

Factual summary report of the online public consultation in support of the revision of the Food Information to Consumers regulation

This summary of the contributions received to the Open Public Consultation (OPC) cannot in any circumstance be regarded as the official position of the Commission and its services. Contributions to the OPC cannot be interpreted as representative of European or national populations or population sub-groups or stakeholder types, as they employ non-probability sampling.

1 Introduction

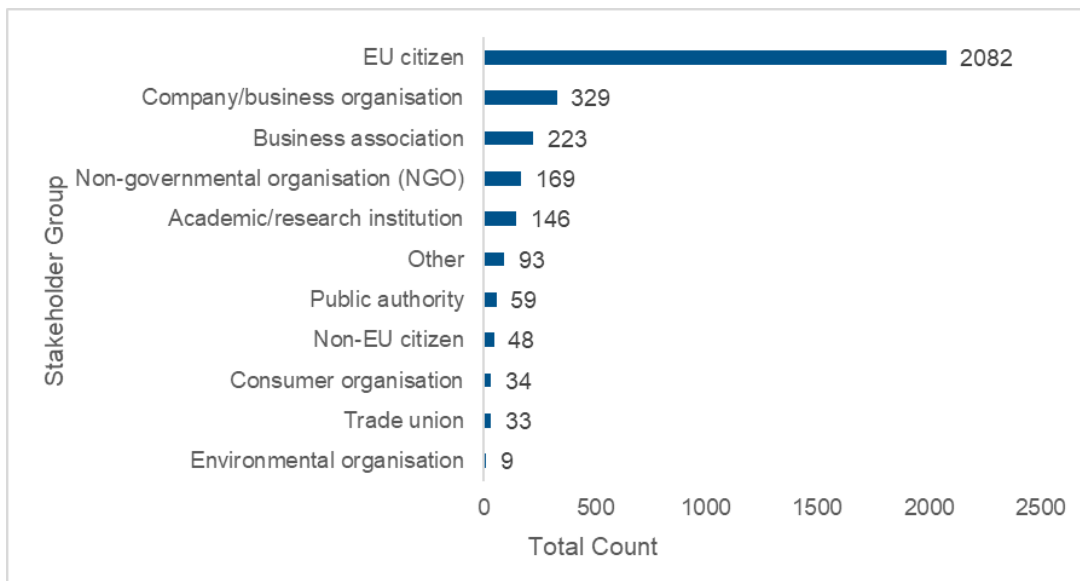
The European Commission launched an Online Public Consultation (OPC) on the proposed revision of the Food Information to Consumers (FIC) Regulation (EU) No 1169/2011 on 13 December 2021 for a period of 12 weeks, in accordance with the Better Regulation Guidelines. The OPC closed on 7 March 2022.

The consultation sought the views of stakeholders on proposals for the revision of the FIC Regulation across four Initiatives: Front of pack nutrition labelling (FOPNL) and setting nutrient profiling criteria for restricting claims on foods (NP), alcoholic beverage labelling, origin labelling, and date marking. This report provides a factual summary of responses.

2 Overview of respondents

A total of 3,225 responses were received. Responses from EU citizens represented 65% of all responses (n=2,082), followed by company/business organisations (10%, n=329), business associations (7%, n=223), NGOs (5%, n=169) and academics (5%, n=146). 95% of respondents were located in EU Member States. France has the highest representation with 37% (n=1,198), followed by Germany (13%), Spain (9%) and Italy (8%). Public authority responses from 17 Member States were received.

Figure 1. Responses disaggregated by stakeholder group



Questions were asked for each of the four initiatives. Total responses to each were:

- FOPNL/NP: 2,793
- Alcoholic beverages: 1,806
- Origin labelling: 2,296
- Date marking: 1,903

Three potential campaigns were identified. Following detailed review of the data, no adjustments were made and the full sample of 3,225 was retained for analysis.

3 FOPNL/NP results

3.1 Problems and objectives

Respondents were asked for the extent to which they agree or disagree with nine statements concerning the problems that the Initiative is seeking to address and objectives it is seeking to fulfil. For all statements a majority of respondents agreed (responded 'Strongly agree' or 'Agree').

Overall (and across all stakeholder groups), the highest level of agreement ('Strongly agree' or 'Agree') was with three statements related to harmonisation and the internal market: *"Food businesses should be subject to the same rules on front-of-pack nutritional labelling across the whole EU"* (87%), *"Nutrition information on the front-of-pack should be consistent with dietary guidelines"* (85%), and *"Consumers should have access to the same front-of-pack nutrition label across the whole EU"* (85%). Agreement was lower (66% to 75%) with the other six statements concerning the potential effects of FOPNL on improving dietary habits, consumers' attention and purchasing decisions, and business reformulation incentives – particularly amongst business association (16% to 35%), company/business organisations (34% to 49%) and trade unions (6% to 33%).

