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Committee on the Environment, Public Health and Food Safety

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AMENDMENTS

350 - 501

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

Food information to consumers

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

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Amendment 350
Struan Stevenson

Proposal for a regulation
Article 16 – paragraph 2

Text proposed by the Commission

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

Amendment

2. Within their own territory, the Member States in which a food is marketed may stipulate that the particulars shall be given in one or more languages from among the official languages of the Union. This requirement may not, however, prevent mandatory information being given instead in other official languages of the Union that are easily understood by the consumers in the member state in question.

Or. en

Justification

While mandatory information on foodstuffs must be given in a language that consumers understand, the rules should not disrupt the free movement of goods. Language rules should be flexible enough to permit consumers to receive information in a language which they can understand without difficulty. ECJ case law has supported such flexibility.

Amendment 351
Kartika Tamara Liotard

Proposal for a regulation
Article 17 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Information on Article 9(1): (b) ‘the list of ingredients’, (d) ‘the quantity of certain ingredients or categories of ingredients’ and (g) ‘any special storage conditions or conditions of use’ should also be mandatory for products packaged in glass bottles intended for reuse.

Amendment 352
Holger Krahmer

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

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

Amendment

2. In the case of packaging or containers the largest **printable** surface of which has an area of less than **80** cm² only the particulars listed in Article 9(1) (a), (c), (e) and (f) **and Article 29(1)(a)** shall be mandatory on the package or on the label. **Provision of further particulars on the package shall be possible on a voluntary basis.** The particulars referred to in Article 9(1)(b) shall be provided through other means or shall be available at the request of the consumer.

Or. de

Justification

The indication of the energy content of a food is an essential item of information and can be a decisive factor in a well-informed purchasing decision. The provision of additional voluntary particulars by the manufacturer should be possible.

Amendment 353

Carl Schlyter

Proposal for a regulation

Article 17 – paragraph 2

Text proposed by the Commission

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

Amendment

2. In the case of packaging or containers the largest surface of which has an area of less than 10 cm² only the particulars listed in Article 9(1) (a), (c), (e) and (f) ***and Article 29(1)(a)*** shall be mandatory on the package or on the label. ***However, the provision of all particulars in accordance with Article 9(1) via the Internet shall be mandatory and the information*** shall be available ***at the point of purchase.***

Or. en

Justification

Modification of AM 106 by the Rapporteur. The fact that a product is small does not justify the omission of the mandatory declaration according to Article 9. The information should be available via internet.

Amendment 354

Horst Schnellhardt

Proposal for a regulation

Article 17 – paragraph 2

Text proposed by the Commission

2. In the case of packaging or containers the largest surface of which has an area of less than ***10*** cm² only the particulars listed in Article 9(1) (a), (c), (e) and (f) shall be

Amendment

2. In the case of packaging or containers the largest ***printable*** surface of which has an area of less than ***100*** cm² only the particulars listed in Article 9(1) (a), (c), (e)

mandatory on the package or on the label. The particulars referred to in Article 9(1)(b) shall be provided through other means or shall be available at the request of the consumer.

and (f) shall be mandatory on the package or on the label. The particulars referred to in Article 9(1)(b) shall be provided through other means or shall be available at the request of the consumer.

Or. de

Justification

Making the packaging easy to read requires an exemption for an area measuring up to 100 cm² and not just up to 10 cm². For example a bar has a printable area of 70 cm².

Amendment 355 **Bernadette Vergnaud**

Proposal for a regulation **Article 17 – paragraph 2**

Text proposed by the Commission

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

Amendment

2. ***Without prejudice to the provisions of Article 14(4)***, in the case of packaging or containers the largest surface of which has an area of less than **25 cm²** only the particulars listed in Article 9(1) (a), ***(b)***, (c), (e) and (f) shall be mandatory on the package or on the label. ***To deal with any legibility problems***, the particulars referred to in Article 9(1)(b) shall ***also*** be provided through other means or shall be available at the request of the consumer.

Or. fr

Justification

The list of ingredients should always be indicated, whatever the size of the packaging. However, since applying Article 14(4) does not guarantee optimum legibility for consumers, the information should also be provided through other means.

Amendment 356
Dagmar Roth-Behrendt

Proposal for a regulation
Article 17 – paragraph 2 and 3

Text proposed by the Commission

Omission of certain mandatory particulars

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

3. Without prejudice to other Community legislation requiring mandatory nutrition declaration, the declaration referred to in Article 9(1)(l) shall not be mandatory for the foods listed in Annex IV.

Amendment

Omission of certain mandatory particulars

2. In the case of packaging or containers the largest **printable** surface of which has an area of less than **80** cm² only the particulars listed in Article 9(1) (a), (c), (e) and (f) **and Article 29(1)(a)** shall be mandatory on the package or on the label. The particulars referred to in Article 9(1)(b) shall be provided through other means or shall be available at the request of the consumer.

3. Without prejudice to other Community legislation requiring mandatory nutrition declaration, the **nutrition** declaration referred to in Article 9(1)(l) shall not be mandatory for the foods listed in Annex IV.

Or. de

Justification

The derogations should apply up to a package size of 80 cm². However, the energy content should always be indicated.

Amendment 357
Carl Schlyter

Proposal for a regulation
Article 17 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. In the case of food in packaging or containers the largest surface of which

has an area of less than 25 cm², the nutrition declaration in accordance with Article 9(1)(l) shall not be mandatory on the package or on the label. However, the provision of this information via the Internet shall be mandatory and the information shall be available at the point of purchase.

Or. en

Justification

Linked to the AM on Annex IV. The first sentence has been taken from Annex IV in order to insert the requirement for a provision of mandatory information via internet.

Amendment 358

Carl Schlyter on behalf of Greens/EFA, Kartika Tamara Liotard on behalf of GUE/NGL

Proposal for a regulation

Article 17 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The particulars listed in Articles 9 and 29 shall not be mandatory for foods provided by mass caterers within the meaning of Article 2(2)(d). However, the particulars referred to in Article 9(1)(a), (b), (c) and (i) shall be made available on request.

Or. en

Justification

Modification of the respective amendment by the Rapporteur. Mass caterers shall be exempted from the general information requirements; however, they should be able to provide information on the name, ingredients, allergens and country of origin of the components used on request.

Amendment 359
Renate Sommer

Proposal for a regulation
Article 17 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The particulars listed in Articles 9 and 29 shall - with the exception of Article 9(1)(c) - not be mandatory for non-prepacked goods and goods provided by mass caterers within the meaning of Article 2(2)(d).

Or. de

Justification

Auch in Betrieben des Lebensmitteleinzelhandels und des Lebensmittelhandwerks, inklusive der Anbieter von Gemeinschaftsverpflegung oder auch direktvermarktender landwirtschaftlicher Betriebe, werden Produkte zur unmittelbaren Abgabe an den Konsumenten hergestellt. Dabei existieren keine standardisierten Verfahren, Zutaten und Inhaltsstoffe ändern sich auf täglicher Basis. Zu bedenken ist auch, dass gerade das Lebensmittelhandwerk Garant für den Erhalt der regionalen Spezialitäten, für Kreativität und Innovation ist und damit die Vielfalt des Angebotes sichert. Es ist daher wichtig, diese genannten Hersteller von den verpflichtenden Angaben auszunehmen. Informationen über allergene Stoffe sind zwar verpflichtend, können aber gemäß Artikel 22 Absatz 1 Buchstabe b a (neu) angegeben werden.

Amendment 360
Carl Schlyter on behalf of Greens/EFA, Kartika Tamara Liotard on behalf of GUE/NGL

Proposal for a regulation
Article 17 – paragraph 3 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

Food chains serving standardised food shall indicate the particulars referred to in Article 9(1)(a), (b), (c), (i) and (l) on the package of the food.

Or. en

Justification

Mass caterers who serve standardized food, e.g. fast food chains, shall provide the following information on the package: name, ingredients, allergens, and country of origin of the food, as well as a nutrition declaration.

Amendment 361

Carl Schlyter

Proposal for a regulation

Article 19 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. For products produced from animals that have been fed with genetically modified feedingstuffs pursuant to Regulation (EC) No 1829/2003, the words 'from animals fed with genetically modified feedingstuffs' shall appear in the list of ingredients referred to in Article 19 immediately following the ingredient(s) concerned. Where there is no list of ingredients, the words 'produced from animals fed with genetically modified feedingstuffs' shall appear clearly on the labelling.

Or. en

Justification

It is interesting for consumers to know whether a food has been produced by the use of genetically modified feed. There is a clear gap in the provisions concerning food produced from animals fed with genetically modified feeding stuffs as Recital 16 of Regulation 1829/2003 excludes such products from the labelling requirement.

Amendment 362

Carl Schlyter

Proposal for a regulation

Article 19 – paragraph 1b (new)

Text proposed by the Commission

Amendment

1b. For products containing eggs or egg products, the terms referred to in Annex I to Commission Regulation (EC) No 557/2007 shall be added in brackets after the respective ingredient in the ingredient list, in accordance with the farming method used for the production of the eggs. For eggs from organic production, the respective ingredient may be labelled in accordance with Council Regulation (EC) No 834/2007, Article 23 (4) (b).

Or. en

Justification

Many consumers would like to know by which farming method the eggs contained in their food have been produced. The ingredients must therefore be specified by the terms 'Free range eggs', 'Barn eggs' or 'Eggs from caged hens'.

Amendment 363

Horst Schnellhardt

Proposal for a regulation

Article 20 – point d

Text proposed by the Commission

Amendment

(d) cheese, butter, fermented milk and cream, ***to which*** no ingredient has been added other than lactic products, enzymes and micro-organism cultures essential to manufacture, or ***in the case*** of cheese other than fresh cheese and processed cheese ***the salt needed for its manufacture***;

(d) cheese, butter, fermented milk and cream, ***provided that*** no ingredient has been added other than lactic products, enzymes and micro-organism cultures essential to manufacture, or ***the salt needed for the manufacture*** of cheese other than fresh cheese and processed cheese;

Justification

Diese Änderung betrifft nur die deutsche Fassung des Kommissionsvorschlags und betrifft die Ausnahmeregelung von der Zutatendeklaration für Käse, Butter, fermentierte Milch und Sahne. Der bisher in Art. 6 Abs. 2 b) der EG-Kennzeichnungsrichtlinie 2000/13 verwendete deutsche Wortlaut sollte beibehalten werden. Die Kommission hat den englischen Wortlaut in ihren Kommissionsvorschlag 1:1 übernommen. Sie möchte somit die derzeitige Rechtslage nicht ändern. Der neue deutsche Wortlaut könnte dazu führen, dass bei Zugabe von weiteren Zutaten nicht nur diese, sondern zusätzlich die Grundzutaten, die ansonsten von der Kennzeichnung ausgenommen sind, auch angegeben werden müssten.

Amendment 364 Struan Stevenson

Proposal for a regulation Article 20 – point e

Text proposed by the Commission

(e) wine as defined in **Council Regulation (EC) No 1493/1999**, beer, **and spirits as defined** in Article 2(1) of Regulation (EC) No [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report **after** [five years **of** the entry into force of this Regulation] concerning the application of Article 19 on these products and may accompany this report by specific measures determining the rules for labelling ingredients. 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

(e) wine **and wine products** as defined in **Article 1(1) of Council Regulations (EC) No. 479/2008 and Article 2(1) of Council Regulation (EC) No 1601/1991, similar products obtained from fruit other than grapes, cider, perry beer, spirits as defined in Article 2(1) of Regulation (EC) No. 110/2008** of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 **and other alcoholic beverages**. The Commission shall produce a report **by** [5 years **at the latest after** the entry into force of this Regulation] concerning the application of Article 19 on these products and may accompany this report by specific measures determining the rules for labelling ingredients. Those measures designed to amend non-essential elements of this Regulation, by supplementing it shall be adopted **where necessary** in accordance with the **following procedure**:

(i) as regards the products referred to in Council Regulation (EC) No 479/2008 of 29 April 2008 on the common organisation of the market in wine, under the procedure laid down in Article 113(1) of that Regulation;

(ii) as regards the products referred to in Article 2(1) of Council Regulation (EC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine product cocktails, under the procedure laid down in Article 13 of that Regulation;

(iii) as regards the products referred to in Council Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89, under the procedure laid down in Article 25(1) of that Regulation;

(iv) as regards other products, under the regulatory procedure with scrutiny referred to in Article 49(3):

(ea) Without prejudice to the specificities identified through the procedures for products referred to in points (i), (ii) and (iii) of point (e).

Or. en

Justification

To exempt wine, beer and spirits but not other alcoholic beverages would not achieve consistency in this sector. It would favour certain defined products while discriminating against others, distort competition and mislead consumers as to the relative composition of different products.

Amendment 365

Glenis Willmott and Nessa Childers

Proposal for a regulation

Article 20 – point e

Text proposed by the Commission

Amendment

(e) wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No [...] of [...] of the European Parliament and the Council on the definitions, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report [five years of the entry into force of this Regulation] concerning the application of Article 19 on these products and may accompany this report by specific measures determining the rules for labelling ingredients. 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

Alcoholic beverages should also provide details of ingredients used.

