



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 11 February 2011

**5964/11
ADD 1**

**Interinstitutional File:
2008/0028 (COD)**

**CODEC 143
DENLEG 17
SAN 13
CONSOM 5**

ADDENDUM TO "I/A" ITEM NOTE

from: General Secretariat of the Council
to: COREPER/COUNCIL

Objet : Proposal for a Regulation of the European Parliament and of the Council on the provision of food information to consumers (**first reading**) (LA+S)
– Adoption of
(a) the Council's position
(b) the statement of the Council's reasons
- Statements

**Statement by Germany, Denmark, Spain, the Netherlands and Sweden
on Country of Origin**

"Germany, Denmark, Spain, the Netherlands and Sweden can accept the proposal on the Regulation of Food Information to Consumers for political agreement. However, the envisaged mandatory labelling of origin of meat is deemed to be very problematic for the following reasons:

An introduction of mandatory labelling on the country of origin/place of provenance could disturb the functioning of the single market.

The far-reaching provision of the envisaged labelling of origin of meat should be based on a thorough cost/benefit analysis. Regrettably no impact assessment of the proposed mandatory labelling has been conducted. The provisions of this Regulation would rather create discrimination between sectors by imposing mandatory labelling on meat without prior analysis, whereas other products will be thoroughly examined before a possible extension of those mandatory provisions. A mere transfer of the concept of beef labelling to other types of meat does not appear justifiable.

No scientifically and sound consumer survey ascertains the extent to which consumers actually need this information, and what additional costs consumers are prepared to pay for it. The experiences with the labelling of beef rather raise doubts whether consumers actually request this information.

Work is ongoing on European Union and national level to reduce the administrative burden for businesses with the set target of 25% reduction by 2012. It is therefore of utmost importance that the implementation of provisions keeps the administrative burden on companies, in particular small and medium-sized ones, to a minimum and that costs are proportionate to the benefit.

Against this background Germany, Denmark, Spain, the Netherlands and Sweden believe that the possibility of introducing mandatory labelling of origin should be reserved to specific and justified cases only."

**Statement by Austria, France, Greece, Italy and Portugal
on Country of Origin**

"According to the current legal framework, the indication of origin is mandatory for beef and beef products, fruits and vegetables, fish, olive oil and honey. It is voluntary for other agricultural products, except where failure to provide the indication might mislead the consumer as to the true origin or provenance of a food.

There is a strong demand from consumers to have more information on the country of origin or the place of provenance of food products, especially for non processed products and primary ingredients of processed products, and to be ensured that the indication of origin is provided in a manner that is not misleading.

Austria, France, Greece, Italy and Portugal deem it necessary to take into account consumers' demands for more origin labelling. These Member States recognize that the additional declaration of origin for fresh, chilled or frozen meat of swine, sheep and goat and poultry, as provided for in the Council first reading position, is a positive step.

However, they regret that the origin labelling for other types of products whose importance has been continuously stressed during the first reading could not be retained. These Member States expect that the discussion on origin labelling will continue in the context of the second reading."

Statement by Italy and Spain on additional forms of expression and presentation

"Italy and Spain strongly believe that the possibility of the employment of additional forms of expression and presentation in the nutritional labeling, as proposed in the draft Regulation, is problematic and does not entail better information of consumers.

The coexistence of different forms of expression and presentation without an harmonized basis will promote the existence in the market of foodstuffs whose labeling will include different type of information difficult to understand by consumers.

Advertising campaigns – intended to improve the knowledge of graphical forms and symbols employed under these new forms of expression and presentation – that will be developed in countries where these alternative models will be implemented, will not be available for consumers in other Member States.

In addition we would like to highlight the difficulties when trying to export nutritional policies from one country to other, due to different eating habits in Member States.

Furthermore, additional forms of expression and presentation pose the risk of a fracture of internal market with consequences on competition. Finally, the current proposal implies more administrative burdens for Member States and impedes progress to an homogeneous internal market.

Taking into account these reasons, Italy and Spain would have preferred the harmonization of these issues as the only mechanism to achieve a high level of consumers' information and a smooth functioning of the internal market."

Statement by the European Commission

"In a spirit of compromise, the Commission will not stand against a qualified majority vote in favour of the Presidency text although there are remaining concerns given that the Presidency text contains some elements departing from the Commission's proposal and some legal elements to be revised in line with the Treaty on the Functioning of the European Union. Furthermore, the Council has not considered the EP first reading opinion and consequently the EP amendments that the Commission had indicated it could accepted are not covered by the Presidency text.

In particular, the Commission regrets to see that the Council has opted for deleting the "front-of-pack" nutrition declaration. The Commission considers that this is weakening the benefits that the consumers could get from the mandatory nutrition declaration and is convinced of the benefits that front-of-pack labelling would bring to consumers by allowing them to readily see the nutrition information when purchasing foods."