entities* which *engage in gainful economic activities on a continuous and organised basis*. Operations such as the occasional handling *and delivery of food, the serving of meals* and *the* selling of food by private persons, *for example* at charity events or local community fairs and meetings, *and the sale of food in the various forms of direct marketing by farmers, must* not fall within the scope of this Regulation.

Or. it

Amendment 109
Theodoros Skylakakis

Proposal for a regulation
Recital 15 a (new)

Council position

(15a) In order to avoid overburdening in particular SMEs in the traditional food production sector and the food retail trade, including small and medium-sized enterprises which provide mass catering services, non-packaged products sold to the public by SMEs should be excluded from the labelling requirements.

Amendment

Or. el

Amendment 110
Christofer Fjellner

Proposal for a regulation
Recital 24

Council position

(24) When used in the production of foods and still present therein, certain ingredients or other substances or products (such as processing aids) **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 or products which may cause allergies or intolerances 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 therein, certain ingredients or other substances or products (such as processing aids) **can** cause allergies or intolerances in **some people**, and some of those allergies or intolerances constitute a danger to the health of those concerned. It is important, **therefore**, that information on the presence of food additives, processing aids and other substances **with scientifically proven allergenic effect** or products which may cause allergies or intolerances 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 111
Kartika Tamara Liotard

Proposal for a regulation
Recital 27

Council position

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

Amendment

(27) With a view to providing consumers with food information that is necessary to make an informed choice, information should also be provided on the ingredients of alcoholic beverages.

Justification

Reinstating Parliament's first reading position.

Amendment 112

Åsa Westlund, Christel Schaldemose, Dan Jørgensen

Proposal for a regulation

Recital 27 a (new)

Council position

Amendment

(27a) In accordance with the resolution of the European Parliament, the opinion of the European Economic and Social Committee¹, the work of the Commission, and the general public concern about alcohol-related harm especially to young and vulnerable consumers, the Commission together with the Member States should establish a definition for beverages such as 'alcopops' specifically targeted at young people. Due to their alcoholic nature, they should have stricter labelling requirements, and be clearly separated from soft drinks in shops.

¹ OJ C 77, 31.3.2009, p. 81.

Justification

Amendment 21 first reading

Amendment 113

Kartika Tamara Liotard

Proposal for a regulation

Recital 28

Council position

Amendment

(28) It is also important to provide

(28) It is also important to provide

consumers with information on *the other* alcoholic beverages. Specific Union rules already exist on the labelling of wine. Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)¹² lays down rules that ensure that consumers are protected and properly informed. Therefore, it is appropriate to exempt wine at this stage from the obligation to list ingredients and to provide for a nutrition declaration. Similarly, consumer protection in relation to certain alcoholic beverages is ensured through Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails¹³ and through 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 drinks¹⁴. Therefore, the same exemption should apply to the beverages covered by those two Regulations.

consumers with information on alcoholic beverages. Specific Union rules already exist on the labelling of wine. Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)¹² lays down rules that ensure that consumers are protected and properly informed. Therefore, it is appropriate to exempt wine at this stage from the obligation to list ingredients and to provide for a nutrition declaration. Similarly, consumer protection in relation to certain alcoholic beverages is ensured through Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails¹³ and through 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 drinks¹⁴. Therefore, the same exemption should apply to the beverages covered by those two Regulations.

Or. en

Justification

Reinstating Parliament's first reading position.

Amendment 114
Kartika Tamara Liotard

Proposal for a regulation
Recital 29

Council position

(29) It is necessary to treat in the same way beverages comparable to wine,

Amendment

deleted

aromatised wines, aromatised wine-based drinks, aromatised wine-product cocktails and spirit drinks, and to ensure the application of the same food information law requirements to those beverages. Therefore, the exemption from the obligation to list the ingredients and to provide for a nutrition declaration should also apply to beverages containing more than 1,2 % by volume of alcohol obtained from fermentation of fruit or vegetables, mead and all types of beer.

Or. en

Amendment 115

Glenis Willmott, Carl Schlyter, Antonyia Parvanova, Michèle Rivasi, Åsa Westlund

Proposal for a regulation

Recital 30

Council position

(30) However, the Commission should produce a report within five years of the entry into force of this Regulation on whether *some* categories of beverages should be exempted, in particular, from providing the information on the energy value, and stating the reasons justifying possible exemptions, taking into account the need to ensure coherence with other relevant Union policies. The Commission *may* also propose, if *necessary*, specific requirements in the context of this Regulation.

Amendment

(30) However, the Commission should produce a report within five years of the entry into force of this Regulation on whether *any* categories of *alcoholic* beverages should be exempted, in particular, from providing the information on the energy value, and stating the reasons justifying possible exemptions, taking into account the need to ensure coherence with other relevant Union policies. The Commission *should* also propose, if *appropriate*, specific requirements in the context of this Regulation.

Or. en

Amendment 116

Struan Stevenson

Proposal for a regulation

Recital 30

Council position

(30) However, the Commission should produce a report within five years of the entry into force of this Regulation on whether ***some categories of*** beverages should be exempted, in particular, from providing the information on the energy value, and stating the reasons justifying possible exemptions, taking into account the need to ensure coherence with other relevant Union policies. The Commission may also propose, if necessary, specific requirements in the context of this Regulation.

Amendment

(30) However, the Commission should produce a report within five years of the entry into force of this Regulation on whether ***alcoholic*** beverages should be exempted, in particular, from providing the information on the energy value, and stating the reasons justifying possible exemptions, taking into account the need to ensure coherence with other relevant Union policies. The Commission may also propose, if necessary, specific requirements in the context of this Regulation.

Or. en

Justification

There is no justification for treating categories of alcoholic beverages differently, whether for the purpose of ingredient and nutrition labelling, or energy labelling. All aspects are to be considered in the Commission's report within 5 years of the entry into force of the new Regulation. While the Council's proposed introduction of the potential for different treatment is new, Parliament's first reading agreed there should be no discrimination between categories of alcoholic beverage.

Amendment 117

Oreste Rossi

Proposal for a regulation

Recital 31

Council position

(31) 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 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 industry and

Amendment

(31) The indication of the country of origin or of the place of provenance of a food should be provided ***as a mandatory requirement under Article 25*** whenever its absence is likely to mislead consumers as to the true country of origin or place of provenance of that product. 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

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.

defined criteria which ensure a level playing field for industry and improve consumers' understanding of the information related to the country of origin or place of provenance of a food. Such criteria **must** not apply to indications related to the name or address of the food business operator.

Or. it

Justification

See Amendment 309 in Parliament's position at first reading.

Amendment 118

Åsa Westlund, Christel Schaldemose, Dan Jørgensen

Proposal for a regulation

Recital 31

Council position

(31) 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 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 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

(31) The indication of the country of origin or of the place of provenance of a food should be provided **on a mandatory basis in accordance with Article 9(1)(i) and** whenever its absence is likely to mislead consumers as to the true country of origin or place of provenance of that product. 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 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

Amendment 309 first reading.

Amendment 119
Oreste Rossi

Proposal for a regulation
Recital 32

Council position

Amendment

(32) In some cases, food business operators may want to indicate the origin of a food on a voluntary basis to draw consumers' attention to the qualities of their product. Such indications should also comply with harmonised criteria.

deleted

Or. it

Amendment 120
Marianne Thyssen

Proposal for a regulation
Recital 33

Council position

Amendment

(33) The indication of origin is currently mandatory for beef and beef products in the Union following the bovine spongiform encephalopathy crisis and it has created consumer expectations. The impact assessment of the Commission confirms that the origin of meat appears to be consumers' prime concern. There are other meats widely consumed in the European Union, such as swine, sheep, goats and poultry. It is therefore appropriate to impose the mandatory declaration of origin for those products. The specific origin requirements could differ from one type of meat to another according to the characteristics of the animal species. It is appropriate to provide for the establishment through implementing rules of mandatory requirements that could vary from one type of meat to another taking into

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account the principle of proportionality and the administrative burden for food business operators and enforcement authorities.

¹⁵ *Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products (OJ L 204, 11.8.2000, p. 1).*

Or. nl

Justification

Care must be taken to ensure that compulsory origin and provenance labelling of meat from pigs, sheep, goats and poultry cannot be interpreted as quality labelling. In whichever Member State it may have been produced, food must be of high quality throughout the EU. Mandatory origin labelling will add to businesses' administrative burdens.

Amendment 121

Glenis Willmott, Åsa Westlund, Kartika Tamara Liotard

Proposal for a regulation

Recital 33

Council position

(33) The indication of origin is currently mandatory for beef and beef products¹⁵ in the Union following the bovine spongiform encephalopathy crisis and it has created consumer expectations. The impact assessment of the Commission confirms that the origin of meat appears to be consumers' prime concern. There are other meats widely consumed in the Union, such as swine, sheep, goats and poultry. It is therefore appropriate to impose a mandatory declaration of origin for those products. The specific origin requirements could differ from one type of meat to another according to the characteristics of the animal species. It is appropriate to

Amendment

(33) The indication of origin is currently mandatory for beef and beef products¹⁵ in the Union following the bovine spongiform encephalopathy crisis and it has created consumer expectations. The impact assessment of the Commission confirms that the origin of meat appears to be consumers' prime concern. There are other meats widely consumed in the Union, such as swine, sheep, goats and poultry. It is therefore appropriate to impose a mandatory declaration of origin for those products, **and for those products when used in processed foods**. The specific origin requirements could differ from one type of meat to another according to the

provide for the establishment through implementing rules of mandatory requirements that could vary from one type of meat to another taking into account the principle of proportionality and the administrative burden for food business operators and enforcement authorities.

characteristics of the animal species. It is appropriate to provide for the establishment through implementing rules of mandatory requirements that could vary from one type of meat to another taking into account the principle of proportionality and the administrative burden for food business operators and enforcement authorities.

Or. en

Justification

It is important that consumers know where meat comes from, including when meat is used in processed foods. Otherwise it can be very misleading for consumers who might assume that because the processed product originates from a certain place the meat must originate from the same place, when this may not be the case at all. Many consumers are very conscious of animal welfare and of the environmental impact of transporting meat long distances and therefore this information must be available.

Amendment 122 **Oreste Rossi**

Proposal for a regulation **Recital 33**

Council position

(33) The indication of origin is currently mandatory for beef and beef products in the Union following the bovine spongiform encephalopathy crisis and it has created consumer expectations. The impact assessment of the Commission confirms that the origin of meat appears to be consumers' prime concern. There are other meats widely consumed in the Union, such as swine, sheep, goats and poultry. It is therefore appropriate to impose a mandatory declaration of origin for those products. ***The specific origin requirements could differ from one type of meat to another according to the characteristics of the animal species.*** It is appropriate to provide for the establishment through implementing rules of mandatory

Amendment

(33) The indication of origin is currently mandatory for beef and beef products in the Union following the bovine spongiform encephalopathy crisis and it has created consumer expectations. The impact assessment of the Commission confirms that the origin of meat appears to be consumers' prime concern. There are other meats widely consumed in the Union, such as swine, sheep, goats and poultry. It is therefore appropriate to impose a mandatory declaration of origin for those products. It is appropriate to provide for the establishment through implementing rules of mandatory requirements.

requirements *that could vary from one type of meat to another taking into account the principle of proportionality and the administrative burden for food business operators and enforcement authorities.*

Or. it

Amendment 123

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Recital 33

Council position

(33) The indication of origin is currently mandatory for beef and beef products¹⁵ in the Union following the bovine spongiform encephalopathy crisis and it has created consumer expectations. The impact assessment of the Commission confirms that the origin of meat appears to be consumers' prime concern. There are other meats widely consumed in the Union, such as swine, sheep, goats and poultry. It is therefore appropriate to impose a mandatory declaration of origin for those products. The specific origin requirements could differ from one type of meat to another according to the characteristics of the animal species. It is appropriate to provide for the establishment through implementing rules of mandatory requirements that could vary from one type of meat to another taking into account the principle of proportionality and the administrative burden for food business operators and enforcement authorities.

Amendment

(33) The indication of origin is currently mandatory for beef and beef products¹⁵ in the Union following the bovine spongiform encephalopathy crisis and it has created consumer expectations. The impact assessment of the Commission confirms that the origin of meat appears to be consumers' prime concern. There are other meats widely consumed in the Union, such as swine, sheep, goats and poultry. It is therefore appropriate to impose a mandatory declaration of origin for those products, ***and for those products when used in processed foods. For meat and poultry, the country 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.*** The specific origin requirements could differ from one type of meat to another according to the characteristics of the animal species. It is appropriate to provide for the establishment through implementing rules of mandatory requirements that could vary from one type of meat to another taking

into account the principle of proportionality and the administrative burden for food business operators and enforcement authorities.

Or. en

Justification

EP first reading position.

Amendment 124
Françoise Grossetête, Frédérique Ries

Proposal for a regulation
Recital 33 a (new)

Council position

Amendment

33a. Consumers also have high expectations concerning information on the origin of the principle components of foodstuffs, especially where these consist of a single ingredient and in the case of ingredients comprising the most weighty part of the final foodstuff. It should therefore be compulsory to give a declaration of origin for an ingredient accounting for 50% or more of the total weight of a manufactured foodstuff.

The specific requirements regarding the indication of origin may, however, vary between different types of ingredients, depending on their characteristics and what they are used for. Implementing measures should be drawn up which take into account the proportionality principle and the administrative burden falling to food business operators and the authorities responsible for applying the legislation.

Or. fr

Amendment 125
Marianne Thyssen

Proposal for a regulation
Recital 34

Council position

Amendment

(34) Mandatory origin provisions have been developed on the basis of vertical approaches for instance for honey; fruits and vegetables; fish; beef and beef products and olive oil. There is a need to explore the possibility to extend mandatory origin labelling for other foodstuffs. It is therefore appropriate to request the Commission to prepare reports covering the following foodstuffs: types of meat other than beef, swine, sheep, goat and poultry meat; milk; milk used as an ingredient in dairy products; meat used as an ingredient; unprocessed foods; single-ingredient products; and ingredients that represent more than 50 % of a food. Milk being one of the products for which an indication of origin is considered of particular interest, the Commission report on this product should be made available as soon as possible. Based on the conclusions of such reports, the Commission may submit proposals to modify the relevant Union provisions or may take new initiatives, where appropriate, on a sectoral basis.

deleted

²⁰. *Commission Regulation (EC) No 1019/2002 of 13 June 2002 on marketing standards for olive oil (OJ L 155, 14.6.2002, p. 27).*

Or. nl

Justification

Care must be taken to ensure that compulsory origin and provenance labelling of meat from pigs, sheep, goats and poultry is not interpreted as quality labelling. The same applies to

milk, milk in dairy products and unprocessed foods. In whichever Member State it may have been produced, food must be of high quality throughout the EU. Mandatory origin labelling will add to businesses' administrative burdens.

Amendment 126

Oreste Rossi

Proposal for a regulation

Recital 34

Council position

(34) Mandatory origin provisions have been developed on the basis of vertical approaches for instance for honey, fruits and vegetables, fish, beef and beef products and olive oil. There is a need to ***explore the possibility to*** extend mandatory origin labelling for other foodstuffs. ***It is therefore appropriate to request the Commission to prepare reports covering the following foodstuffs:*** types of meat other than beef, ***swine, sheep, goat and poultry meat***; milk; milk used as an ingredient in dairy products; meat used as an ingredient; unprocessed foods; single ingredient products; ***and ingredients that represent more than 50 % of a food***. Milk being one of the products for which an indication of origin is considered of particular interest, the Commission report on this product should be made available as soon as possible. Based on the conclusions of such reports, the Commission may submit proposals to modify the relevant Union provisions or may take new initiatives, where appropriate, on a sectoral basis.

Amendment

(34) Mandatory origin provisions have been developed on the basis of vertical approaches for instance for honey, fruits and vegetables, fish, beef and beef products and olive oil. There is a need to extend mandatory origin labelling for other foodstuffs, ***such as:*** types of meat other than beef; milk; milk used as an ingredient in dairy products; meat used as an ingredient; unprocessed foods; ***and*** single ingredient products. Milk being one of the products for which an indication of origin is considered of particular interest, the Commission report on this product should be made available as soon as possible. Based on the conclusions of such reports, the Commission may submit proposals to modify the relevant Union provisions or may take new initiatives, where appropriate, on a sectoral basis.

Or. it

Amendment 127

Françoise Grossetête, Frédérique Ries

Proposal for a regulation

Recital 34

Council position

(34) Mandatory origin provisions have been developed on the basis of vertical approaches for instance for honey¹⁶, fruits and vegetables¹⁷, fish¹⁸, beef and beef products¹⁹ and olive oil²⁰. There is a need to explore the possibility to extend mandatory origin labelling for other foodstuffs. It is therefore appropriate to request the Commission to prepare a reports covering the following foodstuffs: types of meat other than beef, swine, sheep, goat and poultry meat; milk, milk used as an ingredient in dairy products; meat used as an ingredient; unprocessed foodstuffs **and ingredients that represent more than 50 % of a food**. Milk being one of the products for which an indication of origin is considered of particular interest, the Commission report on this product should be made available as soon as possible. Based on the conclusions of such reports, the Commission may submit proposals to modify the relevant Union provisions or may take new initiatives, where appropriate, on a sectoral basis.

Amendment

(34) Mandatory origin provisions have been developed on the basis of vertical approaches for instance for honey¹⁶, fruits and vegetables¹⁷, fish¹⁸, beef and beef products¹⁹ and olive oil²⁰. There is a need to explore the possibility to extend mandatory origin labelling for other foodstuffs. It is therefore appropriate to request the Commission to prepare a reports covering the following foodstuffs: types of meat other than beef, swine, sheep, goat and poultry meat; milk, milk used as an ingredient in dairy products; meat used as an ingredient **and** unprocessed foodstuffs. Milk being one of the products for which an indication of origin is considered of particular interest, the Commission report on this product should be made available as soon as possible. Based on the conclusions of such reports, the Commission may submit proposals to modify the relevant Union provisions or may take new initiatives, where appropriate, on a sectoral basis.

Or. fr

Amendment 128
Giommaria Uggias

Proposal for a regulation
Recital 34

Council position

(34) Mandatory origin provisions have been developed on the basis of vertical approaches for instance for honey, fruits and vegetables, fish, beef and beef products and olive oil. There is a need to explore the possibility to extend mandatory origin labelling for other foodstuffs. **It is**

Amendment

(34) Mandatory origin provisions have been developed on the basis of vertical approaches for instance for honey, fruits and vegetables, fish, beef and beef products and olive oil. There is a need to explore the possibility to extend mandatory origin labelling for other foodstuffs.

therefore appropriate to request the Commission to prepare reports covering the following foodstuffs: types of meat other than beef, swine, sheep, goat and poultry meat; milk; milk used as an ingredient in dairy products; meat used as an ingredient; unprocessed foods; single ingredient products; and ingredients that represent more than 50 % of a food. Milk being one of the products for which an indication of origin is considered of particular interest, the Commission report on this product should be made available as soon as possible. Based on the conclusions of such reports, the Commission may submit proposals to modify the relevant Union provisions or may take new initiatives, where appropriate, on a sectoral basis.

Accordingly, with a view to protecting consumers, the origin provisions must be mandatory for the following foodstuffs: types of meat other than beef, swine, sheep, goat and poultry meat; milk; milk used as an ingredient in dairy products; meat used as an ingredient; unprocessed foods; single ingredient products; and ingredients that represent more than 50 % of a food. Milk being one of the products for which an indication of origin is considered of particular interest, the Commission report on this product should be made available as soon as possible. Based on the conclusions of such reports, the Commission may submit proposals to modify the relevant Union provisions or may take new initiatives, where appropriate, on a sectoral basis.

Or. it

Amendment 129

Oreste Rossi

Proposal for a regulation

Recital 35

Council position

(35) The Union'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 those rules, which are well known to food business operators and administrations and should ease their implementation.

Amendment

deleted

¹ OJ L 302, 19.10.1992, p. 1.

² OJ L 253, 11.10.1993, p. 1.

