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AMENDMENTS 544 - 648 - Part III

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

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

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

AM_Com_LegReport

Amendment 544

Kathy Sinnott

Proposal for a regulation

Article 34 – paragraphs 1-3

Text proposed by the Commission

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

2. The nutrition declaration in relation to the nutrients referred to in Article 29(2) shall appear together **in one place and, as appropriate**, in the order of presentation provided in Part C of Annex XIII.

When this nutrition declaration **does not appear in the principal field of vision**, it shall be presented in tabular form, with the numbers aligned if space permits. Where space does not permit, the declaration shall appear in linear form.

3. If the mandatory nutrition declaration appears together with the declaration on nutrients referred to in Article 29(2), the order of presentation of the energy and nutrients included in the declaration shall be, as appropriate, in the order provided in Part C of Annex XIII.

Amendment

1. The particulars referred to **Article 29 (1)(a)** shall be included in the principal field of vision. They shall be presented together in a clear format in the following order: **sugars**, fat, saturates and salt.

2. The nutrition declaration in relation to the nutrients referred to in Article **29(1)(b) and 29(2)** shall appear together, **on the back of the pack and** in the order of presentation provided in Part C of Annex XIII.

This nutrition declaration shall be presented in tabular form, with the numbers aligned if space permits. Where space does not permit, the declaration shall appear in linear form.

Or. en

Justification

In order to keep information clear and immediate it should contain in the field of vision a limited number of nutrients of most significance to the public including fat, saturated fat, sugar and salt. This information should be accompanied by mandatory back of pack nutrition

labelling.

Amendment 545

Liam Aylward

Proposal for a regulation

Article 34 – paragraphs 1-3

Text proposed by the Commission

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

2. The nutrition declaration in relation to the nutrients referred to in Article 29(2) shall appear together **in one place** and, **as appropriate**, in the order of presentation provided in Part C of Annex XIII.

When this nutrition declaration does not appear in the principal field of vision, it shall be presented in tabular form, with the numbers aligned if space permits. Where space does not permit, the declaration shall appear in linear form.

3. If the mandatory nutrition declaration appears together with the declaration on nutrients referred to in Article 29(2), the order of presentation of the energy and nutrients included in the declaration shall be, as appropriate, in the order provided in Part C of Annex XIII.

Amendment

1. The particulars referred to **Article 29 (1) a)** shall be included in the principal field of vision. They shall be presented together in a clear format in the following order: energy, saturates, **sugars** and salt **and colour coded as referred to in Article 31.3.**

2. The nutrition declaration in relation to the nutrients referred to in Article 29(1) **b)** shall appear together, **on the back of the pack** and in the order of presentation provided in Part C of Annex XIII.

It shall be presented in tabular form, with the numbers aligned if space permits. Where space does not permit, the declaration shall appear in linear form.

Or. en

Justification

Labelling has to be mandatory on the front and back of pack with four elements on the front of pack: energy values, saturates, sugar and salt and the big 8 + trans fats on the back of pack.

Since trans fats, fibre and protein are mandatory on back of pack, they should not be included in this list of paragraph 2.

Amendment 546

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

As for carbohydrates, it is enough to have the declaration at the back of pack, in order not to confuse consumers with too much information on the front of pack.

Amendment 547

Renate Sommer

Proposal for a regulation

Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

1. The particulars referred to *in* Article 31(2) related to the mandatory nutrition declaration shall be included in the **same** field of vision **as the particulars referred to in Article 29(1) and (2) in a single table.** They shall be presented in the following order: energy, **protein**, fat, **with specific reference to** saturates, carbohydrates with specific reference to

sugars, and salt.

Or. de

Justification

For the sake of consistency with other amendments (cf. Article 29(i)(b)); setting out the particulars in table form should make them easier to read.

Amendment 548
Anja Weisgerber

Proposal for a regulation
Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

1. The particulars referred to *in* Article 31(2) related to the mandatory nutrition declaration shall be included in the principal field of vision. They shall be presented, where appropriate, together in a clear format in the following order: energy, fat, saturates, carbohydrates with specific reference to sugars, and salt. ***The particular required by Article 31(3) shall also be represented graphically.***

Or. de

Justification

The newly inserted third sentence provides for additional graphic representation of the percentage used in the nutrition declaration, as this has the advantage over the purely textual form that it can be understood at a glance. Graphic forms have the advantage, in comparison with textual forms, of being immediately comprehensible. Bar charts or pie charts may, for example, be used for this purpose.

Amendment 549
Richard Seeber

Proposal for a regulation
Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

1. The particulars referred to *in* **Article 29(1)** shall be presented in a clear format in the following order: energy, **protein**, carbohydrates **and fat.**

Or. de

Justification

Wo auf der Verpackung die Nährwertkennzeichnung erfolgen soll, sollte weiterhin der Disposition des Unternehmers überlassen bleiben („Hauptschauseite“, Sichtfeld oder an einem anderen Platz). Ausreichend Flexibilität ist gefordert, um unterschiedliche Verpackungsgrößen und mehrsprachige Aufmachungen berücksichtigen zu können.

An der bisherigen Reihenfolge der Nährstoffe in der Nährwertkennzeichnung (nämlich: Brennwert, Eiweiß, Kohlenhydrate und Fett) sollte festgehalten werden. Der pauschale Verweis in den Begründungserwägungen 32 und 33, dass „...bestimmte Nahrungsbestandteile für die öffentliche Gesundheit von Bedeutung ist...“, bietet keine Grundlage für eine Änderung der Reihung. Darüber hinaus beziehen sich sämtliche Ernährungsempfehlungen auf die genannten Makronährstoffe, die Verbraucher haben sich an diese Art der Angabe gewöhnt und sie „gelernt“. Eine Änderung der Reihenfolge der Nährstoffe hätte zur Folge, dass sämtliche (!) am europäischen Markt befindlichen Etiketten zu ändern wären. Das ist unverhältnismäßig.

Amendment 550
Karl-Heinz Florenz

Proposal for a regulation
Article 34 - paragraph 1

Text proposed by the Commission

1. The particulars referred to Article 31(2) related to the mandatory nutrition

Amendment

1. The particulars referred to *in* Article 31(2) related to the mandatory

declaration shall be included in the ***principal*** field of vision. They shall be presented, ***where appropriate, together in a clear format*** in the following order: energy, fat, saturates, ***carbohydrates with specific reference to sugars***, and salt.

nutrition declaration shall be included ***in a table*** in the ***same*** field of vision. They shall be presented in the following order: energy, ***sugar***, fat, saturates and ***sodium or salt***.

Or. de

Justification

Indication of the elements in table form is intended to make the information easier to read.

This order corresponds to that laid down in Directive 90/496/EEC (Directive on nutrition labelling).

Amendment 551 **Horst Schnellhardt**

Proposal for a regulation **Article 34 - paragraph 1**

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

The visual and aesthetical character of gift packages containing chocolates or praline products for festive occasions such as mother's day would be destroyed if mandatory nutrition information had to be shifted to the front pack.

Amendment 552
Peter Liese

Proposal for a regulation
Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Salt (Sodium Chloride) is not the only source of Sodium in the diet. There are many other sodium salts than Sodium Chloride (for example: monosodium glutamate, sodium carbonate, ...). Mentioning "Sodium from salt" would only list a minimal part of the real content and would not provide correct information.

Amendment 553
Péter Olajos

Proposal for a regulation
Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

1. The particulars referred to in Article 31(2) related to the mandatory nutrition declaration shall be included in the **same** field of vision **in a single table**. They shall be presented in the following order: energy, **sugars**, fat, saturates and **sodium or salt**.

Or. en

Justification

In line with above amendment of Article 29(1)(1)(b).

