



Brussels, 22 June 2011

## **Q&A on food labelling and the compromise reached between the Hungarian Presidency, the European Parliament and the Commission**

*What are the key new elements of the draft regulation on food labelling as it has been agreed between the Hungarian Presidency, the EP and the Commission, and approved today by the Permanent Representatives Committee?*

The probably most important innovative element of the new food labelling rules is the mandatory nutrition information on prepacked foods. Under the new rules, the energy value and the amounts of fat, saturates, carbohydrates, protein, sugars and salt (which together form the "**mandatory nutrition declaration**") must be indicated in the same field of vision per 100g or per 100ml and may, additionally, also be expressed per portion. The intention is to enable consumers to make healthier dietary choices. Another important element of the draft regulation is the introduction of a minimum font size of 1.2 mm (for the x-height) for all mandatory information which is aimed to improve **legibility** of food labels. A third important element is the **extension of compulsory country of origin labelling** to fresh meat of swine, sheep and goats, and poultry (in addition to beef, for which a separate piece of legislation was introduced during the BSE crisis, and to fruits and vegetables, honey, olive oils, and cases where the failure to do so misleads the consumer). Further improvements of the EU food labelling rules concern **allergens** (which in the future must be highlighted in the list of ingredients), **vegetable oils** (whose specific vegetable origin must be indicated) and **imitation foods** (which consumers will be able to recognise more easily).

*Where on the packaging will the citizens find the nutrition declaration and what are its specific rules?*

The mandatory nutrition declaration (i.e. the energy value and the amounts of fat, saturates, carbohydrates, protein, sugars and salt) must be indicated in the same field of vision per 100g or per 100ml and may, additionally, be expressed per portion. The energy value and the amounts of these nutrients can also be expressed as a percentage of reference intakes, better known as GDA (Guideline Daily Amounts), per 100g/ml or per portion or both. The mandatory nutrition declaration can be supplemented voluntarily with the values of other nutrients (mono-unsaturates; polyunsaturates; polyols; starch; fibre; vitamins or minerals) and must be presented in tabular format or, where space does not permit, in linear format. Food operators may indicate the energy value and the amounts of the nutrients additionally by other forms of expression (e.g. graphics or symbols, such as the traffic light system) as long as they comply with certain criteria (e.g. they are understandable for the consumers and do not create obstacles to the free movement of goods). The energy value may be repeated in the principal field of vision alone or together with the amounts of fat, saturates, sugars and salt. The energy value must always be expressed per 100g/ml, but it may additionally be expressed per portion. When the four nutrients are repeated with the energy value, their amounts can be expressed per portion alone. In this case, the energy value must be expressed both per portion and per 100g/ml.

*Which provisions have been agreed on trans fats?*

The European Parliament and the Council agreed that further information, in particular on the impact of possible actions is necessary before taking any measures. They therefore asked the Commission to submit a report within three years after the entry into force of the new regulation, assessing the impacts of possible measures concerning trans fats, including, among others, the provision of information on trans fats to consumers, and restrictions of their use. The Commission should accompany this report with a legislative proposal, if appropriate.

*Does the minimum font size apply independently from the package size?*

No. As a general rule, the draft regulation provides for a minimum font size for the mandatory information of 1.2 mm for the x-height. However, if the largest surface of a food package is less than 80 cm<sup>2</sup> the minimum font size is reduced to 0.9 mm. Also, if the largest surface of a food package is less than 25 cm<sup>2</sup>, the nutrition declaration is not required. In line with the internationally agreed standards within the Codex Alimentarius, food packages whose largest surface is less than 10cm<sup>2</sup> do not need to bear a nutrition declaration nor a list of ingredients; however, the name of the food, possible allergens, the net quantity and the date of minimum durability must always be indicated, independently of the package size.

*To which types of foods the mandatory country of origin labelling will apply in the future?*

Currently, the indication of the country of origin is compulsory notably for fresh beef (for which a separate piece of legislation was introduced during the BSE crisis), fruits and vegetables, honey, olive oil and where the failure to do so misleads consumers. The new piece of legislation extends the compulsory country of origin labelling to fresh meat of swine, sheep and goats and poultry, subject to implementing rules to be adopted by the Commission within two years after the entry into force of the new regulation. Furthermore, the Commission must submit within two years after the entry into force of the new regulation a report examining the possible extension of the compulsory labelling of the country of origin to meat used as an ingredient. One year later, the Commission must examine the same question with regard to other types of meat (than beef, swine, sheep and goats and poultry), as well as milk, milk used as an ingredient, unprocessed foods, single-ingredient products and ingredients that represent more than 50% of a food.

*Which provisions have been agreed on allergens?*

Under the new rules, allergens have, as currently, to be indicated in the list of ingredients, but they have to be also emphasised through a typeset that clearly distinguishes them from the rest of the list of ingredients. Allergens will always have to be indicated for non-prepacked foods which are sold to the final consumer.

*What has been agreed on vegetable oils?*

Under the new rules, oils of vegetable origin may be grouped together in the list of ingredients under the designation "vegetable oils", followed by the indication of the specific vegetable origin. It will be possible to state that the proportions of the oils may vary.

*Will the new rules allow European citizens to recognize imitation foods (i.e. foods that look similar to other foods, but made of different ingredients, such as a cheese-alike food from vegetable sources)?*

That's the intention of the new rules which clearly stipulate that in the case of foods in which a component or ingredient that consumers expect to be normally used or naturally present has been substituted with a different component or ingredient, the labelling shall bear - in addition to the list of ingredients - a clear indication of the component or the ingredient that has been used for the partial or whole substitution. In addition, the draft regulation strengthens the requirement for all food information to be accurate, clear, and easy to understand for the consumer.

*What has been agreed on alcoholic beverages?*

Alcoholic beverages containing more than 1,2 % by volume of alcohol are, for the time being, exempted from the obligation to bear a nutrition declaration and a list of ingredients. This includes also ready to drink mixed alcoholic beverages (alcopops). The Commission must, however, examine within three years after the entry into force of the new regulation whether alcoholic beverages should in future be covered, in particular, by the requirement to indicate the energy value, and make legislative proposals, if appropriate. At the same occasion, the Commission must consider the need to propose a definition of alcopops.

*Are non-prepacked foods also covered by the new rules?*

With the notable exception of allergens no further nutrition information is requested by the new EU food labelling rules for non-prepacked foods. However, member states may decide that all or a part of the elements which under the new EU rules are compulsory for prepacked food should also be mandatory for non-prepacked foods.

*What about foods sold at charity events?*

Foods sold by private persons, for example at charity events or local community fairs, are exempted from the new EU food labelling rules.

*When will the new rules become applicable?*

The new food labelling rules will become applicable three years after their publication in the Official Journal of the EU, except of the mandatory nutrition declaration which must be applied at the latest five years after the regulation has been published. However, nutrition declaration provided on a voluntary basis must comply with the new rules already three years after their publication.

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