



Plenary sitting

B8-0842/2016

27.6.2016

MOTION FOR A RESOLUTION

pursuant to Rule 106(2), (3) and (4)(c) of the Rules of Procedure

on the draft Commission regulation amending Regulation (EU) No 432/2012 establishing a list of permitted health claims made on foods other than those referring to the reduction of disease risk and to children's development and health

(D44599/02 – 2016/2708(RPS))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Christel Schaldemose

European Parliament resolution on the draft Commission regulation amending Regulation (EU) No 432/2012 establishing a list of permitted health claims made on foods other than those referring to the reduction of disease risk and to children's development and health (D44599/02 – 2016/2708(RPS))

The European Parliament,

- having regard to the draft Commission regulation (D44599/02),
 - having regard to Regulation No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods¹, in particular Article 13(3) thereof,
 - having regard to the opinion delivered on 12 April 2016 by the committee referred to in Article 25(1) of the above regulation,
 - having regard to Article 5a(3)(b) of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission²,
 - having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,
 - having regard to Rule 106(2), (3) and (4)(c) of its Rules of Procedure,
- A. whereas Article 4 of Regulation (EC) No 1924/2006 requires the Commission to establish, by 19 January 2009, specific nutrient profiles with which foods or certain categories of food must comply in order to bear nutrition or health claims, and the conditions for the use of nutrition or health claims for foods or categories of foods with respect to the nutrient profiles;
- B. whereas the Commission has not yet established those nutrient profiles;
- C. whereas a 250 ml can of energy drink can contain up to 27 g of sugar and 80 mg of caffeine;
- D. whereas, under the draft Commission regulation, the claims that caffeine helps to increase alertness and that caffeine helps to improve concentration shall not be used for foods targeting children and adolescents;
- E. whereas adolescents represent the largest group of energy drink consumers;
- F. whereas 68 % of adolescents and 18 % of children regularly consume energy drinks;

¹ OJ L 404, 30.12.2006, p. 9.

² OJ L 184, 17.7.1999, p. 23.

- G. whereas the energy drink industry's voluntary Code of Practice for the Marketing and Labelling of Energy Drinks only commits not to market energy drinks to children under the age of 12¹;
- H. whereas in its Scientific Opinion on the safety of caffeine the European Food Safety Authority concluded that insufficient information was available on which to base a safe level of caffeine intake for children but that an intake corresponding to 3 mg per kg of body weight per day would probably not give rise to safety concerns for children and adolescents²;
- I. whereas, as stated in point (c) of Article 3 of Regulation (EC) No 1924/2006, 'the use of nutrition and health claims shall not [...] encourage or condone excess consumption of a food';
- J. whereas 25 % of adolescent energy drink consumers drink three or more cans in a single session;
- K. whereas energy drinks have been linked to headaches, sleep problems and behavioural problems in children and adolescents who regularly consume them;
1. Opposes adoption of the draft Commission regulation;
 2. Considers that the draft Commission regulation is not compatible with the aim and content of Regulation (EC) No 1924/2006;
 3. Calls on the Commission to withdraw the draft regulation;
 4. Calls on the Commission to consider introducing restrictions on the marketing of energy drinks to children and adolescents;
 5. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.

¹ http://www.energydrinkseurope.org/wp-content/uploads/2015/01/FINAL_EDE-Code-of-Practice_clean_250914.pdf

² <http://www.efsa.europa.eu/sites/default/files/consultation/150115.pdf>