Amendment 554

Lambert van Nistelrooij

Proposal for a regulation

Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

1. The particulars referred to in Article 31(2) related to the mandatory nutrition declaration shall be included in the ***same*** field of vision ***in a single table***. They shall be presented in the following order: energy, ***sugars***, fat, saturates and ***sodium or salt***.

Or. en

Justification

This amendment is in line with the amendment of Article 29(1)(1)(b).

Amendment 555

Christa Klač

Proposal for a regulation

Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

1. The particulars ***concerning energy, protein, carbohydrates and fat*** referred to ***in Article 29(1)*** related to the nutrition declaration shall be presented together in a clear format in the following order: energy, ***protein, carbohydrates and fat***. ***The particular referred to in Article 31(3), first sentence, shall be presented in the principal field of vision.***

Justification

The amendment incorporates the proposed amendments to Articles 29 ff. and will ensure that the nutrition declaration is always provided in the same order and form.

Amendment 556

Riitta Myller

Proposal for a regulation

Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. fi

Justification

In some product categories, additives may contain a considerable quantity of sodium. For example the criteria for use of the Finnish heart symbol, indicating what foods help to keep the heart healthy, also take account of sodium in additives.

Amendment 557

Miroslav Ouzký

Proposal for a regulation

Article 34 - paragraph 1

Text proposed by the Commission

1. The particulars referred to Article 31(2)

Amendment

1. The particulars referred to in

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

Article 31(2) related to the mandatory nutrition declaration shall be included in the **same** field of vision **in a single table**. They shall be presented in the following order: energy, **sugars**, fat, saturates and **sodium or** salt.

Or. en

Justification

In line with above amendment of Article 29(1)(1)(b).

Amendment 558

Avril Doyle

Proposal for a regulation

Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

There is no unambiguous evidence to show consumers need information on the front of the pack. It is far more useful that consumers receive all the information they need to make an informed choice in the same field of vision, i.e. without having to turn the pack around several times. Therefore the useful information should appear together in the same field of vision, which will usually be the back of pack, thereby providing consumers with comprehensive information at a glance.

Amendment 559
Kartika Tamara Liotard

Proposal for a regulation
Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

1. The particulars referred to Article **29 (1)(a)** shall be included in the principal field of vision. They shall be presented together in a clear format in the following order: energy, fat, saturates, ***sugars*** and salt.

Or. en

Justification

Clarification and simplification.

Amendment 560
Bogusław Sonik

Proposal for a regulation
Article 34 - paragraph 1

Text proposed by the Commission

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

Amendment

1. The particulars referred to in Article 31(2) related to the mandatory nutrition declaration shall be included in the ***same*** field of vision ***in a single table***. They shall be presented in the following order: energy, ***sugars***, fat, saturates and ***sodium or*** salt.

Or. en

Justification

In line with proposed amendment of Article 29(1)(1)(b).

Amendment 561
Dagmar Roth-Behrendt

Proposal for a regulation
Article 34 - paragraphs 1 and 1 a (new)

Text proposed by the Commission

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

Amendment

1. The particulars *concerning energy value pursuant to Article 19(1)(a)* shall, *in accordance with Article 31(2)*, be included in the principal field of vision.

1a. The particulars concerning nutrients pursuant to Article 29(1)(b) concerning protein, carbohydrates, sugar, fat, saturates, fibre and sodium shall be presented together in a clear format in the following order: protein, carbohydrates, sugar, fat, saturates, fibre and sodium. The particulars shall be presented as laid down in Article 31(3), first sentence.

Or. de

Justification

The amendment makes it clear that the particulars concerning energy value must be presented in the principal field of vision. The particulars concerning nutrients, on the other hand, do not need to be presented in the principal field of vision but must be presented together and in a clear format.

Amendment 562
Jules Maaten

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

Text proposed by the Commission

Amendment

1a. In addition to the particulars pursuant to paragraph 1, the particulars making up the mandatory nutrition declaration referred to in Article 29(1)(a) shall appear in the bottom right-hand corner of the front of the packaging, in a font size of 3 mm and surrounded by a oval shaped border.

Or. en

Justification

Energy content is one of the most important items of information in connection with foods. For that reason, irrespective of the product concerned the relevant particulars should be repeated on the front of the packaging, in the same place and in conspicuous form, so that the consumer notices them immediately, without resembling the rectangular form of cigarette warnings.

Amendment 563
Miroslav Ouzký

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

Text proposed by the Commission

Amendment

1a. In addition, the amount of energy referred to in Article 29(1)(a) shall appear, in a conspicuous way and surrounded by a rectangular border, in the principal field of vision. It shall be expressed, subject to Article 32(2) and (3), per portion.

Or. en

Justification

Energy content is the most important item of information in connection with foods. As shown by consumer research (), the specific labelling of energy alone front-of-pack is most easily used by consumers, and the expression per portion is the preferred information for consumers that enables them to assess the actual nutritional content of a product (relevant for calorie intake) and compare products within a food or drink category.*

While the expression of energy per 100 g / 100 ml provides valuable information to compare products between different food and drink categories, this information is already provided in the mandatory nutrition table according to Art. 31(2).

() Van Kleef, Van Trijp, Paeps Fernandez-Celemin, Consumer preferences for front-of-pack calories labelling, Public Health Nutrition: 11(2), 203-213:*

<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=1643144>

Amendment 564

Karl-Heinz Florenz

Proposal for a regulation

Article 34 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The particulars referred to in Article 29(1)(a) concerning the nutrition declaration shall appear on the front of the packaging in a conspicuous form.

Or. de

Justification

For consumers, the energy value is the most important particular in the nutrition declaration. For this reason, the energy value and/or the Guideline Daily Amount value for energy should appear on the front of the packaging in a visible way, irrespective of the product, so that consumers notice it at first glance. The decision as to whether the most important element in the nutrition declaration should also appear on the front of the packaging should be left to food business operators.

Amendment 565
Frieda Brepoels

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

Text proposed by the Commission

Amendment

1a. The energy value referred to in Article 29(1)(a) must, in addition to the particulars referred to in paragraph 1, be presented at bottom right on the most prominent side of the packaging and surrounded by a rectangular border. The energy value shall be expressed per 100 g/ml or, pursuant to Article 32(2) and (3), per portion.

Or. nl

Justification

Indication of the energy value is crucial. The energy value must therefore figure in a prominent place on the packaging and be clearly identifiable for the consumer. The energy value may be stated per 100 g/ml or per portion.

Amendment 566
Péter Olajos

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

Text proposed by the Commission

Amendment

1a. In addition, the amount of energy referred to in Article 29(1)(a) shall appear, in a conspicuous way and surrounded by a rectangular border, in the principal field of vision. It shall be expressed, subject to Article 32(2) and (3), per portion.

Or. en

Justification

Energy content is the most important item of information in connection with foods. As shown by consumer research (), the specific labelling of energy alone front-of-pack is most easily used by consumers, and the expression per portion is the preferred information for consumers that enables them to assess the actual nutritional content of a product (relevant for calorie intake) and compare products within a food or drink category.*

Amendment 567

Bogusław Sonik

Proposal for a regulation

Article 34 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In addition, the amount of energy referred to in Article 29(1)(a) shall appear, in a conspicuous way and surrounded by a rectangular border, in the principal field of vision. It shall be expressed, subject to Article 32(2) and (3), per portion.

Or. en

Justification

Energy content is the most important item of information in connection with foods. As shown by consumer research (), the specific labelling of energy alone front-of-pack is most easily used by consumers, and the expression per portion is the preferred information for consumers that enables them to assess the actual nutritional content of a product (relevant for calorie intake) and compare products within a food or drink category.*

While the expression of energy per 100 g / 100 ml provides valuable information to compare products between different food and drink categories, this information is already provided in the mandatory nutrition table according to Art. 31(2).

