# Revision of EU legislation on Food Information to Consumers

Fields marked with \* are mandatory.

#### Introduction

#### **Target Group**

All EU and non-EU citizens and stakeholders are welcome to contribute to this consultation.

#### Objective of the consultation

The public consultation aims to collect the views of citizens, professional and non-professional stakeholders about proposals for the revision of Regulation (EU) No 1169/2011 on the provision of food information to consumers (FIC Regulation) in the following areas: Front of pack nutrition labelling/ Nutrient profiling, Origin labelling, Date marking and Alcoholic beverage labelling.

#### The proposed revision to the FIC regulation

The European Commission adopted the "Farm to Fork Strategy for a fair, healthy and environmentallyfriendly food system" on 20 May 2020, as part of the European Green Deal. This strategy aims to reduce the environmental and climate footprint of the EU food system and facilitate the shift to healthy and sustainable diets. The strategy targets the entire food chain and describes, amongst others, the need to stimulate sustainable food processing and reformulation, to further empower consumers through labelling information and to reduce food waste. The proposed revision of the FIC Regulation will address this need by considering:

- Front of pack nutrition labelling and nutrient profiling criteria to restrict claims: a proposal for EU harmonized and mandatory front-of-pack nutrition labelling and for the setting of 'nutrient profiling' criteria, which are thresholds of nutrients above or below which nutrition and health claims on foods are restricted.
- Origin labelling: An extension of mandatory origin indications to certain products.
- Date marking: A revision of the EU rules on date marking ('use by' and 'best before').

The European Commission adopted the Europe's Beating Cancer Plan on 3 February 2021. One of its areas of action concerns sustainable cancer prevention, including by reducing harmful alcohol consumption. The proposed revision of the FIC Regulation will address this concern by considering:

• Alcoholic beverage labelling: The introduction of mandatory indications of the list of ingredients and the nutrition declaration for all alcoholic beverages.

#### Where are we in the process of revising the FIC Regulation

Inception Impact Assessments for the above-stated FIC Regulation revisions were published for public consultation between 23 December 2020 - 04 February 2021 (for nutrient profiles and front-of-pack nutritional labelling, origin labelling and date marking), and 24 June 2021 - 22 July 2021 (for alcoholic beverage ingredient and nutrition declaration labelling). Feedback from these consultations has been used to further refine understanding of the problems and potential policy options and their impacts.

The European Commission will base its revision of the FIC Regulation on a full impact assessment of the different options. The impact assessment will also consider the setting of nutrient profiles as provided in Regulation (EC) No. 1924/2006 on nutrition and health claims made on foods.

This Public Consultation will contribute to the evidence that will inform the impact assessment for the revision of the FIC Regulation. It is part of a broader consultation strategy. Additional consultation activities will include targeted surveys and interviews with stakeholder organisations and Member State Authorities, to gather more detailed and technical information.

A FIC Regulation proposal is expected to be made by the end of 2022.

#### How to contribute

Your views are important. Please tell us what you think and fill in the online questionnaire. The questionnaire includes questions on:

- Front-of-pack nutrition labelling and the setting of nutrient profiles to restrict the use of claims on foods Questions 1 to 5
- Alcoholic beverage labelling (list of ingredients and nutrition declaration) Questions 6 to 9
- Date marking Questions 10 to 14
- Origin labelling Questions 15 to 20

The questionnaire for citizens is accessible in all official EU languages. As there may be delays in translating replies submitted in some languages, contributions in English are welcome, as they will help to process the survey more swiftly.

You can pause at any time and continue later. Once you have submitted your answers, you will be able to download a copy of your completed questionnaire. Questions marked with an asterisk (\*) are compulsory. Those who are interested have the option to develop their responses in a more detailed manner.

Please note that in this questionnaire, we do not intend to obtain data relating to identifiable persons. Therefore, in case you will describe a particular experience or situation, please do it in a way that will not allow linking to a particular individual, whether it is you or somebody else.

Received contributions will be published on the Internet. It is important that you read the specific privacy statement attached to this consultation for information on how your personal data and contribution will be dealt with.

