



Background

Food labelling: what the new EU rules will mean

Parliament votes next week on a compromise package to make food labels clearer and ensure they give consumers the information they need to make informed choices. The package has been agreed by Parliament and Council negotiating teams, but still needs to be formally approved by Parliament as a whole and the Council.

The draft legislation aims to modernise, simplify and clarify food labelling within the EU. It would harmonise information rules for all food labels, including the list of ingredients, "best before" or "use by" dates and specific conditions of use.

The new rules will also add a requirement to list key nutrition information on food packaging, in a mandatory "nutrition declaration". Labels must also be made more legible. For producers and food business operators, this will reduce red tape and strengthen the single market.

Finally, the new rules will streamline requirements for listing allergens, the country of origin, sources of vegetable oils, and other information designed to ensure that consumers are not misled.

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Background

What is the mandatory nutrition declaration, and where will consumers find it?

Under the new rules, the energy content and amounts of fat, saturated fat, carbohydrates, sugars, protein and salt, must all be stated in a legible tabular form on the packaging, together and in the same field of vision. Where space does not permit this, the information may be presented in linear format.

All this information must be expressed per 100g or per 100ml. It may also, in addition, be expressed per portion, and may be accompanied by guideline daily amounts (GDAs), per 100 g or 100 ml or per portion, after the Commission has defined portion sizes.

Food labels may also, and in addition, state the energy value and the amounts of the nutrients using other forms of expression (e.g. graphics or symbols, such as the traffic light system), provided that these meet certain criteria.

The energy value may be repeated in the principal field of vision alone or together with the amounts of fat, saturates, sugars and salt. In this case, these four items may be expressed per portion alone, if the energy value is expressed both per portion and per 100g/ml.

The mandatory nutrition information may be supplemented voluntarily with further information on other nutrients (mono-unsaturates; polyunsaturates; polyols; starch; fibre; vitamins, and minerals). However, this voluntary information must not be displayed to the detriment of space allocated to mandatory information.

Background

Which foods will be covered by the new rules on nutrition labelling?

Generally speaking, the new rules will apply to all food sold to the final consumer, but many of the requirements apply specifically to pre-packed foods.

Non-pre-packed food will be exempted from the mandatory provisions, except those on allergens. However, Member States may decide on how this information is provided.

Foods sold by private persons, for example at charity events or local community fairs, will be exempted from the new EU food labelling rules.

The agreement also lists several exemptions from the mandatory nutrition declaration, such as hand-crafted products or food in packaging or containers the largest surface of which has an area of less than 25 cm² . (Annex V)

Background

What has been agreed to guarantee that information is legible?

As a general rule, the draft regulation provides for a minimum font size for the mandatory information of 1.2 mm for the x-height. However, if the largest surface of a food package is less than 80 cm², the minimum font size is reduced to 0.9 mm. Also, if the largest surface of a food package is less than 25 cm², the nutrition declaration is not required.

In line with the internationally agreed standards within the Codex Alimentarius, food packages whose largest surface is less than 10cm² do not need to bear a nutrition declaration or a list of ingredients. However, the name of the food, possible allergens, the net quantity and the date of minimum durability must always be indicated, irrespective of the pack size.

Background

What information will be available on allergens?

Under the current legislation all ingredients - including allergenic substances - must be indicated on the labels of pre-packed foods.

At the request of the rapporteur, supported by MEPs on the negotiating team, in future allergenic substances will have to be highlighted in the ingredient list, so that consumers can find the information on allergens at a glance.

Under the new legislation, allergen information will also always have to be available for non-pre-packed foods which are sold to the final consumer. The same applies when foods are packed on the sales premises at the consumer's request or pre-packed for direct sale. Member States may take measures to decide how the information on allergens is to be made available for non-pre-packed food.

Background

How will "Country of origin" labelling be extended?

The origin of certain foods, such as beef, honey, olive oil and fresh fruit and vegetables, must already be stated on the label in accordance with sector-specific legislation. It is also already mandatory where the failure to do so would mislead the consumer. At Parliament's request, the Council of Ministers agreed at the first reading to extend this requirement to fresh meat from swine, sheep, goat and poultry. Within two years of the new regulation's entry into force, the Commission will have to introduce implementing rules to this end.

A majority of MEPs also wanted to extend country of origin labelling to more products (such as milk and dairy products and other single-ingredient products or meat when used as an ingredient), but this proved unacceptable to Council. Instead, it was agreed that before considering whether to extend country of origin labelling to other categories of food, the Commission must do impact assessments to assess the feasibility and potential costs of such labelling requirements.

The report on the possible extension of compulsory country of origin labelling to meat used as an ingredient, must be completed within two years of the new regulation's entry into force. One year thereafter, the Commission must also consider extending country of origin labelling to other types of meat, milk, milk used as an ingredient, unprocessed foods, single-ingredient foods and ingredients that make up more than 50% of a food.

Background

How will the new rules ensure that that consumers are not misled?

At the request of MEPs, rules to ensure that consumers are not misled by the presentation of food packaging with regard to its appearance, description or pictorial presentation will be strengthened.

They also insisted that "imitation foods" (i.e. foods that look similar to other foods, but are made of different ingredients, such as a "cheese-alike" foods from vegetable sources), must be labelled. Where an ingredient that would normally be expected has been replaced, this would have to be clearly stated on the front of the pack in a prominent font size and next to the brand name, says the agreement.

Meat consisting of combined meat parts must be labelled "formed meat", and the same will apply to "formed fish".

Background

Will alcoholic beverages also have to be labelled?

As requested by MEPs, alcoholic beverages containing more than 1.2 % by volume of alcohol will be exempted from the obligation to bear a nutrition declaration and a list of ingredients. The Commission must, however, assess, within three years of the new regulation's entry into force, whether alcoholic beverages should in future be covered by the requirement to indicate the energy value and list ingredients, and if appropriate make legislative proposals to this end. At the same time, the Commission must propose a definition of "alcopops".

Background

What has been agreed for vegetable oils?

At the request of MEPs, consumers will in future be informed about the sources of vegetable oils. This will enable them, for example, to identify palm oil, given that environment and animal welfare organizations have highlighted the fact that unsustainable palm oil plantations endanger rain forests.

Background

What has been agreed on transfats?

MEPs agreed that before introducing any obligation to label food containing transfats, the Commission must within three years table a report on the presence of transfats in food in the EU. This report must assess possible ways to tackle the problem, including, if necessary, a legislative proposal.

Background

Will there be new rules on meat from slaughter without stunning?

MEPs did not insist that meat from slaughter without stunning (in accordance with certain religious traditions), must be labelled as such, but agreed that this should be considered in the context of forthcoming discussion on the animal welfare strategy.

Background

When will the new rules enter into force?

Once the legislation is approved and published in the EU Official Journal, food businesses will have three years to adapt to the rules. They will then have two more years (so five years in all), to apply the rules on the nutrition declaration. If the nutrition declaration is provided on a voluntary basis already at an earlier date, it must comply with the new rules within three years of their publication.

Background

Next steps

Parliament is to vote on the agreement at its July plenary session. The agreement also needs the Council's formal agreement, but will probably get it only after the summer break. As this is a second-reading vote in Parliament, the agreement needs to be approved by a qualified majority, i.e. at least 369 votes. If the agreement is not backed either by Council or by the majority of Parliament, the dossier will go to conciliation.