() Van Kleef, Van Trijp, Paeps Fernandez-Celemin, Consumer preferences for front-of-pack calories labelling, Public Health Nutrition: 11(2), 203-213:*

<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=1643144>

Amendment 568

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 34 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In accordance with the regulatory procedure with scrutiny referred to in Article 49 (3), based on an opinion of the European Food Safety Authority, and before the date of application of Articles 29-34, reference levels will be determined that indicate a high amount of the respective nutrient per 100g or per 100 ml. If these reference levels are exceeded in a foodstuff, the nutrition information on the respective nutrient shall be highlighted by a red mark.

Or. en

Justification

As consumer research has shown, a colour system is best suited for consumers to make a quick and informed choice. By only asking for the highlighting of nutrients that occur in high amounts, consumers will be enabled to take quick decisions. In contrary to the 'traffic light labelling', it can be avoided that totally artificial products will bear a green point.

Amendment 569

Kathalijne Maria Buitenweg, Carl Schlyter, Hiltrud Breyer, Jill Evans

Proposal for a regulation

Article 34 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The following particulars referred to in Article 31(2) related to the mandatory nutrition declaration shall be provided on the back of the package: carbohydrates, protein, and artificial and natural trans fats. They shall be presented together in a clear format in the order specified

above.

Or. en

Justification

The level of protein and of transfats are important pieces of information for consumers and should therefore be labelled mandatory on the back of pack. It is also important to have a differentiation concerning artificial and natural transfats, as the level of artificial transfats can be influenced by the producers.

Amendment 570

Amalia Sartori, Françoise Grossetête, Alessandro Foglietta, Guido Sacconi

Proposal for a regulation

Article 34 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Paragraph 1 shall not apply to foods defined in Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses and specific directives as referred to in Article 4(1) of that Directive.

Or. en

Justification

PARNUTS foods (Food for a particular nutritional use) are specifically formulated to meet the particular nutritional needs of their intended target population. Council Directive 89/398/EEC and specific Directives referred to in Article 4(1) of that Directive detail the mandatory nutrition information for labelling. Presentation of limited nutrition information in the principal field of vision on PARNUTS foods is not sufficient and may not be relevant to inform the consumers. PARNUTS foods should be exempt from this requirement.

Amendment 571

Avril Doyle

Proposal for a regulation

Article 34 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Paragraph 1 shall not apply to foods defined in Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses and specific directives as referred to in Article 4(1) of that Directive.

Or. en

Justification

PARNUTS products are specifically formulated to meet the particular nutritional needs of their intended target population. They are often purchased following the recommendation and advice of the medical profession, therefore consumer choice is not determined by label details but by medical recommendation.

The requirement to include a nutrition declaration (Article 9.1(I)) is not in line with the intended use of foods for particular nutritional uses as nutrition information is not a determining factor in consumer choice and it undermines medical advice and guidance.

Due to the great variation in the energy content of products which exist for different population target groups, the stipulation of energy level does not provide any further information to the consumer about the product.

Furthermore, in line with current legislation requirements whereby strict compositional criteria are set for infants and toddlers, all PARNUTs products adhere to the minimum and maximum levels for energy (kcal/kJ), macro- and micro nutrients. Therefore, the energy stipulation should not be a requirement for PARNUTs category. In fact the inclusion could be interpreted as misleading. Taking weaning foods as an example, some consumers may see a general food product with the same energy as a weaning food and even though the product may not be nutritionally suitable for infants/toddlers, believe it to be because of the similar energy levels, regardless of protein, saturated fat, sodium levels as the energy is perceived to be the most important.

Amendment 572
Kartika Tamara Liotard

Proposal for a regulation
Article 34 - paragraph 2

Text proposed by the Commission

2. The nutrition declaration in relation to the nutrients referred to in Article 29(2) shall appear together ***in one place and, as appropriate,*** in the order of presentation provided in Part C of Annex XIII.

When this nutrition declaration ***does not appear in the principal field of vision,*** it shall be presented in tabular form, with the numbers aligned if space permits. Where space does not permit, the declaration shall appear in linear form.

Amendment

2. The nutrition declaration in relation to the nutrients referred to in Article ***29(1)(b)*** ***and*** 29(2) shall appear together, ***on the back of the pack and*** in the order of presentation provided in Part C of Annex XIII.

This nutrition declaration shall be presented in tabular form, with the numbers aligned if space permits. Where space does not permit, the declaration shall appear in linear form.

Or. en

Justification

Clarification and simplification.

Amendment 573
Richard Seeber

Proposal for a regulation
Article 34 - paragraph 3

Text proposed by the Commission

3. If the mandatory nutrition declaration appears together with the declaration on nutrients referred to in Article 29(2), the order of presentation of the energy and nutrients included in the declaration shall be, as appropriate, in the order provided in Part C of Annex XIII.

Amendment

deleted

Or. en

Justification

Simplification

Amendment 574

Jill Evans

Proposal for a regulation

Article 34 - paragraph 3

Text proposed by the Commission

Amendment

3. If the mandatory nutrition declaration appears together with the declaration on nutrients referred to in Article 29(2), the order of presentation of the energy and nutrients included in the declaration shall be, as appropriate, in the order provided in Part C of Annex XIII. **deleted**

Or. en

Amendment 575

María Sornosa Martínez

Proposal for a regulation

Article 34 - paragraph 4 - subparagraph 1a

Text proposed by the Commission

Amendment

The Commission shall adopt implementing rules to establish criteria to determine when values or nutrients are negligible. These measures, which are designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).

Or. es

Justification

It should not be left to operators to determine what they deem to be negligible quantities. Criteria should be laid down at European level.

Amendment 576

Christa Klač

Proposal for a regulation

Article 34 - paragraph 4

Text proposed by the Commission

4. In cases where the amount of energy or nutrient(s) in a product is negligible, ***the nutrition declaration on those elements may be replaced by*** a statement such as 'Contains negligible amounts of ...' in close proximity to the nutrition declaration when present.

Amendment

4. In cases where the amount of energy or ***the quantity of individual*** nutrient(s) in a product is negligible, ***there shall be no requirement to declare them.*** A statement such as 'Contains negligible amounts of ...' ***may be placed*** in close proximity to the nutrition declaration when present.

Or. de

Justification

The amendment is intended to ensure that nutrients which are not contained in a food or are only present in negligible quantities do not have to be indicated. A reference to negligible quantities should be possible but not required.

Amendment 577

Anja Weisgerber

Proposal for a regulation

Article 34 - paragraph 5

Text proposed by the Commission

5. Graphical forms or symbols for the presentation of the nutrition declaration may be used under a national scheme referred to in Article 44 provided the following essential requirements are met:
(a) such forms of presentation shall not

Amendment

deleted

mislead the consumer; and
(b) there shall be evidence of
understanding of such forms of
presentation by the average consumer.

Or. de

Justification

On account of the compulsory representation of the percentages for the indications referred to in Article 31(2) in graphic form, paragraphs 5 and 6 of Article 34 are superfluous (cf. amendment by the same table to Article 34(1)). Another objection to allowing Member States, as proposed by the Commission, the discretion to decide whether the nutrition declaration should be depicted graphically and by means of symbols lies in the danger that free trade may be impeded by disparate developments in the individual Member States.

Amendment 578
John Bowis

Proposal for a regulation
Article 34 - paragraph 5 - introductory part

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Graphical forms or symbols should be permitted whether there are national schemes in place or not.

Amendment 579
Lambert van Nistelrooij

Proposal for a regulation
Article 34 - paragraph 5 - introductory part

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

This amendment ensures the flexibility to maintain and develop alternative expressions, in addition to the forms of expressions mentioned in art. 31.2 and 31.3, through which the nutrition declaration could be given.