#### **Related links**

Further information on the prospective revision and impact assessment can be found at <a href="https://ec.europa.eu/food/safety/labelling-and-nutrition/food-information-consumers-legislation\_en">https://ec.europa.eu</a> /food/safety/labelling-and-nutrition/food-information-consumers-legislation\_en. \* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
- Irish
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish
- \* I am giving my contribution as
  - Academic/research institution
  - Business association
  - Company/business organisation
  - Consumer organisation
  - EU citizen
  - Environmental organisation
  - Non-EU citizen

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Non-governmental organisation (NGO)

- Public authority
- Trade union
- Other

#### \* First name

Marleen

## \*Surname

KESTENS

## \* Email (this won't be published)

mkestens@ehnheart.org

#### \*Organisation name

255 character(s) maximum

European Heart Network

#### \* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

#### Transparency register number

#### 255 character(s) maximum

Check if your organisation is on the <u>transparency register</u>. It's a voluntary database for organisations seeking to influence EU decision-making.



## \* Country of origin

Please add your country of origin, or that of your organisation.



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The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. Fo r the purpose of transparency, the type of respondent (for example, 'business association, 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published. Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

#### Contribution publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

# Anonymous

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not

be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

# Public

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

I agree with the personal data protection provisions

# Information on your organization

If you are a food business or representative of food businesses, please indicate the following (if this does not apply to you, please select 'not applicable'):

- \* What is the geographic scope of your business / members' markets? (If this does not apply to you, please select 'not applicable')
  - Single EU Member State/ EEA country
  - Multiple Member States (including EEA countries) / Pan-EU
  - International
  - Not applicable
- \* Which stage(s) of the value chain is your business / are you members' businesses active in? Please select all that apply (if this does not apply to you, please select 'not applicable').
  - Primary producer (e.g. farming, fishing)
  - Manufacturers/processing
  - Distribution
  - Retail
  - Not applicable
- \* Which food/beverage product groups is your business active in / does your organization represent? Please select all that apply (if this does not apply to you, please select 'not applicable').
  - Meat and meat products
  - Fish and seafood products

Fruit and their products

- Vegetables and their products
- Vegetable and animal oils/fats and spreadable fats
- Milk
- Dairy products
- Bakery products
- Cereal and cereal products including biscuits and breakfast cereals
- Confectionary products, ice cream
- Ready meals, soups, sandwiches
- Soy based and similar vegetable protein-based products
- Beverages wine or aromatized wine products
- Beverages beers
- Beverages spirit drinks
- Beverages other alcoholic beverage's
- Beverages non-alcoholic beverages
- Other food products
- Not applicable

# Interest in the FIC Regulation revision

\*Which FIC Regulation topics are you interested in? Please select all that apply.

- Front-of-pack nutrition labelling and the setting of nutrient profiles to restrict the use of claims on foods – Questions 1 to 5
- Alcoholic beverage labelling (list of ingredients and nutrition declaration) Questions 6 to 9
- Date marking Questions 10 to 14
- Origin labelling Questions 15 to 20

# Front of pack nutrition labelling and setting nutrient profiling criteria to restrict claims

Under the current EU rules, the indication of simplified nutrition information on the front of the food packaging ('front-of-pack') is possible on a voluntary basis. Several formats are legally possible under certain conditions and are currently present on the EU market. The European Commission is considering harmonised mandatory front-of-pack nutrition labelling for pre-packed foods present on the EU market.

