



19.12.2018

NOTICE TO MEMBERS

Subject: Petition 2627/2013 by Krisztian Varga (Hungarian), on the call for a ban on trans fats in the European Union

1. Summary of petition

The petitioner explains that trans fats are artificial substances found in food-industry products which destroy blood vessels and cause heart attacks and embolisms. The World Health Organisation recommends that they should make up no more than 1 % of the total energy consumed. On this basis, no more than 20 kcal of energy should derive from trans fats, which represents less than 2 grams per day. Taking into account the natural occurrence of trans fats, people should therefore not consume any trans fats as part of processed foods. Trans fats are harmful because they raise levels of LDL cholesterol, lower those of the protective HDL cholesterol, increase the level of triglyceride and the level of pro-inflammatory fats. Against this background, the petitioner calls for a ban on trans fats in the European Union.

2. Admissibility

Declared admissible on 7 November 2014. Information requested from Commission under Rule 216(6).

3. Commission reply, received on 30 June 2017

On 3 December 2015, the Commission adopted a report *regarding trans fats in foods and in the overall diet of the Union population* (COM(2015) 619)¹. This report was transmitted to the European Parliament and the Council and was accompanied by a Commission Staff Working Document² providing detailed information underpinning the findings of the Commission report. In the report, the Commission noted that industrial trans fats are present at levels of concern in certain foods and that intakes are excessive in some Member States and for some population groups. After reviewing different policy options, it concluded that setting

¹ http://ec.europa.eu/food/sites/food/files/safety/docs/fs_labelling-nutrition_trans-fats-report_en.pdf

² http://ec.europa.eu/food/safety/docs/fs_labelling-nutrition_trans-fats-oswp_en.pdf

a EU-wide legal limit for industrial trans fats would be the most effective measure in terms of public health, consumer protection and compatibility with the Internal Market. It also announced the launch of an Impact Assessment and a public consultation to analyse the matter further.

On 26 October 2016, the European Parliament adopted a resolution on trans fats (P8_TA(2016)0417) recalling that the issue of trans fats intakes in the EU is a priority for the European Parliament, and reiterating the Parliament's concern regarding the risks that trans fats pose to human health. Among other things, the Resolution called on the Commission to establish as soon as possible an EU legal limit on industrial trans fats and to come up with a proposal within two years. The Resolution also requested the Commission to carry out an Impact Assessment evaluating the impact of such a limit on operators (in particular SMEs) and consumers.

In line with both the conclusions of the Commission's report and the European Parliament's resolution, the Commission services have started working on the Impact Assessment on the *initiative to limit industrial trans fats intakes in the EU*. The Inception Impact Assessment of this initiative was published on 11 October 2016 on the Commission's Better Regulation Portal¹. An external study is currently ongoing to support the Impact Assessment and, more specifically, to analyse the economic, social and environmental impacts of the different policy options being considered by the Commission: limits to industrial trans fats through legislation or self-regulation, mandatory trans fats labelling, ban on partly hydrogenated oils (the primary source of industrial trans fats) through legislation or self-regulation. The study will be submitted to the Commission by the end of 2017 and the Impact Assessment will be finalised thereafter. In the meantime, the Commission will also carry out an open public consultation on key elements of the Impact Assessment.

Conclusion

In its Impact Assessment, the Commission is analysing in detail the different policy options to limit industrial trans fats intakes in the EU, and these alternative options also include the type of action requested by the petitioner.

However, until the Impact Assessment is completed, the Commission cannot commit to undertaking a specific policy option.

4. Commission reply (REV), received on 19 December 2018

Further to its communication in June 2017, the Commission can now provide the Committee on Petitions with some additional information on the issue.

On 4 October 2018, a draft Commission Regulation as regards trans fat, other than trans fat naturally occurring in animal fat, in foods intended for the final consumer has been published on the Commission's website, seeking feedback from stakeholders until 1 November 2018². The main element of the proposal is that a maximum limit of trans fat, other than trans fat naturally occurring in animal fat, in food which is intended for the final consumer, of 2 grams

¹ http://ec.europa.eu/smart-regulation/roadmaps/docs/2016_sante_143_trans_fats_en.pdf

² https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2018-5103401_en

per 100 grams of fat is set. The Commission is currently analysing the feedback received. The draft Regulation has been in parallel notified to the World Trade Organisation, the final date for comments being 2 December 2018.

Conclusion

The Commission has published a draft legal measure and is in the process of analysing the feedback received. Furthermore, the Commission has notified the draft legal measure in line with international obligations.