Amendment 580
Richard Seeber

Proposal for a regulation
Article 34 - paragraph 5 - introductory part

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

Nutrient symbols should be harmonized at EU level to allow free movement of products.

Amendment 581
Magor Imre Csibi

Proposal for a regulation
Article 34 - paragraph 6

Text proposed by the Commission

Amendment

6. Rules relating to other aspects of presentation of nutrition declaration, other than those referred to in paragraph 5, may be established by the Commission. Those measures designed to amend non-essential elements of this Regulation by supplementing it shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 49(3). **deleted**

Or. en

Justification

Coherence with deletion of Chapter VI and VII.

Amendment 582
Anja Weisgerber

Proposal for a regulation
Article 34 - paragraph 6

Text proposed by the Commission

Amendment

6. Rules relating to other aspects of presentation of nutrition declaration, other than those referred to in paragraph 5, may be established by the Commission. Those measures designed to amend non-essential elements of this Regulation by supplementing it shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 49(3). **deleted**

Or. de

Justification

In the light of the amendment by the same table to Article 34(1), paragraphs 5 and 6 are superfluous.

Amendment 583

Richard Seeber

Proposal for a regulation

Article 34 - paragraph 6

Text proposed by the Commission

Amendment

6. Rules relating to other aspects of presentation of nutrition declaration, other than those referred to in paragraph 5, may be established by the Commission. Those measures designed to amend non-essential elements of this Regulation by supplementing it shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).

deleted

Or. en

Justification

Coherence with deletion of Chapter VI and VII.

Amendment 584

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 34 - paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. The Commission shall present an evaluation report on the form of presentation described in the previous paragraphs five years after entry into force of this Regulation.

Or. en

Justification

An evaluation of the forms of presentation shall be carried out in order to identify advantages and disadvantages.

Amendment 585

Cristiana Muscardini

Proposal for a regulation

Article 34 a (new)

Text proposed by the Commission

Amendment

Article 34 a

Paragraph 1 of Article 34 shall not apply to the products referred to in Directive 89/398/EEC and the specific Directives referred to in Article 4(1) of that Directive.

Or. it

Justification

'Dietetic products' are specially formulated to meet specific nutritional needs and are often prescribed on medical advice. There is no need, therefore, for consumers to be provided with specific information about their nutritional content.

Amendment 586

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

Proposal for a regulation

Chapter V - Title

Text proposed by the Commission

Amendment

Chapter V

Chapter V

Voluntary food information

Mandatory origin labelling

Or. en

Justification

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

Amendment 587

Kathy Sinnott

Proposal for a regulation

Chapter V - Title

Text proposed by the Commission

Chapter V

Voluntary Food Information

Amendment

Chapter V

Origin Food Labelling

Or. en

Justification

Consumers, in addition to having a right to know what their food contains, have a right to know where the food comes from. This is becoming more important in the context of the EU's response to climate change which takes account of carbon footprints, food miles and food production methods and their environmental effects.

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

Amendment 588

Richard Seeber

Proposal for a regulation

Article 35

Text proposed by the Commission

Amendment

Applicable requirements

deleted

1. Where food information covered by this Regulation is provided on a voluntary basis, such information shall comply with

the relevant specific requirements laid down in this Regulation.

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

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

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

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

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

Or. en

Justification

Existing rules relating to provision of origin labelling should be maintained. They foresee the indication of origin or provenance on voluntary basis unless the omission of such provisions would mislead the consumer as to the true origin or provenance of the foodstuff. The origin of a foodstuff is the place of the last transformation, which changes its nature.

Example of the application of this article:

The « made in (member state) » is compulsory for certain export destinations. Sometimes export packaging and EU packaging are common - in this case the destination country makes the « made in ... » statement compulsory.

Art. 35.3 of the present proposal specifies: « Where the country of origin or the place of provenance of the food is not the same as the one of its primary ingredient(s), the country of origin or place of provenance of those ingredients shall also be given." This leads to situations, which have nothing to do with reasonable consumer information. For instance: cake containing eggs and rich in cocoa. Here eggs and cocoa are the two main ingredients (for which QUID should also be applied)

According to art. 35.3 of the proposal, the labelling should be: made in Belgium - prepared with eggs from France and the Netherlands and with cocoa powder from Côte d'Ivoire, Ghana and Cameroon (and this possibly in several languages).

It is often impossible to know the provenance of meats at the time of producing the labels (often printed in advance for several months at a time). The use of multiple provenance meats might vary according to season, characteristics of the meats in question in relation to their purpose and price. This reflects the reality of commercial practices.

Amendment 589

Lambert van Nistelrooij

Proposal for a regulation

Article 35

Text proposed by the Commission

Amendment

Article 35

deleted

Applicable requirements

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

2. Without prejudice to labelling in accordance with specific Community

legislation, paragraphs 3 and 4 shall apply where the country of origin or the place of provenance of a food is voluntarily indicated to inform consumers that a food originates or comes from the European Community or a given country or place.

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

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

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

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

Or. en

Justification

It is important for the consumer to know where the product comes from. In some cases,

however, it may not always be possible to state one country of origin since the content of the product can come from different countries at the same time and changes daily. Current existing rules relating to the provision of origin labelling foresee the indication of provenance on voluntary basis unless the exclusion of such provisions would seriously mislead the consumer as to the true origin of the foodstuff. These rules should be maintained and not be replaced by new wording.

Amendment 590

John Bowis

Proposal for a regulation

Article 35

Text proposed by the Commission

Applicable requirements

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

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

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

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

Amendment

Applicable requirements

1. Where food information covered by this Regulation is provided on a voluntary basis, such information shall comply with the requirements laid down in this Regulation. ***Article 14.1 shall not apply in this case.***

shall be given.

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

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

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

Or. en

Justification

There is a mandatory component to origin labelling, therefore Art 35(2-5) should be moved into a separate article (new Article 26 'Origin and Provenance') – along side the other mandatory particulars. Where information is provided on a voluntary basis it may be sensible to provide exemption from minimum font size requirements (article 14.1), otherwise businesses may choose not to provide this information.

Amendment 591
Dorette Corbey

Proposal for a regulation
Article 35

Text proposed by the Commission

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

2. Without prejudice to labelling in accordance with specific Community

Amendment

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

2. For food labels indicating specific properties linked to production methods,

legislation, paragraphs 3 and 4 shall apply where the country of origin or the place of provenance of a food is voluntarily indicated to inform consumers that a food originates or comes from the European Community or a given country or place.

animal welfare or environmental impact of a food, the Commission will, in consultation with relevant stakeholders, draw up a proposal to establish quality criteria that have to be fulfilled by labelling systems, in order to ensure accurate and balanced information and to avoid consumers to be misled.

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

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

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

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

Or. en

Amendment 592
Jules Maaten

Proposal for a regulation
Article 35 - paragraph 1

Text proposed by the Commission

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

Amendment

1. ***In so far as some or all*** food information covered by this Regulation is provided on a voluntary basis, such information shall ***be consistent*** with the relevant specific requirements laid down in this Regulation.

Or. en

Justification

The inclusion of the phrase "shall comply with" could mean that non-prepacked food and food packed for direct sale at the premises for which voluntary nutritional information would be provided would have to contain any and all information in exactly the same way as for prepacked food. This is a burden for food business operators that provide such information voluntarily and will discourage them to do so in the future if the legislation is passed as is.

Amendment 593
Avril Doyle

Proposal for a regulation
Article 35 - paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

If information given voluntarily on foodstuffs is required to be presented in the same way as for those products where a mandatory requirement applies, it is likely that producers will stop

providing it voluntarily. Thus, the impact of the current proposal is that consumers would receive less information than they do at present.