Amendment 366
Pilar Ayuso y Esther Herranz

Proposal for a regulation
Article 20 – point e

Text proposed by the Commission

(e) wine as defined in Council Regulation (EC) No **1493/1999**, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing **Council** Regulation (EEC) No 1576/89. The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of Article 19 on these products and may accompany this report by specific measures determining the rules for labelling ingredients. 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

(e) wine as defined in **Article 1(1) of** Council Regulation (EC) No **479/2008 and Article 2(1) of Regulation (EC) No 1601/1991, similar products obtained from fruits other than grapes, cider, perry,** beer, and spirits as defined in Article 2(1) of Regulation (EC) No. **110/2008 of 15 January 2008** of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Regulation (EEC) No 1576/89 **and other alcoholic beverages**. The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of Article 19 on these products and may accompany this report by specific measures determining the rules for labelling ingredients. Those measures designed to amend non-essential elements of this Regulation, by supplementing it shall be adopted, **as appropriate**, in accordance with **the following procedures:**

(i) for the products referred to in Article 1(2) of Regulation (EC) No 479/2008 of 29 April 2008 on the common organisation of the market in wine, in accordance with the procedure laid down in Article 113(1) of that Regulation;

(ii) for the products referred to in Article 2(1) of Council Regulation (EEC) No 1601/1991 of 10 June 1991, laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails, in accordance with the procedure laid down in Article 13 of that

Regulation;

(iii) for the products referred to in Regulation (EC) 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/1989, in accordance with the procedure laid down in Article 25(2) of that Regulation;

(iv) for other products, in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).

Without prejudice to the specific characteristics established by way of the procedures for the products referred to in points (i), (ii) and (iii), the measures referred to in paragraph 1 must be applied consistently and simultaneously for all the products described in this paragraph.

Or. es

Justification

Some fundamental issues need to be clarified before the content or nutritional labelling of alcoholic beverages not consumed for their nutritional properties can become a requirement. Regulations 479/2008, 1601/91 and 110/2008 lay down the specific rules on the labelling of wines and spirits. They also allow for the possibility of the implementing rules being established by way of specific comitology procedures. For the sake of consistency, that possibility should be retained.

Amendment 367

Kartika Tamara Liotard

**Proposal for a regulation
Article 20 – point e**

Text proposed by the Commission

(e) wine as defined in Council Regulation (EC) No 1493/1999, ***beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European***

Amendment

(e) wine as defined in Council Regulation (EC) No 1493/1999. The Commission shall produce a report [five years of the entry into force of this Regulation] concerning

Parliament and the Council on the definitions, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report [five years of the entry into force of this Regulation] concerning the application of Article 19 on ***these products*** and may accompany this report by specific measures determining the rules for labelling ingredients. 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);

the application of Article 19 on ***wine*** and may accompany this report by specific measures determining the rules for labelling ingredients. 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

The amendment will ensure that consumers shall be informed on the ingredients that were used in the production of beer and spirits. There are big differences as to the ingredients used in these products. E.g. in beer the barley may for a considerable part be replaced by maize. Recital 27 states that alcoholic mixed beverages should provide information on their ingredients with a view to providing consumers with the information necessary to make an informed choice. This information should be made available for beer and spirits.

Amendment 368
Bernadette Vergnaud

Proposal for a regulation
Article 20 – point e

Text proposed by the Commission

e) wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC)

Amendment

e) beverages containing more than 1.2% alcohol by volume. By ... * at the latest, the Commission shall produce a report concerning the application of Article 19 on these products and may accompany this report by specific measures determining the rules for labelling ingredients. Those measures designed to amend non-essential elements of this Regulation, by

No 1576/89. The Commission shall produce a report *after [five years of the entry into force of this Regulation]* concerning the application of Article 19 on these products and may accompany this report by specific measures determining the rules for labelling ingredients. 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)*;

supplementing it shall be adopted, *as appropriate*, in accordance with *the following procedures*:

- (i) for the products referred to in Article 1(2) of Regulation (EC) No 479/2008 of 29 April 2008 on the common organisation of the market in wine, in accordance with the procedure laid down in Article 113(1) of that Regulation;*
- (ii) for the products referred to in Article 2(1) of Council Regulation (EEC) No 1601/1991 of 10 June 1991, laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails, in accordance with the procedure laid down in Article 13 of that Regulation;*
- (iii) for the products referred to in Regulation (EC) 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/1989, in accordance with the procedure laid down in Article 25(2) of that Regulation;*
- (iv) for other products, in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).*

**OJ: Three years from the date of entry into force of this regulation.*

Or. fr

Justification

The exemption of alcoholic beverages from these proposals is justified on the grounds that they contain alcohol. It would be wrong to label these products in a way that could mislead consumers or encourage inappropriate consumption. Equally, it would be wrong for these proposals to discriminate, and distort competition, between competing products. It is inappropriate to apply the general provisions of these proposals to such products, particularly as the proposals require the Commission to bring forward further proposals that are appropriate to the alcoholic beverages sector.

Amendment 369

Dagmar Roth-Behrendt

Proposal for a regulation

Article 22 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Any ingredient listed in Annex II or any substance originating from an ingredient listed in that Annex, subject to the exceptions *thereof* provided for in that Annex, shall be indicated ***on the label with a precise reference to the name of the ingredient.***

Amendment

1. Any ingredient listed in Annex II or any substance originating from an ingredient listed in that Annex, subject to the exceptions *thereto* provided for in that Annex, shall ***always*** be indicated ***in the list of ingredients in such a way that the potential for allergy or intolerance is immediately clearly recognisable.***

Or. de

Justification

Clarification, to make it clear that the names of ingredients must be chosen in such a way that allergy sufferers can recognise the allergy potential of the ingredients.

Amendment 370

Bernadette Vergnaud

Proposal for a regulation

Article 22 – paragraph 1 – introductory part

Text proposed by the Commission

1. Any ingredient listed in Annex II or any substance originating from an ingredient

Amendment

1. Any ingredient listed in Annex II or any substance originating from an ingredient

listed in that Annex, subject to the exceptions thereof provided for in that Annex, shall be indicated on the label with a precise reference to the name of the ingredient.

listed in that Annex, subject to the exceptions thereof provided for in that Annex, shall be indicated on the label with a precise reference to the name of the ingredient ***or the substance causing allergies or intolerances.***

Or. fr

Justification

Labelling the substance causing allergies or intolerances instead of the ingredient containing that substance is clearer and more effective.

Amendment 371

Edite Estrela, José Manuel Fernandes

Proposal for a regulation

Article 22 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

ba) the food is not prepacked. In this case Member States should ensure that the particular listed in Article 9(1)(c) shall be provided upon request. Member States may adopt rules concerning the manner in which those particulars are to be made available.

Or. en

Justification

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

Amendment 372
Gerben-Jan Gerbrandy

Proposal for a regulation
Article 22 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

ba) the food is not prepacked. In this case Member States may decide that the particulars listed in Article 9(1)(c) shall be provided upon request. Member States may adopt rules concerning the manner in which those particulars are to be made available.

Or. en

Justification

In the case of non-prepacked foods, it is de facto impossible to provide far-reaching and reliable allergy labelling for all products. Allergens labelling could be misleading for consumers because the possibility of allergens cross-contamination cannot be excluded in premises where the area available for processing is limited. The requirements would particularly place small and medium-sized undertakings at a considerable competitive disadvantage and increase their costs. In addition, the extent and conditions of the liability of operators serving meals will continue to be addressed by national legislation. From a subsidiarity perspective Member States are better placed than the EU Institutions to address the issue of non-prepacked food.

Amendment 373
Renate Sommer

Proposal for a regulation
Article 22 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the food is not prepacked. In this case it must be indicated in a clearly visible manner in the sales area or on menus that:

- customers can obtain information regarding allergenic substances directly during the sales talk and/or by means of

material displayed on the premises
- the possibility of cross-contamination
cannot be excluded.

Or. de

Justification

In the case of non-prepacked goods, it would be virtually impossible to provide far-reaching allergy labelling for all products, and this would particularly place small and medium-sized undertakings at a considerable competitive disadvantage and increase their costs. In addition, the possibility of cross-contamination cannot be excluded in premises where the area available for processing is limited. The compulsory clear sign gives undertakings legal certainty.

Amendment 374

Pilar Ayuso and Esther Herranz

Proposal for a regulation

Article 22 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Where necessary detailed rules for the presentation of the indication referred to in paragraph 1 may be adopted in accordance with the following procedures:

(i) as regards the products referred to in Article 1(2) of Council Regulation (EC) No 479/2008 of 29 April 2008 on the common organisation of the market in wine, under the procedure laid down in Article 113(1) of that Regulation;

(ii) as regards the products referred to in Article 2(1) of Council Regulation (EC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine product cocktails, under the procedure laid down in Article 13 of that Regulation;

(iii) as regards the products referred to in Council Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89, under the relevant procedure in that Regulation;

(iv) as regards other alcohol beverages, under the regulatory procedure with scrutiny referred to in Article 49(2).

Or. en

Justification

Regulation 479/2008, 1601/91 and 110/2008 provide for the means of presentation and labelling of wines and spirits. They also provide for the possibility to define the implementing rules through their specific comitology procedure. For the sake of consistency, these provisions must be retained.

Amendment 375
Hans-Peter Mayer

Proposal for a regulation
Article 25 – paragraph 2

Text proposed by the Commission

2. The *appropriate* date shall be expressed *in accordance with Annex IX*.

Amendment

2. The date *of minimum durability must be easy to find and must not be hidden. It shall be expressed as follows:*

(a) The date shall be preceded by the words:

- 'Best before ...' when the date includes an indication of the day,

- 'Best before end ...' in other cases.

(b) The words referred to in point (a) shall be accompanied by:

- either the date itself, or

- a reference to where the date is given on the labelling.

If need be, these particulars shall be followed by a description of the storage conditions which must be observed if the product is to keep for the specified period.

(c) The date shall consist of the day, month and year, in that order and in uncoded form.

However, in the case of foods:

- which will not keep for more than three months, an indication of the day and the month shall be sufficient,

- which will keep for more than three months but not more than 18 months, an indication of the month and year shall be sufficient,

- which will keep for more than 18 months, an indication of the year shall be sufficient.

(d) the date of minimum durability shall be indicated on each individual prepackaged portion.

(e) Subject to Community provisions imposing other types of date indication, an indication of the date of minimum durability shall not be required for:

- fresh fruit and vegetables, including potatoes, which have not been peeled, cut or similarly treated; this derogation shall not apply to sprouting seeds and similar products such as legume sprouts,

- wines, liqueur wines, sparkling wines, aromatised wines and similar products obtained from fruits other than grapes, and beverages falling within CN codes 22060091, 22060093 and 22060099 and manufactured from grapes or grape musts,

- beverages containing 10% or more by volume of alcohol,

- soft drinks, fruit juices, fruit nectars and alcoholic beverages containing more than

1,2 % by volume of alcohol in individual containers of more than five litres, intended for supply to mass caterers,

- bakers' or pastry cooks' wares which, given the nature of their content, are normally consumed within 24 hours of their manufacture,

- vinegar,

- cooking salt,

- solid sugar,

confectionery products consisting almost solely of flavoured and/or coloured sugars,

- chewing gums and similar chewing products.

individual portions of ice-cream.

Or. de

Justification

For the sake of clarity, Annex IX should be incorporated into the legislative text. A 'use by' date is no longer needed if there is a minimum durability date. Giving a date of manufacture would lead to additional expense and higher costs. In particular, the quality of frozen goods depends not only on their age, but to a far greater extent on the storage conditions. It is already today absolutely prohibited to bring goods into circulation which are not suitable for marketing.

Amendment 376

Esther de Lange

Proposal for a regulation

Article 25 – paragraph 2

Text proposed by the Commission

2. The appropriate date shall be expressed *in accordance with Annex IX.*

Amendment

2. The appropriate date *must be easy to find and may not be concealed. It shall be expressed as follows:*

A. DATE OF MINIMUM DURABILITY

(a) The date shall be preceded by the

words:

– ‘Best before ...’ when the date includes an indication of the day,

– ‘Best before end ...’ in other cases.

(b) The words referred to in point (a) shall be accompanied by:

– either the date itself, or

– a reference to where the date is given on the labelling.

If need be, these particulars shall be followed by a description of the storage conditions which must be observed if the product is to keep for the specified period.

(c) The date shall consist of the day, month and year in that order and in uncoded form.

However, in the case of foods:

– which will not keep for more than three months, an indication of the day and the month shall be sufficient,

– which will keep for more than three months but not more than 18 months, an indication of the month and year shall be sufficient,

– which will keep for more than 18 months, an indication of the year shall be sufficient.

(d) The date of minimum durability shall be indicated on each individual prepacked portion.

(e) Subject to Community provisions imposing other types of date indication, an indication of the date of minimum durability shall not be required for:

– fresh fruit and vegetables, including potatoes, which have not been peeled, cut or similarly treated; this derogation shall not apply to sprouting seeds and similar products such as legume sprouts,

– wines, liqueur wines, sparkling wines, aromatised wines and similar products obtained from fruits other than grapes, and beverages falling within CN codes 22060091, 22060093 and 22060099 and manufactured from grapes or grape musts,

– beverages containing 10 % or more by volume of alcohol,

– *soft drinks, fruit juices, fruit nectars and alcoholic beverages containing more than 1,2 % by volume of alcohol in individual containers of more than five litres, intended for supply to mass caterers,*
– *bakers' or pastry cooks' wares which, given the nature of their content, are normally consumed within 24 hours of their manufacture,*
– *vinegar,*
– *cooking salt,*
– *solid sugar,*
– *confectionery products consisting almost solely of flavoured and/or coloured sugars,*
– *chewing gums and similar chewing products.*

B. USE-BY DATE

(a) The date shall be preceded by the words 'use by ...';

(b) The words in point (a) shall be accompanied by:

– *either the date itself, or*
– *a reference to where the date is given on the labelling.*

Those particulars shall be followed by a description of the storage conditions which must be observed.