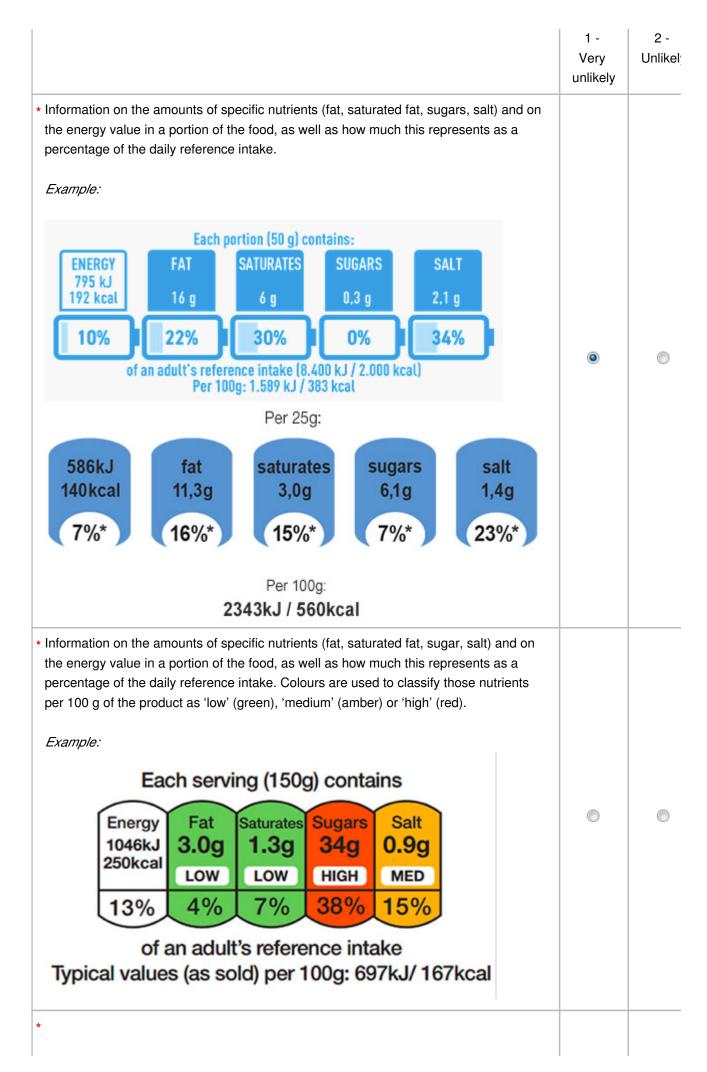
Products may bear **nutrition claims** (such as "low fat", "high fibre") and **health claims** (such as "Vitamin D is needed for the normal growth and development of bone in children"). The European Commission is

considering restricting the right to make such claims to only the products that would meet defined nutritional criteria such as for example the content of sugar, salt etc.

	1 - Strongly disagree	2 - Disagree	3 - Neutral	4 - Agree	5 - Strongly agree	Don't know
<ul> <li>Nutrition labelling on the front-of- pack is an important tool to improve the population's dietary habits.</li> </ul>	0	0	O	0	۲	۲
<ul> <li>Consumers pay more attention to nutrition information on the front-of- pack compared to the nutrition declaration on the back-of-pack.</li> </ul>	0	0	0	0	۲	۲
<ul> <li>Simplified and easy to understand nutrition information on the front-of- pack helps consumers to make healthier food choices.</li> </ul>	0	0	0	0	۲	۲
<ul> <li>Nutrition information on the front- of-pack should be consistent with dietary guidelines.</li> </ul>	0	0	O	O	۲	0
<ul> <li>Consumers should have access to the same front-of-pack nutrition label across the whole EU.</li> </ul>	0	0	O	O	۲	0
<ul> <li>Food businesses should be subject to the same rules on front- of-pack nutritional labelling across the whole EU.</li> </ul>	0	0	O	0	۲	0
<ul> <li>Front-of-pack nutrition information should be displayed on more products.</li> </ul>	0	0	0	O	0	۲
* Front-of-pack nutrition labelling is an appropriate tool to incentivise food businesses to improve the nutritional content of their products.	0	0	O	0	0	۲
<ul> <li>Health and nutrition claims on food products should only be allowed if they meet some nutritional quality (e.g. levels of salt, sugars,).</li> </ul>	0	0	0	0	۲	0