Amendment 594

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 35 - paragraph 1

Text proposed by the Commission

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

Amendment

1. Where food information covered by this Regulation is provided on a voluntary basis, such information shall comply with the relevant requirements laid down in this Regulation, ***particularly with the requirements of Article 7.***

Or. en

Justification

Article 7 on Fair information practices is the most important basis for voluntary information schemes.

Amendment 595

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 35 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. All relevant information regarding voluntary food information schemes, such as the underlying criteria and scientific studies, must be made available to the public.

Or. en

Justification

The provision is essential to ensure transparency.

Amendment 596

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

Proposal for a regulation

Article 35 - paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 597

Kartika Tamara Liotard

Proposal for a regulation

Article 35 - paragraph 2

Text proposed by the Commission

2. Without prejudice to labelling in accordance with specific Community legislation, paragraphs 3 and 4 shall apply where the country of origin or the place of provenance of a food is voluntarily

Amendment

2. Without prejudice to labelling in accordance with specific Community legislation **and in addition to the requirements of Article 9(1)(i)**, paragraphs 3 and 4 shall apply where **information on**

indicated to inform consumers that a food originates or comes from the European Community or a given country or place.

the country of origin or the place of provenance of a food is voluntarily indicated to inform consumers that a food originates or comes from the European Community or a given country of place.

Or. en

Justification

If, in addition to the mandatory requirements of Article 9(1)(i), when information is provided on the country of origin of components of a food, this information should comply with the provisions of Article 35, paragraph 2.

Amendment 598

Kathalijne Maria Buitenweg, Carl Schlyter, Jill Evans

Proposal for a regulation

Article 35 - paragraph 2

Text proposed by the Commission

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

Amendment

2. Without prejudice to labelling in accordance with specific Community legislation **and in addition to the requirements of Article 9(1)(i)**, paragraphs 3 and 4 shall apply where the country of origin or the place of provenance of a food is voluntarily indicated to inform consumers that a food originates or comes from the European Community or a given country of place.

Or. en

Justification

Article 9.1(i) indicates the mandatory requirements for the labelling of the country of origin and must apply anyway.

Amendment 599
Kathy Sinnott

Proposal for a regulation
Article 35 - paragraph 2

Text proposed by the Commission

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

Amendment

2. Without prejudice to labelling in accordance with specific Community legislation **and in addition to the requirements of Article 9(1)(i)**, paragraphs 3 and 4 shall apply where **information on** the country of origin or the place of provenance of a food is voluntary indicated to inform consumers that a food originates or comes from the European Community or a given country of place.

Or. en

Justification

Requirements on mandatory origin labelling should be extended to prevent consumers from being misled on the origin of the product and the main ingredients.

Amendment 600
Kathy Sinnott

Proposal for a regulation
Article 35 – paragraphs 1-4

Text proposed by the Commission

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

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

Amendment

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

2. Without prejudice to labelling in accordance with specific Community legislation, paragraphs 3 and 4 shall apply where **indication of** the country of origin or the place of provenance of a food is **mandatory** to inform consumers that a

originates or comes from the European Community or a given country or place.

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

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

food originates or comes from the European Community (**member state**) or a given country or place.

3. Where the country of origin or the place of provenance of the food is not the same as the one of its primary ingredient(s), the country of origin or place of provenance of those ingredient(s) shall also be given. **A primary ingredient shall be an ingredient which constitutes 50% or more of the food.**

4. For **poultry and** meat, other than beef and veal, the indication on the country of origin or place of provenance **shall** be given as **the** place where animals have been born, reared **and/or fattened, i.e. not the place of breeding, slaughter, processing or packing**. **Alternatively**, each of the different places of birth, rearing, **breeding, slaughter, processing and packing** shall be given.

Or. en

Justification

The precedent of mandatory country of origin has been firmly established within the EU for beef and wine. This was a response to consumers' information needs and the same applies here.

In the interest of giving clear information to consumers, the country of origin of primary ingredients should be disclosed. This will help reduce concealing information required by consumers by means of substantial information.

The precedent of mandatory country of origin has been firmly established within the EU for beef and wine. This was achieved in order to meet consumers information needs and the very same principal applies here.

Amendment 601
Magor Imre Csibi

Proposal for a regulation
Article 35 - paragraph 3

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

To provide the country of origin only for significant ingredient(s) will avoid giving unnecessary information and will only provide information on ingredient(s) that represents more than 50% of the food.

Amendment 602
Antonio De Blasio

Proposal for a regulation
Article 35 - paragraph 4

Text proposed by the Commission

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

Amendment

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

Or. hu

Justification

Following the numerous food industry scandals surrounding meat products, European

consumers – who are now in a state of uncertainty – must be given the opportunity of being able to trace the whole route of meat products where the producer voluntarily provides a detailed indication of the origin of the various kinds of meat.

Amendment 603

Marian Harkin

Proposal for a regulation

Article 35 - paragraph 4

Text proposed by the Commission

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

Amendment

4. For **poultry and** meat, other than beef and veal, the indication on the country of origin or place of provenance **shall** be given **only** as **the** single place only where animals have been born, reared and slaughtered in the same country or place **and not the place of processing or packing**. In other cases information on each of the different places of birth, rearing and slaughter shall be given.

Or. en

Amendment 604

Renate Sommer

Proposal for a regulation

Article 35 - paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. In the case of fresh fruit and fresh vegetables, only the country or place of agricultural production may be indicated as the country of origin or place of provenance.

Or. de

Justification

Again and again, fruit and vegetables are reported to contain excessive levels of pesticides. A

clear indication of origin guarantees freedom of choice and can increase consumer confidence in the quality of products.

Amendment 605

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 35 - paragraph 6

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

This provision shall relate to the previous paragraphs only.

Amendment 606

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 35 - paragraph 6 a (new)

Text proposed by the Commission

Amendment

***6a. The term ‘vegetarian’ should 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’ should 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

Currently, the terms "vegetarian" and "vegan" are not legally protected. This means in practice that each producer can mark his product as "vegetarian" even if it is not. The definition above has been brought forward by the UK Food Standards Agency, after years of discussion.

Amendment 607

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 35 - paragraph 6 b (new)

Text proposed by the Commission

Amendment

6b. In line with Article 3 (1), it shall be admissible to provide information on environmental, social and ethical considerations regarding foodstuffs. In order not to encourage arbitrarily commitments and to ensure comparability, the Commission shall, within [12 months from the entry into force of this regulation] present a legislative proposal on such criteria with regard to foods.

Or. en

Justification

Environmental, social and ethical criteria are important decision-guidances for many consumers. The provision of such information should therefore be encouraged.

Text proposed by the Commission

Amendment

Article 35a

Voluntary Food Information

- 1. By 1. January 20XX (three years after adoption), the Commission shall, in accordance with the procedure referred to in Article 49 (3), establish a common positive nutrition symbol in order to assist the consumers to identify the healthier option within categories of foods.***
- 2. Foods eligible to carry the common positive nutrition symbol must comply with criteria specified by the Commission and the nutrient profiles established according to Article 4 in regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods.***
- 3. The criteria as referred to in paragraph 2 shall be established taking into account in particular:***
 - (a) the overall nutritional composition of the food and the presence of nutrients that have been scientifically recognized as having an effect on health.***
 - (b) the role and importance of the food (or of categories of food) and the contribution to the diet of the population in general or, as appropriate, of certain risk groups including children;***

The criteria shall be based on scientific knowledge about diet and nutrition, and their relation to health.

In setting the criteria, the Commission shall request the Authority to provide within 12 months relevant scientific

advice.