Or. it

Amendment 130
Kartika Tamara Liotard

Proposal for a regulation
Recital 42

Council position

(42) 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 nutrition information provided should be simple and easily understood. *To have the nutrition information partly on the ‘front of pack’ and partly the ‘back of pack’ might confuse consumers.* Therefore, *the nutrition declaration should be in the same field of vision. In addition, on a voluntary basis, some of the information may be repeated for example on the ‘front of pack’. A free choice as to the information that could be repeated might confuse consumers. Therefore it is necessary to clarify which information may be repeated to ensure that consumers can readily see the essential nutrition information when purchasing foods.*

Amendment

(42) 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 nutrition 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 pack’.*

Or. en

Amendment 131
Glenis Willmott, Carl Schlyter, Kartika Tamara Liotard, Michèle Rivasi, Jill Evans

Proposal for a regulation
Recital 42

Council position

(42) 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 nutrition information provided should be simple and easily understood. *To have* the nutrition information *partly* on the ‘front of pack’ *and partly the ‘back of pack’ might confuse consumers. Therefore,* the nutrition *declaration should be in the same field of vision. In addition, on a voluntary basis, some of the information may be repeated for example* on the ‘front of pack’. *A free choice as to the information that could be repeated might confuse consumers. Therefore it is necessary to clarify which information may be repeated to* ensure that consumers can readily see the essential nutrition information when purchasing foods.

Amendment

(42) 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 nutrition information provided should be simple and easily understood. ***The most important elements of*** the nutrition information ***should be placed*** on the ‘front of pack’, ***with*** the ***complete*** nutrition information ***placed*** on the ‘back of pack’. ***This will*** ensure that consumers can readily see the essential nutrition information when purchasing foods.

Or. en

Justification

In order for consumers to easily compare similar products and to make informed decision about healthier choices, the most important information must be labelled clearly on the front of the product.

Amendment 132

Kartika Tamara Liotard

Proposal for a regulation

Recital 43

Council position

(43) In order to encourage food business operators to provide on a voluntary basis the information contained in the nutrition declaration for ***foods like alcoholic beverages and*** non-prepacked foods that may be exempted from the nutrition

Amendment

(43) In order to encourage food business operators to provide on a voluntary basis the information contained in the nutrition declaration, ***e.g.*** for non-prepacked foods that may be exempted from the nutrition declaration, the possibility should be given

declaration, the possibility should be given to only declare limited elements of the nutrition declaration. It is nevertheless appropriate to clearly establish the information that may be provided on a voluntary basis in order to avoid misleading the consumer by the free choice of the food business operator.

to only declare limited elements of the nutrition declaration. It is nevertheless appropriate to clearly establish the information that may be provided on a voluntary basis in order to avoid misleading the consumer by the free choice of the food business operator.

Or. en

Amendment 133
Kartika Tamara Liotard

Proposal for a regulation
Recital 44

Council position

(44) There have been recent developments in the expression of the nutrition declaration, other than per 100 g/100 ml/portion, or in its presentation, through the use of graphical forms or symbols, by some Member States and organisations in the food sector. Such additional forms of expression and presentation may help consumers to better understand the nutrition declaration. ***However, there is insufficient evidence across all the Union on how the average consumer understands and uses the alternative forms of expression or presentation of the information. Therefore, it is appropriate to allow for different forms of expression and presentation to be developed on the basis of criteria established in this Regulation and to invite the Commission to prepare a report regarding the use of those forms of expression and presentation, their effect on the internal market and the advisability of further harmonisation.***

Amendment

(44) There have been recent developments in the expression of the nutrition declaration, other than per 100 g/100 ml/portion, or in its presentation, through the use of graphical forms or symbols, by some Member States and organisations in the food sector. Such additional forms of expression and presentation may help consumers to better understand the nutrition declaration. ***The available evidence across has proven that a simplified labelling scheme which compromises multiple colour coding for easier and quicker interpretation of nutrition information is the best and preferred option for costumers.***

Or. en

Justification

See justification of amendment to article 33 (3)

Amendment 134

Theodoros Skylakakis

Proposal for a regulation

Recital 50

Council position

(50) As regards the matters specifically harmonised by this Regulation, Member States should not be able to adopt national provisions unless authorised by Union law. This Regulation should not prevent Member States from adopting national provisions concerning matters not specifically harmonised herein.

Amendment

(50) As regards the matters specifically harmonised by this Regulation, Member States should not be able to adopt national provisions unless authorised by Union law. This Regulation should not prevent Member States from adopting national provisions concerning matters not specifically harmonised herein, ***providing Member States demonstrate why such measures are necessary and set out the steps they will take to ensure that they are applied in the manner which least restricts trade.***

Or. el

Amendment 135

Renate Sommer

Proposal for a regulation

Recital 58

Council position

(58) The ***Commission should be empowered*** to adopt delegated acts in accordance with Article 290 TFEU in respect of, inter alia, the availability of certain mandatory particulars by means other than on the package or on the label, the list of foods not required to bear a list of ingredients, the re-examination of the list of substances or products causing allergies or intolerances, or the list of nutrients that may be declared on a

Amendment

(58) The ***power*** to adopt delegated acts in accordance with Article 290 TFEU ***should be delegated to the Commission*** in respect of, inter alia, the availability of certain mandatory particulars by means other than on the package or on the label, the list of foods not required to bear a list of ingredients, the re-examination of the list of substances or products causing allergies or intolerances, or the list of nutrients that may be declared on a voluntary basis. It is

voluntary basis. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level.

of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. ***The Commission, when preparing and drawing up delegated acts, should ensure simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.***

Or. en

Amendment 136
Renate Sommer

Proposal for a regulation
Recital 59

Council position

(59) In order to ensure uniform conditions for ***implementing*** this Regulation, the Commission ***should be empowered to adopt implementing rules*** in relation to, inter alia, the modalities of expression of one or more particulars by means of pictograms or symbols instead of words or numbers, the contrast between the print and the background, the manner of indicating the date of minimum durability, the manner of indicating the country of origin or place of provenance for meat, the precision of the declared values for the nutrition declaration, or the expression per portion or per consumption unit of the nutrition declaration. ***In accordance with Article 291 TFEU, rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers shall be laid down in advance by a regulation adopted in accordance with the ordinary legislative procedure. Pending the adoption of that new regulation, Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the***

Amendment

(59) In order to ensure uniform conditions for ***the implementation of*** this Regulation, ***implementing powers should be conferred on*** the Commission in relation to, inter alia, the modalities of expression of one or more particulars by means of pictograms or symbols instead of words or numbers, the contrast between the print and the background, the manner of indicating the date of minimum durability, the manner of indicating the country of origin or place of provenance for meat, the precision of the declared values for the nutrition declaration, or the expression per portion or per consumption unit of the nutrition declaration. ***Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers¹.***

exercise of implementing powers conferred on the Commission²⁶ continues to apply, with the exception of the regulatory procedure with scrutiny, which is not applicable,

Or. en

Amendment 137
Renate Sommer

Proposal for a regulation
Article 1 – paragraph 3

Council position

3. This Regulation ***shall apply to food business operators at*** all stages of the food chain, where ***their activities concern*** the provision of food information to ***consumers***. It shall apply to all foods intended for the final consumer, ***including foods delivered by mass caterers***, and foods intended for supply to mass caterers.

Amendment

3. This Regulation ***applies*** to all stages of the food chain, where the provision of food information to ***the final consumer is concerned***. It shall apply to all ***prepacked*** foods intended for ***delivery to*** the final consumer and foods intended for supply to mass caterers.

Without prejudice to Article 42, this Regulation shall not apply to foods which are packaged directly at the place of sale before delivery to the final consumer for immediate consumption.

Catering services provided by transport undertakings shall fall within the scope of this Regulation only if they are provided on routes between two points within Union territory.

Or. en

Amendment 138
Renate Sommer

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

Council position

Amendment

(ea) ‘Handcrafted food’ means any processed food the production of which is based on traditional methods and involves at least one processing stage that is carried out by hand or using hand tools and related unique techniques. In order to fall within this definition, a minimum of 50 % of employees involved in such production have to possess an appropriate qualification as defined in Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications.

Or. en

Amendment 139

Oreste Rossi

Proposal for a regulation

Article 2 – paragraph 2 – point g

Council position

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 Regulation (EEC) No 2913/92;

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

Or. it

Justification

See Amendment 50 in Parliament’s position at first reading.

Amendment 140

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 2 – paragraph 2 – point g

Council position

(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 Regulation (EEC) No 2913/92;

Amendment

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

Or. en

Justification

This provision prevents products from being sold as originating in the country where they 'underwent their last, substantial economically justified processing' (such as adding dressing to a product).

Amendment 141

Andres Perello Rodriguez

Proposal for a regulation

Article 2 – paragraph 2 – point k

Council position

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

Amendment

(k) 'field of vision' means all the surfaces of a package that can be read from a single viewing point;

Or. es

Justification

Consistency with amendment proposed by the EP at first reading (52). The wording is sufficiently clear without the second part of the sentence.

Amendment 142

Oreste Rossi

Proposal for a regulation

Article 2 – paragraph 2 – point o

Council position

Amendment

(o) 'primary ingredient' means an ingredient or ingredients of a food that represent more than 50 % of that food or which are usually associated with the name of the food by the consumer and for which in most cases a quantitative indication is required; *deleted*

Or. it

Justification

See Amendments 56, 57 and 58 in Parliament's position at first reading.

Amendment 143

Marianne Thyssen

Proposal for a regulation

Article 2 – paragraph 2 – point o

Council position

Amendment

(o) 'primary ingredient' means an ingredient or ingredients of a food that represent more than 50 % of that food or which are usually associated with the name of the food by the consumer and for which in most cases a quantitative indication is required; *deleted*

Or. nl

Justification

Definitions of primary, significant and characteristic food ingredients are not only superfluous and confusing but will have the opposite of the desired effect of simplifying legislation. Parliament's position at first reading.

Amendment 144

Andres Perello Rodriguez

Proposal for a regulation

Article 2 – paragraph 2 – point o

Council position

Amendment

(o) 'primary ingredient' means an ingredient or ingredients of a food that represent more than 50 % of that food or which are usually associated with the name of the food by the consumer and for which in most cases a quantitative indication is required;

deleted

Or. es

Justification

There is no need to add a definition of a primary ingredient. We are in favour of simplification and are therefore opposed to the creation of new terms and concepts that are of no obvious benefit to the consumer.

Amendment 145

Kartika Tamara Liotard

Proposal for a regulation

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

Council position

Amendment

(qa) 'food imitation' means food that gives the impression of being another food in which an ingredient usually used is wholly or partly mixed with or replaced by another.

Or. en

Justification

Reinstating Parliament's first reading position.

Amendment 146

Struan Stevenson

Proposal for a regulation

Article 3 – paragraph 3

Council position

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

Amendment

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

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. This was agreed during the Parliament's first reading.

Amendment 147
Theodoros Skylakakis

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

Council position

(ii) durability, storage and safe use;

Amendment

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

Or.el

Amendment 148
Theodoros Skylakakis

Proposal for a regulation
Article 4 – paragraph 2

Council position

2. When considering the need for mandatory food information and to enable consumers to make informed choices, 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.

Amendment

2. When considering the need for mandatory food information and to enable consumers to make informed choices, 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. ***The marginal cost resulting from the additional provision of information shall also be evaluated;***

Or. el

Amendment 149

Kartika Tamara Liotard

Proposal for a regulation

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

Council position

Amendment

(ba) by suggesting in the description or pictorial representations on the packaging the presence of 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)’.

The particular food product that is an imitation or contains a substitute shall, where feasible, be separated from other food at the place of sale;

Or. en

Justification

Reinstating Parliament's first reading position.

Amendment 150

Kartika Tamara Liotard

Proposal for a regulation

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

Council position

Amendment

(bb) by suggesting, in the case of meat products, that a product comprises one piece of meat, although it in fact consists of combined meat pieces. In such cases, the product must be labelled on the front of the packaging 'formed meat - from combined meat pieces'.

Or. en

Justification

Reinstating Parliament's first reading position.

Amendment 151

Kartika Tamara Liotard

Proposal for a regulation

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

Council position

Amendment

(bc) for milk: by denoting milk as 'fresh' when its use-by-date is more than seven days after the filling date.

Or. en

Justification

Reinstating Parliament's first reading position.

Amendment 152
Carl Schlyter, Michèle Rivasi

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

Council position

Amendment

(ba) by suggesting in the description or pictorial representations on the packaging the presence of 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.en

Justification

EP first reading position.

Amendment 153
Carl Schlyter, Michèle Rivasi

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

Council position

Amendment

(bb) for milk, by denoting milk as ‘fresh’ when its use-by-date is more than seven days after the filling date.

Or.en

Justification

EP first reading position.

Amendment 154
Francesco Enrico Speroni

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

Council position

(d) by suggesting **in** the description or pictorial representations the presence of a particular food or an ingredient, while in reality a component naturally present or an ingredient normally used in that food has been substituted with a different component or a different ingredient.

Amendment

(d) by suggesting by the **name, the appearance**, the description or pictorial representations the presence of a particular food or an ingredient while in reality a component naturally present or an ingredient normally used in that food has been substituted with a different component or a different ingredient.

Or.it

Amendment 155
Åsa Westlund, Christel Schaldemose, Dan Jørgensen

Proposal for a regulation
Article 8 – paragraph 6

Council position

6. Food business operators, within the businesses under their control, shall ensure that information relating to non-prepacked food **intended for the final consumer or for supply to mass caterers shall be transmitted to the food business operator receiving the food in order to enable, where appropriate, the provision of mandatory food information to the final consumer.**

Amendment

6. Food business operators, within the businesses under their control, shall ensure that information relating to non-prepacked food **is made available** to the operator **handling the food for further sale or further processing** in order to enable **him or her, when asked, to provide the final consumer with the** mandatory food information.

Or.en

Justification

Amendment 88 first reading

Amendment 156
Marianne Thyssen

Proposal for a regulation
Article 9 a (new)

Council position

Amendment

Derogations for micro-enterprises

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

Or.nl

Justification

Derogations should be permitted for micro-enterprises producing handcrafted products. This was also the position of the European Parliament at first reading.

Amendment 157
Oreste Rossi, Giancarlo Scottà

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

Council position

Amendment

(e) the net quantity of the food;

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

Or.en

Justification

See amendment 95 of the Parliament's first reading position

Amendment 158

Mario Pirillo, Licia Ronzulli, Elisabetta Gardini, Oreste Rossi, Rosario Crocetta, Sergio Berlato

Proposal for a regulation

Article 9 – paragraph 1 – point h

Council position

(h) the name or business name and address of the food business operator *referred to in Article 8(1)*;

Amendment

(h) the name or business name *or a registered trademark* and *the* address of the *manufacturer established within the Union, of the packager and, for products coming from third countries, of the seller/the importer or, where appropriate, of the* food business operator *under whose name or business name the food is marketed* ;

Or.en

Amendment 159

Dan Jørgensen, Christel Schaldemose, Sirpa Pietikäinen

Proposal for a regulation

Article 9 – paragraph 1 – point i

Council position

(i) the country of origin or place of provenance *where provided* for in Article 25;

Amendment

(i) the country of origin or place of provenance *shall be given for the following:*

- *meat;*
 - *poultry;*
 - *dairy products;*
 - *fresh fruit and vegetables;*
 - *other single-ingredient products; and meat, poultry and fish when used as an ingredient in processed foods.*
- 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.

Where there are reasons which would make it impractical to label the country of origin, the following statement may be given instead:

– ‘Of unspecified origin’

For all other foods, 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 160
Kartika Tamara Liotard

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

Council position

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

Amendment

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

Or.en

Justification

Reintroducing first reading amendment 312.

Amendment 161
Renate Sommer

Proposal for a regulation
Article 10 – paragraph 2

Council position

2. In order to ensure consumer information with respect to specific types or categories of foods and to take account of technical progress, scientific developments, the protection of consumers' health or the safe use of a food, the Commission may amend Annex III by means of delegated acts, in accordance with Article 49 ***and subject to the conditions laid down in Articles 50, 51 and 52.***

Amendment

2. In order to ensure consumer information with respect to specific types or categories of foods and to take account of technical progress, scientific developments, the protection of consumers' health or the safe use of a food, the Commission may amend Annex III by means of delegated acts, in accordance with Article 49.

Where imperative grounds of urgency so require, the procedure provided for in Article 52 shall apply to delegated acts adopted pursuant to this Article.

Or.en

Amendment 162

Elisabetta Gardini, Sergio Berlato, Salvatore Tatarella, Paolo Bartolozzi, Licia Ronzulli, Crescenzo Rivellini, Cristiana Muscardini, Anna Záborská, Mario Pirillo, Vittorio Prodi, Oreste Rossi, Pilar Ayuso, Rosario Crocetta, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 13 – paragraph 2

Council position

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the ***x-height***, as defined in Annex IV, is equal to or greater than 1,2 mm. ***The mandatory particulars shall be***

Amendment

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the ***x-height***, as defined in Annex IV, is equal to or greater than 1 mm. ***Criteria other than font size***, such as

presented in such a way as to ensure a significant contrast between the print and the background.

font type, contrast between the font and background, line and character pitch, should also be considered.

Or.en

Justification

This text is believed to be a compromise between the EP and the Council on legibility. The EP in first reading adopted amendment 334 (which did not provide any mandatory font size, but proposed 'Guidelines' for legibility criteria such as 'font type, contrast between the font and background, line and character pitch'), while the Council text proposes a minimum mandatory font size of 1,2 mm. Legibility is dependent on a number of factors, such as layout, colour and contrast, character pitch, type of font, and is therefore not limited to font size only.

Amendment 163

Oreste Rossi

Proposal for a regulation

Article 13 – paragraph 2

Council position

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the x-height, as defined in Annex IV, is equal to or greater than 1,2 mm. The mandatory particulars shall be presented*** in such a way as to ensure ***a significant contrast between the print and the background.***

Amendment

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 ***that they are clearly legible.***

(If this amendment is adopted, Article 13(3) and Annex IV will need to be deleted.)

Or.it

Justification

See Amendment 334 in Parliament's position at first reading.

Amendment 164

Jolanta Emilia Hibner, Elżbieta Katarzyna Łukacijewska, Bogusław Sonik, Jarosław Kalinowski

Proposal for a regulation

Article 13 – paragraph 2

Council position

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the *x-height*, as defined in Annex IV, is equal to or greater than 1,2 mm. ***The mandatory particulars shall be presented in such a way as to ensure a significant contrast between the print and the background.***

Amendment

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the *x-height*, as defined in Annex IV, is equal to or greater than 1 mm. ***Criteria other than font size, such as font type, contrast between the font and background, line and character pitch, should also be considered.***

Or.en

Amendment 165

Thomas Ulmer

Proposal for a regulation

Article 13 – paragraph 2

Council position

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the x-height, as defined in Annex IV, is equal to or greater than 1,2

Amendment

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the x-height, as defined in Annex IV, is equal to or greater than 0,9

mm. The mandatory particulars shall be presented in such a way as to ensure a significant contrast between the print and the background.

mm. The mandatory particulars shall be presented in such a way as to ensure a significant contrast between the print and the background.

Or.en

Amendment 166

Gerben-Jan Gerbrandy, Frédérique Ries

Proposal for a regulation

Article 13 – paragraph 2

Council position

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the x-height, as defined in Annex IV, is equal to or greater than 1,2 mm. The mandatory particulars shall be presented in such a way as to ensure a significant contrast between the print and the background.***

Amendment

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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. Criteria such as font size, font type, contrast between the print and background, line and character pitch should be considered.***

Or.en

Justification

Restoring European Parliament's first reading position

Amendment 167

Holger Krahmer

Proposal for a regulation

Article 13 – paragraph 2

Council position

2. Without prejudice to specific Union

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Amendment

2. Without prejudice to specific Union

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provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the x-height, as defined in Annex IV, is equal to or greater than 1,2 mm. ***The mandatory particulars shall be presented in such a way as to ensure a significant contrast between the print and the background.***

provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the x-height, as defined in Annex IV, is equal to or greater than 1 mm. ***Criteria other than font size, such as font type, contrast between the font and background, line and character pitch, should also be considered.***

Or.en

Justification

Legibility is dependent on a number of factors, such as layout, colour and contrast, character pitch, type of font, and is therefore not limited to font size only. We would ask the European Parliament to continue to support this 'holistic' approach (see paragraph 2).