# Question 1: To what extent do you agree with the following statements:

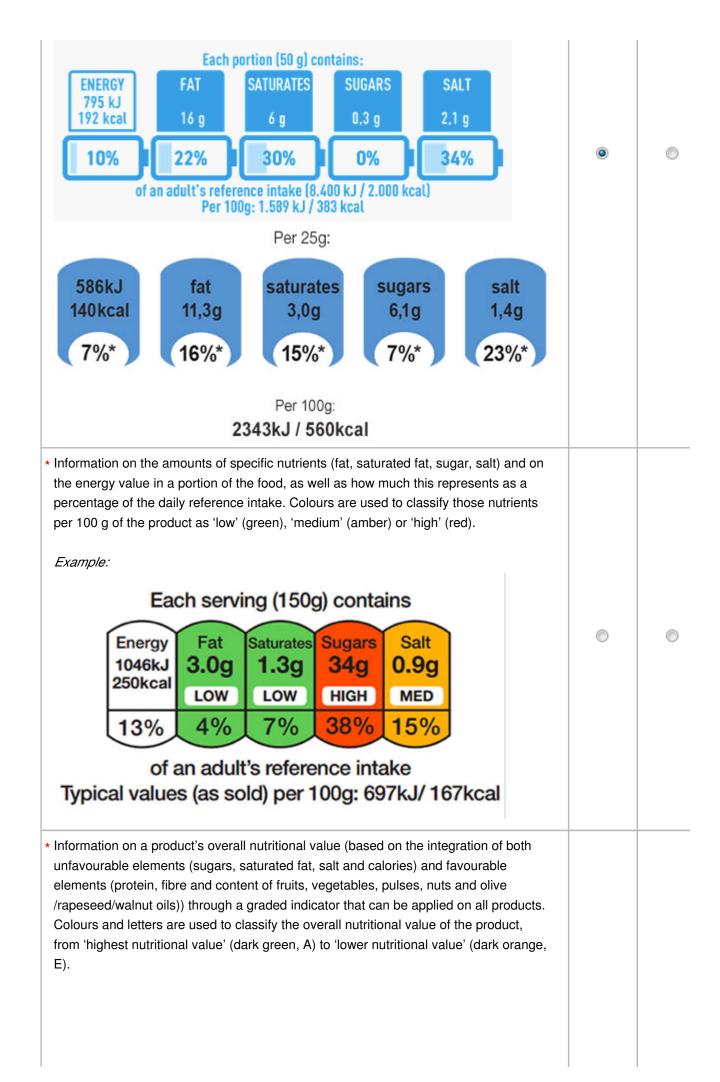
**Question 2:** In your opinion, how likely is each of the following options to encourage consumers to change their food purchasing behaviour?