(c) The date shall consist of the day, the month and, possibly, the year, in that order and in uncoded form.

(d) Detailed rules for the indication of the date of minimum durability under section A(c) of this paragraph can be adopted pursuant to the regulatory procedure under Article 49(2).

C. DATE OF MANUFACTURE

(a) The date shall be preceded by the words 'Manufactured on';

(b) The words in point (a) shall be accompanied by:

– *either the date itself, or*
– *a reference to where the date is given on the labelling.*

(c) The date shall consist of the day, the month and, possibly, the year, in that order and in uncoded form.

Justification

For the sake of clarity, Annex IX should be incorporated into the legislative text and amplified to include provisions on the date of manufacture in keeping with Article 2(2)(s) a (new). The derogation from the requirement to indicate the date of minimum durability for individual portions of ice-cream is deleted.

Individual portions can be separated from the package or lot in which they have been sold, so it is essential that each detachable portion bears the date of minimum durability. The words 'best before...' are interpreted in accordance with national legislation.

Amendment 377 **Hans-Peter Mayer**

Proposal for a regulation **Article 26 – paragraph 1**

Text proposed by the Commission

1. The instructions for use of a food shall be indicated in such a way as to enable appropriate use to be made thereof.

Amendment

1. The instructions for use of a food shall be indicated in such a way as to enable appropriate use to be made thereof. ***Where appropriate, instructions on refrigeration and storage conditions should be provided.***

Justification

Kühl- und Lagerbedingungen können Auswirkungen auf die Haltbarkeit eines Lebensmittels haben und sollten deshalb angegeben werden. Die Angabe eines Verzehrzeitraums muss eine fakultative Angabe, begrenzt auf wenige Produkte, bleiben. Ein Zugewinn an Sicherheit für den Verbraucher ist nicht zu erkennen. Eine obligatorische Angabe hat einen rechtlich bindenden Charakter. Der Lebensmittelunternehmer kann in der Praxis nicht kontrollieren, ob der Verbraucher das Lebensmittel nach dem Kauf tatsächlich ordnungsgemäß gelagert hat. Trotzdem müsste er das Produkt ersetzen, wenn es innerhalb des angegebenen Zeitraum verdorben wäre. Konsequenter Weise wird der Lebensmittelunternehmer den Verzehrzeitraum deutlich verkürzen, um solchen Anschuldigungen aus dem Weg zugehen oder er nimmt das Produkt gleich aus dem Markt. Es ist auch zweifelhaft, ob die Verbraucher, insbesondere in Mehrpersonenhaushalten, den Überblick darüber behalten, wann die einzelnen Verpackungen geöffnet wurden.

Amendment 378
Dan Jørgensen, Christel Schaldemose

Proposal for a regulation
Article 29 – paragraph 1 – introductory part

Text proposed by the Commission

1. The nutrition declaration shall include the following (hereinafter referred to as "mandatory nutrition declaration"):

Amendment

1. The **mandatory** nutrition declaration shall include the following (hereinafter referred to as "mandatory nutrition declaration"):

Or. en

Amendment 379
Kartika Tamara Liotard

Proposal for a regulation
Article 29 – paragraph 1

Text proposed by the Commission

1. The nutrition declaration ***shall include the following*** (hereinafter referred to as "***mandatory nutrition declaration***"):

- (a) energy value;***
- (b) the amounts of fat, saturates, carbohydrates with specific reference to sugars, and salt.***

Amendment

1. The **mandatory** nutrition declaration ***in the principal field of vision*** (hereinafter referred to as "***front of pack nutrition information***") ***shall include:***

- (a) energy value;***
- (b) the amounts of fat, saturates, sugars and salt in the food.***

The mandatory nutrition information on the back of the package (hereinafter referred to as "back of pack nutrition declaration") shall include the amounts of nutrients listed in the first subparagraph, plus the amounts of the following:

- (i) protein;***
- (ii) carbohydrates***
- (iii) fibre;***
- (iv) trans fats.***

This paragraph shall not apply to wine as defined in Council Regulation (EC) No 1493/1999, ***beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...]***

This paragraph shall not apply to wine as defined in Council Regulation (EC) No 1493/1999. The Commission shall produce a report [five years of the entry into force

of [...] of the European Parliament and the Council on the definitions, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report [five years of the entry into force of this Regulation] concerning the application of this paragraph on **these products** and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for **these products**. 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).

of this Regulation] concerning the application of this paragraph on **wine** and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for **wine**. 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 amendment clarifies that the principal field of vision refers to the front of pack. It shall also ensure that a mandatory nutrition declaration comprises two parts: limited front of pack information for energy value and four nutrients and a more complete declaration on the back of pack for eight nutrients plus energy value.

Amendment 380

Dagmar Roth-Behrendt

Proposal for a regulation

Article 29 – paragraph 1 – point b

Text proposed by the Commission

*(b) the amounts of **fat, saturates,** carbohydrates with specific reference to sugars, and salt.*

Amendment

*(b) the amounts of **protein, fibre,** carbohydrates with specific reference to sugars, **fat, saturates,** and salt.*

Or. de

Justification

The provision of information to consumers on the fibre and protein content must also be

ensured.

Amendment 381
Carl Schlyter, Jill Evans

Proposal for a regulation
Article 29 – paragraph 1 - point b

Text proposed by the Commission

(b) the amounts of fat, saturates,
carbohydrates with specific reference to
sugars, ***and*** salt.

Amendment

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

Or. en

Justification

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

Amendment 382
Christa Klab

Proposal for a regulation
Article 29 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. The nutrition declaration shall include the following (hereinafter referred to as "mandatory nutrition declaration"):
(a) *energy value*;
(b) the amounts of fat, ***saturates, carbohydrates with specific reference to***
sugars, and salt.

Amendment

1. The nutrition declaration shall include the following (hereinafter referred to as "mandatory nutrition declaration"):
(a) energy value ***and***
(b) the amounts of ***protein, carbohydrates***
and fat.

Or. de

Justification

The amendment ensures the mandatory indication of nutrients which were previously part of nutrition labelling. All nutrition recommendations relate to 'macronutrients'. Consumers have become accustomed to this type of information and 'learned' to follow it.

Amendment 383

Bernadette Vergnaud

Proposal for a regulation

Article 29 – paragraph 1 – points a, b and b a (new)

Text proposed by the Commission

- a) energy value,
- b) the amounts of fat, **saturates**, carbohydrates with specific reference to sugars, and salt.

Amendment

- a) energy value (**calorific value**),
- b) the amounts of fat, carbohydrates with specific reference to sugars, and salt.

ba) the amount of saturates and trans fats, sugar, fibre and protein.

Or. fr

Amendment 384

Glenis Willmott, Corinne Lepage, Antonia Parvanova

Proposal for a regulation

Article 29 – paragraph 1

Text proposed by the Commission

1. The nutrition declaration shall include the following (hereinafter referred to as "mandatory nutrition declaration"):

- (a) energy value;**
- (b) the amounts of fat, saturates, carbohydrates with specific reference to sugars, and salt.**

Amendment

1. The mandatory nutrition declaration in the principal field of vision (hereinafter referred to as "front of pack nutrition declaration") shall include the amounts of the following:

- 1 i. fat;**
- 2 ii. saturates;**
- 3 iii. sugars;**
- iv. salt; and energy value.**

The mandatory nutrition information on the back of the package (hereinafter referred to as "back of pack nutrition declaration") shall include the amounts of

nutrients listed in paragraph 1(a), in addition to the amounts of the following:

- 4 *i. protein;*
- 5 *ii. carbohydrates;*
- 6 *iii. fibre; and*
- 7 *iv. trans fats.*

Or. en

Justification

This amendment clarifies that the principal field of vision refers to the front of pack. It shall also ensure that a mandatory nutrition declaration comprises two parts: limited simplified front of pack information for four nutrients and energy value as well as a more complete declaration on the back of pack for eight nutrients plus energy

Amendment 385

János Áder

Proposal for a regulation

Article 29 – paragraph 1 – point b

Text proposed by the Commission

(b) the amounts of fat, saturates, carbohydrates with specific reference to sugars, and salt.

Amendment

(b) the amounts of fat, saturates, ***protein*** ***and*** carbohydrates with specific reference to sugars, and salt.

Or. hu

Justification

For many consumers suffering from renal insufficiency, mandatory indication of the protein content is also important.

Amendment 386

Esther de Lange

Proposal for a regulation

Article 29 – paragraph 1 – point b

Text proposed by the Commission

(b) the amounts of ***fat, saturates,***

Amendment

(b) the amounts of ***protein,*** carbohydrates

carbohydrates with specific reference to sugars, and **salt**.

with specific reference to sugars, **fat**, **saturates**, **fibre** and **sodium**.

Or. en

Justification

This amendment is in line with the common practice of the food industry to label "big 8" nutrients on the back of the pack in the nutrition table.

Amendment 387

Dan Jørgensen, Christel Schaldemose

Proposal for a regulation

Article 29 – paragraph 1 – point b

Text proposed by the Commission

(b) the amounts of fat, saturates, carbohydrates with specific reference to sugars, and salt.

Amendment

(b) the amounts of **protein**, fat, saturates, carbohydrates with specific reference to sugars, and salt.

Or. en

Justification

Protein is a vital nutrient. The amount of protein should be included in the mandatory nutrition declaration to enable the consumers to see all the energy giving nutrients of the food.

Amendment 388

Andres Perello Rodriguez

Proposal for a regulation

Article 29 – paragraph 1 – point b

Text proposed by the Commission

(b) the amounts of fat, saturates, carbohydrates with specific reference to sugars, and salt.

Amendment

(b) the amounts of fat, **trans fats**, saturates, **protein**, carbohydrates with specific reference to sugars, and salt.

Or. es

Justification

It should be compulsory, rather than optional, to include information on trans fats and protein in the mandatory nutrition declaration.

Amendment 389

Anja Weisgerber, Thomas Ulmer

Proposal for a regulation

Article 29 – paragraph 1– point b

Text proposed by the Commission

(b) the amounts of fat, saturates,
carbohydrates with specific reference to
sugars, and salt.

Amendment

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

Or. de

Justification

These nutrients are the most important particulars and are also understood by consumers. In particular, the term 'salt' should be retained, as 'sodium' would not be understood by the majority of consumers.

Amendment 390

Holger Krahmer

Proposal for a regulation

Article 29 — paragraph 1 - point b

Text proposed by the Commission

(b) the amounts of fat, saturates,
carbohydrates with specific reference to
sugars, and salt.

Amendment

(b) the amounts of fat, saturates,
carbohydrates with specific reference to
natural sugars ***and added sugars***, and salt.

Or. de

Justification

The quantities of natural and added sugars must be included in the mandatory nutrition

declaration in order to enable consumers to see the entire nutritional composition of the food in question.

Amendment 391

Glenis Willmott, Nessa Childers

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

This paragraph shall not apply to wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. 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).

In the case of beverages containing more than 1,2 % by volume of alcohol the mandatory nutrition declaration shall consist of the energy value alone.

Or. en

Justification

The energy value should be labelled on alcoholic beverages.

Amendment 392
Åsa Westlund

Proposal for a regulation
Article 29 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

This paragraph shall not apply to wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. 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. sv

Justification

It is also important that consumers should be informed what ingredients alcoholic beverages contain. This is particularly important for consumers with diabetes.

Amendment 393
Åsa Westlund

Proposal for a regulation
Article 29 – paragraph 1 – subparagraph 2

Text proposed by the Commission

This paragraph shall not apply to wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. 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

The mandatory nutrition declaration concerning alcoholic beverages shall also indicate the energy content and the quantity of carbohydrates.

Or. sv

Amendment 394
Carl Schlyter

Proposal for a regulation
Article 29 – paragraph 1 – subparagraph 2

Text proposed by the Commission

This paragraph shall not apply to wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of

Amendment

deleted

the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. 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

As the aim of this regulation is a high level of consumer's health, it is inapprehensible why precisely alcoholic beverages should gain an advantage and be exempted from the labelling requirements.

Amendment 395 **Holger Krahmer**

Proposal for a regulation **Article 29 – paragraph 1 – subparagraph 2**

Text proposed by the Commission

This paragraph shall not apply to *wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89.* The Commission shall produce a report after [five years of the

Amendment

This paragraph shall not apply to ***beverages containing more than 1,2% alcohol by volume.*** The Commission shall produce a report ***at the latest*** after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. Those measures designed to amend non-

entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. 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).

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. de

Justification

All beverages containing more than 1.2 % by volume of alcohol are exempted from this Regulation, including alcopops.

Amendment 396 **Horst Schnellhardt**

Proposal for a regulation **Article 29 – paragraph 1 – subparagraph 2**

Text proposed by the Commission

This paragraph shall not apply to **wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89.** The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for **a mandatory nutrition declaration for** these products. Those measures designed to amend non-essential elements of this Regulation, by

Amendment

This paragraph shall not apply to **beverages containing alcohol.** The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for **providing consumers with nutritional information on** these products. 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).

supplementing it shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).