Or. en

Justification

A common positive nutrition symbol would help consumers identify the healthier options when purchasing food in the European Union. Food labelled with a positive symbol could for example contain less fat, sugars, salt and more dietary fibre than food products of the same type not carrying the symbol. A positive symbol would allow consumers to easily choose the healthier option, just by a quick glance at the moment of purchase. Foods labelled with a positive symbol are suitable for all healthy individuals – adults, teenagers and children over a certain age. Foods carrying the positive symbol are not 'diet foods' but are intended for everyone who wants to eat a healthy diet.

Amendment 609
Karl-Heinz Florenz

Proposal for a regulation
Article 36

Text proposed by the Commission

Amendment

Article 36

deleted

Presentation

Voluntary information shall not be displayed to the detriment of the space available for mandatory information.

Or. de

Justification

The EU guidelines on legibility will resolve the matter.

Amendment 610
Richard Seeber

Proposal for a regulation
Article 36

Text proposed by the Commission

Amendment

Voluntary information shall not be deleted
displayed to the detriment of the space
available for mandatory information.

Or. en

Justification

Coherence with the deletion of article 35.

Amendment 611
Magor Imre Csibi

Proposal for a regulation
Chapter VI

Text proposed by the Commission

Amendment

Chapter deleted

Or. en

Justification

National provisions are against the principle of harmonisation and free circulation of goods in the internal market.

Amendment 612
Avril Doyle

Proposal for a regulation
Article 37 –subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall forward to the Council and Parliament, within two years following the adoption of this Regulation, legislative proposals for the mandatory declaration of origin of poultrymeat, pigmeat and sheepmeat, in line with existing mandatory beef labelling rules contained in EP & Council Regulation 1760/2000

Or. en

Justification

While the voluntary origin labelling provisions contained in the draft Regulation provide some clarity on the existing situation regarding origin labelling, the evidence throughout the EU is that Member States are establishing National Origin Labelling Schemes which in reality can undermine the proper functioning of the Internal Market. The proposed paragraphs 3 & 4 of Article 35 along with any implementing rules should therefore only be seen as interim measures. In a spirit of co-operation, rather than try to amend the draft Regulation and introduce mandatory origin labelling which could be technically difficult, this amendment offers a better choice by mandating the Commission to bring forward compulsory origin labelling rules for poultrymeat, pigmeat and sheepmeat within two years of the final adoption of this Regulation. The new compulsory origin labelling rules should be in line with the existing beef origin labelling rules contained in European Parliament and Council Regulation 1760/2000.

Amendment 613
Avril Doyle

Proposal for a regulation
Article 37 a (new)

Text proposed by the Commission

Amendment

The Commission following the entry into force of this Regulation, shall begin a public consultation on the use of terms

such as ‘pure’, ‘original’, ‘farmhouse’, ‘country style’, ‘traditional’, ‘authentic’ to be followed by the introduction of a Commission Guidance Document on the use of such terms in order that they are only utilised in line with the principles and requirements laid down in Chapter II of this Regulation.

Or. en

Justification

In recent years, a plethora of terms such as ‘pure’, ‘traditional’, ‘farmhouse’, ‘country style’ are used by food companies as a means of marketing their products as being of high quality and a particular provenance. What is the use of telling a consumer that the food product they purchase has the characteristics of the ‘farmhouse’ when the product is a totally manufactured/processed food product. There is nothing wrong or inherently unsafe about the food product but it is misleading to seek ‘pure’, ‘farmhouse’, ‘original’ qualities for a food product that patently does not possess such characteristics.

The amendment provides for an EU-wide public consultation on this issue to be followed by the preparation of a Commission Guidance Document which is mentioned as a way in which to deal with this matter in the Commission’s Summary of Consultations on Food Labelling rules (December 2006)

Amendment 614

John Bowis

Proposal for a regulation

Article 38 – paragraph 1

Text proposed by the Commission

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

- (a) the protection of public health;
- (b) the protection of consumers;

Amendment

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

- (a) the protection of public health; **or**
- (b) the protection of consumers **enabling them to make informed; or**

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

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

Or. en

Justification

The suggested text attempts to avoid any confusion with mandatory particulars in Article 9 and 10, and improve the readability of the article.

Amendment 615
Avril Doyle

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

Text proposed by the Commission

Amendment

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

Or. en

Justification

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

Amendment 616
John Bowis

Proposal for a regulation
Article 38 – paragraph 2

Text proposed by the Commission

Amendment

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

Or. en

Amendment 617
Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation
Article 38 – paragraph 2

Text proposed by the Commission

Amendment

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

Or. en

Justification

This provision is too restrictive and is not in compliance with the Amendment on Article 9, paragraph 1 (i).

Amendment 618

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

**Proposal for a regulation
Article 38 – paragraph 2**

Text proposed by the Commission

Amendment

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

Justification

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

Amendment 619

Jill Evans

Proposal for a regulation

Article 39 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 620

Kartika Tamara Liotard

Proposal for a regulation

Article 39 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 621 **Magor Imre Csibi**

Proposal for a regulation **Article 39 – paragraph 1**

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 622 **Kathy Sinnott**

Proposal for a regulation **Article 39 – paragraph 1**

Text proposed by the Commission

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

Amendment

Member States may adopt measures derogating from Article 9(1) and Article 10(2) in the case of milk, **fermented milk and cream, to which no ingredient other than lactic product and micro-organism**

cultures essential to manufacture, have been added, presented in glass bottles intended for reuse.

Or. en

Justification

It should not be allowed that milk and milk products to which e.g. sugars, flavourings or other non-milk ingredients are added, would be derogated from the requirements of Article 9(1) and Article 10(2).

Amendment 623

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 40

Text proposed by the Commission

Amendment

Article 40

deleted

Alcoholic beverages

Member States may, pending the adoption of the Community provisions referred to in Article 20(e), maintain national rules as regard the listing of ingredients in the case of beverages containing more than 1,2 % by volume of alcohol.

Or. en

Justification

No longer necessary as Article 20(e) has been deleted in another Amendment.

Amendment 624
Dorette Corbey

Proposal for a regulation
Article 40

Text proposed by the Commission

Amendment

Member States may, pending the adoption of the Community provisions referred to in Article 20(e), maintain national rules as regard the listing of ingredients in the case of beverages containing more than 1,2 % by volume of alcohol.

deleted

Or. en

Justification

The regulation should also apply to alcoholic beverages. Consequently this article as the last paragraph of article 29,1b are deleted.

Amendment 625
Avril Doyle

Proposal for a regulation
Article 40

Text proposed by the Commission

Amendment

Member States may, pending the adoption of the Community provisions referred to in Article 20(e), maintain **national** rules as regard the listing of ingredients in the case of beverages containing more than 1,2 % by volume of alcohol.

Member States **which, at the time this Regulation takes effect, already have national rules** may, pending the adoption of the Community provisions referred to in Article 20(e), maintain **such** rules as regard the listing of ingredients in the case of beverages containing more than 1,2 % by volume of alcohol.

Or. en

Justification

As the proposed new EU regulation aims to harmonise and simplify labelling rules, it is appropriate to ensure that, in areas where new EU rules are planned, no new national

measures should be introduced. However, where such national rules already exist, they should be retained until the EU rules take effect.

Amendment 626

John Bowis

Proposal for a regulation

Article 41

Text proposed by the Commission

Amendment

National measures for non-prepacked
food

Non-prepacked Food

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

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

2. Member States may decide **not** to require the provision of some of the particulars referred to in paragraph 1, other than those referred to in Article 9(1)(c), provided that the consumer or mass caterer still receives sufficient information.

2. Member State may decide to require the provision of some **or all** of the **other** particulars listed in Article 9 and 10, or elements of those particulars.

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

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

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

Or. en

Justification

Due to the difficulties of labelling inherent to non-prepacked foods, these foods should in principle be exempt from most labelling requirements – excluding allergen information. MS

should retain the flexibility to decide how information should best be made available to consumers.