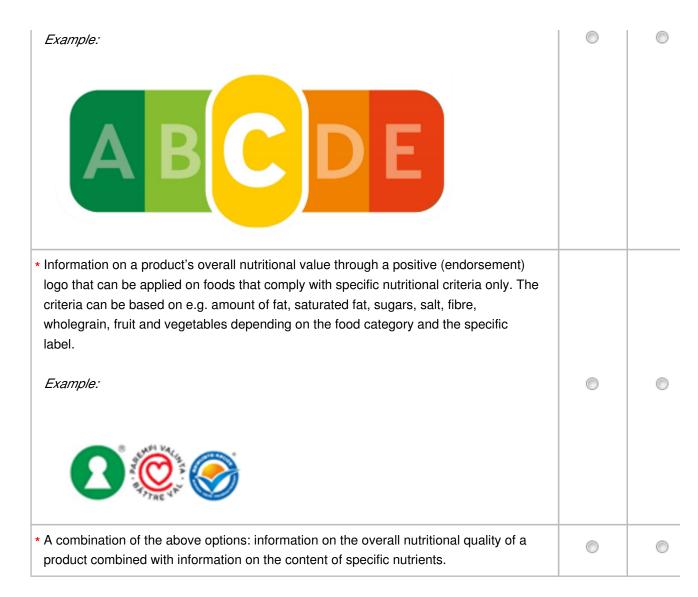


Information on a product's overall nutritional value (based on the integration of both unfavourable elements (sugars, saturated fat, salt and calories) and favourable elements (protein, fibre and content of fruits, vegetables, pulses, nuts and olive /rapeseed/walnut oils)) through a graded indicator that can be applied on all products. Colours and letters are used to classify the overall nutritional value of the product, from 'highest nutritional value' (dark green, A) to 'lower nutritional value' (dark orange, E).		
Example:	0	0
ABCDE		
<ul> <li>Information on a product's overall nutritional value through a positive (endorsement) logo that can be applied on foods that comply with specific nutritional criteria only. The criteria can be based on e.g. amount of fat, saturated fat, sugars, salt, fibre, wholegrain, fruit and vegetables depending on the food category and the specific label.</li> <li><i>Example:</i></li> </ul>	©	©
* A combination of the above options: information on the overall nutritional quality of a product combined with information on the content of specific nutrients.	0	0

**Question 3:** In your opinion, how likely is each of the following options to encourage businesses to improve the nutritional aspects of their products?

	1 - Very unlikely	2 - Unlikel
* Information on the amounts of specific nutrients (fat, saturated fat, sugars, salt) and on the energy value in a portion of the food, as well as how much this represents as a percentage of the daily reference intake.		
Example:		





**Question 4:** If EU rules meant that food product manufacturers could only make health and nutrition claims on foods that met defined nutritional criteria, how likely is the following?

	Very unlikely	Unlikely	Neutral	Likely	Very likely
* Food businesses whose products <b>were bearing</b> <b>claims</b> before the new criteria were introduced, but whose products do not meet the new criteria, will change the recipe of their products to make them healthier so that they <b>may keep</b> health and nutrition claims on their products.	0	0	۲	0	0
* Food businesses whose products <b>were not</b> <b>bearing claims</b> before the new criteria were introduced, and whose products do not meet the new criteria, will change the recipe of their products to make them healthier so that they <b>may add</b> health and nutrition claims to their products.	0	©	۲	©	0

**Question 5:** If you would like to raise other issues pertinent to the issues of front of pack nutrition labelling and the setting of nutrient profiling criteria to restrict claims, please provide details below.

1000 character(s) maximum

If you wish to provide additional information relevant to front of pack nutrition labelling and the setting of nutrient profiling criteria to restrict claims (for example a position paper or evidence report) or raise specific points not covered by this questionnaire, you can upload your additional document here. The maximum file size is 1 MB. Provision of a document is optional and serves as additional background reading to help us understand your position better.

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

f529831c-905d-4b08-ad52-99d7085df25b/EHN\_comments\_on\_front\_of\_pack\_labelling\_March\_2022\_final. pdf

# Alcoholic beverage labelling

While the FIC Regulation provides that prepacked foods have to bear a list of ingredients and a nutrition declaration on labels, it currently exempts alcoholic beverages containing more than 1.2% by volume of alcohol from this.

The forthcoming revision of the Common Market Organisation (CMO) Regulation should lead to the introduction of rules governing the labelling of wine ingredients and nutrition declaration. These rules might be further amended through the proposed revision of the FIC Regulation. The same applies to aromatized wine products regulated by Regulation (EU) No 251/2014 which is also under review in the framework of the Common Agricultural Policy (CAP) Reform.

Under the FIC revision, the Commission is considering revoking the current exemption applicable to alcoholic beverages containing more than 1.2% by volume of alcohol and requiring them to include a list of ingredients and a nutrition declaration (i.e. table providing energy, protein, fat, saturated fat, carbohydrates, sugars and salt).