Amendment 168

János Áder

Proposal for a regulation

Article 13 – paragraph 2

Council position

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the x-height, as defined in Annex IV, is equal to or greater than 1,2 mm. ***The mandatory particulars shall be presented in such a way as to ensure a significant contrast between the print and the background.***

Amendment

2. Without prejudice to specific Union provisions applicable to particular foods as regards the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the x-height, as defined in Annex IV, is equal to or greater than 1 mm. ***Criteria other than font size, such as font type, contrast between the font and background, line and character pitch, should also be considered.***

Or.en

Amendment 169

Françoise Grossetête, Frédérique Ries

Proposal for a regulation

Article 13 – paragraph 2

Council position

2. Without prejudice to specific Union provisions applicable to particular foods as regards to the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the x-height, as defined in Annex IIIa, is equal to or greater than **1.2** mm. They shall be presented in a way so as to ensure a significant contrast between the print and background.

Amendment

2. Without prejudice to specific Union provisions applicable to particular foods as regards to the requirements referred to in points (a) to (k) of Article 9(1), 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 using a font size where the x-height, as defined in Annex IIIa, is equal to or greater than **1** mm. They shall be presented in a way so as to ensure a significant contrast between the print and background.

Or.fr

Amendment 170

Holger Krahmer

Proposal for a regulation

Article 13 – paragraph 2 a (new)

Council position

Amendment

2a. Paragraph 2 of this Article shall not apply in the case of food supplements as defined in Directive 2002/46/EC of the European Parliament and of the Council of 10 June 2002 on the approximation of the laws of the Member States relating to food supplements.

Or.en

Amendment 171
Françoise Grossetête, Frédérique Ries

Proposal for a regulation
Article 13 – paragraph 2 a (new)

Council position

Amendment

2a. 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

Ex amendment 111. A minimum size for compulsory characters is impossible for these products (such as small pots of baby food) without increasing the size of ready-made packaging. Increasing the volume or quantity of the proposed portion would entail the risk of the product not being consumed or being kept in unhygienic conditions or for an excessive length of time which might put members of these fragile groups at risk.

Amendment 172
Oreste Rossi

Proposal for a regulation
Article 13 – paragraph 3

Council position

Amendment

3. In case of packaging or containers the largest surface of which has an area of less than 60 cm², the x-height of the font size referred to in paragraph 2 shall be equal to or greater than 0,9 mm.

deleted

Justification

In line with the amendment to Article 13(2).

Amendment 173

Elisabetta Gardini, Sergio Berlato, Salvatore Tatarella, Paolo Bartolozzi, Licia Ronzulli, Crescenzo Rivellini, Cristiana Muscardini, Anna Záborská, Vittorio Prodi, Mario Pirillo, Oreste Rossi, Pilar Ayuso, Rosario Crocetta, Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 13 – paragraph 3

Council position

3. In case of packaging or containers the largest surface of which has an area of less than **60 cm²**, the x-height of the font size referred to in paragraph 2 shall **be equal to or greater than 0,9 mm**.

Amendment

3. In case of packaging or containers the largest **printable** surface of which has an area of less than **80 cm²**, the **minimum** x-height of the font size referred to in paragraph 2 shall **not apply**.

Or. en

Justification

This text is a reasonable compromise between the EP and the Council on legibility. The EP in first reading adopted amendment 334 (which did not provide any mandatory font size), while the Council text proposes a minimum mandatory font size of 1,2 mm reduced to 0,9 mm for small packs up to 60 cm². An exemption for small packs with a largest printable surface of less than 80cm² is in line with the EP first reading position on Amendment 125 which provided for an exemption from some of the mandatory particulars for packaging with the largest printable surface of less than 80 cm².

Amendment 174

Jolanta Emilia Hibner, Elżbieta Katarzyna Łukacijewska, Jarosław Kalinowski, Bogusław Sonik

Proposal for a regulation
Article 13 – paragraph 3

Council position

3. In case of packaging or containers the largest surface of which has an area of less

Amendment

3. In case of packaging or containers the largest **printable** surface of which has an

than **60 cm²**, the x-height of the font size referred to in paragraph 2 shall ***be equal to or greater than 0,9 mm***.

area of less than **80 cm²**, the ***minimum*** x-height of the font size referred to in paragraph 2 shall ***not apply***.

Or. en

Amendment 175
Holger Krahmer

Proposal for a regulation
Article 13 – paragraph 3

Council position

3. In case of packaging or containers the largest surface of which has an area of less than **60 cm²**, the x-height of the font size referred to in paragraph 2 shall ***be equal to or greater than 0,9 mm***.

Amendment

3. In case of packaging or containers the largest ***printable*** surface of which has an area of less than **80 cm²**, the ***minimum*** x-height of the font size referred to in paragraph 2 shall ***not apply***.

Or. en

Justification

Modifications have been made in paragraph 3 to facilitate an exemption for small packs with a largest printable surface of less than 80cm² (figure in line with the EP first reading position).

Amendment 176
János Áder

Proposal for a regulation
Article 13 – paragraph 3

Council position

3. In case of packaging or containers the largest surface of which has an area of less than **60 cm²**, the x-height of the font size referred to in paragraph 2 shall ***be equal to or greater than 0,9 mm***.

Amendment

3. In case of packaging or containers the largest ***printable*** surface of which has an area of less than **80 cm²**, the x-height of the font size referred to in paragraph 2 shall ***not apply***.

Or. en

Amendment 177
Thomas Ulmer

Proposal for a regulation
Article 13 – paragraph 3

Council position

3. In case of packaging or containers the largest surface of which has an area of less than 60 cm², the x-height of the font size referred to in paragraph 2 shall ***be equal to or greater than 0,9 mm.***

Amendment

3. In case of packaging or containers the largest surface of which has an area of less than 60 cm², the x-height of the font size referred to in paragraph 2 shall ***not apply.***

Or. en

Justification

Provisions relating to font-size must be implementable in practice and not lead to an increase in the size of packaging to the detriment of environmental objectives. A progressive minimum font-size according to the size of the packaging would ensure that the information is legible while being implementable on small packaging.

Amendment 178
Miroslav Ouzký, Jan Březina

Proposal for a regulation
Article 13 – paragraph 3

Council position

3. In case of packaging or containers the largest surface of which has an area of less than 60 cm², the x-height of the font size referred to in paragraph 2 shall be equal to or greater than 0,9 mm.

Amendment

3. In case of packaging or containers the largest surface of which has an area of less than 60 cm², the x-height of the font size referred to in paragraph 2 shall be equal to or greater than 0,9 mm.

In case of packaging or containers the largest surface of which has an area of less than 25cm², the x-height of the front size referred to in paragraph 2 should not apply.

Or. en

Justification

Provisions relating to font-size must be implementable in practice and not lead to an increase in the size of packaging to the detriment of environmental objectives. A progressive minimum font-size according to the size of the packaging would ensure that the information is legible while being implementable on small packaging.

Amendment 179

Françoise Grossetête, Frédérique Ries

Proposal for a regulation

Article 13 – paragraph 3

Council position

3. In case of packaging or containers the largest surface of which has an area of less than **60** cm², the x-height of the font size referred to in paragraph 2 shall **be equal to or greater than 0.9 mm**.

Amendment

3. In case of packaging or containers the largest **printable** surface of which has an area of less than **80** cm², the x-height of the font size referred to in paragraph 2 shall **not apply**.

Or. fr

Justification

If a minimum character size were to be accepted, the figure of 1 mm should be retained to ensure that the characters used on labels are not too big, to the detriment of operators and with no added value for consumers. A size of 1 mm is sufficiently legible. Smaller packaging must not be penalised.

Amendment 180

Riikka Manner

Proposal for a regulation

Article 13 – paragraph 3

Council position

3. In case of packaging or containers the largest surface of which has an area of less than **60** cm², the x-height of the font size referred to in paragraph 2 shall be equal to or greater than 0,9 mm.

Amendment

3. In case of packaging or containers the largest surface of which has an area of less than **80** cm², the x-height of the font size referred to in paragraph 2 shall be equal to or greater than 0,9 mm.

Or. en

Amendment 181
Horst Schnellhardt

Proposal for a regulation
Article 13 – paragraph 3 a (new)

Council position

Amendment

3a. Paragraph 2 of this Article shall not apply in the case of food supplements as defined in Directive 2002/46/EC of the European Parliament and of the Council of 10 June 2002 on the approximation of the laws of the Member States relating to food supplements, provided that the information on the package is clearly legible.

Or. en

Amendment 182
Oreste Rossi

Proposal for a regulation
Article 13 – paragraph 4

Council position

Amendment

4. For the purpose of ensuring a uniform implementation of paragraph 2 of this Article, the Commission may, in accordance with the regulatory procedure referred to in Article 46(2), adopt detailed rules on contrast between the print and the background.

deleted

Or. it

Amendment 183
Gerben-Jan Gerbrandy, Frédérique Ries

Proposal for a regulation
Article 13 – paragraph 4

Council position

Amendment

4. For the purpose of ensuring a uniform implementation of paragraph 2 of this Article, the Commission may, in accordance with the regulatory procedure referred to in Article 46(2), adopt detailed rules on contrast between the print and the background.

deleted

Or. en

Amendment 184

Oreste Rossi

Proposal for a regulation

Article 13 – paragraph 5 – subparagraph 1

Council position

Amendment

For the purpose of achieving the objectives of this Regulation, the Commission shall establish, by means of delegated acts, in accordance with Article 49 and subject to the conditions laid down in Articles 50 and 51, criteria on legibility ***additional to those*** specified under paragraph 2 of this Article.

For the purpose of achieving the objectives of this Regulation, the Commission shall, ***together with the stakeholders***, establish, by means of delegated acts, in accordance with Article 49 and subject to the conditions laid down in Articles 50 and 51, ***guidelines for the*** criteria on legibility specified under paragraph 2 of this Article.

Or. it

Amendment 185

Gerben-Jan Gerbrandy, Frédérique Ries

Proposal for a regulation

Article 13 – paragraph 5 – subparagraph 1

Council position

Amendment

For the purpose of achieving the objectives of this Regulation, the Commission shall establish, by means of delegated acts, in accordance with Article 49 and subject to

For the purpose of achieving the objectives of this Regulation, the Commission shall, ***together with the stakeholders concerned, including consumer organisations***,

the conditions laid down in Articles 50 and 51, criteria on legibility *additional to those specified under paragraph 2 of this Article*.

establish, by means of delegated acts, in accordance with Article 49 and subject to the conditions laid down in Articles 50 and 51, criteria on legibility.

Or. en

Amendment 186
Oreste Rossi

Proposal for a regulation
Article 13 – paragraph 5 – subparagraph 2

Council position

Amendment

For the same purpose as referred to in the first subparagraph, the Commission may, by means of delegated acts in accordance with Article 49 and subject to the conditions laid down in Articles 50 and 51, extend the requirements under paragraph 6 of this Article to additional mandatory particulars for specific types or categories of foods.

deleted

Or. it

Amendment 187
Kartika Tamara Liotard

Proposal for a regulation
Article 13 – paragraph 6

Council position

Amendment

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

6. The particulars listed in points (a), (e), (f) and (k) of Article 9(1) *as well as the particulars listed in article 29 (3)* shall appear in the same field of vision.

Or. en

Amendment 188

Jill Evans

Proposal for a regulation

Article 15 – paragraph 2

Council position

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

Amendment

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

Or. en

Amendment 189

Oreste Rossi

Proposal for a regulation

Article 16 – paragraph 1

Council position

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

Amendment

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

Or. it

Justification

See Amendment 124 in Parliament's position at first reading.

Amendment 190

Bogusław Sonik

Proposal for a regulation

Article 16 – paragraph 1

Council position

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

Amendment

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

Or. en

Amendment 191
Holger Krahmer

Proposal for a regulation
Article 16 – paragraph 2

Council position

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

Amendment

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

Or. en

Justification

The largest printable surface is the single largest area of the package that can technically be printed on. In the case of labels the largest printable surface is the largest label available for the individual packs. Where the largest single printable surface area is 80 cm² or less and space does not permit the recommended letter height (x-height), more emphasis should be given to issues such as colour and contrast of the text, type of font selection, i.e. easy-to-read (sans serif) fonts, use of bold and italic text where appropriate, layout of text, brevity and clarity of message.

Amendment 192

Glenis Willmott, Antonia Parvanova, Åsa Westlund

Proposal for a regulation

Article 16 – paragraph 4 – subparagraph 2

Council position

By ...³⁶, the Commission shall produce a report concerning the application of Article 18 and Article 29(1) to the products referred to in this paragraph, and addressing whether ***some*** categories of beverages should be exempted, in particular, from the requirement to provide the information on the energy value, and the reasons justifying possible exemptions, taking into account the need to ensure coherence with other relevant Union policies.

³⁶ *OJ: Please insert the date: ***five*** years from the ***entry into force*** of ***this*** Regulation.

Amendment

By ...³⁶, the Commission shall produce a report concerning the application of Article 18 and Article 29(1) to the products referred to in this paragraph, and addressing whether ***any*** categories of ***alcoholic*** beverages should be exempted, in particular, from the requirement to provide the information on the energy value, and the reasons justifying possible exemptions, taking into account the need to ensure coherence with other relevant Union policies.

³⁶ *OJ: Please insert the date: ***two*** years from the ***date of application of the*** Regulation.

Or. en

Amendment 193

Struan Stevenson

Proposal for a regulation

Article 16 – paragraph 4 – subparagraph 2

Council position

By ...³⁶, the Commission shall produce a report concerning the application of Article 18 and Article 29(1) to the products referred to in this paragraph, and addressing whether ***some categories of*** beverages should be exempted, in particular, from the requirement to provide the information on the energy value, and the reasons justifying possible exemptions, taking into account the need to ensure

Amendment

By ...³⁶, the Commission shall produce a report concerning the application of Article 18 and Article 29(1) to the products referred to in this paragraph, and addressing whether ***alcoholic*** beverages should be exempted, in particular, from the requirement to provide the information on the energy value, and the reasons justifying possible exemptions, taking into account the need to ensure coherence with other

coherence with other relevant Union policies.

relevant Union policies.

Or. en

Justification

There is no justification for treating categories of alcoholic beverage differently, whether for the purpose of ingredient and nutrition labelling, or energy labelling. All aspects are to be considered in the Commission's report within 5 years of the entry into force of the new Regulation. While the Council's proposed introduction of the potential for differing treatment is new, Parliament's first reading agreed there should be no discrimination between categories of alcoholic beverage.

Amendment 194

Carl Schlyter, Michèle Rivasi

Proposal for a regulation

Article 16 – paragraph 4 – subparagraph 2

Council position

By ...³⁶, the Commission shall produce a report *concerning the application of Article 18 and Article 29(1) to the products referred to in this paragraph, and* addressing whether *some* categories of beverages should be exempted, in particular, from the requirement to provide the information on the energy value, and the reasons justifying possible exemptions, taking into account the need to ensure coherence with other relevant Union policies.

³⁶ * OJ: Please insert the date: **five** years from the entry into force of this Regulation.

Amendment

By ...³⁶, the Commission shall produce a report addressing whether *any* categories of *alcoholic* beverages should be exempted, in particular, from the requirement to provide the information on the energy value, and the reasons justifying possible exemptions, taking into account the need to ensure coherence with other relevant Union policies.

³⁶ * OJ: Please insert the date: **two** years from the entry into force of this Regulation.

Or. en

Justification

AM aims at reaching a compromise between Council and Parliament. A report on the inclusion of alcohols in the labelling requirements can also be produced without having to

wait for the application of specific requirements on other products.

Amendment 195

Glenis Willmott, Antonyia Parvanova, Michèle Rivasi, Åsa Westlund, Carl Schlyter

Proposal for a regulation

Article 16 – paragraph 4 – subparagraph 3

Council position

The Commission *may* accompany this report by a legislative proposal determining the rules for a list of ingredients or a mandatory nutrition declaration for those products.

Amendment

The Commission *shall* accompany this report by a legislative proposal, *if appropriate*, determining the rules for a list of ingredients or a mandatory nutrition declaration for those products.

Or. en

Amendment 196

Åsa Westlund, Christel Schaldemose, Dan Jørgensen

Proposal for a regulation

Article 18 – paragraph 1 a (new)

Council position

Amendment

1a. For products containing nanomaterials, this must be clearly indicated, using the word ‘nano’, in the list of ingredients.

Or. en

Justification

Amendment 130 first reading

Amendment 197

Renate Sommer

Proposal for a regulation

Article 19 – paragraph 2

Council position

Amendment

2. In order to take into account the relevance for the consumer of a list of ingredients for specific types or categories of foods, the Commission may, in exceptional cases, by means of delegated acts, in accordance with Article 49 **and subject to the conditions laid down in Articles 50 and 51**, supplement paragraph 1 of this Article, provided that omissions do not result in the final consumer or mass caterers being inadequately informed.

2. In order to take into account the relevance for the consumer of a list of ingredients for specific types or categories of foods, the Commission may, in exceptional cases, by means of delegated acts, in accordance with Article 49, supplement paragraph 1 of this Article, provided that omissions do not result in the final consumer or mass caterers being inadequately informed.

Or. en

Amendment 198

Gerben-Jan Gerbrandy

Proposal for a regulation

Article 21 – paragraph 1 – subparagraph 3

Council position

Amendment

Where several ingredients or processing aids of a food originate from a single substance or product listed in Annex II, the labelling shall make it clear for each ingredient or processing aid concerned.

deleted

Or. en

Justification

Problems with the provision of Article 21.1 sub 3 as drafted by the Council as, depending on the type of product, this would result in a very long ingredients list with a repetition of allergens, particularly where a product contains additives and ingredients coming from the same allergen.

Amendment 199

Struan Stevenson

Proposal for a regulation

Article 21 – paragraph 1 – subparagraph 3

Council position

Amendment

Where several ingredients or processing aids of a food originate from a single substance or product listed in Annex II, the labelling shall make it clear for each ingredient or processing aid concerned. ***deleted***

Or. en

Justification

The benefit for consumers in having accurate information on the allergenic ingredients in foods is well known. However, to require that the allergenic ingredient be declared for each ingredient in the product when the presence of the allergen is already declared, is an extension of existing requirements. This measure places burdens EU industry without providing additional protection for allergic consumers.

Amendment 200

Esther de Lange

Proposal for a regulation

Article 21 – paragraph 1 – subparagraph 3

Council position

Amendment

Where several ingredients or processing aids of a food originate from a single substance or product listed in Annex II, the labelling shall make it clear for each ingredient or processing aid concerned. ***deleted***

Or. en

Justification

Prevention of a long list of ingredients with a repetition of allergens, particularly where a product contains additives and ingredients coming from the same allergen. Ensuring that provisions on allergens labelling are in coherence with existing allergens legislation.

Amendment 201
Oreste Rossi, Giancarlo Scottà

Proposal for a regulation
Article 21 – paragraph 1 – subparagraph 3

Council position

Amendment

Where several ingredients or processing aids of a food originate from a single substance or product listed in Annex II, the labelling shall make it clear for each ingredient or processing aid concerned.

deleted

Or. en

Amendment 202
Gerben-Jan Gerbrandy

Proposal for a regulation
Article 21 – paragraph 1 – subparagraph 4

Council position

Amendment

The indication of the particulars referred to in point (c) of Article 9(1) shall not be required in cases where the name of the food clearly refers to the substance or product concerned.

The indication of the particulars referred to in point (c) of Article 9(1) shall not be required in cases where:

(a) the name of the food clearly refers to the substance or product concerned.

