

Commission Implementing Regulation - food processors' perspective

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**laying down rules for the application of Article
26(3) of Regulation (EU) No 1169/2011 of the
European Parliament and of the Council on the
provision of food information to consumers, as
regards the rules for **indicating the country of
origin or place of provenance of the primary
ingredient of a food****

(Text with EEA relevance)

APPLICABLE

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

MANDATORY - INTERPRETATIVE CASES

Art. 26.2 a)

Where omission of the origin indication could mislead the consumer as to the true country of origin or place of provenance of the final food

VOLUNTARY - OPERATOR'S DECISION

The origin indication of a food is given voluntarily by the food business operator

Protected geographical indications, registered trade marks -
OUT OF SCOPE of the implementing regulation

PRIMARY INGREDIENT

Article 2.2(q)

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

APPLICABLE where the country of origin or place of provenance of a food is given by any means referring to places or geographical areas, such as:

- **statements,**
- **pictorial presentation,**
- **symbols or terms**

NOT APPLICABLE for geographic terms included in **customary and generic names** where those terms literally indicate origin but **whose common understanding is not an indication of country of origin or place of provenance.**

Food processors' expectations

Regulation

- **clear and possible for implementation**
- **low interpretation margin**
- **harmonised rules at the EU level**

Commission Implementing Regulation

✓	X
Harmonisation at the EU level	Various interpretations possible
Flexible origin indications	FBOs adaptations necessary
Application from 1 April 2020	
Food stocks may be exhausted	

ADAPTATIONS IN THE PRODUCTION PROCESSES AND SOURCING PRACTICES:

- availability of suitable raw material in sufficient volumes;
- quality of the raw material;
- the need to quickly adapt to any shortages, market disruptions and/or price fluctuations – mix of suppliers;
- adaptation of production process of the final food product;
- adaptation of packaging and labels/labelling process;
- adaptation/implementation of extended traceability systems;
- implementation of additional internal controls required to ensure compliance with primary ingredient origin labelling rules;

Various interpretations

- **national level**
- **food bussines operators**
- **official control authorities**

EC Guidelines are necessary!

- **before 1 April 2020**
- **with examples**
- **Q&A**

CONCLUSIONS

- We support the Commission Implementing Regulation.
- We need the EC guidelines on practical implementation as soon as possible.
- Harmonised approach in the Member States is necessary.