#### Question 6: To what extent do you agree with the following statements:

	1 - Strongly disagree	2 - Disagree	3 - Neutral	4 - Agree	5 - Strongly agree	Don't know
* A list of ingredients and nutritional information should be provided to consumers for alcoholic beverages as is the case for other foods and beverages.	O	O	0	0	۲	0

<ul> <li>The type of information provided to consumers should be the same for all categories of alcoholic beverages (e.g. beers, wines, spirit drinks,).</li> </ul>	©	O	0	0	۲	٢
<ul> <li>Consumers should have access to the same information for alcoholic beverages across the whole EU.</li> </ul>	0	0	0	0	۲	O
* Food businesses should be subject to the same labelling rules for alcoholic beverages across the whole EU.	0	0	0	0	۲	0
* Food business operators voluntarily provide sufficient information to consumers on the ingredients of alcoholic beverages.	۲	0	0	0	0	0
* Food business operators voluntarily provide sufficient information to consumers on the nutritional content of alcoholic beverages.	۲	0	0	0	0	۲
* Food business operators voluntarily provide sufficient information to consumers on the energy value of alcoholic beverages.	۲	0	٢	0	0	۲

Information on alcoholic beverage ingredients and nutritional content could be provided 'on label' or 'off label'. If provided 'off label' then a QR code would be included 'on label'. The QR code would take the consumer to a website where they can access the list of ingredients and information on nutritional content.

**Question 7:** How do you think the information on nutritional content and ingredients should be provided to consumers? Please select one option for each information type.

	On-label	Off label accessed via a QR code	No need for such information	No opinion
* Full nutrition declaration (energy value, fat, saturates, carbohydrate, sugars, protein and salt)	۲		O	
*				

Nutrition declaration only on energy value (Kcal/KJ)	۲	0	0	©
* List of ingredients	۲	0	0	0

**Question 8:** If the list of ingredients and the nutrition declaration were provided to consumers off label, accessed using a QR code provided on the label, to what extent do you agree with the following statements:

	1 - Strongly disagree	2 - Disagree	3 - Neutral	4 - Agree	5 - Strongly agree	Don't know
* Consumers have the equipment (mobile phone and internet connection) to access the off- label information through the QR code when buying alcoholic beverages.	۲	©	۲	O	۲	O
<ul> <li>Consumers</li> <li>will make use</li> <li>of the off-label</li> <li>information</li> <li>when buying</li> <li>alcoholic</li> <li>beverages.</li> </ul>	۲	0	O	O	0	0
* Consumers pay the same attention to the nutritional declaration and the list of ingredients when they are provided on the label or when it is provided through a QR code.	۲	۲	۲	O	٢	

* The provision of information on the nutritional declaration and the list of ingredients via a QR code, redirecting to a website, is as reliable as the provision of the same information on labels.	۲	۲	©	©	٢	٢	
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# Question 9: If you would like to raise other issues pertinent to the issues of alcoholic beverage labelling, please provide details below.

#### 1000 character(s) maximum

Although a consistent feature of the Mediterranean diet has been a small amount of regular alcohol, there is no evidence that the health benefits of this dietary pattern are due to alcohol. High alcohol consumption increases the risk of CVD by raising blood pressure and blood levels of triglycerides. Consumption of three or more alcoholic drinks per day (10gr of alcohol/drink) is associated with increased CVD risk. Two drinks for a man and one drink for a woman should therefore be absolute maximum levels of daily consumption (and less is better). EHN recommends to introduce mandatory, front-of-pack energy labelling and to have a mandatory ingredients list on the alcohol products themselves. QR codes lead to unequal access or motivation to access information. All consumers should have access to the same type of information. Basic information (amount of alcohol, energy and ingredients list) should be provided on label on the product itself, complemented if needed by a QR code.

If you wish to provide additional information relevant to alcoholic beverage labelling (for example a position paper or evidence report) or raise specific points not covered by this questionnaire, you can upload your additional document here. The maximum file size is 1 MB. Provision of a document is optional and serves as additional background reading to help us understand your position better.

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

## Additional contributions

If you would like to raise other issues pertinent to the topics covered in this consultation, please provide details below.

3000 character(s) maximum

If you wish to provide additional information (for example a position paper or evidence document) or raise specific points not covered by this questionnaire, you can upload your additional document here. The maximum file size is 1 MB. Provision of a document is optional and serves as additional background reading to help us understand your position better.

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

Contact SANTE-FIC-REVISION@ec.europa.eu