(b) the ingredients listed in Annex 2 from which a substance originates is already included in the list of ingredients

Or. en

Justification

Problems with the provision of Article 21.1 sub 3 as drafted by the Council as, depending on the type of product, this would result in a very long ingredients list with a repetition of allergens, particularly where a product contains additives and ingredients coming from the same allergen.

Amendment 203
Struan Stevenson

Proposal for a regulation
Article 21 – paragraph 1 – subparagraph 4

Council position

The indication of the particulars referred to in point (c) of Article 9(1) shall not be required in cases where the name of the food clearly refers to the substance or product concerned.

Amendment

The indication of the particulars referred to in point (c) of Article 9(1) shall not be required in cases where:

(a) the name of the food clearly refers to the substance or product concerned.

(b) the ingredient listed in Annex II from which a substance originates is already included in the list of ingredients.

Or. en

Amendment 204
Esther de Lange

Proposal for a regulation
Article 21 – paragraph 1 – subparagraph 4

Council position

The indication of the particulars referred to in point (c) of Article 9(1) shall not be required in cases where the name of the food clearly refers to the substance or product concerned.

Amendment

The indication of the particulars referred to in point (c) of Article 9(1) shall not be required in cases where:

(a) the name of the food clearly refers to the substance or product concerned.

(b) the ingredients listed in Annex 2 from which a substance originates is already included in the list of ingredients

Or. en

Justification

Prevention of a long list of ingredients with a repetition of allergens, particularly where a product contains additives and ingredients coming from the same allergen. Ensuring that provisions on allergens labelling are in coherence with existing allergens legislation.

Amendment 205

Renate Sommer

Proposal for a regulation

Article 21 – paragraph 2

Council position

2. In order to ensure better information for the **consumer** and to take account of the most recent scientific progress and technical knowledge, the Commission shall systematically **re-examine** and, where necessary, update the list in Annex II by means of delegated acts, in accordance with Article 49 **and subject to the conditions laid down in Articles 50, 51 and 52.**

Amendment

2. In order to ensure better information for the **consumers** and to take account of the most recent scientific progress and technical knowledge, the Commission shall systematically **re-examine** and, where necessary, update the list in Annex II by means of delegated acts, in accordance with Article 49.

Where imperative grounds of urgency so require, the procedure provided for in Article 52 shall apply to delegated acts adopted pursuant to this Article.

Or. en

Amendment 206

Horst Schnellhardt

Proposal for a regulation

Article 23 – paragraph 1 – point b a (new)

Council position

Amendment

(ba) in units of mass and/or volume in the case of semi liquid or viscous products

Or. en

Amendment 207
Thomas Ulmer, Holger Krahmer

Proposal for a regulation
Article 23 – paragraph 1 – point b a (new)

Council position

Amendment

(ba) in units of mass and/or volume in the case of semi liquid or viscous products.

Or. en

Justification

Under current weights and measures legislation, Member States can determine how the expressions of net quantity by volume and/or by weight for semi-liquid or viscous products should be given. It is important to maintain the current flexibility in the expression of net quantity by volume and/or by weight for semi-liquid or viscous products.

Amendment 208
Esther de Lange

Proposal for a regulation
Article 23 – paragraph 1 – point b a (new)

Council position

Amendment

(ba) in units of mass and/or volume in the case of semi liquid or viscous products

Or. en

Justification

It is important to maintain the current flexibility that Member States have in determining the expression of net quantity by volume and/or by weight for semi-liquid or viscous products

Amendment 209
Renate Sommer

Proposal for a regulation
Article 23 – paragraph 2

Council position

2. In order to ensure a better understanding by the consumer of the food information on the labelling, the Commission may establish for certain specified foods, by means of delegated acts, in accordance with Article 49 ***and subject to the conditions laid down in Articles 50 and 51***, a manner for the expression of the net quantity other than the one laid down in paragraph 1 of this Article.

Amendment

2. In order to ensure a better understanding by the consumer of the food information on the labelling, the Commission may establish for certain specified foods, by means of delegated acts, in accordance with Article 49, a manner for the expression of the net quantity other than the one laid down in paragraph 1 of this Article.

Or. en

Amendment 210

Renate Sommer

**Proposal for a regulation
Article 24 – paragraph 3**

Council position

3. In order to ensure a uniform application of the manner of indicating the date of minimum durability referred to in point 1(c) of Annex X, the Commission may adopt, in accordance with the ***regulatory*** procedure referred to in Article 46(2), implementing rules in this regard.

Amendment

3. In order to ensure a uniform application of the manner of indicating the date of minimum durability referred to in point 1(c) of Annex X, the Commission may adopt, in accordance with the ***examination*** procedure referred to in Article 46(2), implementing ***acts setting out implementing*** rules in this regard.

Or. en

Amendment 211

Mario Pirillo, Rosario Crocetta

**Proposal for a regulation
Article 25 – paragraph 2**

Council position

2. Indication of the country of origin or

Amendment

2. Indication of the country of origin or

place of provenance shall be mandatory:

(a) where failure to indicate this might mislead the consumer 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;

(b) for meat falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point shall be subject to adoption of implementing rules referred to in paragraph 6.

place of provenance shall be mandatory:

(a) where failure to indicate this might mislead the consumer 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;

(b) for meat falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point shall be subject to adoption of implementing rules referred to in paragraph 6.

(ba) for dairy products;

(bb) for fresh fruit and vegetables;

(bc) for other single-ingredient products; and

(bd) meat, poultry and fish when used as an ingredient in processed foods.

Where there are reasons which would make it impractical to label the country of origin, the following statement may be given instead: 'Of unspecified origin'.

Or. en

Amendment 212

Oreste Rossi

Proposal for a regulation

Article 25 – paragraph 2 – introductory part

Council position

2. Indication of the country of origin or place of provenance shall be mandatory:

Amendment

2. Indication of the country of origin or place of provenance shall be mandatory *for*:

Or. it

Amendment 213

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 2 – introductory part

Council position

2. Indication of the country *of origin* or place of provenance shall be mandatory:

Amendment

2. Indication of the country or place of provenance shall be mandatory:

Or. en

Justification

This goes along with the change of definition of the ‘place of provenance’, as agreed in EP first reading, and prevents products from being sold as originating in the country where they ‘underwent their last, substantial economically justified processing’ (such as adding dressing to a product).

Amendment 214

Glenis Willmott, Åsa Westlund, Kartika Tamara Liotard

Proposal for a regulation

Article 25 – paragraph 2 – indent 1 (new)

Council position

Amendment

– Where there are reasons which would make it impractical to label the country of origin or place of provenance for meat, poultry and fish in processed foods, the following statement may be given instead: ‘of unspecified origin’.

Or. en

Justification

If a manufacturer chooses to use a number of different suppliers it may not be possible to label the country of origin or place of provenance.

Amendment 215

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 2 – subparagraph 1 (new)

Council position

Amendment

For meat and poultry, the country 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.

Or. en

Justification

EP first reading position.

Amendment 216

Kartika Tamara Liotard

Proposal for a regulation

Article 25 – paragraph 2 – subparagraph (new)

Council position

Amendment

For meat and poultry, the country 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.

Where there are reasons which would make it impractical to label the country of origin, the following statement may be given instead: ‘Of unspecified origin’.

Or. en

Justification

Reinstating Parliament's first reading position.

Amendment 217

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 2 – subparagraph 2 (new)

Council position

Amendment

Where there are reasons which would make it impractical to label the country or place of provenance, the following statement may be given instead: 'Of unspecified origin'.

Or. en

Justification

EP first reading position.

Amendment 218

Oreste Rossi

Proposal for a regulation

Article 25 – paragraph 2 – point a

Council position

Amendment

(a) where failure to ***indicate this*** might mislead the consumer 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;

(a) – ***meat;***

– ***poultry;***

– ***milk and milk products;***

– ***other single-ingredient products;***

– ***meat, poultry and fish when used as an***

ingredient in processed foods.

For meat and poultry, the country 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, the country or place of provenance must be indicated where failure to do so might mislead the consumer to a material degree as to the true country 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 or place of provenance; **in such cases the indication shall be in accordance with the rules laid down in Article 49 and subject to the conditions laid down in Articles 50 and 51.***

Or. it

Justification

See Amendments 101 and 328 in Parliament's position at first reading.

Amendment 219

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 2 – point a

Council position

(a) where failure to indicate this might mislead the consumer 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;

Amendment

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

Justification

This goes along with the change of definition of the 'place of provenance', as agreed in EP first reading, and prevents products from being sold as originating in the country where they 'underwent their last, substantial economically justified processing' (such as adding dressing to a product).

Amendment 220

Oreste Rossi

Proposal for a regulation

Article 25 – paragraph 2 – point b

Council position

Amendment

<i>(b) for meat falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point shall be subject to adoption of implementing rules referred to in paragraph 6.</i>	<i>deleted</i>
--	----------------

Or. it

Amendment 221

Marianne Thyssen

Proposal for a regulation

Article 25 – paragraph 2 – point b

Council position

Amendment

<i>(b) for meat falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point shall be subject to adoption of implementing rules referred to in paragraph 6.</i>	<i>deleted</i>
--	----------------

Or. nl

Justification

Mandatory indication of the place of provenance or country of origin of meat from pigs, sheep, goats and poultry would create unnecessary administrative burdens for operators. The present labelling rules, which state that the origin may be indicated voluntarily unless omitting this information would seriously mislead consumers with regard to the actual origin of the food, should be retained.

Amendment 222

Glenis Willmott, Åsa Westlund

Proposal for a regulation

Article 25 – paragraph 2 – point b

Council position

Amendment

(b) for meat *falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point shall be subject to adoption of implementing rules referred to in paragraph 6.*

(b) for *all* meat *and* poultry;

Or. en

Justification

Consumers are concerned about the animal welfare and environmental implications for all meat, not just some categories.

Amendment 223

Dagmar Roth-Behrendt

Proposal for a regulation

Article 25 – paragraph 2 – point b

Council position

Amendment

(b) for meat *falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point shall be subject to adoption of implementing rules referred to in paragraph 6.*

(b) – *meat;*

– *poultry;*

- *dairy products;*
- *fresh fruit and vegetables;*
- *other single-ingredient products; and*
- *meat, poultry and fish when used as an ingredient in processed foods.*

For meat and poultry, the country 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.

Where there are reasons which would make it impractical to label the country of origin, the following statement may be given instead: 'Of unspecified origin'.

Or. en

Justification

First reading - Amendment 101 + 328

Amendment 224

Françoise Grossetête, Frédérique Ries

Proposal for a regulation

Article 25 – paragraph 2 – point b

Council position

(b) for meat falling within the Combined Nomenclature ('CN') codes listed in Annex XI. *The application of this point shall be subject to adoption of implementing rules referred to in paragraph 6.*

Amendment

(b) for meat falling within the Combined Nomenclature ('CN') codes listed in Annex XI.

Or. fr

Amendment 225
Kartika Tamara Liotard

Proposal for a regulation
Article 25 – paragraph 2 – point b

Council position

(b) for meat *falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point shall be subject to adoption of implementing rules referred to in paragraph 6.*

Amendment

(b) for *all* meat *and poultry*;

Or. en

Amendment 226
Mario Pirillo, Rosario Crocetta

Proposal for a regulation
Article 25 – paragraph 2 – point b

Council position

(b) for meat falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point shall be subject to adoption of implementing rules referred to in paragraph 6.

Amendment

(b) for meat falling within the Combined Nomenclature ('CN') codes listed in Annex XI. The application of this point shall be subject to adoption of implementing rules referred to in paragraph 5.

Or. en

Amendment 227
Glenis Willmott, Åsa Westlund, Jill Evans, Michèle Rivasi, Carl Schlyter

Proposal for a regulation
Article 25 – paragraph 2 – point b a (new)

Council position

Amendment

(ba) for meat, poultry and fish when used as an ingredient in processed foods.

Justification

It is important that consumers know where meat comes from, including when meat is used in processed foods. Otherwise it can be very misleading for consumers who might assume that because the processed product originates from a certain place the meat must originate from the same place, when this may not be the case at all. Many consumers are very conscious of animal welfare and of the environmental impact of transporting meat long distances and therefore this information must be available.

Amendment 228

Françoise Grossetête, Frédérique Ries

Proposal for a regulation

Article 25 – paragraph 2 – point b a (new)

*Council position**Amendment*

(ba) ingredients that represent more than 50 % of a food.

The application of points (b) and (c) is subject to the adoption of the implementing rules referred to in paragraph 6.

Justification

To ensure that consumers are adequately informed, it should be compulsory for the origin of an ingredient accounting for 50% or more of the total weight of a manufactured foodstuff to be indicated. This would apply to a large number of products, including single-ingredient products.

Amendment 229

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 2 – point b a (new)

Council position

Amendment

(ba) for dairy products;

Or. en

Justification

EP first reading position.

Amendment 230

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 2 – point b b (new)

Council position

Amendment

(bb) for fresh fruit and vegetables;

Or. en

Justification

EP first reading position.

Amendment 231

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 2 – point b c (new)

Council position

Amendment

(bc) for other single-ingredient-products;

Or. en

Justification

EP first reading position.

Amendment 232

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 2 – point b d (new)

Council position

Amendment

***(bd) for meat, poultry and fish when used
as an ingredient in processed foods.***

Or. en

Justification

EP first reading position.

Amendment 233

Kartika Tamara Liotard

Proposal for a regulation

Article 25 – paragraph 2 – point b a (new)

Council position

Amendment

(ba) for dairy products;

Or. en

Justification

Reinstating Parliament's first reading position.

Amendment 234

Kartika Tamara Liotard

Proposal for a regulation

Article 25 – paragraph 2 – point b b (new)

Council position

Amendment

(bb) for fresh fruit and vegetables;

Or. en

Justification

Reinstating Parliament's first reading position.

Amendment 235

Kartika Tamara Liotard

Proposal for a regulation

Article 25 – paragraph 2 – point b c (new)

Council position

Amendment

(bc) other single-ingredient products; and

Or. en

Justification

Reinstating Parliament's first reading position.

Amendment 236

Kartika Tamara Liotard

Proposal for a regulation

Article 25 – paragraph 2 – point b d (new)

Council position

Amendment

***(bd) meat, poultry and fish when used as
an ingredient in processed foods.***

Or. en

Amendment 237
James Nicholson

Proposal for a regulation
Article 25 – paragraph 2 – point b a (new)

Council position

Amendment

(ba) as long as this requirement does not unnecessarily jeopardise existing practices of food production, marketing and exportation; especially in terms of cross border trade between member states

Or. en

Amendment 238
Oreste Rossi

Proposal for a regulation
Article 25 – paragraph 3

Council position

Amendment

3. Where the country of origin or the place of provenance of a food is given and where it is not the same as that of its primary ingredient:

deleted

(a) the country of origin or place of provenance of the primary ingredient in question shall also be given; or (b)

(b) the country of origin or place of provenance of the primary ingredient shall be indicated as being different to that of the food.

The application of this paragraph shall be subject to adoption of the implementing rules referred to in paragraph 6.

Or. it

Amendment 239

Marianne Thyssen

Proposal for a regulation

Article 25 – paragraph 3

Council position

Amendment

3. Where the country of origin or the place of provenance of a food is given and where it is not the same as that of its primary ingredient: *deleted*

(a) the country of origin or place of provenance of the primary ingredient in question shall also be given; or

(b) the country of origin or place of provenance of the primary ingredient shall be indicated as being different to that of the food.

The application of this paragraph shall be subject to adoption of the implementing rules referred to in paragraph 6.

Or. nl

Justification

In some cases it is not always possible to state a country of origin since the nutrient content of the product can come from different countries at the same time and change daily. The existing rules stipulate that the origin may be indicated voluntarily unless omitting this information would seriously mislead consumers with regard to the actual origin of the food.

Amendment 240

Andres Perello Rodriguez

Proposal for a regulation

Article 25 – paragraph 3

Council position

Amendment

3. Where the country of origin or the place of provenance of a food is given and where it is not the same as that of its *deleted*

primary ingredient:

(a) the country of origin or place of provenance of the primary ingredient in question shall also be given; or

(b) the country of origin or place of provenance of the primary ingredient shall be indicated as being different to that of the food.

The application of this paragraph shall be subject to adoption of the implementing rules referred to in paragraph 6.

Or. es

Amendment 241

Thomas Ulmer

Proposal for a regulation

Article 25 – paragraph 3 – subparagraph 1 – introductory part

Council position

Amendment

Where the country of origin or the place of provenance of a food is given and where it is not the same as that of its primary ingredient:

deleted

(a) the country of origin or place of provenance of the primary ingredient in question shall also be given; or

(b) the country of origin or place of provenance of the primary ingredient shall be indicated as being different to that of the food.

Or. en

Justification

Amendment adopted by the Parliament at first reading (amendment 172). There is no proven need to extend origin labelling requirements for primary ingredients, and the introduction of it would result in many impractical problems for food business operators.

Amendment 242
Esther de Lange

Proposal for a regulation
Article 25 – paragraph 3 – subparagraph 1 – introductory part

Council position

Amendment

Where the country of origin or the place of provenance of a food is given and where it is not the same as that of its primary ingredient:

deleted

(a) the country of origin or place of provenance of the primary ingredient in question shall also be given; or

(b) the country of origin or place of provenance of the primary ingredient shall be indicated as being different to that of the food.

Or. en

Justification

Amendment 172 as adopted by the Parliament in first reading. The need for origin labelling requirements for primary products is not proven, it would result in impracticalities for food business operators and it would harm simplification, clarity and consistency.

Amendment 243
Holger Krahmer

Proposal for a regulation
Article 25 – paragraph 3 – subparagraph 1 – introductory part

Council position

Amendment

Where the country of origin or the place of provenance of a food is given and where it is not the same as that of its primary ingredient:

deleted

(a) the country of origin or place of provenance of the primary ingredient in question shall also be given; or

(b) the country of origin or place of provenance of the primary ingredient shall be indicated as being different to that of the food.

Or. en

Amendment 244

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 3 – subparagraph 1 – introductory part

Council position

Where the country *of origin* or *the* place of provenance of a food is given and where it is not the same as that of its primary ingredient:

Amendment

Where the country or place of provenance of a food is given and where it is not the same as that of its primary ingredient:

Or. en

Justification

This goes along with the change of definition of the ‘place of provenance’, as agreed in EP first reading, and prevents products from being sold as originating in the country where they ‘underwent their last, substantial economically justified processing’ (such as adding dressing to a product).

Amendment 245

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 3 – subparagraph 1 – point a

Council position

(a) the country *of origin* or place of provenance of the primary ingredient in question shall also be given; or

Amendment

(a) the country or place of provenance of the primary ingredient in question shall also be given; or

Or. en

Justification

This goes along with the change of definition of the ‘place of provenance’, as agreed in EP first reading, and prevents products from being sold as originating in the country where they ‘underwent their last, substantial economically justified processing’ (such as adding dressing to a product).

Amendment 246

Françoise Grossetête, Frédérique Ries, Elisabetta Gardini

Proposal for a regulation

Article 25 – paragraph 3 – subparagraph 1 – point a (new)

Council position

Amendment

(aa) Putting the name or address of the food business operator on the label shall not constitute an indication of the country of origin or place of provenance of the foodstuff in question;

Or. fr

Amendment 247

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 3 – subparagraph 1 – point b

Council position

Amendment

(b) the country ***of origin*** or place of provenance of the primary ingredient shall be indicated as being different to that of the food.

(b) the country or place of provenance of the primary ingredient shall be indicated as being different to that of the food.

Or. en

Justification

This goes along with the change of definition of the ‘place of provenance’, as agreed in EP first reading, and prevents products from being sold as originating in the country where they ‘underwent their last, substantial economically justified processing’ (such as adding dressing to a product).

Amendment 248
Mario Pirillo, Rosario Crocetta

Proposal for a regulation
Article 25 – paragraph 3 – subparagraph 2

Council position

The application of this paragraph shall be subject to adoption of the implementing rules referred to in paragraph 6.

Amendment

The application of this paragraph shall be subject to adoption of the implementing rules referred to in paragraph 5.