Or. de

Justification

If wine, beer and spirits are excepted but other alcoholic beverages are not, harmonisation in the industry will be impossible. That would favour certain products and discriminate against others. It would distort competition and consumers would be misled about the respective composition of different products.

Amendment 397

Bernadette Vergnaud

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 2

Text proposed by the Commission

This paragraph shall not apply *to wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89*. The Commission shall produce a report *after [five years of the entry into force of this Regulation]* concerning the application of this paragraph to these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. 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

This paragraph shall not apply to *beverages containing more than 1.2% alcohol by volume*. The Commission shall produce a report *by ...** concerning the application of this paragraph to these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted, *as appropriate*, in accordance with *the following procedures*:

(i) for the products referred to in Article ... of Council Regulation (EC) No 479/2008 of 29 April 2008 on the common organisation of the market in wine, in accordance with the procedure laid down in Article 113(1) of that Regulation;
(ii) for the products referred to in Article 2(1) of Council Regulation (EC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails, in accordance with the procedure laid down in Article 13 of that Regulation;
(iii) for the products referred to in Council Regulation (EC) No 110 /2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89, in accordance with the procedure laid down in Article 25(2)X of that Regulation;
(iv) for other products, in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).

Or. fr

Justification

The exemption of alcoholic beverages from these proposals is justified on the grounds that they contain alcohol. It would be wrong to label these products in a way that could mislead consumers or encourage inappropriate consumption of these products. Equally, it would be wrong for these proposals to discriminate, and distort competition, between competing products. The common characteristic of the products covered by this exemption is that they contain alcohol. It is inappropriate to apply the general provisions of these proposals to such products, particularly as the proposals require the Commission to bring forward further proposals that are appropriate to the alcoholic beverages sector.

Amendment 398

Pilar Ayuso, Esther Herranz García

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 2

Text proposed by the Commission

This paragraph shall not apply to wine as defined in Council Regulation (EC) No **1493/1999**, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing **Council** Regulation (EEC) No 1576/89. The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. 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

This paragraph shall not apply to wine as defined in **Article 1(1), of** Council Regulation (EC) No **479/2008 and Article 2(1), of Regulation (EC) No 1601/1991, similar products obtained from fruits other than grapes, cider, perry**, beer, and spirits as defined in Article 2(1) of Regulation (EC) No **110/2008 of 15 January 2008** of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Regulation (EEC) No 1576/89 **and other alcoholic beverages**. The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. Those measures designed to amend non-essential elements of this Regulation, by supplementing it shall be adopted, **as appropriate** in accordance with **the following procedures:**

(i) for the products referred to in Article 1(2) of Regulation (EC) No 479/2008 of 29 April 2008 on the common organisation of the market in wine, in accordance with the procedure laid down in Article 113(1) of that Regulation;

(ii) for the products referred to in Article 2(1) of Council Regulation (EEC) No 1601/1991 of 10 June 1991, laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails, in accordance with the

procedure laid down in Article 13 of that Regulation;

(iii) for the products referred to in Regulation (EC) 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/1989, in accordance with the procedure laid down in Article 25(2) of that Regulation;

(iv) for other products, in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).

2. Without prejudice to the specific characteristics established by way of the procedures for the products referred to in points (i), (ii) and (iii), the measures referred to in paragraph 1 must be applied consistently and simultaneously for all the products described in this paragraph.

Or. es

Justification

Some fundamental issues need to be clarified before the content or nutritional labelling of alcoholic beverages not consumed for their nutritional properties can become a requirement. Regulations 479/2008, 1601/91 and 110/2008 lay down the specific rules on the labelling of wines and spirits. They also allow for the possibility of the implementing rules being established by way of specific comitology procedures. For the sake of consistency, that possibility should be retained.

Amendment 399 Struan Stevenson

Proposal for a regulation Article 29 – paragraph 1– subparagraph 2

Text proposed by the Commission

This paragraph shall not apply to wine as defined in Council Regulation (EC) No 1493/1999, beer, **and** spirits as defined in

Amendment

This paragraph shall not apply to wine **and wine products** as defined in **Article 1(1) of Council Regulation (EC) No 479/2008**

Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report **after** [*five years of the entry into force of this Regulation*] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for labelling ingredients. 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)**;

and Article 2(1) of Council Regulation (EC) No 1601/1991, similar products obtained from fruit other than grapes, cider, perry, beer, spirits as defined in Article 2(1) of Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 and other alcoholic beverages. The Commission shall produce a report **by** [*five years at the latest after the entry into force of this Regulation*] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for labelling ingredients. Those measures designed to amend non-essential elements of this Regulation, by supplementing it shall be adopted **where necessary** in accordance with the **following procedure**:

(a) as regards the products referred in the Council Regulation (EC) No 479/2008 of 29 April 2008 on the common organisation of the market in wine, under the procedure laid down in Article 113(1) of that Regulation;

(b) as regards the products referred to in Article 2(1) of Council Regulation (EC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine product cocktails, under the procedure laid down in Article 13 of that Regulation;

(c) as regards the products referred to in Council Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation

(EEC) No 1576/89, under the procedure laid down in Article 25(1) of that Regulation;

(d) as regards other products, under the regulatory procedure with scrutiny referred to in Article 49(3).

Without prejudice to the specificities identified through the procedures for products referred to in points (a), (b) and (c) of subparagraph 2.

Or. en

Justification

To exempt wine, beer and spirits but not other alcoholic beverages would not achieve consistency in this sector. It would favour certain defined products while discriminating against others, distort competition and mislead consumers as to the relative composition of different products.

Amendment 400

Åsa Westlund

Proposal for a regulation

Article 29 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. If a food contains industrially produced trans fats, this shall always be indicated on the packaging. If the food is not prepacked, this information shall be provided to the final consumer in a different way.

Or. sv

Amendment 401
Elena Oana Antonescu

Proposal for a regulation
Article 29 – paragraph 2

Text proposed by the Commission

2. The nutrition declaration may also include the amounts of one or more of the following:

- (a) trans fats;
- (b) mono-unsaturates;
- (c) polyunsaturates;
- (d) polyols;
- (e) starch;
- (f) fibre;
- (g) protein;
- (h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in point 2 of Part A of Annex XI.

Amendment

2. The nutrition declaration may also include the amounts of one or more of the following:

- (a) trans fats;
- (b) mono-unsaturates **(including their Omega 9 compounds)**;
- (c) polyunsaturates **(including their Omega 3 and Omega 6 compounds)**;
- (ca) cholesterol (LDL and/or HDL)**;
- (d) polyols;
- (e) starch;
- (f) fibre;
- (g) protein;
- (h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in point 2 of Part A of Annex XI.
- (ha) other substances, under Annex XIII, Part A.**

Or. ro

Justification

The list of nutrients needs to be more comprehensive, as certain types of fat (e.g. Omega 3) afford the health benefits that consumers may be seeking.

Amendment 402
Kartika Tamara Liotard

Proposal for a regulation
Article 29 – paragraph 2

Text proposed by the Commission

2. The nutrition declaration may also include the amounts of one or more of the

Amendment

2. The nutrition declaration may also include the amounts of one or more of the

following:

(a) *trans fats*;

(b) mono-unsaturates;

(c) polyunsaturates;

(d) polyols;

(e) starch;

(f) *fibre*;

(g) *protein*;

(h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in point 2 of Part A of Annex XI.

following:

(b) mono-unsaturates;

(c) polyunsaturates;

(d) polyols;

(e) starch;

(h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in point 2 of Part A of Annex XI.

Or. en

Justification

Trans fats, fibre and protein shall be included in the mandatory nutrition declaration on the back of pack and consequently removed from this list.

Amendment 403

Dagmar Roth-Behrendt

Proposal for a regulation

Article 29 – paragraph 2

Text proposed by the Commission

2. The nutrition declaration may ***also*** include the amounts of one or more of the following:

(a) *trans fats*;

(b) mono-unsaturates;

(c) polyunsaturates;

(d) polyols;

(e) starch;

(f) *fibre*;

(g) *protein*;

(h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in

Amendment

2. The nutrition declaration may ***additionally*** include the amounts of one or more of the following:

(a) *trans fats*;

(b) mono-unsaturates;

(c) polyunsaturates;

(d) polyols;

(da) *cholesterol*;

(e) starch;

(h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in

point 2 of Part A of Annex XI.

point 2 of Part A of Annex XI.

(ha) other substances within the meaning of Part A of Annex XIII and constituents of those nutrients.

Or. de

Justification

The amendment ensures that cholesterol may also be included in additional nutrition labelling.

Amendment 404

Carl Schlyter, Jill Evans

Proposal for a regulation

Article 29 - paragraph 2

Text proposed by the Commission

Amendment

2. The nutrition declaration may also include the amounts of one or more of the following:

(a) trans fats;

(b) mono-unsaturates;

(c) polyunsaturates;

(d) polyols;

(e) starch;

(f) fibre;

(g) protein;

(h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in point 2 of Part A of Annex XI.

2. The nutrition declaration may also include the amounts of one or more of the following:

(b) mono-unsaturates;

(c) polyunsaturates;

(d) polyols;

(e) starch;

(f) fibre;

(h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in point 2 of Part A of Annex XI.

Or. en

Justification

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

Amendment 405

Bernadette Vergnaud

Proposal for a regulation

Article 29 – paragraph 2

Text proposed by the Commission

2. The nutrition declaration may also include the amounts of one or more of the following:

a) trans fats,

b) mono-unsaturates,

c) polyunsaturates,

d) polyols,

e) starch,

f) fibre,

g) protein,

h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in point 2 of Part A of Annex XI.

Amendment

2. The nutrition declaration may also include the amounts of one or more of the following:

b) mono-unsaturates,

c) polyunsaturates,

d) polyols,

e) starch,

ea) cholesterol,

h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in point 2 of Part A of Annex XI.,

ha) other substances as defined in Regulation (EC) No 1925/2006.

Or. fr

Justification

Indicating the cholesterol separately from the fats containing it could be useful for consumers. The elements deleted have been included in Article 29(1).

Amendment 406

Glenis Willmott, Antonyia Parvanova, Corinne Lepage

Proposal for a regulation

Article 29 paragraph 2

Text proposed by the Commission

2. The nutrition declaration may also include the amounts of one or more of the following:

(a) trans fats;

(b) mono-unsaturates;

(c) polyunsaturates;

(d) polyols;

(e) starch;

(f) fibre;

(g) protein;

(h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in point 2 of Part A of Annex XI.

Amendment

2. The nutrition declaration may also include the amounts of one or more of the following:

(b) mono-unsaturates;

(c) polyunsaturates;

(d) polyols;

(e) starch;

(h) any of the minerals or vitamins listed in point 1 of Part A of Annex XI, and present in significant amounts as defined in point 2 of Part A of Annex XI.

Or. en

Justification

Trans fats, fibre and protein shall be included in the mandatory nutrition declaration on the back of pack and consequently removed from this list.

Amendment 407
Renate Sommer

Proposal for a regulation
Article 29 – paragraph 2

Text proposed by the Commission

2. The nutrition declaration may *also* include ***the amounts of*** one or more of the following:

- (a) trans fats;
- (b) mono-unsaturates;
- (c) polyunsaturates;
- (d) polyols;
- (e) starch;
- (f) fibre;

(g) protein;

(h) any of the minerals or vitamins ***listed in*** point 1 of Part A of Annex XI, ***and present in significant amounts as defined*** in point 2 of Part A of Annex XI.

Amendment

2. The nutrition declaration may include ***additional information about*** one or more of the following ***substances or categories of substances:***

- (a) trans fats;
- (b) mono-unsaturates;
- (c) polyunsaturates;
- (d) polyols;
- (e) starch;
- (f) fibre;
- (fa) various sugars;***
- (fb) salt;***
- (fc) cholesterol;***

(h) minerals or vitamins present in significant amounts pursuant to point 1 of Part A of Annex XI, ***in accordance with the values indicated*** in point 2 of Part A of Annex XI;
(ha) other substances as defined in Regulation (EC) No 1925/2006.

Or. de

Justification

In the German version, 'transisomere Fettsäuren' should be replaced by 'Transfettsäuren'. 'Cholesterol' should be inserted. Protein has been dealt with under Article 29(1)(b). The correct German translation of 'sugars' is 'Zuckerarten' (cf. Directive 2001/111/EC on certain sugars).

The list of nutrients which may additionally be indicated voluntarily in the nutrition labelling should accord with other EC legislation (e.g. Regulation (EC) No 1925/2006 on the addition of certain substances to foods). Paragraph 2 should therefore be supplemented accordingly.

Amendment 408
Horst Schnellhardt

Proposal for a regulation
Article 29 – paragraph 2 – point d

Text proposed by the Commission

Amendment

d) *polyols*;

Does not affect English version.

Or. de

Justification

In line with amendment to Annex 1, point 9.

Amendment 409
Dan Jørgensen, Christel Schaldemose

Proposal for a regulation
Article 29 – paragraph 2 – point g

Text proposed by the Commission

Amendment

g) *protein*

deleted

Or. en

Amendment 410
János Áder

Proposal for a regulation
Article 29 – paragraph 2 – point g

Text proposed by the Commission

Amendment

(g) *protein*;

deleted

Or. hu

Justification

The protein content is among the mandatory elements required by consumers suffering from renal insufficiency.

Amendment 411

Esther de Lange

Proposal for a regulation

Article 29 – paragraph 3

Text proposed by the Commission

3. The declaration of the amount of substances which belong to or are components of one of the categories of nutrients referred to in paragraph 2 shall be required where a nutrition and/or health claim is made.

