Annex A

Consultation on the EU discussion document 'Labelling: Competitiveness, consumer Information and Better Regulation for the EU'

List of questions raised in the enclosed consultation letter

Where possible the Agency would be grateful if you could provide the reasoning behind your response.

The rationale for labelling legislation

1. Do you agree with the overall approach as set out by the Commission?

2. Are there any benefits in simplifying and clarifying the structure and scope of existing labelling legislation, both horizontal and vertical and bringing common aspects together?

3. Is it practical to consider food and non-food labelling together or should they be dealt with separately?

4. Should there be more or less prescription in labelling legislation?

5. Is there sufficient flexibility in existing EU legislation to allow industry to quickly adapt to changing consumer needs and demands?

6. Is there a role for self-regulation or co-regulation in relation to labelling issues?

7. How should the proposals for revision of labelling legislation be taken forward? Under a framework? In parallel but linked in terms of timing and approach? or dealt with individually?

Food Labelling

The future scope and structure of food labelling legislation

8. What is the most appropriate legislative instrument for any future revision to food labelling, Directive or Regulation?
9. If food labelling is dealt with separately to other labelling legislation how should/could the current provisions be brought together?

10. Is there scope to distinguish information that must be provided and information that must be available about a food product?

11. Could food legislation provide general rules on how (e.g. must be on label/could be off label) this information is provided?

12. How much latitude should be allowed to Member States to set their own rules about what information must be provided and must be available about foods sold loose, sold prepacked or delivered as such or not where there are no implications for the single market?

13. Should the legislation provide for requirements to be fulfilled, or guidance to be followed with a view to preventing risk of misleading consumers where voluntary information is provided?

14. Should the legislation be more prescriptive on the format and size of text or could this be covered by voluntary or soft legislation?

Alcoholic drinks

15. Do you agree with the Commission's conclusions?

16. Is it possible to define 'natural' in terms of alcoholic drinks?

17. What ingredients should be labelled on alcoholic drinks?

18. Currently exemptions exist for products with an alcoholic strength of more than 1.2%. Should this exemption be recast to ensure ingredient listing of mixed drinks like alco-pops?

Nutrition labelling

19. Should nutrition labelling be mandatory?

20. How much information is required?

21. Is there an optimum number of elements, i.e. energy and nutrients, that should be declared and, if so, what these should be?

22. Are there alternative formats for providing nutrition information?

23. If the consumer finds difficulties in using the current numerical format then are there alternative, better ways of providing nutritional information on labels?

24. Where should the nutrition label be put? The Commission discussion paper states that evidence suggests that simplified front of pack labelling ('signposting') may offer significant advantages in terms of increasing consumer use.

25. How can this be taken forward in any revision of the legislation?

26. Is there any benefit in having dual labelling – the 'traditional' label on the back of the pack with a signpost on the front?

27. How important is presentation of the information? The Commission discussion paper states that consumers often complain that nutrition labels are poorly presented, making them difficult to use. In particular, concern is expressed that the labels contain too much information and the type size is too small (especially when multi-lingual labels are used on products).

28. Whilst it might be difficult to set down prescriptive rules on presentation, because of the many different types of packaging used, is this something that should be considered?

29. Alternatively, would this be an opportunity for best practice to be developed by the industry?

Country of Origin

30. Which, if any of the options listed by the Commission do you favour? and Why?

31. Can you identify any other issues related to origin labelling not covered by the paper?

Health Warning on Alcoholic drinks

Whether introduced as a legislative requirement or through voluntary industry self-regulation:

32. Should there be one or more standard messages agreed with Government?

33. Alternatively, should industry itself decide the content of any message?

34. What particular health issues should be the focus of any agreed messages?

35. Should agreed messages be in addition to reference to units of alcohol on the container? How should reference to units be related on the label to Government recommendations on sensible drinking?

36. Should information on units of alcohol (or an alternative measure) vary by Member State or be standard across the EU?

37. Should the content of health warning messages be decided at EU level or at national level?

38. The evidence base may suggest that any health warnings on drinks labels would be effective only if supported by health or educational campaigns or other interventions. What implications does this have for the content of any health warnings and the process by which these are decided?