Or. en

Amendment 249
Oreste Rossi

Proposal for a regulation
Article 25 – paragraph 4

Council position

4. Within five years from the date of application of point (b) of paragraph 2, the Commission shall submit a report to the European Parliament and the Council to evaluate the mandatory indication of the country of origin or place of provenance for products referred to in that point.

Amendment

deleted

Or. it

Amendment 250
Marianne Thyssen

Proposal for a regulation
Article 25 – paragraph 4

Council position

4. Within five years from the date of application of point (b) of paragraph 2, the Commission shall submit a report to the European Parliament and the Council

Amendment

deleted

to evaluate the mandatory indication of the country of origin or place of provenance for products referred to in that point.

Or. nl

Justification

The present labelling rules, which state that the origin may be indicated voluntarily unless omitting this information would seriously mislead consumers with regard to the actual origin of the food, should be retained.

Amendment 251
Oreste Rossi

Proposal for a regulation
Article 25 – paragraph 5

Council position

Amendment

5. By ...³⁹, the Commission shall submit reports to the European Parliament and the Council regarding the mandatory indication of the country of origin or place of provenance for: *deleted*

(a) types of meat other than beef and those referred to in point (b) of paragraph 2;

(b) milk;

(c) milk used as an ingredient in dairy products;

(d) meat used as an ingredient;

(e) unprocessed foods;

(f) single ingredient products;

(g) and ingredients that represent more than 50 % of a food.

Those reports shall take into account the need for the consumer to be informed, the feasibility of providing the mandatory indication referred to in the first subparagraph and an analysis of the costs and benefits of the introduction of such

measures, including the legal impact on the internal market and the impact on international trade.

The Commission may accompany those reports with proposals to modify the relevant Union provisions.

^{39.} * *OJ: Please insert the date: three years from the entry into force of this Regulation.*

Or. it

Amendment 252
Marianne Thyssen

Proposal for a regulation
Article 25 – paragraph 5

Council position

Amendment

5. By ..., the Commission shall submit reports to the European Parliament and the Council regarding the mandatory indication of the country of origin or place of provenance for: *deleted*

(a) types of meat other than beef and those referred to in point (b) of paragraph 2;

(b) milk;

(c) milk used as an ingredient in dairy products;

(d) meat used as an ingredient;

(e) unprocessed foods;

(f) single ingredient products;

(g) ingredients that represent more than 50 % of a food.

Those reports shall take into account the need for the consumer to be informed, the feasibility of providing the mandatory indication referred to in the first

subparagraph and an analysis of the costs and benefits of the introduction of such measures, including the legal impact on the internal market and the impact on international trade.

The Commission may accompany those reports with proposals to modify the relevant Union provisions.

^{39.} * *OJ: three years from the entry into force of this Regulation.*

Or. nl

Justification

Care must be taken to ensure that compulsory origin and provenance labelling of meat from pigs, sheep, goats and poultry is not interpreted as quality labelling. The same applies to milk in dairy products and the other products mentioned. In whichever Member State it may have been produced, food must be of high quality throughout the EU. Mandatory origin labelling will add to businesses' administrative burdens.

Amendment 253

Mario Pirillo, Rosario Crocetta

Proposal for a regulation

Article 25 – paragraph 5

Council position

Amendment

5. By ...³⁹, the Commission shall submit reports to the European Parliament and the Council regarding the mandatory indication of the country of origin or place of provenance for: *deleted*

(a) types of meat other than beef and those referred to in point (b) of paragraph 2;

(b) milk;

(c) milk used as an ingredient in dairy products;

(d) meat used as an ingredient;

- (e) unprocessed foods;*
- (f) single ingredient products;*
- (g) ingredients that represent more than 50 % of a food.*

Those reports shall take into account the need for the consumer to be informed, the feasibility of providing the mandatory indication referred to in the first subparagraph and an analysis of the costs and benefits of the introduction of such measures, including the legal impact on the internal market and the impact on international trade.

The Commission may accompany those reports with proposals to modify the relevant Union provisions.

^{39.} * *OJ: Please insert the date: three years from the entry into force of this Regulation.*

Or. en

Amendment 254

Dagmar Roth-Behrendt

Proposal for a regulation

Article 25 – paragraph 5 – subparagraph 1 – introductory part

Council position

Amendment

By ...³⁹, the Commission shall submit reports to the European Parliament and the Council regarding the mandatory indication of the country of origin or place of provenance for:

deleted

(a) types of meat other than beef and those referred to in point (b) of paragraph 2;

(b) milk;

(c) milk used as an ingredient in dairy products;

- (d) meat used as an ingredient;*
- (e) unprocessed foods;*
- (f) single ingredient products;*
- (g) ingredients that represent more than 50 % of a food.*

^{39.} * *OJ: Please insert the date: three years from the entry into force of this Regulation.*

Or. en

Amendment 255

Carl Schlyter, Jill Evans, Michèle Rivasi

Proposal for a regulation

Article 25 – paragraph 5 – subparagraph 1 – introductory part

Council position

By ...³⁹, the Commission shall submit reports to the European Parliament and the Council regarding the mandatory indication of the country *of origin* or place of provenance for:

Amendment

By ...³⁹, the Commission shall submit reports to the European Parliament and the Council regarding the mandatory indication of the country or place of provenance for:

^{39.} * *OJ: Please insert the date: three years from the entry into force of this Regulation.*

Or. en

Justification

This goes along with the change of definition of the ‘place of provenance’, as agreed in EP first reading, and prevents products from being sold as originating in the country where they ‘underwent their last, substantial economically justified processing’ (such as adding dressing to a product).

Amendment 256
Struan Stevenson

Proposal for a regulation
Article 25 – paragraph 5 – subparagraph 1 a (new)

Council position

Amendment

(h) Whisky

Or. en

Justification

Whisky sold in the EU is normally labelled with its country of origin and consumers attach considerable importance to this information. However, some whiskies do not bear indications of origin but use other labelling devices to suggest they originate in one of the major whisky producing countries when they do not. It is therefore appropriate that whisky is included in the list of food products which will be assessed by the Commission to determine whether or not mandatory country of origin labelling should be introduced.

Amendment 257
Françoise Grossetête, Frédérique Ries

Proposal for a regulation
Article 25 – paragraph 5 – subparagraph 1 – point f

Council position

Amendment

(f) single ingredient products;

deleted

Or. fr

Amendment 258
Françoise Grossetête, Frédérique Ries

Proposal for a regulation
Article 25 – paragraph 5 – subparagraph 1 – point g

Council position

Amendment

(g) ingredients that represent more than 50 % of a food.

deleted

Amendment 259
Giancarlo Scottà

Proposal for a regulation
Article 25 – paragraph 5 – subparagraph 2

Council position

Those reports shall take into account the need for the consumer to be informed, the feasibility of providing the mandatory indication referred to in the first subparagraph and an analysis of the costs and benefits of the introduction of such measures, including the legal impact on the internal market and the impact on international trade.

Amendment

Those reports shall take into account the need for the consumer to be informed, the feasibility of providing the mandatory indication referred to in the first subparagraph ***to be determined on a case by case approach at the appropriate geographical level, taking into account the specificities of the product concerned,*** and an analysis of the costs and benefits of the introduction of such measures, including the legal impact on the internal market and the impact on international trade.

Amendment 260
Esther de Lange

Proposal for a regulation
Article 25 – paragraph 5 – subparagraph 2

Council position

Those reports shall take into account the need for the consumer to be informed, the feasibility of providing the mandatory indication referred to in the first subparagraph and an analysis of the costs and benefits of the introduction of such measures, including the legal impact on the internal market and the impact on international trade.

Amendment

Those reports shall take into account the need for the consumer to be informed, the feasibility of providing the mandatory indication referred to in the first subparagraph ***to be determined on a case by case approach at the appropriate geographical level, taking into account the specificities of the products concerned,*** and an analysis of the costs and benefits of the introduction of such measures, including the legal impact on the

internal market and the impact on international trade.

Or. en

Justification

The Food information proposal should take into account the Quality Package that is being discussed in AGRI Committee in the European Parliament. The Quality Package creates a legal basis for place of farming labelling, in the context of marketing standards. The Food information proposal should consider laying down a possible frame for country of origin and place of provenance, but not contain ingredients labelling, as well as aligning the wording of the legal provisions.

Amendment 261

Frédérique Ries, Françoise Grossetête, Elisabetta Gardini

Proposal for a regulation

Article 25 – paragraph 5 – subparagraph 3 a (new)

Council position

Amendment

3a. The name or address of the food business operator placed on the label does not constitute an indication of the country of origin or place of provenance of the food product concerned.

Or. en

Justification

This amendment aims at establishing a coherence with what is already indicated in the last sentence of recital 31 of the Council common position.

Amendment 262

János Áder

Proposal for a regulation

Article 25 – paragraph 5 a (new)

Council position

Amendment

5a. The name or address of the food business operator placed on the label does

*not constitute an indication of the country
of origin or place of provenance of the
food product concerned.*

Or. en

Amendment 263
Oreste Rossi

Proposal for a regulation
Article 25 – paragraph 6

Council position

Amendment

*6. By ...⁴⁰, the Commission shall adopt, in
accordance with the regulatory procedure
referred to in Article 46(2), implementing
rules concerning the application of
point (b) of paragraph 2 of this Article
and the application of paragraph 3 of this
Article.*

deleted

⁴⁰. * *OJ: Please insert the date: two years
from the entry into force of this
Regulation.*

Or. it

Amendment 264
Marianne Thyssen

Proposal for a regulation
Article 25 – paragraph 6

Council position

Amendment

*6. By ..., the Commission shall adopt, in
accordance with the regulatory procedure
referred to in Article 46(2), implementing
rules concerning the application of
point (b) of paragraph 2 of this Article
and the application of paragraph 3 of this*

deleted

Article.

^{40.} * ***OJ: two years from the entry into force of this Regulation.***

Or. nl

Justification

Mandatory indication of the place of provenance or country of origin of meat from pigs, sheep, goats and poultry would create unnecessary administrative burdens for operators. The current rules, stipulating that the origin may be indicated voluntarily unless omitting this information would seriously mislead consumers with regard to the actual origin of the food, should be retained. The same applies to products in Article 5(5).

Amendment 265

Françoise Grossetête, Frédérique Ries

Proposal for a regulation

Article 25 – paragraph 6

Council position

6. By ..., the Commission shall adopt, in accordance with the regulatory procedure referred to in Article 46(2), implementing rules concerning the application of ***point*** (b) of paragraph 2 of this Article and the application of paragraph 3 of this Article.

⁴⁰OJ: please insert the date 2 years from the entry into force of this Regulation.

Amendment

6. By ..., the Commission shall adopt, in accordance with the regulatory procedure referred to in Article 46(2), implementing rules concerning the application of ***points*** (b) ***and (c)*** of paragraph 2 of this Article and the application of paragraph 3 of this Article.

⁴⁰OJ: please insert the date 2 years from the entry into force of this Regulation.

Or. fr

Amendment 266

Mario Pirillo, Rosario Crocetta

Proposal for a regulation

Article 25 – relocation of paragraph 6 as paragraph 4a

Council position

6. By ...⁴⁰, the Commission shall adopt, in accordance with the regulatory procedure referred to in Article 46(2), implementing rules concerning the application of point (b) of paragraph 2 of this Article and the application of paragraph 3 of this Article.

⁴⁰OJ: Please insert the date: three years from the entry into force of this Regulation.

Amendment

4a. By ...⁴⁰, the Commission shall adopt, in accordance with the regulatory procedure referred to in Article 46(2), implementing rules concerning the application of point (b) of paragraph 2 of this Article and the application of paragraph 3 of this Article.

⁴⁰OJ: Please insert the date: three years from the entry into force of this Regulation.

Or. en

Amendment 267

Elisabetta Gardini, Sergio Berlato, Salvatore Tatarella, Paolo Bartolozzi, Licia Ronzulli, Crescenzo Rivellini, Cristiana Muscardini, Anna Záborská, Mario Pirillo, Vittorio Prodi, Oreste Rossi, Pilar Ayuso, Françoise Grossetête, Frédérique Ries, Rosario Crocetta, Cristina Gutiérrez-Cortines

**Proposal for a regulation
Article 25 a (new)**

Council position

Amendment

25a. The name or address of the food business operator placed on the label does not constitute an indication of the country of origin or place of provenance of the food product concerned.

Or. en

Justification

This amendment aims at clarifying in article 25 on origin labelling what is already indicated in the last sentence of recital 31 of the Council text..

Amendment 268

**Jolanta Emilia Hibner, Elżbieta Katarzyna Łukacijewska, Jarosław Kalinowski,
Bogusław Sonik**

Proposal for a regulation

Article 25 a (new)

Council position

Amendment

The name or address of the food business operator placed on the label does not constitute an indication of the country of origin or place of provenance of the food product concerned.

Or. en

Amendment 269

Renate Sommer

Proposal for a regulation

Article 26 – paragraph 2

Council position

Amendment

2. The Commission may, in accordance with the **regulatory** procedure referred to in Article 46(2), adopt detailed rules concerning the implementation of paragraph 1 of this Article for certain foods.

2. The Commission may, in accordance with the **examination** procedure referred to in Article 46(2), adopt **implementing acts setting out** detailed rules concerning the implementation of paragraph 1 of this Article for certain foods.

Or. en

Amendment 270

Gerben-Jan Gerbrandy, Antonyia Parvanova, Corinne Lepage

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 1 – point b

Council position

Amendment

(b) the amounts of fat, saturates, carbohydrate, sugars, protein and salt.

(b) the amounts of fat, saturates, **trans fats**, carbohydrate, sugars, protein and salt.

Amendment 271

Glenis Willmott, Carl Schlyter, Kartika Tamara Liotard, Michèle Rivasi, Jill Evans

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 1 – point b

Council position

(b) the amounts of fat, saturates,
carbohydrate, sugars, *protein* and salt.

Amendment

(b) the amounts of fat, saturates, sugars,
and salt;

Or. en

Justification

These nutrients and energy are the most important for consumers and therefore need to be placed on the front of pack.

Amendment 272

Åsa Westlund, Christel Schaldemose, Dan Jørgensen

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 1 – point b

Council position

(b) the amounts of fat, saturates,
carbohydrate, sugars, protein and salt.

Amendment

(b) the amounts of fat, *artificial trans fats*,
saturates, carbohydrate, sugars, protein and
salt.

Or. en

Justification

Parts of amendment 144 first reading

Amendment 273

Frédérique Ries

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 1 – point b

Council position

Amendment

(b) the amounts of fat, saturates, carbohydrate, sugars, protein and salt.

(b) the amounts of fat, saturates, carbohydrate, sugars, protein, **artificial trans fatty acids** and salt.

Or. en

Justification

Although reformulation efforts have significantly reduced industrial TFA levels in foods over the past few years, available evidence indicates that excess intake of artificial TFA has adverse health effects and contributes to an increased risk of coronary heart disease. On the other hand, labelling of natural TFA , produced in the rumen of the cow and therefore naturally present in meat and milk, is not justified from a public health perspective.

Amendment 274

Andres Perello Rodriguez

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 1 – point b

Council position

Amendment

(b) the amounts of fat, saturates, carbohydrate, sugars, protein and salt.

(b) the amounts of fat, saturates, **trans fats**, carbohydrate, sugars, protein and salt.

Or. es

Justification

See amendment 144 from first reading.

Amendment 275

Giommaria Uggias, Sergio Paolo Francesco Silvestris

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 1 – point b

Council position

Amendment

(b) the amounts of fat, saturates, carbohydrate, sugars, protein and salt.

(b) the amounts of fat, saturates, carbohydrates, sugars, **natural antioxidants (i.e. those found in the original raw material)**, protein and salt.

Or. it

Amendment 276

Glenis Willmott, Daciana Octavia Sârbu, Michèle Rivasi, Åsa Westlund, Carl Schlyter, Kartika Tamara Liotard

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 1 – point b a (new)

Council position

Amendment

*(ba) the amounts of protein,
carbohydrates, and transfats.*

Or. en

Justification

These nutrients are important for consumers and therefore need to be mandatory on the back of pack.

Amendment 277

Gerben-Jan Gerbrandy, Antonyia Parvanova, Corinne Lepage

Proposal for a regulation

Article 29 – paragraph 2 – point a

Council position

Amendment

(a) trans fats;

deleted

Or. en

Amendment 278

Glenis Willmott, Daciana Octavia Sârbu, Michèle Rivasi, Kartika Tamara Liotard, Carl Schlyter

Proposal for a regulation

Article 29 – paragraph 2 – point a

Council position

Amendment

(a) trans fats;

deleted

Justification

It is extremely misleading for trans fats to be voluntarily labelled; trans fat labelling must be mandatory on the back of pack.

Amendment 279

Frédérique Ries

Proposal for a regulation

Article 29 – paragraph 2 – point a

Council position

Amendment

(a) trans fats;

deleted

Justification

See amendment to article 29 paragraph 1 – subparagraph 1 – point b and amendment 146 adopted in 1st reading.

Amendment 280

Esther de Lange

Proposal for a regulation

Article 29 – paragraph 2 – point d a (new)

Council position

Amendment

(da) cholesterol;

Justification

First reading compromise between the Council and EP to be more exhaustive in labelling nutrients on a voluntary basis

Amendment 281

Esther de Lange

Proposal for a regulation

Article 29 – paragraph 2 – point f a (new)

Council position

Amendment

(fa) sodium;

Or. en

Justification

First reading compromise between the Council and EP to be more exhaustive in labelling nutrients on a voluntary basis

Amendment 282

Françoise Grossetête, Pilar Ayuso, Cristina Gutiérrez-Cortines

Proposal for a regulation

Article 29 – paragraph 2 – point f a (new)

Council position

Amendment

(fa) sodium;

Or. fr

Justification

Sodium is naturally present in some foods and ingredients which do not contain salt (yoghurt and milk, for example). Consumers must be able to find out how much sodium is present in a foodstuff. Operators would thus be able to give clarification as well as providing the compulsory information on salt.

Amendment 283

Kartika Tamara Liotard

Proposal for a regulation

Article 29 – paragraph 3

Council position

Amendment

3. Where the labelling of a prepacked food provides the mandatory nutrition declaration referred to in paragraph 1, the information on energy value and the amounts of fat, saturates, sugars, and salt **may** be repeated **thereon**.

3. Where the labelling of a prepacked food provides the mandatory nutrition declaration referred to in paragraph 1, the information on energy value and the amounts of fat, saturates, sugars, and salt **shall** be repeated **using the simplified labelling scheme in accordance to article**

33 paragraph 3.

Or. en

Justification

See justification of amendment to article 33 (3)

Amendment 284

Thomas Ulmer

Proposal for a regulation

Article 29 – paragraph 3

Council position

3. Where the labelling of a prepacked food provides the mandatory nutrition declaration referred to in paragraph 1, the information on energy value **and** the amounts of fat, saturates, sugars, and salt may be repeated thereon.

Amendment

3. Where the labelling of a prepacked food provides the mandatory nutrition declaration referred to in **Art. 29** paragraph 1, the information on energy value **shall be repeated in the principal field of vision. In addition, the** amounts of fat, saturates, sugars, and salt may **also** be repeated thereon.

Or. en

Justification

The information on energy is the most important information for the consumer and should therefore be repeated, in addition to the mandatory nutrition table, on the front of the pack. In addition, it should also be possible to voluntarily repeat the most important nutrients (fat, saturates, sugars, salt) accordingly.

Amendment 285

Kartika Tamara Liotard

Proposal for a regulation

Article 29 – paragraph 4

Council position

4. By way of derogation from Article 35(1), where the labelling of the products referred to in Article 16(4) provides a nutrition declaration, the content of the

Amendment

4. By way of derogation from Article 35(1), where the labelling of the products referred to in Article 16(4) provides a nutrition declaration, the content of the

declaration may be limited to the energy value *only*.

declaration may be limited to the energy *and sugar* value.