Amendment

3. The declaration of the amount of substances which belong to or are components of one of the categories of nutrients referred to in paragraph 2 shall be required where a nutrition and/or health claim is made, ***in respect of them.***

Or. en

Justification

Clearer provision

Amendment 412

Antonyia Parvanova

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 2

Text proposed by the Commission

This paragraph shall not apply to wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall

Amendment

In the case of beverages containing more than 1,2 % by volume of alcohol the mandatory nutrition declaration shall consist of the energy and sugar value alone.

produce a report after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. 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

The energy and sugar values should be labelled on alcoholic beverages.

Amendment 413

Dagmar Roth-Behrendt

Proposal for a regulation

Article 29 – paragraph 1 – subparagraph 2

Text proposed by the Commission

This paragraph shall not apply to wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products.

Amendment

Point (b) shall not apply to wine as defined in Council Regulation (EC) No 1493/1999, beer, and spirits as defined in Article 2(1) of Regulation (EC) No. [...] of [...] of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89. The Commission shall produce a report after [five years of the entry into force of this Regulation] concerning the application of this paragraph on these products and may accompany this report by specific measures determining the rules for a mandatory nutrition declaration for these products. Those measures designed to

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).

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. de

Justification

At least the energy value should always be indicated, including for alcoholic beverages.

Amendment 414

Carl Schlyter

Proposal for a regulation

Article 30 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The rules for implementing the declaration of energy and nutrients with regard to the precision of the declared values such as the differences between the declared values and those established in the course of official checks may be decided upon in accordance with the ***procedure laid down in Article 49(2).***

Amendment

The rules for implementing the declaration of energy and nutrients with regard to the precision of the declared values such as the differences between the declared values and those established in the course of official checks may be decided upon in accordance with the ***regulatory procedure with scrutiny as referred to in Article 49(3).***

Or. en

Justification

The determination of the allowed level of differences between the declared values and those established in the course of official checks will be crucial for the application of the Regulation and should therefore be decided upon in accordance with the regulatory procedure with scrutiny.

Amendment 415
Dan Jørgensen, Christel Schaldemose

Proposal for a regulation
Article 31 – paragraph 2

Text proposed by the Commission

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml **or, subject to Article 32(2) and (3), per portion.**

Amendment

2. The amount of energy and nutrients **or their components** referred to in paragraph 1 shall be expressed per 100 g or per 100 ml.

Or. en

Justification

A common positive nutrition symbol would help consumers identify the healthier options when buying food. 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. With a positive symbol consumers can choose a healthier option just by a quick glance at the moment of purchase.

Amendment 416
Esther de Lange

Proposal for a regulation
Article 31 – paragraph 2

Text proposed by the Commission

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml **or, subject to Article 32(2) and (3), per portion.**

Amendment

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml. **In addition, the amount of energy and nutrients may be expressed per portion.**

Or. en

Justification

To provide information on a per serving basis is far more relevant for consumers. Providing information per 100g or ml can be both meaningless (where different sized portions are actually consumed) and misleading. Furthermore, providing information on a per 100g or ml basis makes it more complicated for consumers to calculate their actual intakes and,

consequently, to construct a healthy balanced diet.

Amendment 417
Gerben-Jan Gerbrandy

Proposal for a regulation
Article 31 – paragraph 2

Text proposed by the Commission

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml **or, subject to Article 32(2) and (3), per portion.**

Amendment

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100g or per 100ml.

In addition, the amount of energy and nutrients may be expressed per portion. If the food is prepacked as an individual portion, the energy and nutrition values referred to in paragraph 1 shall also be indicated.
If information is provided per portion, the number of portions which the package contains shall be indicated, the portion size shall be realistic and the information shall be presented or explained in a manner which is comprehensible to the average consumer.

Or. en

Justification

Expressing the amount of energy and nutrients per 100 g or 100 ml enables consumers to compare products directly. Accordingly, as a matter of principle these indications should also be mandatory for foods packaged as portions. Naturally enough, it should also be possible to express the amount of energy and nutrients per portion in the specific case of foods packaged as portions. In order to make it easier for consumers to obtain the information they require, it should be compulsory to indicate portion size where individual portions are supplied in multipacks.

The definition of portion size should reflect the way consumers actually think about food. In addition, portion sizes should be based on realistic average consumption in order to rule out misleading indications. For example, the portion size of 25 g often indicated on packaging

has proved to be an unrealistic point of reference.

Amendment 418
Karin Kadenbach

Proposal for a regulation
Article 31 – paragraph 2

Text proposed by the Commission

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml **or**, subject to Article 32(2) and (3), per portion.

Amendment

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml. ***In addition***, subject to Article 32(2) and (3), ***the amount of energy and nutrients may be expressed*** per portion.

Or. de

Justification

The indication per portion should always be included, if at all, only in addition to the indication per 100 g, in order not to obstruct comparisons between products.

Amendment 419
Kartika Tamara Liotard

Proposal for a regulation
Article 31 – paragraph 2

Text proposed by the Commission

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml **or**, subject to Article 32(2) and (3), ***per portion***.

Amendment

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml ***and per portion. If appropriate the amount per portion shall be expressed*** subject to Article 32(2) and (3).

Or. en

Justification

The amount of energy and nutrients in a product shall always be expressed per 100g or per 100ml in order to prevent misleading the consumer and to allow easy comparisons between products. In addition to this, information shall also be given on a per portion basis on the back of the pack.

Amendment 420 **George Lyon**

Proposal for a regulation **Article 31 – paragraph 2**

Text proposed by the Commission

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml or, subject to Article 32(2) and (3), per portion.

Amendment

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml or, subject to Article 32(2) and (3), per portion.

In addition, the amount of energy and nutrients may be expressed per portion. If the food is prepacked as an individual portion, the energy and nutrition values referred to in paragraph 1 shall also be indicated.

If information is provided per portion, the number of portions which the package contains shall be indicated, the portion size must be realistic and the information shall be presented or explained in a manner which is comprehensible to the average consumer.

In cooperation with food enterprises and the competent authorities of the Member States, the Commission shall develop guidelines for the indication of realistic portion sizes. Such measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 49(3).

Or. en

Justification

Expressing the amount of energy and nutrients per 100 g or 100 ml enables consumers to compare products directly. Accordingly, as a matter of principle these indications should also be mandatory for foods packaged as portions. Naturally enough, it should also be possible to express the amount of energy and nutrients per portion in the specific case of foods packaged as portions. In order to make it easier for consumers to obtain the information they require, it should be compulsory to indicate portion size where individual portions are supplied in multipacks. In the case of multi-portion packagings, indication of the number of portions in the package is helpful, as a way of placing the energy indication per portion in context. The definition of portion size should reflect the way consumers actually think about food. For example, consumers can more easily understand what is meant by a portion consisting of eight units or items (e.g. in the case of biscuits) or of half a cup (e.g. in the case of nuts) than corresponding indications in grams. In addition, portion sizes should be based on realistic average consumption in order to rule out misleading indications. For example, the portion size of 25 g often indicated on packaging has proved to be an unrealistic point of reference.

Amendment 421

Anna Rosbach

Proposal for a regulation

Article 31 – paragraph 2

Text proposed by the Commission

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml or, subject to Article 32(2) **and (3), per portion.**

Amendment

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml, subject to Article 32.

In addition the amount of energy and nutrients may also be expressed per pack. This applies both to foods prepacked as individual portions and packages containing multiple portions.

Or. en

Justification

By choosing “per pack”-labelling the unsolvable problem of defining portions that are realistic for all individuals and food cultures in Europe will be handled in a constructive manner. And the risk of misleading labelling due to common variations from standard portions will be minimized. Per pack-labelling also provide an incentive for food industry to

reduce packages in times of obesity.

Amendment 422

Dagmar Roth-Behrendt

Proposal for a regulation

Article 31 – paragraph 2

Text proposed by the Commission

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml **or**, subject to Article 32(2) and (3), per portion.

Amendment

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml **and in addition**, subject to Article 32(2) and (3), per portion.

Or. de

Justification

In addition to the indication per 100 g or 100 ml, the indication should always also be expressed per portion.

Amendment 423

Carl Schlyter

Proposal for a regulation

Article 31 – paragraph 2

Text proposed by the Commission

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml **or**, **subject to Article 32(2) and (3)**, per portion.

Amendment

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml **and** per portion, **if the food is prepacked as an individual portion.**

Or. en

Justification

If portions are clearly packed (e.g. in case of yoghurt, sweets etc.) the declaration of energy and nutrients must also relate to the portion size, as it is easier for consumers to understand.

Linked to the AM on Art. 32.

Amendment 424

Bernadette Vergnaud

Proposal for a regulation

Article 31 – paragraph 2

Text proposed by the Commission

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml ***or, subject to Article 32(2) and (3), per portion.***

Amendment

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml.

Or. fr

Justification

The aim is to be consistent with new paragraph 2a on expressing amounts in portions.

Amendment 425

Åsa Westlund

Proposal for a regulation

Article 31 – paragraph 2

Text proposed by the Commission

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml ***or, subject to Article 32(2) and (3), per portion.***

Amendment

2. The amount of energy and nutrients referred to in paragraph 1 shall be expressed per 100 g or per 100 ml.

Or. sv

Amendment 426
Bernadette Vergnaud

Proposal for a regulation
Article 31 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. In addition to the nutrition declaration per 100g or per 100ml referred to in Article 31(2), the information may be expressed per portion as quantified on the label, provided that the number of portions contained in the package is stated and the portions are all identical. The mandatory nutrition declaration in the main field of vision of the elements referred to in Article 29(1)(a) and (b) may be expressed on a per portion basis alone if the food is prepacked as an individual portion and the portions are all identical.

The expression in the main field of vision of the elements referred to in Article 29(1)(a) and (b) on a per portion basis alone for foods not referred to in paragraph 2 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) by the end of the transition period.

Or. fr

Justification

On most products it is much more useful for consumers if the energy value is indicated per portion, rather than a relatively abstract value per 100 g. The definition of the size of these reference portions must, however, always be harmonised to allow a simple comparison between different brands of the same type of product.

Amendment 427
Esther de Lange

Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

3. **The mandatory** nutrition declaration **shall** be expressed, **as appropriate**, as a percentage of the reference intakes set out in Part B of Annex XI in relation to **per 100 g or per 100 ml or** per portion. When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Amendment

3. **Elements of the** nutrition declaration **may** be expressed as a percentage of the reference intakes set out in Part B of Annex XI in relation to per portion. When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Or. en

Justification

Given that many foods are not consumed in amounts of 100g/ml it is important that the percentage of the reference intakes are expressed per portion of the product. This will allow consumers to make informed dietary choices based on their individual needs and to evaluate a product's place in the daily diet.

Amendment 428
Gerben-Jan Gerbrandy

Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

3. **The mandatory nutrition declaration shall be expressed, as appropriate**, as a percentage of the reference intakes set out in Part B of Annex XI **in relation to** per 100 g or per 100 ml **or** per portion. When provided, **the declaration on** vitamins and minerals shall **also** be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Amendment

3. **Mandatory additional labelling to indicate nutrition values shall be presented in table form, expressing the values** as a percentage of the reference intakes set out in Part B of Annex XI per 100 g or per 100 ml **and, pursuant to Article 31(2),** per portion. When provided, **labelling indications concerning** vitamins and minerals shall **at the minimum** be expressed as a percentage of the reference intakes set out in point 1 of Part A of

Justification

It is worthwhile to lay down rules on additional labelling in order to achieve standardisation and to prevent consumers from being misled, as might otherwise happen.

Amendment 429

Françoise Grossetête

Proposal for a regulation

Article 31 – paragraph 3

Text proposed by the Commission

3. The mandatory nutrition declaration shall be expressed, as appropriate, as a percentage of the reference intakes set out in Part B of Annex XI ***in relation to per 100 g or per 100 ml or*** per portion. When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Amendment

3. The mandatory nutrition declaration shall be expressed, as appropriate, as a percentage of the reference intakes set out in Part B of Annex XI per portion. When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Justification

Given that many foods are not consumed in quantities of 100 g/ml, it is important that the percentage of the reference intakes should be expressed per portion. This will enable consumers to make enlightened dietary choices based on individual needs and to assess what place the product should occupy in their daily diet.

Amendment 430
Dan Jørgensen, Christel Schaldemose

Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

3. *The mandatory nutrition declaration shall be expressed, as appropriate, as a percentage of the reference intakes set out in Part B of Annex XI in relation to per 100 g or per 100 ml or per portion.* When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Amendment

3. When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Or. en

Amendment 431
Kartika Tamara Liotard

Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

3. *The mandatory nutrition declaration shall be expressed, as appropriate, as a percentage of the reference intakes set out in Part B of Annex XI in relation to per 100 g or per 100 ml or per portion.* When provided, the declaration on vitamins and minerals shall *also* be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Amendment

3. *The levels of the nutrients on the front of pack nutrition declaration referred to in Article 29(1)(a) shall be indicated through a multiple colour coding system. The colours green, yellow and red shall indicate whether a food is low, medium or high in those nutrients. This information shall be communicated per 100g or per 100ml. The definition of the reference amounts for high, medium and low levels of those nutrients shall be established in accordance with the regulatory procedure with scrutiny referred to in Article 49(3) based on an opinion of the European Food Safety Authority.*

When provided, the declaration on vitamins and minerals shall *also* be expressed as a percentage of the reference intakes set out in point 1 of Part A of

Justification

This amendment reflects the research which has shown that consumers want limited front of pack nutrition information with an interpretative element. They prefer the use of colours red, yellow and green to indicate whether a food is high, medium or low in these nutrients. The definition of reference amounts for high, medium or low should be established through an independent scientific opinion adopted by the EFSA.