Amendment 627

Amalia Sartori, Françoise Grossetête, Guido Sacconi, Alessandro Foglietta

Proposal for a regulation

Article 41

Text proposed by the Commission

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

2. Member States may decide not to require the provision of some of the particulars referred to in paragraph 1, other than those referred to in Article 9(1) (c), provided that the consumer or mass caterer still receives sufficient information.

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

Amendment

1. Where foods are offered for sale to the final consumer or to mass caterers without prepackaging, or where are packed on the sales premises at the consumer's request or prepacked for direct sale, the Member States may adopt detailed rules concerning the manner in which the particulars specified in Articles 9 and 10, **that they may require, have to be provided.**

2. Member States shall communicate to the Commission the text of the measures referred to in paragraphs 1.

Or. en

Justification

The regulatory instrument chosen (a Regulation) has for result a change of regime for non-prepacked foodstuffs, making all the rules contained in the proposal directly applicable to non-prepacked foodstuffs unless a Member State decides to exclude some or all of the requirements. It is not justified to change the rules for this category of products as there is almost no cross-border activity for non-prepacked food, hence no single market concern in case of different national rules. Moreover, provisions for prepacked foodstuff are not feasible in practice for non-prepacked foodstuffs.

Amendment 628
Dan Jørgensen

Proposal for a regulation
Article 41

Text proposed by the Commission

National measures ***for non-prepacked food***

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

2. Member States may decide not to require the provision of some of the particulars referred to in paragraph 1, other than those referred to in Article 9(1) (c), provided that the consumer or mass caterer still receives sufficient information.

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

Amendment

National measures

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

2. Member States may decide not to require the provision of some of the particulars referred to in paragraph 1, other than those referred to in Article 9(1) (c), provided that the consumer or mass caterer still receives sufficient information.

3. Member States may decide not to require the provision of a nutrition declaration (Article 9 (1)(l)) for prepacked foods and meals produced by and directly supplied by local retail establishments or mass caterers to the final consumer if these foods and meals are produced in a non-standardized way by which the ingredients and recipes may vary frequently.

Or. en

Justification

Prepacked food or meals produced by small retail establishments or mass caterers are produced in a non-standardized way whereby the ingredients and recipes may vary frequently, maybe from day to day. It is therefore important that these types of food are exempted from the requirement for a nutrition declaration, either in general, or by giving Member States the right to lay down rules for these categories, as is already granted for non-prepacked foods.

Amendment 629
Anja Weisgerber

Proposal for a regulation
Article 41 – paragraph 1

Text proposed by the Commission

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

Amendment

1. Where foods are offered for sale to the final consumer or to mass caterers without prepackaging, or where foods are packed on the sales premises at the consumer's request or prepacked for direct sale, the Member States may adopt detailed rules concerning the manner in which the particulars specified in Articles 9 and 10 are to be shown. ***The particulars referred to in Article 9(1)(c) shall at all events be so presented that the consumer can ascertain them without putting questions.***

Or. de

Justification

Eine verpflichtende Kennzeichnung allergener Zutaten ist zu begrüßen. Darüber hinaus ist allerdings erforderlich, auch die Art und Weise dieser Information verpflichtend zu regeln: Informationen, die nur auf aktive Nachfrage des Verbrauchers offenbart werden, setzen die Überwindung einer psychologischen Hemmschwelle voraus. Die Information ist deshalb vom Lebensmittelunternehmer dergestalt vorzuhalten, dass der Verbraucher sie ohne Nachfrage einsehen kann, beispielsweise durch Schilder in der Nähe der Lebensmittel oder Auslage eines Zutatenverzeichnisses im Verkaufsraum.

Amendment 630
Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation
Article 41 – paragraph 2

Text proposed by the Commission

2. Member States may decide not to require the provision of some of the particulars referred to in paragraph 1, other

Amendment

2. Member States may decide not to require the provision of some of the particulars referred to in paragraph 1, other

than those referred to in Article 9(1) (c), provided that the consumer or mass caterer still receives sufficient information.

than those referred to in Article 9(1) (c) **and 10**, provided that the consumer or mass caterer still receives sufficient information.

Or. en

Justification

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

Amendment 631

Avril Doyle

Proposal for a regulation

Article 42 – paragraph 2

Text proposed by the Commission

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

Or. en

Justification

The current procedures for introducing new labelling measures lack transparency and there are no requirements for consultation of external stakeholders. As new labelling rules will adversely impact on the free movement of goods, it is important that proposed measures are widely considered, with stakeholders being given an opportunity to comment. Proposals should not be enacted before their compatibility with internal market freedoms is assessed.

Amendment 632
Avril Doyle

Proposal for a regulation
Article 42 – paragraph 5

Text proposed by the Commission

Amendment

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 shall not apply to the measures falling within the notification procedure specified in paragraphs 1 to 4. *deleted*

Or. en

Justification

The proposed amendment to Article 42 (2) introduces a requirement for a transparent notification procedure which involves consumers and producers. Such a process is extremely important when new labelling information is being considered. It is therefore appropriate to remove the exemption from formal scrutiny of any new labelling proposals.

Amendment 633
Renate Sommer

Proposal for a regulation
Article 43

Text proposed by the Commission

Amendment

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

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

Or. de

Justification

Correction and adjustment of the paragraph in question to bring it into line with the commitology procedure provided for.

Amendment 634

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 43

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 635

Magor Imre Csibi

Proposal for a regulation

Chapter VII

Text proposed by the Commission

CHAPTER VII
DEVELOPMENT OF NATIONAL
SCHEMES

Amendment

Chapter deleted

Or. en

Justification

National provisions are against of the principle of harmonisation and free circulation of goods in the internal market.

Amendment 636

John Bowis

Proposal for a regulation

Article 44 - –title

Text proposed by the Commission

Amendment

National Schemes

Member States' voluntary schemes

Or. en

Justification

It is important that this Chapter is retained. It would allow the continuation of innovative work on interpretive nutrition labelling. The aim of this work is to help consumers make healthier and more informed choices. Schemes should be aimed at improving the way nutrition information is presented to the consumer and should be subject to proper evaluation. Evidence of what works best for consumers in Member States is still emerging and is likely to differ across member states. It is important that this work is allowed to continue as it will inform future discussions on interpretive labelling.

Amendment 637

Anja Weisgerber

Proposal for a regulation

Article 44 - paragraph 1

Text proposed by the Commission

Amendment

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

1. Member States may adopt, recommend or otherwise endorse national schemes consisting of exclusively non-binding rules, such as recommendations, guidance, standards or any other non binding rules, (hereinafter referred to as the ‘national schemes’) aimed at ensuring the application of ***Article 33(2), relating to additional forms of expression of the***

requirements set out therein:

nutrition declaration, and in compliance with the essential requirements set out therein:

(a) Article 33(2), relating to additional forms of expression of the nutritional declaration;

(b) Article 34(5), relating to the presentation of the nutrition declaration.

Or. de

Justification

On account of the amendment by the same tabler to Article 34, which introduces in all Member States compulsory graphic nutrition labelling, the list in Article 44 is not needed.

Amendment 638

John Bowis

Proposal for a regulation

Article 44 - paragraph 1

Text proposed by the Commission

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

(a) Article 33(2), relating to additional forms of expression of the nutritional declaration;

(b) Article 34(5), relating to the presentation of the nutrition declaration.

Amendment

1. Member States may adopt, recommend or otherwise endorse national schemes. ***These National Schemes would be*** aimed at ensuring the application of the following provisions and ***ensuring that they are*** in compliance with the essential requirements set out therein:

(a) Article 33(2), relating to additional forms of expression of the nutritional declaration;

(b) Article 34(5), relating to the presentation of the nutrition declaration.