Or. en

Amendment 286
Renate Sommer

Proposal for a regulation
Article 30 – paragraph 2

Council position

2. The Commission may adopt, by means of delegated acts, in accordance with Article 49 *and subject to the conditions laid down in Articles 50 and 51*, conversion factors for the vitamins and minerals referred to in point 1 of Part A of Annex XIII, in order to calculate more precisely the content of such vitamins and minerals in foods. Those conversion factors shall be added to Annex XIV.

Amendment

2. The Commission may adopt, by means of delegated acts, in accordance with Article 49, conversion factors for the vitamins and minerals referred to in point 1 of Part A of Annex XIII, in order to calculate more precisely the content of such vitamins and minerals in foods. Those conversion factors shall be added to Annex XIV.

Or. en

Amendment 287
Renate Sommer

Proposal for a regulation
Article 30 – paragraph 4 – subparagraph 2

Council position

The Commission may, in accordance with the *regulatory* procedure referred to in Article 46(2), adopt detailed rules for the uniform implementation of this paragraph with regard to the precision of the declared values such as the differences between the declared values and those established in the course of official checks.

Amendment

The Commission may, in accordance with the *examination* procedure referred to in Article 46(2), adopt *implementing acts setting out* detailed rules for the uniform implementation of this paragraph with regard to the precision of the declared values such as the differences between the declared values and those established in the course of official checks.

Amendment 288

Dagmar Roth-Behrendt, Glenis Willmott

Proposal for a regulation

Article 31 – paragraph 2

Council position

2. The energy *value* and the *amount of* nutrients referred to in Article 29(1) to (5) shall be expressed per 100 g or per 100 ml.

Amendment

2. The ***‘back of pack mandatory nutrition declaration’ shall include the amount of*** energy ***in kcal*** and ***all the mandatory*** nutrients referred to in Article 29(1) ***and where appropriate the voluntary nutrients referred to in Article 29(2).***

It shall be expressed ***as appropriate, in the order of presentation provided for in Annex XV, both*** per 100 g/ml ***and*** per portion.

It shall be presented in tabular form, with the numbers aligned.

Justification

First reading - Amendment 313

Amendment 289

Gerben-Jan Gerbrandy

Proposal for a regulation

Article 31 – paragraph 4

Council position

4. In addition to the form of expression referred to in paragraph 2 of this Article, the energy value and the amounts of ***nutrients referred to in Article 29(1), (3), (4) and (5) may*** be expressed, ***as appropriate***, as a percentage of the reference intakes set out in Part B of

Amendment

4. In addition to the form of expression referred to in paragraph 2 of this Article, the energy value and the amounts of ***fat, saturates, sugar and salt shall*** be expressed as a percentage of the reference intakes set out in Part B of Annex XIII in relation to per 100 g or per 100 ml.

Annex XIII in relation to per 100 g or per 100 ml.

Or. en

Justification

The consumer needs a reference in order to determine its daily intake of a certain nutrient. E.g. contains 7 grams of salt per 100 grams does not tell the consumer anything with regards to the average recommended daily intake.

Amendment 290
Renate Sommer

Proposal for a regulation
Article 32 – paragraph 4

Council position

4. In order to ensure the uniform implementation of the expression of the nutrition declaration per portion or per unit of consumption and to provide for a uniform basis of comparison for the consumer, the Commission *may*, taking into account actual consumption behaviour of consumers as well as dietary recommendations, adopt rules on the expression per portion or per consumption unit for specific categories of foods, in accordance with the **regulatory** procedure referred to in Article 46(2).

Amendment

4. In order to ensure the uniform implementation of the expression of the nutrition declaration per portion or per unit of consumption and to provide for a uniform basis of comparison for the consumer, the Commission **shall**, taking into account actual consumption behaviour of consumers as well as dietary recommendations, adopt, **by means of implementing acts**, rules on the expression per portion or per consumption unit for specific categories of foods, in accordance with the **examination** procedure referred to in Article 46(2).

Or. en

Amendment 291
Glenis Willmott, Kartika Tamara Liotard, Carl Schlyter, Michèle Rivasi, Jill Evans

Proposal for a regulation
Article 33 – paragraph 1

Council position

1. The particulars referred to in Article 29(1) and (2) shall be **included in the same**

Amendment

1. The particulars referred to in Article 29(1)(a) and (1)(b) shall be **presented on**

field of vision. They shall be presented together in a clear format and, where appropriate, in the order of presentation provided for in Annex XV.

the *front of pack and shall include the amount of energy in kcal as set out in Article 29(1)(a) and the mandatory nutrients in Article 29(1)(b) in grams*. They shall be presented together in a clear format and, where appropriate, in the order of presentation provided for in Annex XV.

Or. en

Justification

These nutrients are the most important for consumers and therefore need to be placed on the front of pack.

Amendment 292
Kartika Tamara Liotard

Proposal for a regulation
Article 33 – paragraph 1

Council position

1. The particulars referred to in Article 29(1) *and* (2) shall be included in the same field of vision. They shall be presented together in a clear format and, where appropriate, in the order of presentation provided for in Annex XV.

Amendment

1. The particulars referred to in Article 29(1), (2) *and (3)* shall be included in the same field of vision. They shall be presented together in a clear format and, where appropriate, in the order of presentation provided for in Annex XV.

Or. en

Amendment 293
Glenis Willmott, Carl Schlyter, Kartika Tamara Liotard, Michèle Rivasi, Jill Evans

Proposal for a regulation
Article 33 – paragraph 2

Council position

2. The particulars referred to in Article 29(1) and (2) shall be presented, if space permits, *in tabular format* with the numbers aligned. Where space does not permit, the declaration shall appear in

Amendment

2. The particulars referred to in Article 29(1) and (2) shall be presented *on the back of pack in tabular format*, if space permits, with the numbers aligned. Where space does not permit, the declaration shall appear in linear format *and, where*

linear format.

*appropriate, in the order of presentation
provided for in Annex XV.*

Or. en

Amendment 294

Elisabetta Gardini, Sergio Berlato, Salvatore Tatarella, Paolo Bartolozzi, Licia Ronzulli, Crescenzo Rivellini, Cristiana Muscardini, Anna Záborská, Vittorio Prodi, Mario Pirillo, Oreste Rossi, Rosario Crocetta

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Council position

Amendment

2a. The energy content, expressed in kcal per 100g or 100ml or per portion, shall be repeated in the bottom right-hand corner of the front-of-pack, in a font size of 3 mm and surrounded by a boarder.

Or. en

Justification

This amendment is a reasonable compromise between the EP and the Council positions. The EP provides the mandatory indication of the energy content (per 100 g/ml and, optionally, per portion) in the bottom right-hand corner of the front-of pack. The Council, instead, only provided for the voluntary ‘repetition’ on the front-of-pack of five nutrients already labelled on the back of pack per 100 g/m, which can be misleading for products marketed in packaging sizes bigger than 100g/m, e.g. soft drinks or cereals.. Therefore, the indication of the energy value per portion appears to be more relevant.

Amendment 295

Jolanta Emilia Hibner, Elżbieta Katarzyna Łukacijewska, Jarosław Kalinowski, Bogusław Sonik

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Council position

Amendment

2a. The energy content, expressed in kcal per 100g or 100ml or per portion, shall be repeated in the bottom right-hand corner of the front-of-pack, in a font size of 3

mm and surrounded by a border.

Or. en

Amendment 296

Thomas Ulmer

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Council position

Amendment

2a. The energy content, expressed in kcal per portion, shall be repeated, in a clear format and surrounded by a border, in the principal field of vision.

Or. en

Justification

The information on energy is very important for the consumer and should therefore be repeated, in addition to the mandatory nutrition table, on the front of the pack. While the information of the nutrition table (expressed per 100g/100ml) ensures the abstract comparability of different products, the additional, single information on energy (expressed per portion) provides the consumer with the concrete calorie content of the portion.

Amendment 297

Gerben-Jan Gerbrandy, Antonyia Parvanova, Corinne Lepage

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Council position

Amendment

2a. The information on energy value and the amounts of fat, saturates, sugar and salt shall be repeated on the front-of-pack, expressed per 100g/ml and in addition may be expressed per portion.

Or. en

Justification

Restoring European Parliament's first reading position.

Amendment 298

Pavel Poc

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Council position

Amendment

2a. The energy content, expressed in kcal per 100g or 100ml or per portion, shall be repeated in the bottom right-hand corner of the frontof-pack, in a font size of 3mm and surrounded by a border.

Or. en

Justification

The energy content is a key item of information for consumers when they are selecting foods with a view to maintaining a healthy bodyweight. Given that the expression per 100g/ml is already provided in the mandatory nutrition table, energy front-of-pack should be expressed per portion. This will allow consumers to make informed dietary choices based on their individual needs by providing at-a-glance, factual information and enable them to evaluate a product's place in their daily diet.

Amendment 299

Miroslav Ouzký, Jan Březina

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Council position

Amendment

2a. The energy content, expressed in kcal per portion, shall be repeated, in a clear format in the principal field of vision.

Or. en

Justification

The energy content is a key item of information for consumers when they are selecting foods with a view to maintaining a healthy bodyweight. Given that the expression per 100g/ml is

already provided in the mandatory nutrition table, energy font-of-pack should be expressed per portion. This will allow consumers to make informed dietary choices based on their individual needs by providing at-a-glance, factual information and enable them to evaluate a product's place in their daily diet.

Amendment 300

János Áder

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Council position

Amendment

2a. The energy content, expressed in kcal per 100 g or 100 ml or per portion, shall be repeated in the bottom right-hand corner of the front-of-pack, in a font size of 3mm and surrounded by a boarder.

Or. en

Amendment 301

Horst Schnellhardt

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Council position

Amendment

(2a) The energy content, expressed in kcal per 100 g or 100 ml, shall be repeated in the bottom right-hand corner of the ‘front of pack’, in a font size of 3 mm and surrounded by a border. In the case of portion packs with a net quantity of less than 100 g/ 100 ml, the energy content may alternatively be indicated in kcal per portion.

Or. de

Amendment 302

Anna Záborská

Proposal for a regulation

Article 33 – paragraph 3 – introductory part

Council position

3. The *particulars referred to* in Article 29(3) may be ***presented together***:

Amendment

3. The ***information on energy content must be repeated on the front of the packaging per 100 g/ml and, where appropriate, per portion whenever the packaging of a prepackaged food product carries the mandatory nutrition declaration referred to*** in Article 29(1).

The amounts of fat, saturated fatty acids, sugars and salt per 100 g/ml and, where appropriate, per portion, may also be repeated:

Or. fr

Justification

Showing the energy content on the packaging per 100 g or ml only might be misleading in cases where products are marketed in smaller-sized packaging, such as non-alcoholic drinks and cereals. It should be possible to add information on energy content per portion to the information provided per 100 g/ml. The amendment might be a sensible compromise between Parliament's position (1st reading) and that of the Council.

Amendment 303

Kartika Tamara Liotard

Proposal for a regulation

Article 33 – paragraph 3 – introductory part

Council position

3. The particulars referred to in Article 29(3) ***may*** be ***presented*** together:

Amendment

3. The particulars referred to in Article 29(3) ***shall*** be ***repeated*** together ***in the front of pack and shall be expressed by the text 'Low', 'Medium' or 'High', in combination with the colours green, amber and red.***

Or. en

Justification

Reintroducing first reading amendment 314.

Amendment 304

Elisabetta Gardini, Sergio Berlato, Salvatore Tatarella, Paolo Bartolozzi, Licia Ronzulli, Crescenzo Rivellini, Anna Záborská, Oreste Rossi, Vittorio Prodi, Mario Pirillo, Rosario Crocetta

Proposal for a regulation

Article 33 – paragraph 3 – introductory part

Council position

3. *The particulars* referred to in *Article 29(3)* may be *presented together*:

Amendment

3. *Where the labelling of a prepacked food provides the mandatory nutrition declaration* referred to in *article 29(1)*, *the information on energy shall be repeated on the front of pack per 100 g/ml and per portion.*

In addition, the amounts of fat, saturates, sugars, salt expressed per 100 g/ml or per portion may be repeated thereon:

Or. en

Justification

This amendment is believed to be a reasonable compromise between the EP position voted in first reading and the Council position which only provided for the voluntary ‘repetition’ on the front-of-pack of five nutrients already labelled on the back of pack per 100 g/ml and per portion/per consumption unit.

Amendment 305

Kartika Tamara Liotard

Proposal for a regulation

Article 33 – paragraph 3 – subparagraph 1 (new)

Council position

Amendment

This shall be mandatory for the following categories of food only:

- Ready to eat meals;*
- Prepared products of animal origin;*

- *Pre-packaged snacks and sandwiches;*
- *Breakfast cereals;*
- *Soft drinks except milk and fruit juices as defined in Council Directive 2001/112/EC of 20 December 2001 relating to fruit juices and certain similar products intended for human consumption ¹;*
- *Other processed convenience foods.*

For other foods which do not fall into the above categories, points a and b shall be voluntary.

The reference amounts for low (green), medium (amber) and high (red) shall be defined per 100g/ml and adopted by means of delegated acts, in accordance with Article 49 and subject to the conditions of Articles 50 and 51, based on an opinion of the European Food Safety Authority.

¹ *OJ L 10, 12.1.2002, p. 58.*

Or. en

Amendment 306
Kartika Tamara Liotard

Proposal for a regulation
Article 33 – paragraph 3 – point a

Council position

Amendment

(a) in a field of vision different from the one referred to in paragraph 1 of this Article; and

deleted

Or. en

Amendment 307

Anja Weisgerber

Proposal for a regulation

Article 33 – paragraph 3 – point a

Council position

(a) in a field of vision different from the one referred to in paragraph 1 of this Article; *and*

Amendment

(a) in a field of vision different from the one referred to in paragraph 1 of this Article, *in which case the energy value may also be indicated separately from the other particulars on the ‘front of pack’;*

Or. de

Justification

This amendment should be read in conjunction with the rapporteur’s Amendment 72 and is simply intended to make clear that the so-called ‘big five’ items may also appear separately (e.g. energy value on the ‘front of pack’ and nutrients elsewhere) when repeated. Otherwise the energy value would be indicated three times: in the table, compulsorily on the front of the pack (rapporteur’s Amendment No 70) and again as part of an optional repeat indication.

Amendment 308

Kartika Tamara Liotard

Proposal for a regulation

Article 33 – paragraph 3 – point b

Council position

(b) in a format different from that specified in paragraph 2 of this Article.

Amendment

deleted

Or. en

Amendment 309

Anja Weisgerber

Proposal for a regulation

Article 33 – paragraph 3 – point b

Council position

(b) in a format different from that specified in paragraph 2 of this Article.

Amendment

(b) in a format different from that specified in paragraph 2 of this Article ***and which may take the form of a graphic in order to be more eye-catching, or***

Or. de

Justification

This amendment should be read in conjunction with the rapporteur's Amendment 72. Presenting nutritional values in the form of a graphic can, in many cases, make it easier for consumers to understand them. This should be an option for repeat indication of the so-called 'big five' items, in addition to their presentation in the table.

Amendment 310
Anja Weisgerber

Proposal for a regulation
Article 33 – paragraph 3 – point b a (new)

Council position

Amendment

(ba) solely on a per portion or per consumption unit basis with the percentage of the reference intakes set out in Part B of Annex XIII, in which case the energy value may also be indicated separately from the other particulars.

Or. de

Justification

This amendment should be read in conjunction with the rapporteur's Amendment 72. For purposes of comparability, it is essential that values be indicated per 100 g/ 100 ml. In specific cases, however, it makes more sense and is more feasible to repeat the 'big five' nutrition particulars only in the per-portion indications.

Amendment 311
Renate Sommer

Proposal for a regulation
Article 33 – paragraph 5 – subparagraph 2

Council position

In order to ensure the uniform implementation of this paragraph, the Commission may, in accordance with the **regulatory** procedure referred to in Article 46(2), adopt rules regarding the energy value and amounts of nutrients referred to in Article 29(1) **to (5)** which can be regarded as negligible.

Amendment

In order to ensure the uniform implementation of this paragraph, the Commission may, **by means of implementing acts** in accordance with the **examination** procedure referred to in Article 46(2), adopt rules regarding the energy value and amounts of nutrients referred to in Article 29(1) **and (2)** which can be regarded as negligible.

Or. en

Amendment 312
Oreste Rossi

Proposal for a regulation
Article 34

Council position

...⁴⁴

Amendment

deleted

⁴⁴. * **OJ: Please insert the date: eight years from the entry into force of this Regulation.**

Or. it

Amendment 313
Kartika Tamara Liotard

Proposal for a regulation
Article 34 – paragraph 1 – introductory part

Council position

1. In addition to the forms of expression referred to in Article 31(2) and (4) and Article 32 and to the presentation referred to in Article 33(2), the energy value and the amount of nutrients referred to in Article 29(1) *to* (5) may be given by other forms of expression and/or presented using graphical forms or symbols in addition to words or numbers provided that the following requirements are met:

Amendment

1. In addition to the forms of expression referred to in Article 31(2) and (4) and Article 32 and to the presentation referred to in Article 33(2) **and (3)**, the energy value and the amount of nutrients referred to in Article 29(1), **(2) and (5)** may be given by other forms of expression and/or presented using graphical forms or symbols in addition to words or numbers provided that the following requirements are met:

Or. en

Amendment 314

Glenis Willmott, Antonyia Parvanova, Kartika Tamara Liotard, Carl Schlyter

Proposal for a regulation

Article 34 – paragraph 1 a (new)

Council position

Amendment

1a. Notwithstanding Article 4(1) of Regulation (EC) No 1924/2006, interpretive elements may be used, for the purpose of the present Regulation, for the expression or presentation of information on energy value and the amounts of fat, saturates, sugars and salt.

Or. en

Justification

This will allow for the continued use of voluntary schemes in some Member States which have proved to be very useful for consumers.

Amendment 315

Antonyia Parvanova, Michèle Rivasi, Corinne Lepage, Kartika Tamara Liotard, Glenis Willmott, Carl Schlyter

Proposal for a regulation

Article 34 – paragraph 1 – point a

Council position

(a) they do not mislead the consumer as referred to in Article 7;

Amendment

(a) they ***are based on sound, independent consumer research and*** do not mislead the consumer as referred to in Article 7;

Or. en

Amendment 316

Glenis Willmott, Corinne Lepage, Antonyia Parvanova, Michèle Rivasi, Åsa Westlund, Kartika Tamara Liotard, Carl Schlyter

Proposal for a regulation

Article 34 – paragraph 1 – point a a (new)

Council position

Amendment

(aa) their development is the result of extensive consultation with all stakeholder groups;

Or. en

Amendment 317

Glenis Willmott, Corinne Lepage, Antonyia Parvanova, Michèle Rivasi, Åsa Westlund, Kartika Tamara Liotard, Carl Schlyter

Proposal for a regulation

Article 34 – paragraph 1 – point c

Council position

Amendment

(c) they are supported by evidence of understanding of such forms of expression or presentation by ***the average consumer***; and

(c) they are supported by ***independent*** evidence of understanding of such forms of expression or presentation by ***consumers***; and

Or. en

Amendment 318
Andres Perello Rodriguez

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

Council position

Amendment

(da) they are objective and non-discriminatory;

Or. es

Amendment 319
Andres Perello Rodriguez

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

Council position

Amendment

(db) their application may not create obstacles to the free movement of goods.

Or. es

Amendment 320
Thomas Ulmer, Holger Krahmer

Proposal for a regulation
Article 34 – paragraph 2 a (new)

Council position

Amendment

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

Or. en

Justification

Foods listed in Annex V are exempted from the mandatory nutrition declaration requirement as they contain insignificant amounts of nutrients. However, according to article 7 of Regulation (EC) n°1924/2006, any food, even if listed in Annex V, will be subject to the mandatory nutrition declaration when making a nutrition/health claim. Listing the declaration or parts of the declaration in the principal field of vision is not feasible on small packs. When making a nutrition/health claim, food listed in Annex V should therefore be exempted from this obligation.

