

## **PK ČR position on the further discussion concerning to the Commission proposal for a Regulation on the provision of food information to consumers (May – June 2011)**

PK ČR welcomes the Commission proposal for a Regulation on the provision of food information to consumers and believes the harmonisation of food labelling legislation across the EU is the best way to ensure a smooth functioning of the internal market and the free circulation of goods, while taking into account the interests of producers and enabling consumers to make informed choices.

PK ČR is following with considerable interest the ongoing inter-institutional negotiations on the proposal, which will inevitable have an impact on food business. In this respect, PK ČR hereby would like to request your support on the key issues that are of concern to us:

### **1) Mandatory font size and exemption for smaller packs**

PK ČR understands the Council and the EP are likely to agree on a mandatory minimum font size of 1.2 mm for all mandatory information on pack. This is clearly an improvement compared to the 3 mm originally proposed by the Commission. However, the proposed 1.2 mm will remain a considerable challenge for food business as there is a significant number of products in very small packages. In certain cases, it would simply be impossible to include all the mandatory information on labels, particularly in multilingual labels, which would lead to the unavoidable increase of package sizes (e.g. small chewing gum packs).

**PK ČR would therefore request your support to allow the following exemptions for smaller packs:**

- Packages the largest printable surface of which has an area of 80 cm<sup>2</sup> or more would have to indicate all mandatory information in a minimum font size of 1.2 mm;
- Packages the largest printable surface of which has an area between 60 (or at least 40) cm<sup>2</sup> and 80 cm<sup>2</sup> would have to indicate all mandatory information in a minimum font size of 0.9 mm;
- Packages the largest printable surface of which has an area of less than 60 (or at least 40) cm<sup>2</sup> would be exempt from any mandatory minimum font size.

The EP also adopted an amendment to Article 16 ‘omission of certain mandatory particulars’ which would exempt packaging below 80cm<sup>2</sup> from listing certain mandatory particulars (ingredients list, nutrition declaration, name and address of food producer, etc.). PK ČR supports this amendment as the amount of information that is required on pack is also a challenge in small packaging, which can be further aggravated when combined with a mandatory minimum font size to display that information. **PK ČR would urge the Council to consider the EP’s amendment and agree on an acceptable compromise between the two institutions’ positions (10 cm<sup>2</sup> v. 80cm<sup>2</sup>).**

### **2) Proposed warning statement for products containing aspartame**

The Environment Committee of the European Parliament (EP) adopted on 19 April an amendment requiring that products containing aspartame would need to include the following statement on their labels: “*Contains aspartame (a source of phenylalanine;*

*might be unsuitable for pregnant women)*”. Czech food industry has always supported regulation based on independent scientific risk assessment. The European Food Safety Authority (EFSA) has repeatedly confirmed the safety of aspartame. On 28 February 2011, EFSA reiterated that there was no scientific evidence justifying the re-evaluation of previous opinions on aspartame or to revise its Acceptable Daily Intake (ADI).

PK ČR considers that the proposed warning statement is inappropriate and potentially misleading for consumers, as it implies that aspartame may be unsafe. **PK ČR therefore strongly support the current Council position to oppose this amendment.**

### **3) Country of origin labelling**

Food companies which manufacture certain composite products in large volumes, must ensure a steady supply of ingredients and raw materials. As a consequence, it is sometimes necessary to source ingredients from different origins depending on availability, market price, unexpected shortages, etc. Any decision to enforce mandatory origin labelling for foods in general, and particularly for composite food products, would cause severe difficulties for manufacturers as it is not feasible to change the label of a composite product each time the origin of one of its ingredients is sourced from a different country. It is unrealistic to modify food product labels every time an ingredient is sourced from a different origin. Therefore, **PK ČR supports maintaining the existing legal framework for origin labelling: information on origin must be provided when the absence of such information may mislead the consumer as to the true origin of the food.**

### **4) Additional restrictions for reduction claims**

The EP adopted an amendment to Article 7, paragraph 1, that would prohibit reduction claims where the reduction of a nutrient is not accompanied by a corresponding reduction of energy. PK ČR believes this amendment is counterproductive as it would prevent food producers from communicating to consumers the results of the reformulating programmes. For example, a significant reduction of certain saturated fatty acids through their replacement with healthier fats such as monounsaturated or polyunsaturated fatty acids will not result in a reduction in the energy content although such replacement is clearly beneficial for health and is being promoted by public health authorities (WHO, EU Platform on Diet, national health and nutrition plans). The provisions on reduction claims laid down in Regulation 1924/2006/EC on nutrition and health claims are appropriate and sufficient.

PK ČR considers this additional restriction is unnecessary and would remove an important incentive for industry to proceed with its reduction efforts: the possibility to communicate on the improved recipe through reduction claims on pack. **PK ČR would therefore urge the Council to oppose this amendment.**