Amendment 432**George Lyon****Proposal for a regulation****Article 31 – paragraph 3***Text proposed by the Commission*

3. **The mandatory** nutrition **declaration** shall be **expressed**, as **appropriate**, as a percentage of the reference intakes set out in Part B of Annex XI **in relation to** per 100 g or per 100 ml **or** per portion. When provided, **the declaration on** vitamins and minerals shall **also** be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Amendment

3. **Voluntary additional labelling to indicate** nutrition **values** shall be **presented in table form, expressing the values** as a percentage of the reference intakes set out in Part B of Annex XI per 100 g or per 100 ml **and, pursuant to Article 31(2)**, per portion. When provided, **labelling indications concerning** vitamins and minerals shall **at the minimum** be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Justification

It is worthwhile to lay down rules on voluntary additional labelling in order to achieve a certain standardisation in cases where the option is exercised and to prevent consumers from being misled, as might otherwise happen.

Amendment 433
Anna Rosbach

Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

3. ***The mandatory*** nutrition declaration ***shall be expressed, as appropriate, as a*** percentage of ***the*** reference intakes ***set out in Part B of Annex XI in relation to per 100 g or per 100 ml or per portion. When provided, the declaration on vitamins and minerals shall also be expressed as a*** percentage of the reference intakes set out in ***point 1 of Part A of*** Annex XI.

Amendment

3. ***If a*** nutrition declaration ***includes a*** percentage of ***a*** reference intake, the reference intakes set out in Annex XI ***shall be used, and the calculated percentages may only be presented in the back-of-pack nutrition declaration.***

Or. en

Justification

This ensures that only the references values set by EFSA can be used.

Amendment 434
Carl Schlyter, Jill Evans

Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

3. The mandatory nutrition declaration shall be expressed, ***as appropriate***, as a percentage of the reference intakes set out in Part B of Annex XI in relation to per 100 g or per 100 ml ***or*** per portion. When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Amendment

3. The mandatory nutrition declaration shall ***also*** be expressed as a percentage of the reference intakes set out in Part B of Annex XI in relation to per 100 g or per 100 ml ***and*** per portion, ***if the food is prepacked as an individual portion.*** When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Or. en

Justification

The percentage of the reference intakes is a valuable information for most consumers and should therefore be given. In case the food is prepacked as an individual portion, the nutrition declaration per portion should also be given.

Amendment 435

Jan Březina, Miroslav Ouzký

Proposal for a regulation

Article 31 – paragraph 3

Text proposed by the Commission

3. *The mandatory* nutrition declaration shall be expressed, *as appropriate*, as a percentage of the reference intakes set out in Part B of Annex XI in relation to *per 100 g or per 100 ml or* per portion.

Amendment

3. *Elements of the* nutrition declaration may be expressed as a percentage of the reference intakes set out in Part B of Annex XI in relation to per portion.

Or. en

Justification

The amendment is motivated by the commitment to a voluntary nutrition-labelling scheme based on GDAs which is rapidly being rolled-out in the EU by large and small companies alike. GDAs provide non-judgmental, factual information on the energy and nutrients present in a portion of the food and empower consumers to make informed dietary choices based on their own needs. PK CR supports the reference values for GDAs as set out in annex XIB. GDAs per 100g/ml would be confusing and potentially misleading for the consumer, particularly for foods consumed in amounts of less than 100g/ml. Consumers will always have complete comparability given that the mandatory nutrition declaration will provide the nutrition information per 100g/ml. Given that many foods are not consumed in amounts of 100g/ml it is important that the percentage of the reference intakes are expressed per portion of the product. This will allow consumers to make informed dietary choices based on their individual needs and to evaluate a product's place in the daily diet.

Amendment 436
Anja Weisgerber, Thomas Ulmer

Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

3. The mandatory nutrition declaration shall be expressed, *as appropriate*, as a percentage of the reference intakes set out in Part B of Annex XI *in relation to* per 100 g or per 100 ml or per portion. When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Amendment

3. The mandatory nutrition declaration ***relating to energy content, fat, saturated fats, sugar and salt***, shall ***in addition*** be expressed as a percentage of the reference intakes set out in Part B of Annex XI per 100 g or per 100 ml or, ***subject to Article 31(2)***, per portion. When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Or. de

Justification

This amendment should be read in conjunction with the Rapporteur's Amendment 135, which calls for uniform portion indications. Labelling purely by means of absolute figures per 100 g / 100 ml should be supplemented with a percentage indication in order to place consumption of a product in relation to the daily requirement and thus give consumers extra information, as many consumers cannot tell from absolute figures whether a given value is high or low.

Amendment 437
Oreste Rossi

Proposal for a regulation
Article 31 – paragraph 3

Text proposed by the Commission

3. The mandatory nutrition declaration shall be expressed, as appropriate, as a percentage of the reference intakes set out in Part B of Annex XI in relation to per 100 g or per 100 ml or per portion. When provided, the declaration on vitamins and minerals shall also be expressed as a

Amendment

deleted

percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Or. it

Justification

The percentage system relating to reference daily requirements is not completely clear and may mislead consumers.

Amendment 438

Åsa Westlund

Proposal for a regulation

Article 31 – paragraph 3

Text proposed by the Commission

3. The mandatory nutrition declaration shall be expressed, as appropriate, as a percentage of the reference intakes set out in Part B of Annex XI *in relation to* per 100 g or per 100 ml ***or per portion***. When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Amendment

3. The mandatory nutrition declaration shall be expressed, as appropriate, as a percentage of the reference intakes set out in Part B of Annex XI per 100 g or per 100 ml. When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

Or. sv

Amendment 439

Glenis Willmott, Corinne Lepage, Antonia Parvanova

Proposal for a regulation

Article 31 – paragraph 3

Text proposed by the Commission

3. The mandatory nutrition declaration shall be expressed, as appropriate, as a percentage of the reference intakes set out in Part B of Annex XI in relation to per 100 g or per 100 ml or per portion. When

Amendment

3. The mandatory nutrition declaration as set out in Article 29 (1) a of this Regulation shall appear on the front of pack and shall:

provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

(a) be expressed in the principal field of vision;

(b) include a combination of “High”, “Medium” and “Low” text;

(c) include traffic light colour coding in the colours of green, amber and red; and

(d) include a percentage of the reference intakes set out in Part B of Annex XI per portion.

The number of portions per pack shall be realistic and be prominently displayed, in the principal field of vision.

The definition of the reference amounts for high, medium and low levels of these nutrients shall be established in accordance with the regulatory procedure with scrutiny referred to in Article 49(3) based on an opinion of the European Food Safety Authority. This information shall be communicated per 100g or per 100ml for the combination of “High”, “Medium” and “Low” text and the traffic light colour coding in the colours of green (for low), amber (for medium) and red (for high).

When provided, the declaration on vitamins and minerals shall also be expressed as a percentage of the reference intakes set out in point 1 of Part A of Annex XI.

3a. The mandatory nutrition declaration as set out in Article 29(1) and (2) shall appear on the back of the pack and shall be expressed per 100g or per 100 ml and subject to Article 32(2) and (3), per portion.

Or. en

Justification

The available evidence, including evidence from competent authorities across Europe, clearly demonstrates that a combined traffic light labelling system significantly outperforms other front of pack labelling schemes in helping consumers assess what is in their food. This amendment adds the use of a combined percentage of reference intakes, in addition to the interpretive red with the word “high”, amber with the word “Medium” and green colours with the word “Low” to the mandatory nutrition declaration. The back of the pack of a product should also include a full and comprehensive nutrition declaration.

Amendment 440

Carl Schlyter

Proposal for a regulation

Article 31 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Within 6 months after the entry into force of this Regulation, and taking into account recommendations by the European Food Safety Authority as well as independent research, the Commission shall establish reference intake values for energy and selected nutrients other than vitamins and minerals to be added in Annex XI, Part B. 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

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

Amendment 441
Kartika Tamara Liotard

Proposal for a regulation
Article 31 – paragraph 4

Text proposed by the Commission

4. The declaration of polyols and/or starch and the declaration of type of fatty acids, other than the mandatory declaration of saturates referred to in Article 29(1), shall be presented in accordance with Annex XIII Part B.

Amendment

4. The declaration of polyols and/or starch and the declaration of type of fatty acids, other than the mandatory declaration of saturates ***and trans fats*** referred to in Article 29(1), shall be presented in accordance with Annex XIII Part B.

Or. en

Justification

Trans fats shall be part of the mandatory nutrition declaration in addition to saturated fats and therefore shall be removed from the voluntary particulars.

Amendment 442
Carl Schlyter, Jill Evans

Proposal for a regulation
Article 31 – paragraph 4

Text proposed by the Commission

4. The declaration of polyols and/or starch and the declaration of type of fatty acids, other than the mandatory declaration of saturates referred to in Article 29(1)(b), shall be presented in accordance with Annex XIII Part B.

Amendment

4. The declaration of polyols and/or starch and the declaration of type of fatty acids, other than the mandatory declaration of saturates ***and trans fats*** referred to in Article 29(1) (b), shall be presented in accordance with Annex XIII Part B.

Or. en

Justification

Refers to AM on Article 29 (1).

Amendment 443
Åsa Westlund

Proposal for a regulation
Article 32

Text proposed by the Commission

Amendment

Article 32

deleted

Expression on a per portion basis

1. In addition to the nutrition declaration per 100g or per 100ml referred to in Article 31(2), the information may be expressed per portion as quantified on the label, provided that the number of portions contained in the package is stated.

2. The nutrition declaration may be expressed on a per portion basis alone if the food is prepacked as an individual portion.

3. The expression on a per portion basis alone for foods presented in packages containing multiple portions of the food, that have not been prepacked as individual portions, 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).

Or. sv

Amendment 444
Oreste Rossi

Proposal for a regulation
Article 32

Text proposed by the Commission

1. *In* addition to the nutrition declaration per 100g or per 100ml referred to in Article 31(2), the information may be expressed per portion as quantified on the label, ***provided that*** the number of portions contained in the package *is* stated.

2. The nutrition declaration may be expressed on a per portion basis alone if the food is prepacked as an individual portion.

3. ***The expression on a per portion basis alone for foods presented in packages containing multiple portions of the food, that have not been prepacked as individual portions, 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).

Amendment

1. ***If the food is prepackaged in portions, including individual portions,*** in addition to the nutrition declaration per 100g or per 100ml referred to in Article 31(2), the information may be expressed per portion as quantified on the label; ***in this case,*** the number of portions contained in the package ***must be*** stated.

2. The nutrition declaration may be expressed on a per portion basis alone if the food is prepacked as an individual portion.

3. ***In cooperation with food enterprises and the competent authorities of the Member States, the Commission shall develop guidelines concerning the indication of realistic portion sizes. These*** 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. it

Justification

This provides greater clarity and a tighter definition of the matters to be covered by comitology.

Amendment 445
Kartika Tamara Liotard

Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

1. In addition to the nutrition declaration per 100g or per 100ml referred to in Article 31(2), the information *may* be expressed per portion *as quantified on the label, provided that* the number of portions contained in the package *is stated*.

Amendment

1. In addition to the nutrition declaration per 100g or per 100ml referred to in Article 31(2), the information *shall* be expressed per portion *on the back of the pack with* the number of portions contained in the package *indicated*.

Or. en

Justification

Information must always be provided on a per 100g or per 100ml basis in order to prevent misleading consumers. It also allows clear and easy comparisons to be made between products. Additional information on portions shall be indicated on the pack as it may help some consumers assess the quantities of the foods they eat.

Amendment 446
Anna Rosbach

Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

1. In addition to the nutrition declaration per 100g or per 100ml referred to in Article 31(2), the information may be expressed per portion as quantified on the label, provided that the number of portions contained in the package is stated.

Amendment

deleted

Or. en

Justification

Article deleted as portions are replaced by “per pack” see Amendment #1

Amendment 447
Anna Rosbach

Proposal for a regulation
Article 32 – paragraph 2

Text proposed by the Commission

Amendment

2. The nutrition declaration may be expressed on a per portion basis alone if the food is prepacked as an individual portion.

deleted

Or. en

Justification

Article deleted as portions are replaced by “per pack” see Amendment #1.

Amendment 448
Dagmar Roth-Behrendt

Proposal for a regulation
Article 32 – paragraphs 1 and 2

Text proposed by the Commission

Amendment

1. In addition to the nutrition declaration per 100g or per 100ml referred to in Article 31(2), the information **may** be expressed per portion as quantified on the label, provided that the number of portions contained in the package is stated.

2. The nutrition declaration may be expressed on a per portion basis alone if the food is prepacked as an individual portion.

1. In addition to the nutrition declaration per 100g or per 100ml referred to in Article 31(2), the information **must** be expressed per portion as quantified on the label, provided that the number of portions contained in the package is stated.

2. In the case of foods which are not prepacked as an individual portion, **the portion indication must be made 'per single item' or using a unit which consumers can understand, such as 'per dessert spoon', 'per teaspoon' or 'per cup'.**

Or. de

Justification

In addition to the indication per 100 g or 100 ml, the indication should always also be expressed per portion and it must be readily comprehensible to consumers.