Amendment 321

Glenis Willmott, Corinne Lepage, Antonyia Parvanova, Michèle Rivasi, Carl Schlyter, Kartika Tamara Liotard

Proposal for a regulation

Article 34 – paragraph 3 – subparagraph 2

Council position

To facilitate the monitoring of the use of such additional forms of expression or presentation, Member States **may** require food business operators placing on the market in their territory foods bearing such information to notify the competent authority of the use of an additional form of expression or presentation and to provide them with the relevant justifications regarding the fulfilment of the requirements laid down in points (a) to (d) of paragraph 1. In such cases, information on the discontinuation of the use of such additional forms of expression or presentation **may** also be required.

Amendment

To facilitate the monitoring of the use **and impact** of such additional forms of expression or presentation, Member States **shall** require food business operators placing on the market in their territory foods bearing such information to notify the competent authority of the use of an additional form of expression or presentation and to provide them with the relevant justifications regarding the fulfilment of the requirements laid down in points (a) to (d) of paragraph 1. In such cases, information on the discontinuation of the use of such additional forms of expression or presentation **shall** also be required.

Or. en

Amendment 322

Glenis Willmott, Carl Schlyter, Kartika Tamara Liotard, Antonyia Parvanova, Corinne Lepage, Michèle Rivasi, Åsa Westlund

Proposal for a regulation

Article 34 – paragraph 5 – footnote 44

Council position

Amendment

⁴⁴. * OJ: Please insert the date: ***eight*** years from the ***entry into force*** of this Regulation.

⁴⁴. * OJ: Please insert the date: ***three*** years from the ***date of application of*** this Regulation.

Or. en

Amendment 323
Renate Sommer

Proposal for a regulation
Article 34 – paragraph 6

Council position

Amendment

6. In order to ensure the uniform application of this Article, the Commission shall, in accordance with the ***regulatory*** procedure referred to in Article 46(2), adopt detailed rules concerning the implementation of paragraphs 1, 3 and 4 of this Article.

6. In order to ensure the uniform application of this Article, the Commission shall, in accordance with the ***examination*** procedure referred to in Article 46(2), adopt ***implementing acts setting out*** detailed rules concerning the implementation of paragraphs 1, 3 and 4 of this Article.

Or. en

Amendment 324
Carl Schlyter, Michèle Rivasi

Proposal for a regulation
Article 35 – paragraph 2 a (new)

Council position

Amendment

2a. The term ‘vegetarian’ shall not be applied to foods that are, or are made from or with the aid of products derived from animals that have died, have been slaughtered, or animals that die as a result of being eaten. The term ‘vegan’ shall not be applied to foods that are, or

are made from or with the aid of, animals or animal products, including products from living animals.

Or. en

Justification

EP first reading position.

Amendment 325
Holger Krahmer

Proposal for a regulation
Article 35 – paragraph 2 a (new)

Council position

Amendment

2a. Additional voluntary nutrition information for specific target groups, for example children, shall continue to be permitted provided that these specific reference values are scientifically proven, do not mislead the consumer and are in accordance with the general conditions laid down in this Regulation.

Or. en

Justification

It is more useful to provide the nutrition information using reference values relevant to children, in products aimed at children or attractive to them.

Amendment 326
Holger Krahmer

Proposal for a regulation
Article 37 – paragraph 2

Council position

Amendment

2. Without prejudice to Article 38, Member States may adopt national measures concerning matters not

2. In accordance with paragraph 1 of this Article, Member States shall refrain from laying down requirements more detailed

specifically harmonised by this Regulation provided that they do not prohibit, impede or restrict the free movement of goods that are in conformity with this Regulation.

than those already contained in this Regulation concerning nutrition labelling.

Or. en

Justification

Council proposal would allow Member States to adopt additional mandatory labelling requirements. These provisions could lead to a plethora of additional national rules which would severely disrupt the functioning of the internal market and prove extremely burdensome for operators to implement. To this end, a new paragraph 2 has been inserted into Art. 37, in accordance with current legislation as per Article 7.3 of the Nutrition Labelling Directive 90/496/EEC.

Amendment 327

Oreste Rossi

Proposal for a regulation

Article 38 – paragraph 2

Council position

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 that information.***

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.

Or. it

Amendment 328
Giommaria Uggias

Proposal for a regulation
Article 38 – paragraph 2

Council position

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*** that information.

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 ***demonstrate*** that the significant value ***attached*** to that information ***has been recognised in legislation***.

Or. it

Amendment 329
Theodoros Skylakakis

Proposal for a regulation
Article 42 – paragraph 1 – introductory part

Council position

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:

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:

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

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

The provision in this paragraph shall not apply to catering services provided by cinemas -excluding SMEs- where the food is packed at the point of sale in standardized packages, whose capacity is pre-determined and thus the final quantity and content of food or beverages is defined and measurable.

Or. en

Amendment 330
Andres Perello Rodriguez

Proposal for a regulation
Article 42 – paragraph 1 – point a

Council position

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

Amendment

(a) **Member States may request** the provision of the particulars specified in point (c) of Article 9(1);

Or. es

Amendment 331
Struan Stevenson

Proposal for a regulation
Article 43 – paragraph 2

Council position

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 will also introduce a formal notification procedure for all stakeholders in line with the provisions established in Directive 98/34.***

Justification

As was agreed in Parliament's first reading, a key justification for the proposed new Regulation is to enhance the Single Market and facilitate the free movement of goods. It is recognised that national labelling laws can fragment the Single Market and they should therefore only be adopted after a transparent scrutiny process, i.e. the same as applies for other national legislative proposals in the internal market.

Amendment 332**Oreste Rossi****Proposal for a regulation****Article 43 – paragraph 3***Council position*

3. The Member State which deems it necessary to adopt new food information legislation may take the envisaged measures only three months after the notification referred to in paragraph 1, ***provided that it has not received a negative opinion from the Commission.***

Amendment

3. The Member State which deems it necessary to adopt new food information legislation may take the envisaged measures only three months after the notification referred to in paragraph 1.

Or. it

Amendment 333**Oreste Rossi****Proposal for a regulation****Article 43 – paragraph 4***Council position*

4. If the Commission's opinion is negative, and before the expiry of the period referred to in paragraph 3 of this Article, the Commission shall initiate the regulatory procedure provided for in Article 46(2) in order to ***determine whether the envisaged measures may be implemented subject, if necessary, to the appropriate***

Amendment

4. If the Commission's opinion is negative, and before the expiry of the period referred to in paragraph 3 of this Article, the Commission shall initiate the regulatory procedure provided for in Article 46(2) in order to ***propose***, if necessary, the modifications ***deemed appropriate.***

modifications.

Or. it

Amendment 334

Renate Sommer

Proposal for a regulation

Article 43 – paragraph 4

Council position

4. If the Commission's opinion is negative, and before the expiry of the period referred to in paragraph 3 of this Article, the Commission shall initiate the **regulatory** procedure provided for in Article 46(2) in order to determine whether the envisaged measures may be implemented subject, if necessary, to the appropriate modifications.

Amendment

4. If the Commission's opinion is negative, and before the expiry of the period referred to in paragraph 3 of this Article, the Commission shall initiate the **examination** procedure provided for in Article 46(2) in order to determine whether the envisaged measures may be implemented subject, if necessary, to the appropriate modifications.

Or. en

Amendment 335

Struan Stevenson

Proposal for a regulation

Article 43 – paragraph 5

Council position

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 technical standards and regulations and of rules on Information Society services⁴⁷ shall not apply to the measures falling within the notification procedure specified in this Article.

Amendment

deleted

⁴⁷ OJ L 204, 21.7.1998, p. 37.

Justification

As was agreed in Parliament's first reading, a key justification for the proposed new Regulation is to enhance the Single Market and facilitate the free movement of goods. It is recognised that national labelling laws can fragment the Single Market and they should therefore only be adopted after a transparent scrutiny process, i.e. the same as applies for other national legislative proposals in the internal market.

Amendment 336**Renate Sommer****Proposal for a regulation****Article 44 – paragraph 1***Council position*

In order to take into account technical progress, scientific developments, consumers' health, or consumers' need for information, and subject to the provisions of Article 10(2) and Article 21(2) relating to the amendments to Annexes II and III, the Commission may, by means of delegated acts in accordance with Article 49 **and subject to the conditions laid down in Articles 50 and 51**, amend the Annexes to this Regulation.

Amendment

In order to take into account technical progress, scientific developments, consumers' health, or consumers' need for information, and subject to the provisions of Article 10(2) and Article 21(2) relating to the amendments to Annexes II and III, the Commission may, by means of delegated acts in accordance with Article 49, amend the Annexes to this Regulation.

Amendment 337**Renate Sommer****Proposal for a regulation****Article 45 – paragraph 1 – introductory part***Council position*

1. Without prejudice to paragraph 2 of this Article, in exercising the powers conferred by this Regulation to adopt measures in accordance with the **regulatory** procedure referred to in Article 46(2) or by means of

Amendment

1. Without prejudice to paragraph 2 of this Article, in exercising the powers conferred by this Regulation to adopt measures **by means of implementing acts** in accordance with the **examination** procedure referred to

delegated acts in accordance with *Articles* 49 **to 52** the Commission shall:

in Article 46(2) or by means of delegated acts in accordance with *Article* 49 the Commission shall:

Or. en

Amendment 338
Renate Sommer

Proposal for a regulation
Article 46 – paragraph 1

Council position

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health.

Amendment

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health *established by Article 58(1) of Regulation (EC) No 178/2002. That Committee is a committee within the meaning of Regulation (EU) No 182/2011.*

Or. en

Amendment 339
Renate Sommer

Proposal for a regulation
Article 46 – paragraph 2 – subparagraph 1

Council position

Where reference is made to this paragraph, *Articles 5 and 7 of Decision 1999/468/EC* shall apply, *having regard to the provisions of Article 8 thereof.*

Amendment

Where reference is made to this paragraph, *Article 5 of Regulation (EU) No 182/2011* shall apply.

Or. en

Amendment 340
Renate Sommer

Proposal for a regulation
Article 46 – paragraph 2 – subparagraph 2

Council position

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

Amendment

deleted

Or. en

Amendment 341
Renate Sommer

Proposal for a regulation
Article 49 – paragraph 1

Council position

1. The power to adopt **the** delegated acts referred to in Articles 10(2), 12(3), 13(5), 19(2), 21(2), 23(2), 29(6), 30(2), 35(4) and Article 44 **shall be conferred on the Commission** for a period of five years following ...⁵¹. The Commission shall draw up a report in respect of the delegated power not later than **six** months before the end of the five-year period. The delegation of power shall be **automatically** extended for periods of an identical duration, unless the European Parliament or the Council **revokes it in accordance with** Article 50.

Amendment

1. The power to adopt delegated acts **is conferred on the Commission subject to the conditions laid down in this Article.**

1a. The delegation of power referred to in Articles 10(2), 12(3), 13(5), 19(2), 21(2), 23(2), 29(6), 30(2), 35(4), and Article 44 for a period of five years following ...^{*}. The Commission shall draw up a report in respect of the delegated power not later than **nine** months before the end of the five-year period. The delegation of power shall be **tacitly** extended for periods of an identical duration, unless the European Parliament or the Council **opposes such an**

extension not later than three months before the end of each period.

1b. The delegation of power referred to in Article 10(2), 12(3), 13(5), 19(2), 21(2), 23(2), 29(6), 30(2), 35(4), and Article 44 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following that of its publication in the Official Journal of the European Union or on a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Or. en

Amendment 342
Renate Sommer

Proposal for a regulation
Article 49 – paragraph 3

Council position

3. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in Articles 50 and 51.

Amendment

3. A delegated act adopted pursuant to Articles 10(2), 12(3), 13(5), 19(2), 21(2), 23(2), 29(6), 30(2), 35(4), and Article 44 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Or. en

Amendment 343
Renate Sommer

Proposal for a regulation
Article 49 – paragraph 4

Council position

Amendment

4. Where, in the case of the emergence of a new serious risk to human health, imperative grounds of urgency so require, the procedure provided for in Article 52 shall apply to delegated acts adopted pursuant to Articles 10(2) and 21(2). *deleted*

Or. en

Amendment 344
Renate Sommer

Proposal for a regulation
Article 50

Council position

Amendment

Revocation of the delegation *deleted*

1. The power to adopt the delegated acts referred to in Articles 10(2), 12(3), 13(5), 19(2), 21(2), 23(2), 29(6), 30(2), 35(4) and Article 44 may be revoked at any time by the European Parliament or the Council.

2. The institution which has commenced an internal procedure for deciding whether to revoke the delegations of power shall endeavour to inform the other institution and the Commission within a reasonable time before the final decision is taken, indicating the delegated power which could be subject to revocation and possible reasons for a revocation.

3. The decision of revocation shall put to an end the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the

validity of the delegated acts already in force. It shall be published in the Official Journal of the European Union.

Or. en

Amendment 345
Renate Sommer

Proposal for a regulation
Article 51

Council position

Amendment

Objections to delegated acts

deleted

1. The European Parliament or the Council may object to a delegated act within a period of two months from the date of notification. At the initiative of the European Parliament or the Council that period shall be extended by two months.

2.If, on expiry of the period referred to in paragraph 1, neither the European Parliament nor the Council has objected to the delegated act, it shall be published in the Official Journal of the European Union and shall enter into force on the date stated therein

The delegated act may be published in the Official Journal of the European Union and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission of their intention not to raise objections.

3. If either the European Parliament or the Council objects to a delegated act within the period referred to in paragraph 1, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act.

Or. en

Amendment 346
Renate Sommer

Proposal for a regulation
Article 52 – paragraph 1

Council position

1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 3.

Amendment

1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. ***The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.***

Or. en

Amendment 347
Renate Sommer

Proposal for a regulation
Article 52 – paragraph 2

Council position

2. ***The notification of*** a delegated act ***adopted under this Article to the European Parliament and to the Council*** shall ***state the reasons for the use of the urgency procedure.***

Amendment

2. ***Either the European Parliament or the Council may object to*** a delegated act ***in accordance with the procedure referred to in Article 49(5). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or by the Council.***

Or. en

Amendment 348
Carl Schlyter, Michèle Rivasi

Proposal for a regulation
Article 54 – paragraph 1 – subparagraph 2

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Council position

Amendment

Foods placed on the market or labelled prior to ...⁵⁴ ** which do not comply with the requirement laid down in point (l) of Article 9(1) may be marketed until the stocks of the foods are exhausted. ***deleted***

54. *** OJ: Please insert the date: the first day of the month five years after the entry into force of this Regulation.

Or. en

Justification

A transitional period of three years is sufficient. There is no reason why the transitional period for requiring the nutrition declaration should be longer than for all the rest of the food information.

Amendment 349

Carl Schlyter, Michèle Rivasi

**Proposal for a regulation
Article 54 – paragraph 2**

Council position

Amendment

2. Between ...⁵⁵ and ...⁵⁶, where the nutrition declaration is provided on a voluntary basis, it shall comply with Articles 29 to 34. ***deleted***

55. OJ: Please insert the date: the first day of the month three years after the entry into force of this Regulation.

56. OJ: Please insert the date: the first day of the month five years after the entry into force of this Regulation.

Or. en

Justification

No longer necessary.

Amendment 350

Carl Schlyter, Michèle Rivasi

Proposal for a regulation

Article 55 – paragraph 2

Council position

It shall apply from ...*, ***with the exception of point (l) of Article 9(1), which shall apply from ...**.***

* OJ: Please insert the date: the first day of the month three years after the entry into force of this Regulation.

** ***OJ: Please insert the date: the first day of the month five years after the entry into force of this Regulation.***

Amendment

It shall apply from ...*

* OJ: Please insert the date: the first day of the month three years after the entry into force of this Regulation.

Or. en

Justification

Three years is a sufficient period of time and there is no need for foreseeing a longer period for the requirement of a nutrition declaration.

Amendment 351

Chris Davies

Proposal for a regulation

Annex I – point 1

Council position

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 and their ***specifically mentioned*** components:

– fat (saturates, trans fats, mono-unsaturates, polyunsaturates);

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 (saturates, trans fats, mono-unsaturates, polyunsaturates);

- carbohydrate (sugars, polyols, starch);
- salt;
- fibre;
- protein;
- any of the vitamins or minerals listed in point 1 of Part A of Annex XIII, and present in significant amounts as defined in point 2 of Part A of Annex XIII;

- carbohydrate (sugars, polyols, starch);
- salt;
- fibre;
- protein;
- any of the vitamins or minerals listed in point 1 of Part A of Annex XIII, and present in significant amounts as defined in point 2 of Part A of Annex XIII;

Or. en

Amendment 352

Åsa Westlund, Christel Schaldemose, Dan Jørgensen

Proposal for a regulation

Annex III – table – point -1 (new)

Council position

Amendment

-1. FOOD CONTAINING GLUTAMATIC ACIDS OR ITS SALTS

Food containing one or more of the food additives E620, E621, E622, E623, E624 and E625

‘contains flavor enhancer’

Or. en

Justification

Parts of amendment 275 first reading

Amendment 353

Dan Jørgensen, Christel Schaldemose, Sirpa Pietikäinen

Proposal for a regulation

Annex III – table – point 1a (new)

Council position

Amendment

1a. Meat products from special slaughter

‘Meat from slaughter without stunning’

1a.1 Meat and meat products derived from animals that have not been stunned prior to slaughter, i.e. have been ritually slaughtered

Or. en

Amendment 354
Struan Stevenson

Proposal for a regulation
Annex III – table – point 1a (new)

Council position

Amendment

1a. FOOD PRODUCTS WITH ANIMAL WELFARE CONSIDERATIONS

1a.1 Food products containing meat from animals slaughtered by the Halal method.

‘This product comes from an animal slaughtered by the Halal method’

1a.2 Food products containing meat from animals slaughtered by the Shechita method.

‘This product comes from an animal slaughtered by the Shechita method’

Or. en

Amendment 355
Corinne Lepage, Antonyia Parvanova

Proposal for a regulation
Annex III – table - point 2.3 – right-hand column

Council position

Amendment

‘contains a source of phenylalanine’.

*‘contains **aspartame** (a source of phenylalanine; **might be unsuitable for pregnant women**)’.*

Or. fr

Amendment 356
Carl Schlyter, Michèle Rivasi

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

Council position

Amendment

**3a. FOODS CONTAINING GLUTAMIC ACIDS OR ITS
SALTS**

**3a.1 Foods containing one or
more of the food additives
E620, E621, E622, E623,
E624 and E625**

**‘contains appetite-
enhancing
ingredients’**

Or. en

Justification

EP first reading position.

Amendment 357
Gerben-Jan Gerbrandy, Boguslaw Sonik

Proposal for a regulation
Annex III – table – point 4.2

Council position

Amendment

4.2 Foods other than
**those mentioned under
point 4.1**, where
caffeine is added with a
nutritional or
physiological purpose.

‘Added caffeine. Not
recommended for
children or pregnant
women’ in the same
field of vision as the
name of the product,
followed by a
reference in brackets
and in accordance
with Article 13(1) of
this Regulation to the
caffeine content
expressed in mg per
100 g/ml. In the case
of food supplements,

4.2 Foods other than
beverages, where caffeine
is added with a nutritional
or physiological purpose.

‘Contains
caffeine. Not
recommended for
children or
pregnant women’
in the same field
of vision as the
name of the
product, followed
by a reference in
brackets and in
accordance with
Article 13(1) of
this Regulation to
the caffeine

the caffeine content shall be expressed per portion as recommended for daily consumption on the labelling.

content expressed in mg per 100 g/ml. In the case of food supplements, the caffeine content shall be expressed per portion as recommended for daily consumption on the labelling.

Or. en

Justification

The word 'contains' would technically be better in order to prevent legislative loopholes, e.g. guarana is an additive which has a natural high caffeine content and would not have to be labelled if the word 'added' is used. Also beverages containing lower levels of caffeine than 150 mg/l added as a flavour should not be covered by the labelling provisions under 4.2.

Amendment 358
Struan Stevenson

Proposal for a regulation
Annex III – table – point 4.2–left-hand column

Council position

4.2 Foods other than *those mentioned under point 4.1*, where caffeine is added with a *nutritional or* physiological purpose.