Or. en

Justification

It is important that this Chapter is retained. It would allow the continuation of innovative work on interpretive nutrition labelling. The aim of this work is to help consumers make healthier and more informed choices. Schemes should be aimed at improving the way nutrition information is presented to the consumer and should be subject to proper evaluation. Evidence of what works best for consumers in Member States is still emerging and is likely to differ across member states. It is important that this work is allowed to continue as it will inform future discussions on interpretive labelling.

Amendment 639

John Bowis

Proposal for a regulation

Article 44 - paragraph 3

Text proposed by the Commission

3. National schemes may be developed by Member States on their own initiative or at the request of stakeholders in compliance with the general principles and requirements laid down in Chapter II and III of this Regulation, and:

- (a) as a result of sound consumer research; and
- (b) following extensive consultation with a wide range of stakeholders drawing on best practices.

Amendment

3. National schemes, ***in addition to those listed in paragraph 1***, may be developed by Member States on their own initiative or at the request of stakeholders in compliance with the general principles and requirements laid down in Chapter II and III of this Regulation, and:

- (a) as a result of sound consumer research ***and robust science***; and
- (b) following extensive consultation with a wide range of stakeholders drawing on best practices.

Or. en

Justification

Member States have national schemes in areas other than nutrition and should be permitted to continue and allow Member States to share experiences with each other.

Amendment 640
John Bowis

Proposal for a regulation
Article 44 - paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States shall provide the Commission with the details of the national schemes referred to in paragraph 1, including an identifier for foods that are labelled in compliance with that national scheme. The Commission shall make those details available to the public, in particular through a dedicated page on the Internet.

Or. en

Justification

National Schemes and guidance cannot be treated equally, and should be split into two different sections in this article. Member States have best practice guidance in other areas of labelling, including clarity, country of origin, and 'May contain' allergen labelling. This Chapter is a vehicle for these innovative approaches and achieving best practise in the food industry through non-regulatory means.

Amendment 641
John Bowis

Proposal for a regulation
Article 44 - paragraph 4

Text proposed by the Commission

Amendment

4. National schemes ***shall*** include appropriate mechanisms to allow consumers to identify foods that are labelled in compliance with national schemes, to monitor the level of compliance with the scheme and to assess its impact.

4. National schemes ***may*** include appropriate mechanisms to allow consumers to identify foods that are labelled in compliance with national schemes, to monitor the level of compliance with the scheme and to assess its impact.

Or. en

Justification

It is not always practical for foods complying with general best practice guidance to be marked with an identifier. For example, how would this apply to a food that complies with 5 out of 20 recommendations in guidance? The article should reflect this.

Amendment 642

John Bowis

Proposal for a regulation

Article 44 - paragraph 5

Text proposed by the Commission

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

Amendment

5. Member States shall provide the Commission with the details of the national schemes ***and best practice guidance referred to in this article.*** The Commission shall make those details available to the public, in particular through a dedicated page on the Internet.

Or. en

Amendment 643

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 44 - paragraph 5

Text proposed by the Commission

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

Amendment

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

Justification

This provision is essential to ensure transparency concerning national schemes.

Amendment 644

Kathalijne Maria Buitenweg, Carl Schlyter

Proposal for a regulation

Article 51 a (new)

Text proposed by the Commission

Amendment

Article 51a

***Amendments to Regulation (EC)
104/2000***

***In Article 4 of Regulation (EC) 104/2000,
the following subparagraph is added:***

***(d) whether the fish comes from a stock
that is subject to a recovery plan adopted
by the EU.***

Justification

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

Amendment 645

Péter Olajos

Proposal for a regulation

Article 53

Text proposed by the Commission

Amendment

This Regulation shall enter into force on the twentieth day following that of its

This Regulation shall enter into force on the twentieth day following that of its

publication in the *Official Journal of the European Union*.

Article 14(1) shall apply from [*the first day of the month 3 years after the entry into force*].

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

publication in the *Official Journal of the European Union*.

Article 14(1) shall apply from [*the first day of the month 3 years after the entry into force*].

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

Food placed on the market prior to the date of application of this Regulation which do not comply with this regulation may be marketed until all stocks have been exhausted.

Article 17(1) shall apply from [the first day of the month 15 years after the entry into force].

Or. en

Justification

Transition: *Alignment with article Article 3(3). To cover the long life cycle of products.*

15 years: *Glass bottles intended for reuse indelibly marked have a long life span. They can be refilled up to 30 - 40 times depending on production technologies.*

Amendment 646
Magor Imre Csibi

Proposal for a regulation
Article 53

Text proposed by the Commission

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the*

Amendment

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the*

European Union.

Article 14(1) shall apply from [*the first day of the month 3 years after the entry into force*].

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

European Union

Article 14(1) shall apply from [*the first day of the month 3 years after the entry into force*].

Articles 29 to 34 shall apply from [*the first day of the month 3 years after the entry into force*] except in the case of foods labelled by food business operators with, on the date of entry into force, less than **50** employees and whose annual turnover and/or annual balance sheet total does not exceed EUR 2 million where they shall apply [*the first day of the month 5 years after the entry into force*].

Food placed on the market prior to the date of application of this Regulation which do not comply with this regulation may be marketed until all stocks have been exhausted.

Article 17(1) shall apply from [the first day of the month 15 years after the entry into force].

Or. en

Amendment 647

Dagmar Roth-Behrendt

Proposal for a regulation

Article 53

Text proposed by the Commission

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 14(1) shall apply from [the first day of the month 3 years after the entry into force].

Articles 29 to 34 shall apply from [the first day of the month 3 years after the entry into force] except in the case of foods

Amendment

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 14(1) shall apply from [the first day of the month 3 years after the entry into force].

Articles 29 to 34 shall apply from [the first day of the month 3 years after the entry into force] except in the case of foods

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

labelled by food business operators with, on the date of entry into force, less than **50 employees** and whose annual turnover and/or annual balance sheet total does not exceed EUR 2 million where they shall apply [the first day of the month 5 years after the entry into force].

Food placed in circulation before the entry into force of this Regulation may continue to be placed in circulation until stocks are exhausted.

Or. de

Justification

The special rules for SMEs and the number of their employees must be formulated more broadly in order to be effective. For food placed in circulation before the entry into force of the Regulation, the possibility must be allowed to continue to sell them while stocks last.

Amendment 648 **Richard Seeber**

Proposal for a regulation **Article 53**

Text proposed by the Commission

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 14(1) shall apply from [the first day of the month 3 years after the entry into force].

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

Amendment

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Articles 29 to 34 shall apply from [the first day of the month **5 years** after the entry into force].

shall apply [the first day of the month 5 years after the entry into force].

Food labelled before the entry into force may be placed in circulation until stocks are completely exhausted.

The requirements pursuant to Article 17(1) shall apply from [the first day of the month 15 years after the entry into force].

Or. de

Justification

Im Sinne einer „Simplification“ soll eine einheitliche Geltungs- und Übergangsfrist festgelegt werden – in Übereinstimmung mit dem Article 52 Abs. 1 und 2 (EtikettierungsRL und NWKennzeichnungsRL). Keine Differenzierung zwischen KKMU/KMU/Großbetriebe (Gleichheitsgrundsatz), dafür eine längere Übergangsfrist für alle.

Lebensmittel, die vor dem Geltungsbeginn der VO in den Verkehr gebracht worden sind, sollten bis zum Abbau der Bestände in Verkehr gebracht werden dürfen.

Für zur Wiederverwendung bestimmte Glasflaschen iSd Art 17 sollte eine Übergangsfrist von 15 Jahren eingeführt werden, damit eine kostenschonende Umstellung erfolgen kann.