Amendment 449

Jorgo Chatzimarkakis

Proposal for a regulation

Article 32 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The nutrition declaration may be expressed on a per portion basis alone if the food is presented in packages containing multiple portions that have been individually wrapped and especially when the net weight is below 100g/100ml.

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 450

Anna Rosbach

Proposal for a regulation

Article 32 – paragraph 3

Text proposed by the Commission

Amendment

3. The expression on a per portion basis alone for foods presented in packages containing multiple portions of the food, that have not been prepacked as individual portions, 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

3. If a food consists of more than one smaller packages presented inside a larger container the amount of energy and nutrients shall be determined by the size of the actual package on which the information is given even though there will be differences between the information on the outer and inner packages.

*regulatory procedure with scrutiny
referred to in Article 49(3).*

Or. en

Justification

When outer package has been opened and maybe destroyed, consumers have the nutrition declaration on the prepacked portions. Portions will be communicated clearly and hence prevent consumers to be mislead.

Amendment 451
Esther de Lange

Proposal for a regulation
Article 33

Text proposed by the Commission

1. In addition to the forms of expression referred to in Article 31(2) and (3), the nutrition declaration may be given by other forms of expression provided that the following essential requirements are met:

(a) the form of expression aims to facilitate consumer understanding of the contribution or importance of the food to the energy and nutrient content of a diet; and

(b) it is based either on harmonised reference intakes, or in their absence, on generally accepted scientific advice on intakes for energy or nutrients; and

(c) it is supported by evidence of understanding of and use of the presentation of the information by the average consumer.

2. Such additional forms of expression referred to in paragraph 1 shall be identified under a national scheme

Amendment

1. In addition to the forms of expression referred to in Article 31(2) and (3), the nutrition declaration ***and additional forms of nutritional information*** may be given by other forms of expression provided that the following essential requirements are met:

(a) the form of expression aims to facilitate consumer understanding of the contribution or importance of the food to the energy and nutrient content of a diet; and

(b) it is based either on harmonised reference intakes, or in their absence, on generally accepted scientific advice on intakes for energy or nutrients; and

(c) it is supported by evidence of understanding of and use of the presentation of the information by the average consumer.

2. The Commission shall, in accordance with the procedure referred to in Article 49(3), establish the conditions of use of those additional forms of expression. The

referred to in Article 44.

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

Additional forms of expression of the nutritional information should be allowed. However, the conditions of use of such forms of expression should be agreed at the EU level.

Amendment 452

Jill Evans

Proposal for a regulation Article 33

Text proposed by the Commission

1. In addition to the forms of expression referred to in **Article** 31(2) and (3), the nutrition declaration may be given by other forms of expression provided that the following essential requirements are met:

(a) the form of expression aims to facilitate consumer understanding of the contribution or importance of the food to the energy and nutrient content of a diet; and

(b) it is based either on harmonised reference intakes, or in their absence, on generally accepted scientific advice on intakes for energy or nutrients; and

(c) it is supported by evidence of understanding of and use of the presentation of the information by the average consumer.

Amendment

1. In addition to the forms of expression referred to in **Articles**, **29(1)**, **29(2)**, 31(2) and (3) other forms of expression may be given provided that the following essential requirements are met:

(a) the additional form of expression complies with best practices (as defined in this Regulation);

(b) the form of expression aims to facilitate consumer understanding of the contribution or importance of the food to the energy and nutrient content of a diet;

(c) it is based either on harmonised reference intakes or, in their absence, on generally accepted scientific advice on intakes for energy or nutrients; and

(ca) it is supported by independent consumer research evidence which shows

that the average consumer understands the form of expression.

2. Such additional forms of expression referred to in paragraph 1 shall be identified under a national scheme referred to in Article 44.

2. Such additional forms of expression referred to in paragraph 1 shall be identified and notified to the Commission. The Commission shall make those details available to the public including through a dedicated page on the Internet.

Or. en

Justification

This ensures that any additional forms of expression are only allowed if independent consumer research supports this.

**Amendment 453
Bernadette Vergnaud**

**Proposal for a regulation
Article 33**

Text proposed by the Commission

Amendment

1. In addition to the forms of expression referred to in Article 31(2) and (3), the nutrition declaration may be given by other forms of expression provided that the following essential requirements are met:

deleted

a) the form of expression aims to facilitate consumer understanding of the contribution or importance of the food to the energy and nutrient content of a diet; and,

b) it is based either on harmonised reference intakes, or in their absence, on generally accepted scientific advice on intakes for energy or nutrients; and

c) it is supported by evidence of understanding of and use of the presentation of the information by the

average consumer.

2. Such additional forms of expression referred to in paragraph 1 shall be identified under a national scheme referred to in Article 44.

Or. fr

Justification

The necessary measures are already laid down in Articles 31 and 34. In addition, national provisions should be avoided.

Amendment 454

Anja Weisgerber, Thomas Ulmer

Proposal for a regulation

Article 33 – paragraph 1

Text proposed by the Commission

1. In addition to the forms of expression referred to in Article 31(2) and (3), the nutrition declaration may be given by ***other*** forms of expression provided that the following essential requirements are met:

(a) the form of expression aims to facilitate consumer understanding of the contribution or importance of the food to the energy and nutrient content of a diet; and

(b) it is based ***either*** on ***harmonised*** reference intakes, ***or in their absence***, on generally accepted scientific advice on intakes for energy or nutrients; and

Amendment

1. In addition to the forms of expression referred to in Article 31(2) and (3), the nutrition declaration may be given by ***graphic*** forms of expression provided that the following essential requirements are met:

(a) the form of expression aims to facilitate consumer understanding of the contribution or importance of the food to the energy and nutrient content of a diet; and

(b) it is based on ***the*** reference intakes ***indicated in Annex XI, Part B, in relation to 100 g or 100 ml. If a product is prepacked as an individual portion or if it is supplied in quantities of less than 100 g/ml, an indication per portion relating to the quantity supplied shall be sufficient. In the absence of such reference intakes, the nutrition declaration is based*** on generally accepted scientific advice on intakes for energy or nutrients; and

(c) it is supported by evidence of understanding of and use of the presentation of the information by the average consumer.

2. *Such additional forms of expression referred to in paragraph 1 shall be identified under a national scheme referred to in Article 44.*

(c) it is supported by evidence of understanding of and use of the presentation of the information by the average consumer.

2. *A model graphic presentation is shown in Annex XIII, Part D.*

Or. de

Justification

Graphic presentation may substantially improve consumers' understanding of the nutrition declaration.

**Amendment 455
Horst Schnellhardt**

**Proposal for a regulation
Article 33 – paragraph 2**

Text proposed by the Commission

2. Such additional forms of expression referred to in paragraph 1 shall be ***identified under a national scheme referred to in Article 44.***

Amendment

2. Such additional forms of expression referred to in paragraph 1 shall be ***adopted by the Commission in the light of scientific knowledge of nutrition and its impact on health. These measures to amend non-essential provisions of this Regulation by supplementing them shall be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 49(3).***

Or. de

Justification

Additional forms of indication of nutritional information should be permitted, but should be subject to conditions valid throughout Europe.

Amendment 456
Jill Evans

Proposal for a regulation
Article 34 – paragraphs 2-6

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.

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.

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.

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 mislead the consumer; and

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

Amendment

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.

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.

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.

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

(a) the other form of presentation complies with best practices (as defined in this Regulation); and

(b) such forms of presentation shall not mislead the consumer; and

(ba) there is independent consumer research showing that the other form of presentation is better understood by the average consumer in the member state

where the other form of presentation is to be used.

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).

6. Rules relating to other aspects of presentation of nutrition declaration, other than those referred to in paragraph 6, 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).
6a. Other forms of presentation referred to in paragraph 5 shall be identified and notified to the Commission. The Commission may make those details available to the public including through a dedicated page on the Internet.

Or. en

Justification

This amendment allows for other forms of presentation to be adopted if it does not mislead the consumer and if there is strong evidence to show that this form of presentation is better understood by the consumer. It also ensures that any additional presentation that are made are publicised to both the Commission and the public.

Amendment 457 Bernadette Vergnaud

Proposal for a regulation Article 34

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) ***and (2a)*** 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.

1a. The particulars referred to in

paragraph 1 should appear in the bottom right-hand corner of the front of the packaging, in a font size of 1.5 mm, surrounded by a border, and in a graphical form showing the nutrition values as a percentage of the reference intakes laid down in Annex XI, part B, expressed in kcal per 100g/ml or , where appropriate, per portion.

This graphical representation should not apply to foods where the largest surface of the packaging or container has an area of less than 80 cm².

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.

2. The **mandatory** nutrition declaration *and the declaration* in relation to the **elements** referred to in Article 29(2) shall appear together in one place and, as appropriate, *relating to the elements referred to in Article 29(2)*, 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.

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.

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.

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.

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. *In cases where the amount of energy or nutrient(s) in a product is equal to zero, the nutrition declaration for those elements may be replaced by the*

indication ‘contains no ...’ in close proximity to the nutrition declaration when present.

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

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).

6. Rules relating to other aspects of presentation of nutrition declaration, ***particularly those relating to paragraph 1a, should*** 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. fr

Amendment 458

Jan Březina, Miroslav Ouzký

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. They shall be presented in the following order: energy, ***protein***, carbohydrates with specific reference to sugars, ***fat, saturates, fibre*** and ***sodium***.

Where space permits, these particulars shall be presented in tabular form, with the numbers aligned. Where space does not permit, they shall appear in linear form.

In addition, the amount of energy referred to in Article 29(1)(a) and the percentage of the reference intake for energy referred to in Article 31(3)(1) shall appear in the principal field of vision in accordance with Article 32(2) and 32(3). It shall be expressed per portion.

Or. en

Justification

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

Amendment 459
Holger Krahmer

Proposal for a regulation
Article 34 – paragraph 1

Text proposed by the Commission

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. ***deleted***

Or. en

Justification

1. All labelling elements should be presented together in one field of vision. Consumers have learned in more than 30 years that all relevant information are located back of pack.

2. Simplification

Amendment 460

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 461

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***

Amendment

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

specific reference to sugars, and salt.

voluntary indications shall be provided in the order laid down in Annex XIII.

Or. de

Justification

It is not necessary to place the declaration in the principal field of vision. Interested consumers can read the declaration if it is provided in a different place. However, a provision should be included requiring the declaration to be made in the form of a table.

Amendment 462

Glenis Willmott

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 on the front of pack. They shall be presented, where appropriate, together in a clear format in the following order: energy, fat, saturates, sugars and salt.

Or. en

Justification

In line with amendments to article 29 (1) a

Amendment 463

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

Amendment

1. The ***following*** particulars referred to 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 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

In line with amendments to article 29 (1) a

Amendment 464

Dagmar Roth-Behrendt

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(1) and (2)* related to the nutrition declaration shall be included in the **same** field of vision **in a single table**. **The mandatory indications** shall be presented in the following order: energy, **protein, fibre**, fat, **with specific reference to** saturates, carbohydrates with specific reference to sugars, salt. **Additional voluntary indications shall be provided in the order laid down in Annex XIII.**

Or. de

Justification

The declarations concerning energy content and nutrients need not appear in the principal field of vision, but they must appear together and in a clear format.

Amendment 465
Hans-Peter Mayer

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

Text proposed by the Commission

Amendment

1a. In addition to the presentation pursuant to Article 34(1) and per 100 g/ml and, optionally, per portion pursuant to Article 31(2), the energy content labelling in kcal required pursuant to Article 29(1)(a) and Annex XI, Part B, shall appear on the front of the packaging, in a clearly visible and legible form and surrounded by a border.

Or. de

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 of all products, in conspicuous form, so that the consumer can observe them immediately. It is not helpful to define a precise position. In the case of rounded products, and also for example in the case of a whole poultry carcass, a designation such as 'at the bottom right' could not be clearly defined and would therefore result in disparate interpretations in different Member States and also within individual countries.

Amendment 466
Dagmar Roth-Behrendt

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

Text proposed by the Commission

Amendment

1a. In addition to the presentation pursuant to Article 34(1) and per 100 g/ml and per portion pursuant to Article 31(2), the energy content labelling in kcal required pursuant to Article 29(1)(a) and Annex XI, Part B, 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 border.

Or. de

Justification

The energy content should, in addition, be repeated on the front of the packaging of all products, in the same place and in conspicuous form, so that the consumer can observe them immediately.

Amendment 467

Carl Schlyter

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 trans fats 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 trans fats, as the level of artificial trans fats can be influenced by the producers.

Amendment 468
Anja Weisgerber

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

Text proposed by the Commission

Amendment

1a. In addition to the presentation pursuant to Article 34(1) per 100 g/ml or per portion pursuant to Article 31(2), the energy content labelling in kcal required pursuant to Article 29(1)(a) and Annex XI, Part B, may appear on the front of the packaging.

Or. de

Justification

This amendment should be read in conjunction with the Rapporteur's Amendment 135. The indication of the number of calories is the most important item of information for consumers. Manufacturers must retain the option of providing this information per 100 g/ml or per portion on the front if they so wish.