Amendment

4.2 Foods other than *beverages* where caffeine is added with a physiological purpose.

Or. en

Justification

Parts of amendment 275 first reading

Amendment 359
Gerben-Jan Gerbrandy

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

Council position

Amendment

5a . MEAT PRODUCTS FROM SPECIAL SLAUGHTER

**5a.1 Meat and meat products
derived from animals that
have not been stunned prior
to slaughter, i.e. have been
ritually slaughtered**

**‘Meat from slaughter
without stunning’**

Or. en

Justification

Restoring of European Parliament’s first reading position.

Amendment 360
Oreste Rossi

Proposal for a regulation
Annex IV

Council position

Amendment

[whole text of Annex IV]

deleted

Or. it

Amendment 361
Horst Schnellhardt

Proposal for a regulation
Annex V – point 19

Council position

Amendment

19. Food directly supplied by the
manufacturer of small quantities of
products to the final consumer or to local
retail establishments directly supplying the

19. Food directly supplied by the
manufacturer of small quantities of
products, ***including handcrafted products
produced by micro-enterprises and local
retailers,*** to the final consumer or to local

final consumer.

retail establishments directly supplying the
final consumer.

Or. de

Amendment 362

Oreste Rossi

Proposal for a regulation
Annex V – point 19 a (new)

Council position

Amendment

19a. Indelibly marked glass bottles.

Or. it

Justification

See Amendment 223 in Parliament's position at first reading.

Amendment 363

Renate Sommer

Proposal for a regulation
Annex V – point 19 a (new)

Council position

Amendment

19a. handcrafted products;

Or. en

Amendment 364

Boguslaw Sonik

Proposal for a regulation
Annex V – point 19 a (new)

Council position

Amendment

19a. Indelibly marked glass bottles

Or. en

Justification

Indelibly marked bottles are glass bottles intended for reuse which carry labelling that is etched or engraved directly onto the glass. The proposal has extended mandatory elements to cover nutrition labelling for such indelibly marked bottles. Given the value (approximately 60 million Euros) and the long life (8-12 years) of current such bottle fleets in the EU, the EP first reading position (amendments 124 and 223) should be supported to exempt such bottles from the nutrition labelling requirements.

Amendment 365
Struan Stevenson

Proposal for a regulation
Annex VI – point 1 a (new)

Council position

Amendment

1a. 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.

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.

Amendment 366
Holger Krahmer

Proposal for a regulation
Annex VI – point 1

Council position

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, 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, **defrosted**, concentrated, smoked) in all cases where omission of such information could mislead the *purchase*.

Amendment 367
Renate Sommer

Proposal for a regulation
Annex VI – point 1

Council position

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, 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, quick-frozen, **defrosted**, concentrated, smoked) in all cases where omission of such information could mislead the purchaser.

Amendment 368

János Áder

Proposal for a regulation

Annex VI – point 1

Council position

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, 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, **re-frozen**, freeze-dried, quick-frozen, concentrated, smoked) in all cases where omission of such information could mislead the purchaser.

Or. en

Amendment 369

Giommaria Uggias, Sergio Paolo Francesco Silvestris

Proposal for a regulation

Annex VI – point 1

Council position

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, 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, freeze-dried, quick-frozen, concentrated, smoked, **deodorised**) in all cases where omission of such information could mislead the purchaser.

Or. it

Amendment 370

Mairead McGuinness

Proposal for a regulation

Annex VI – point 2

Council position

Amendment

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation 'defrosted'.

deleted

Or. en

**Amendment 371
Holger Krahmer**

**Proposal for a regulation
Annex VI – point 2**

Council position

Amendment

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation 'defrosted'.

deleted

Or. en

**Amendment 372
James Nicholson**

**Proposal for a regulation
Annex VI – point 2**

Council position

Amendment

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation 'defrosted'.

2. deleted

Or. en

Amendment 373
Renate Sommer

Proposal for a regulation
Annex VI – point 2

Council position

Amendment

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation ‘defrosted’.

deleted

Or. en

Amendment 374
Struan Stevenson

Proposal for a regulation
Annex VI – point 2

Council position

Amendment

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation ‘defrosted’.

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation ‘defrosted’ **where failure to do so would mislead.**

Or. en

Justification

Consumers should have information on the processes used on their food where it would mislead them about the nature of the food. The freezing process is used by the food industry for a range of functions including storage and to assist with slicing of products. To ensure that consumers receive meaningful information it is important to clarify where these provisions apply. They should be focused on where consumer interest and where providing information would prevent consumers from being mislead.

Amendment 375
Mairead McGuinness

Proposal for a regulation
Annex VI – point 2

Council position

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation ‘defrosted’.

Amendment

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation ‘defrosted’ ***unless the product is suitable for re-freezing.***

Or. en

Justification

Consumers should have information on the processes used on their food where it would mislead them about the integrity of the food. The freezing process is used by the food industry for a range of functions including transport and storage and to assist with slicing of products. To ensure that consumers receive meaningful information it is important to clarify where these provision apply. They should be focussed on where the information is of practical use to the consumer for example in cases where refreezing is unsuitable because it would compromise product quality or safety.

Amendment 376
Nessa Childers

Proposal for a regulation
Annex VI – point 2

Council position

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation ‘defrosted’.

Amendment

2. In the case of foods that have been frozen before sale and which are sold defrosted ***and where an identifiable health risk exists***, the name of the food shall be accompanied by the designation ‘defrosted’.

Or. en

Amendment 377
James Nicholson

Proposal for a regulation
Annex VI – point 2

Council position

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation ‘defrosted’.

Amendment

2. In the case of foods that have been frozen before sale and which are sold defrosted ***and where an identified health risk exists***, the name of the food shall be accompanied by the designation ‘defrosted’.

Or. en

Amendment 378
Giancarlo Scottà

Proposal for a regulation
Annex VI – point 2

Council position

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation ‘defrosted’.

Amendment

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be accompanied by the designation ‘defrosted’, ***unless the food is suitable for re-freezing.***

Or. en

Amendment 379
Esther de Lange

Proposal for a regulation
Annex VI– point 2

Council position

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be

Amendment

2. In the case of foods that have been frozen before sale and which are sold defrosted, the name of the food shall be

accompanied by the designation
'defrosted'.

accompanied by the designation
'defrosted' ***unless the food is suitable for
re-freezing.***

Or. en

Justification

When no food safety concerns exist when re-freezing a product previously defrosted, the mentioning of 'defrosted' should not be mandatory

Amendment 380
Struan Stevenson

Proposal for a regulation
Annex VI – point 2 a (new)

Council position

Amendment

***2a. Where foods covered by point 2
comprise more than one ingredient, the
designation is required only where the
entire product has been frozen before sale
to the final consumer.***

Or. en

Justification

Consumers should have information on the processes used on their food where it would mislead them about the nature of the food. The freezing process is used by the food industry for a range of functions including storage and to assist with slicing of products. To ensure that consumers receive meaningful information it is important to clarify where these provisions apply. They should be focused on where consumer interest and where providing information would prevent consumers from being misled.

Amendment 381
Horst Schnellhardt, Esther de Lange

Proposal for a regulation
Annex VI – point 2 a (new)

Council position

Amendment

***Part Ba – SPECIFIC REQUIREMENTS
CONCERNING THE DESIGNATION
OF SAUSAGE CASINGS***

Sausage casings shall be indicated as follows in the list of ingredients:

‘natural casing’ if the casing used in sausage production is derived from the intestinal tract of even-toed ungulates;

‘artificial casing’ in all other cases.

If an artificial casing is not edible, this must be indicated.

Or. de

Amendment 382

Anja Weisgerber, Esther de Lange

Proposal for a regulation

Annex VI – point 4

Council position

Amendment

4. In the case of foods in which a component or ingredient that consumers expect to be normally used or naturally present has been substituted with a different component or ingredient, the labelling shall bear – in addition to the list of ingredients – ***a clear indication of the component or the ingredient that has been used for the partial or whole substitution.***

4. In the case of foods in which a component or ingredient that consumers expect to be normally used or naturally present has been substituted with a different component or ingredient, the labelling shall bear – in addition to the list of ingredients ***and in a clearly visible manner – one of the following indications:***

(a) ‘[designation of the food] produced with [designation of the substitute component(s) or ingredient(s)] instead of [designation of the component(s) or ingredient(s) replaced]’ or

(b) ‘[designation of the food] with [designation of the component(s) or ingredient(s) replaced] substitute’ or ‘[designation of the food] with imitation [designation of the component(s) or

ingredient(s) replaced]’.

Or. de

Justification

The wording proposed by the Council could lead food producers to include long and elaborate descriptions of substitute ingredients in their product labelling. In the interests of better consumer protection, it is essential that labelling should be clear and comprehensible, conveying directly what the consumer needs to know in order to take informed purchasing decisions.

Amendment 383

Carl Schlyter, Michèle Rivasi

Proposal for a regulation

Annex VI – point 4 a (new)

Council position

Amendment

4a. 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

EP first reading position.

Amendment 384

Carl Schlyter, Michèle Rivasi

Proposal for a regulation

Annex VI – point 4 b (new)

Council position

Amendment

4b. 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

EP first reading position.

Amendment 385

Carl Schlyter, Michèle Rivasi

Proposal for a regulation

Annex VI – point 4 c (new)

Council position

Amendment

4c. 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

EP first reading position.

Amendment 386
Andrés Perello Rodríguez

Proposal for a regulation
Annex VII – Part B – table – point 1 – right-hand-column – first paragraph

<i>Council position</i>	<i>Amendment</i>
'Oil', together with - either the adjective ' vegetable ' <i>or</i> 'animal', as appropriate, or - an indication of their specific vegetable <i>or animal</i> origin.	'Oil', together with - either the adjective 'animal' (<i>or the indication of their specific animal origin</i>), or, as appropriate, - an indication of their specific vegetable origin.

Or. es

Justification

See amendment 263 from first reading.

Amendment 387
Carl Schlyter, Glenis Willmott, Kartika Liotard, Nessa Childers, Åsa Westlund

Proposal for a regulation
Annex VII – Part B – table – point 1 – right-hand-column – first paragraph

<i>Council position</i>	<i>Amendment</i>
'Oil', together with - either the adjective ' vegetable ' <i>or</i> 'animal', as appropriate, <i>or</i> - an indication of their specific vegetable <i>or animal</i> origin	'Oil', together with either the adjective 'animal' (<i>or the indication of their specific animal origin</i>) <i>or</i> , as appropriate, an indication of their specific vegetable origin. <i>In cases where certain vegetable oils cannot be guaranteed not to be present, the use of 'May contain...' is required.</i>

Or. en

Amendment 388

Gerben-Jan Gerbrandy, Chris Davies

Proposal for a regulation

Annex VII – Part B – table –point 1 – right-hand-column –first paragraph

<i>Council position</i>	<i>Amendment</i>
'Oil', together with	'Oil', together with either the adjective 'animal' <i>(or the indication of their specific animal origin)</i> or, as appropriate, an indication of their specific vegetable origin.
- either the adjective ' <i>vegetable</i> ' or 'animal', as appropriate, <i>or</i>	<i>In cases where certain vegetable oils cannot be guaranteed not to be present, the use of 'May contain...' is required.</i>
- an indication of their specific vegetable <i>or animal</i> origin	

Or. en

Justification

Restoring European Parliament's first reading position.

Amendment 389

Carl Schlyter, Michèle Rivasi

Proposal for a regulation

Annex VII – Part B – table –point 1 – right-hand-column –second paragraph

<i>Council position</i>	<i>Amendment</i>
The adjective fully or partly hydrogenated, as appropriate, must accompany the indication of a hydrogenated oil <i>unless the amount of saturates and trans fats are included in the nutrition declaration.</i>	The adjective fully or partly hydrogenated, as appropriate, must accompany the indication of a hydrogenated oil.

Or. en

Justification

EP first reading position.

Amendment 390
Andrés Perello Rodríguez

Proposal for a regulation
Annex VII – Part B – table – point 2 – right-hand-column – first paragraph

Council position

Amendment

'Fat', together with

'Fat' together with an indication of their specific vegetable or animal origin.

- either the adjective 'vegetable' or 'animal', as appropriate, or

an indication of their specific vegetable or animal origin.

Or. es

Justification

See amendment 279 from first reading.

Amendment 391
Carl Schlyter, Michèle Rivasi

Proposal for a regulation
Annex VII – Part B – table – point 2 – right-hand-column – first paragraph

Council position

Amendment

'Fat', together with

'Fat', together with *an indication of their specific vegetable or animal origin.*

– either the adjective 'vegetable' or 'animal', as appropriate, or

– an indication of their specific vegetable or animal origin.

Or. en

Justification

EP first reading position.

Amendment 392

Holger Krahmer, Dagmar Roth-Behrendt

Proposal for a regulation

Annex VII – Part B – table – point 15a (new)

Council position

Amendment

***15a. Natural extracts
from fruit, vegetables
and edible plants or
parts of plants obtained
by means of
mechanical/physical
procedures and used in
concentrated form to
colour food.***

‘Coloring food’

Or. en

Justification

Colouring foods are used in production as ingredients of other foods for colouring purposes. The term will make it easy for consumers to recognise that a substance listed in a list of ingredients is being used for colouring purposes. As Community law does not lay down any requirement to provide information on colouring foods, it is appropriate to replace the specific designation with the indication of a category.

Amendment 393

Esther de Lange

Proposal for a regulation

Annex VII – Part C – list

Council position

Amendment

Acid

Acid

Acidity regulator

Acidity regulator

Anti-caking agent

Anti-caking agent

Anti-foaming agent

Anti-foaming agent

Antioxidant

Antioxidant

Bulking agent

Colour

Emulsifier

Emulsifying salts¹

Firming agent

Flavour enhancer

Flour treatment agent

Foaming agents

Gelling agent

Glazing agent

Humectant

Modified starch²

Preservative

Propellant gas

Raising agent

Sequestrant

Stabiliser

Sweetener

Thickener

¹ Only for processed cheeses and products based on processed cheeses.

² The specific name or E number shall not be required to be indicated.

Bulking agent

Colour

Emulsifier

Emulsifying salts¹

Enzymes^{*}

Firming agent

Flavour enhancer

Flour treatment agent

Foaming agents

Gelling agent

Glazing agent

Humectant

Modified starch²

Preservative

Propellant gas

Raising agent

Sequestrant

Stabiliser

Sweetener

Thickener

¹ Only for processed cheeses and products based on processed cheeses.

² The specific name or E number shall not be required to be indicated.

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

* *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 394 **Struan Stevenson**

Proposal for a regulation **Annex VII – part D – point 1**

Council position

1. Flavourings shall be designated *either* by the **word 'flavouring(s)'** or *by* a more specific name or description of the flavouring.

Amendment

1. ***Without prejudice to paragraph 2,*** flavourings shall be designated by the ***terms***

— ***'flavourings'***

or a more specific name or description of the flavouring, ***if the flavouring component contains flavourings as defined in Article 3(2)(b), (c), (d), (e), (f), (g) and (h) of Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods (*)***;

— ***'smoke flavouring(s)', or 'smoke flavouring(s) produced from' food(s) or food category or source(s)' (e.g. smoke flavouring produced from beech), if the flavouring component contains flavourings as defined in Article 3(2)(f) of Regulation (EC) No 1334/2008 and imparts a smoky flavour to the food.***

Amendment 395

Struan Stevenson

Proposal for a regulation

Annex VII – part D – point 3

Council position

3. The *word* ‘natural’ *or any other word having substantially the same meaning* may be used *only for flavourings in which the flavouring component contains exclusively flavouring substances as defined in point (b) of Article 3(2) of Regulation (EC) No 1334/2008 and/or flavouring preparations as defined in point (d) of Article 3(2) of that Regulation.*

Amendment

3. The *term* ‘natural’ *for the description of flavourings shall* be used in *accordance with Article 16* of Regulation (EC) No 1334/2008.

Or. en

Amendment 396

Struan Stevenson

Proposal for a regulation

Annex VII – part D – point 4

Council position

4. *If the name of the flavouring contains a reference to the vegetable or animal nature or origin of the incorporated substances, the word* ‘natural’ *or any other word having substantially the same meaning* may *not* be used *unless the flavouring component has been isolated by appropriate physical processes, enzymatic or microbiological processes or traditional food-preparation processes solely or almost solely from the food or the flavouring source concerned.*

Amendment

4. *By way of derogation from paragraph 6 of Article 16 of Regulation (EC) No 1334/2008, the term* ‘natural flavouring(s)’ *may also be used where the conditions of paragraph 4 or 5 of that article are met.*

Justification

The Regulation should be aligned to the changes introduced in Regulation (EC) No 1334/2008 establishing rules on the designation of flavourings. However terms such as 'Natural strawberry flavour with other natural flavours' are lengthy. Paragraph 3 of this amendment would allow flexibility for manufacturers.

Amendment 397**Struan Stevenson****Proposal for a regulation****Annex IX – point 1 ca (new)***Council position**Amendment*

1ca. foods the subject of national measures exempting packs of 50g or less.

Justification

Throughout the EU many Member States have developed their own rules on the minimum net weight requirements for any number of foods, particularly for confectionary products. Amending the regulation to require a net weight declaration will be a real burden on the small firms selling these goods without any real benefit to consumers. So as not to increase the burdens on those industries affected by these changes in the regulation, the derogation from these requirements should continue.

Amendment 398**Kartika Tamara Liotard****Proposal for a regulation****Annex XI***Council position**Amendment*

[whole text of Annex XI]

deleted*Justification*

See amendment on article 25 (2) b.

Amendment 399
Kartika Tamara Liotard

Proposal for a regulation
Annex XI – heading 1

Council position

Amendment

***TYPES OF MEAT FOR WHICH THE
INDICATION OF THE COUNTRY OF
ORIGIN OR PLACE OF PROVENANCE
IS MANDATORY***

deleted

Or. en

Justification

See amendment on article 25 (2) b.

Amendment 400
Thomas Ulmer

Proposal for a regulation
Annex XIII – section 1 – title

Council position

Amendment

**REFERENCE INTAKES FOR
VITAMINS AND MINERALS
(ADULTS)**

***DAILY* REFERENCE INTAKES FOR
VITAMINS AND MINERALS
(ADULTS)**

Or. en

Justification

Amendment adopted by the parliament at first reading (amendment 242)

Amendment 401
Esther de Lange

Proposal for a regulation
Annex XIII – point 2 – paragraph 1 – indent 3

Council position

– 15 % of the nutrient reference values specified in point 1 per portion if the package contains only a single portion.

Amendment

– 15 % of the nutrient reference values specified in point 1 per portion if the package contains only a single portion.

– 5% of the RDI per 100kcal in the case of products other than beverages.

Or. en

Justification

According to this proposal, foods rich in water and/or low energy foods will not be allowed to make reference to the content of vitamins and minerals. This is not a line with CODEX ALIMENTARIUS labelling provisions where the possibility exists to relate percentage to kcal. Because of the exclusion of the reference to (5% of RDI) per 100kcal many fruits, vegetables or dairy products cannot communicate on their micronutrient content ('source of' vitamins and minerals) since they are rich in water.

Amendment 402

Struan Stevenson

Proposal for a regulation

Annex XV – paragraph 1 – introductory part

Council position

The units of measurement to be used in the nutrition declaration for energy (**kilojoules (kJ) and** kilocalories (kcal)) and mass (grams (g), milligrams (mg), and micrograms (µg)) and the order of presentation of the information, as appropriate, shall be the following:

Amendment

The units of measurement to be used in the nutrition declaration for energy kilocalories (kcal)) and mass (grams (g), milligrams (mg), and micrograms (µg)) and the order of presentation of the information, as appropriate, shall be the following:

Or. en

Justification

As was agreed in Parliament's first reading, the proposed new Regulation is designed to enhance information for consumers. As calories is the measure most understood, and as it is accepted that many consumers already face difficulties understanding information on labels, including in relation to nutrition, the use of kJ is superfluous and potentially counter-productive.