Amendment 469
Mairead McGuinness, Struan Stevenson

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 such as infant formulae, follow-on formulae, complementary foods for infants and young children and dietary foods for special medical purposes falling under Council Directive 2009/39/EC are specifically formulated to meet the particular nutritional needs of their target population. The requirement to include a nutrition declaration on the basis of Article 9.1(l) of the proposed regulation is not in line with the use of these products. Furthermore, limited nutrition information in the principal field of vision on PARNUTS foods may present the products in a misleading way, prompting vulnerable consumer groups to choose other products believed to be nutritionally superior

Amendment 470

Carl Schlyter

Proposal for a regulation

Article 34 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Annex XIIIa lays down product categories for which the presentation of the nutrition declaration through a multiple colour coding system is compulsory.

For products that fall under one of these categories, the levels of nutrients on the front of pack nutrition declaration referred to in paragraph 1 shall be indicated through a multiple colour coding system. The colours green, yellow and red shall, referring to the content per 100g or 100 ml, indicate whether a food is low, medium or high in those nutrients.

To this end, before the date of application of Articles 29-34 and based on an opinion of the European Food Safety Authority, reference levels will be determined that indicate a high, medium and low level of those nutrients.

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

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

Amendment 471

Thomas Ulmer

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(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.

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

Or. de

Justification

The requirement for the mandatory nutrition declaration to appear in the main field of vision is impractical on small packagings (e.g. chewing gum products). If foods listed in Annex IV make a nutritional or health-related claim, they should therefore be exempted from the requirement that the nutrition declaration must appear in the main field of vision.

Amendment 472
Holger Krahmer

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(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.

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

Or. de

Justification

Foods listed in Annex IV are exempted from the nutrition declaration requirement as they do not contain significant quantities of the nutrients to which the Regulation refers. Pursuant to Article 7 of Regulation (EC) No 1924/2006 and Article 17(3) of the proposal under consideration, all foods, including those listed in Annex IV, are required to bear a nutrition declaration concerning the nutrients referred to in Article 29(1) and (2) if they make a nutritional or health-related claim. A nutrition declaration in the main field of vision is impractical on small packagings.

Amendment 473
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 474
Thomas Ulmer

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(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.
If the nutrition declaration for foods listed

in Annex IV is mandatory because a nutrition or health claim is made, the nutrition declaration shall not be required to appear in the principal field of vision.

Or. de

Justification

The requirement for the mandatory nutrition declaration to appear in the main field of vision is impractical on small packagings (e.g. chewing gum products). If foods listed in Annex IV make a nutritional or health-related claim, they should therefore be exempted from the requirement that the nutrition declaration must appear in the main field of vision.

Amendment 475

Glenis Willmott

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.

Amendment

2. The nutrition declaration in relation to the nutrients referred to in Article 29 **(1) and** (2) shall appear together in one place and, as appropriate, in the order of presentation provided in Part C of Annex XIII.

Or. en

Justification

In line with amendments to Article 29

Amendment 476

Glenis Willmott

Proposal for a regulation

Article 34 – paragraph 3

Text proposed by the Commission

3. If the mandatory nutrition declaration

Amendment

deleted

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.

Or. en

Justification

The mandatory nutrition declaration must be repeated on back of pack together with the voluntary nutrients so the provision in amended Article 34 (2) will apply.

Amendment 477

Elena Oana Antonescu

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 nutrient(s) in a product is **zero or** negligible, the nutrition declaration on those elements may be replaced by a statement such as ‘**Does not contain significant** amounts of ...’ in close proximity to the nutrition declaration when present.

Or. ro

Justification

Some products have a nutritional value of zero or next to zero (e.g. mineral waters with sweeteners or Coca-Cola light). In such cases, producers should be able simply to indicate that the product contains negligible levels of nutrients, rather than making a full declaration.

Amendment 478

Carl Schlyter

Proposal for a regulation

Article 34 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Five years after entry into force of this Regulation, the Commission shall present an evaluation report on the form of presentation described in paragraphs 1-6.

Or. en

Justification

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

Amendment 479

Elisabetta Gardini

Proposal for a regulation

Chapter V — title

Text proposed by the Commission

Amendment

Voluntary food information

Compulsory labelling of origin

Or. it

Amendment 480

Mairead McGuinness, Struan Stevenson

Proposal for a regulation

Article 35 – paragraph 1

Text proposed by the Commission

Amendment

1. Where food information covered by this Regulation is provided on a voluntary

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.***

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 481 **Frédérique Ries**

Proposal for a regulation **Article 35 – paragraph 1 and 1a (new)**

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 specific requirements laid down in this Regulation. Where food information pursuant to Articles 9 and 10 or voluntary information is provided for non-prepacked foods, it shall comply with national law pursuant to Article 13(4) and Article 41.
1a. Voluntary information shall not be displayed to the detriment of the space available for mandatory information.

Or. en

Justification

The amendment aims at guaranteeing that when food information is provided by non pre-packed food a sufficient degree of flexibility is foreseen for operators in the sector. It appears from the Explanatory memorandum and the recitals of the proposed Regulation that the latter was drafted principally with pre-packed food in mind. The extension of such rules to non pre-packed food without due consideration of the specificities of non pre-packed food and consumer contact with such foods seriously risks:

- *undermining the objective of conveying appropriate and meaningful nutrition information to consumers;*
- *ultimately, this would act as a disincentive for operators in the non pre-packed sector to provide nutrition information on a voluntary basis.*

Amendment 482

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 483

Holger Krahmer

Proposal for a regulation

Article 35 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Without prejudice to Article 35(1), additional voluntary nutrition information for specific target groups, for example children, shall continue to be permitted provided that these specific reference values are scientifically proven, do not mislead the consumer and are in accordance with the general conditions

laid down in this Regulation.

Or. de

Justification

The reference values given in Annex XI B refer to the average adult. Divergent reference values for products with a specific target group, for example children, which have already been introduced by the industry and which have been scientifically tested, should continue to be admissible as additional information.

Amendment 484

Glenis Willmott

Proposal for a regulation

Article 35 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Where any of the particulars referred to in Article 9 or elements thereof are provided on a voluntary basis on non-prepacked foods, those particulars or elements provided shall comply with the relevant specific requirements laid down in this Regulation.

Or. en

Justification

The provision of nutrition information for non prepacked food and food sold through catering establishments in catering is becoming more common. There is a need for flexibility in the way information is provided for non-prepacked food because of the variety of catering settings and the physical environment which dictates how the amount of nutrition information can be displayed. The Regulation needs to allow catering companies to voluntarily display the calorie information on a portion basis if they wish.

Amendment 485
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

This provision is essential to ensure transparency.

Amendment 486
Esther de Lange

Proposal for a regulation
Article 35 – paragraph 2

Text proposed by the Commission

Amendment

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.

2. Without prejudice to labelling in accordance with specific Community legislation, ***such as Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialties guaranteed and Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs, paragraph 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. ***In such cases, the food shall be labelled 'Manufactured in the EU (Member***

State)'. In addition, a region of origin may be indicated. Such voluntary indications of the country or the region of origin shall not impede the internal market.

Or. en

Justification

The indication of a region of origin reflects the wish of many consumers that regional specialities should be labelled as such. Labelling a product 'Manufactured in the EU' demonstrates compliance with the relevant Community food legislation and may thus constitute information of interest to consumers.

Furthermore, the internal market shall not be impeded by the introduction of such indications of the country of the region of origin.

Amendment 487
Elisabetta Gardini

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

Or. it

Amendment 488
Richard Seeber

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 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, **region** or place.

Or. de

Justification

It should also be possible to cite a level intermediate between country and place in order to indicate origin.

Amendment 489
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 voluntary indicated to inform consumers that a food originates or comes from the European Community or a given country of 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

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 490

Oreste Rossi

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, ***in particular Council Regulations (EC) Nos 509/2006 and 510/2006 of 20 March 2006 and the provisions of Article 9(1)(ia),*** 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. ***In such cases, the food shall be labelled 'manufactured in the EU (Member State)'. In addition, the name of a region may be indicated.***

Or. it

Justification

The indication of a region of origin reflects the wish of many consumers that regional specialities should be labelled as such. Labelling a product 'manufactured in the EU (Member State)' demonstrates compliance with the relevant Community food legislation and may thus constitute information of interest to consumers, including those outside the Community.

Amendment 491
Frédérique Ries

Proposal for a regulation
Article 35 – paragraph 3 and 4

Text proposed by the Commission

Amendment

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.

3. Information on origin shall be provided if the other indications concerning the food are misleading or false.

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.

Or. fr

Justification

This new wording will bring the Regulation into line with Regulation 834/2007 on organic production and will warn consumers in cases where other information may be misleading. This will prevent non-essential information from hampering the legibility of other more important information.

Amendment 492
Glenis Willmott

Proposal for a regulation
Article 35 – paragraph 4

Text proposed by the Commission

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

deleted

information on each of the different places of birth, rearing and slaughter shall be given.

Or. en

Justification

Country of origin labelling of poultry and meat should be mandatory. Therefore Article 35 (4) detailing applicable requirements for voluntary country of origin labelling for meat is no longer relevant. The relevant provision are inserted in Article 9 (1) i.

Amendment 493

Mairead McGuinness, Struan Stevenson

Proposal for a regulation

Article 35 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. For whisky, the indication of the country of origin shall always be given, and shall be in the principal field of vision. Where the whisky is the product of more than one country, each shall be listed.

Or. en

Justification

It is traditional practice for whisky sold in the EU to be labelled with its country of origin, and consumers attach considerable importance to this information. Some whiskies which do not bear indications of origin use other indications to suggest they originate in one of the major whisky producing countries when they do not. It is therefore appropriate that all whiskies sold in the EU state their origin to avoid misleading consumers.

Amendment 494
George Lyon

Proposal for a regulation
Article 35 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. For whisky, the indication of the country of origin shall be given, and shall be in the principal field of vision. Where the whisky is the product of more than one country, each shall be listed.

Or. en

Justification

It is traditional that whisky sold in the European Union should bear the name of its country of origin; consumers attach considerable importance to that information. Some whiskies which do not bear indications of origin use other indications to suggest they originate in one of the major whisky-producing countries when they do not. It is therefore appropriate that all whiskies sold in the EU state their origin to avoid misleading consumers.

Amendment 495
Carl Schlyter

Proposal for a regulation
Article 35 – paragraph 6

Text proposed by the Commission

Amendment

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 ***in accordance with paragraphs 1-5*** 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).

Or. en

Justification

This provision shall relate to the previous paragraphs only.

Amendment 496

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 497

Carl Schlyter

Proposal for a regulation

Article 35 – paragraph 6 b (new)

Text proposed by the Commission

Amendment

6b. In accordance with Article 3(1), it shall be admissible to provide information on environmental, social and ethical considerations regarding foodstuffs. In order not to encourage arbitrary

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.

Amendment 498

Dan Jørgensen, Christel Schaldemose

Proposal for a regulation

Article 35 a (new)

Text proposed by the Commission

Amendment

Article 35a

Common positive nutrition symbol

1. By ...*, the Commission shall establish a common positive nutrition symbol in order to help consumers to identify the healthier option within categories of foods.

That measure, 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),

2. Foods eligible to carry the common positive nutrition symbol shall comply with criteria specified by the Commission and the nutrient profiles established in accordance with Article 4 of 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 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 recognised as having an effect on health;

(b) the role and importance of the food (or the categories of food) and its 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 of diet and nutrition and their relation to health.

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

** 1 January of the third year after the date of adoption of this Regulation.*

1 OJ L 404, 30.12.2006, p. 9.

Or. en

Justification

A common positive nutrition symbol would help consumers identify the healthier options when buying food. 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. With a positive symbol consumers can choose a healthier option just by a quick glance at the moment of purchase.

Amendment 499

Esther de Lange

Proposal for a regulation

Article 35 a (new)

Text proposed by the Commission

Amendment

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.

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 recognised 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.

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 could help consumers to identify the healthier options within food categories. It indicates that the product meets criteria for, for example, lower levels of saturated fat, sugars, salt and higher levels of dietary fibre. The criteria, if set through a thorough scientific process, also offer guidance to industry to reformulate and innovate its products. A positive symbol enables the consumer to make the healthier choice by a quick glance at the moment of purchase. Foods carrying the positive symbol are not 'diet foods' but are intended for everyone who wants to choose for a healthier diet.

Amendment 500

Gerben-Jan Gerbrandy

Proposal for a regulation

Article 35 a (new)

Text proposed by the Commission

Amendment

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. Food eligible to carry the common positive nutrition symbol must comply with criteria specified by the Commission, in accordance with the procedure referred to in Article 49(3).

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 recognised as having an effect on health;

(b) the role and importance of the food (or of the categories of food) and the contribution to the diet of the population. 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 is there to help consumers identifying the healthier options within food categories. It indicates that the products meets criteria for, for example, lower levels of saturated fat, sugars, salt and higher levels of dietary fibre. By choosing foods with the positive symbol, it is easy for consumers to improve their diet, which can lead to better health. The criteria, if set through a thorough scientific process, also offer guidance to industry to reformulate and innovate its products. A positive symbol enables to make the healthy choice by a quick glance at the moment of purchase. Foods labelled with a positive symbol are suitable for all healthy individuals. Foods carrying the positive symbol are not 'diet foods' but are intended for everyone who wants a healthy diet.

Amendment 501
Frédérique Ries

Proposal for a regulation
Article 36

Text proposed by the Commission

Amendment

Article 36
Presentation

deleted

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

Or. en

Justification

For reasons of legal certainty this amendment moves the requirement foreseen in the article to article 35 without substantive change.