3.2 Effect of policy options on consumer food purchasing behaviour and business action to improve nutritional aspects of products

Respondents were asked how likely it is that specific labelling options will encourage (i) consumers to change their food purchasing behaviour, and (ii) businesses to improve the nutritional aspects of their products. For each option, respondents opinions were mixed.

The option to provide *"Information on a product's overall nutritional value through a graded indicator"* was considered by multiple stakeholder groups the most likely ('Very likely' or 'Likely') to encourage changes in food purchasing behaviour / business action: academic/research institutions (83%/80%), consumer organisations (72%/78%), citizens (69%/63%) NGOs (54%/48%) and public authorities (62%/61%).

Business-orientated respondents considered other options were more likely to encourage such behaviour. Regarding purchasing behaviour, business/company organisation respondents selected the positive endorsement logo (72%) and a combination of options (75%) as the most likely ('Very likely' or 'Likely') to encourage changes in purchasing behaviour. Amongst business association / trade union respondents more respondents thought all of the options were unlikely rather than likely to encourage such changes. Across all three business-oriented groups, more respondents thought the options were unlikely rather than likely to encourage change in business action.

3.3 Placing of claims on food products

Respondents were asked how likely claims placed on food products were, if EU rules meant that food product manufacturers could only make health and nutrition claims on foods that met defined nutritional criteria.

A majority of respondents (59%) selected that it was 'Very likely' or 'Likely' that *"food businesses whose products were bearing claims 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 may keep health and nutrition claims on their products."* Fewer respondents (42%) selected that it was 'Very likely' or 'Likely' that *"food businesses whose products were not bearing claims 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 may add health and nutrition claims to their products.”.

4 Alcoholic beverage labelling results

4.1 Problems and objectives

Respondents were asked for the extent to which they agree or disagree with seven statements concerning the problems that the Initiative is seeking to address and objectives it is seeking to fulfil.

Overall, a majority of respondents (between 67% and 94%), and this was the case for each stakeholder group, selected ‘Strongly agree’ or ‘Agree’ with four of the statements: *“A list of ingredients and nutritional information should be provided to consumers for alcoholic beverages as is the case for other foods and beverages”* ; *“The type of information provided to consumers should be the same for all categories of alcoholic beverages (e.g. beers, wines, spirit drinks,...)”*; *“Consumers should have access to the same information for alcoholic beverages across the whole EU”*; *“Food businesses should be subject to the same labelling rules for alcoholic beverages across the whole EU”*.

Overall, a majority of respondents (between 63% and 67%) selected ‘Strongly disagree’ or ‘Disagree’ with three of the statements: *“Food business operators voluntarily provide sufficient information to consumers on the ingredients of alcoholic beverages”*; *“Food business operators voluntarily provide sufficient information to consumers on the nutritional content of alcoholic beverages”*; *“Food business operators voluntarily provide sufficient information to consumers on the energy value of alcoholic beverages”*. The exception to this overall response pattern was amongst business association, company/business organisation, and trade union respondents, for whom more respondents agreed than disagreed with these statements.

4.2 How nutritional content and ingredients information should be provided to consumers

Respondents were asked whether information should be provided to consumers *“On-Label”* or *“Off-Label accessed via a QR code”*. They were asked for three different types of information: full nutrition declaration, nutrition declaration on energy value only, and list of ingredients.

Overall, ‘On-label’ provision was the preferred option for each of the type of information (77% for full nutrition declaration, 71% for energy value only, and 75% for list of ingredients); with support for such provision (over 90%) particularly high amongst academic/research institute and consumer organisation respondents. For business association and trade union respondents ‘Off-label’ was the preferred option for the full nutrition declaration / list of ingredients (respectively 34%/38% and 63%/70%) but no preferred option emerged for the energy value only. Amongst companies, ‘no need’ was the most common response for the full nutrition declaration (41%), while on-label was the most common response for the energy value only (44%) and no preferred option emerged for the list of ingredients.

4.3 Consumer responses to off-label information provision

Respondents were asked for the extent to which they agree or disagree with four statements that consumers have the equipment to access, will make use of, pay attention to and consider reliable the list of ingredients and the nutrition declaration if it were provided to consumers off-label, accessed using a QR code provided on the label.

Overall, a majority (between 54% and 93%) of respondents selected ‘Strongly disagree’ or ‘Disagree’ with all statements. This position was strongest for consumer group respondents (86% to 93% disagreed). The highest level of overall disagreement (76%) was with the statement that *“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”*. In contrast to the overall view, a majority (between 64% and

85%) of business association and trade union respondents selected 'Agree' or 'Strongly agree' with each of the four statements.

5 Origin labelling results

5.1 Consumer demand for origin labelling

The vast majority (93%) of respondents stated that they *"believe consumers want to know the origin of more food"*. Respondents were asked to select from a list the reasons why consumers want to know the origin of more food. Three reasons had very high, and similar selection rates: *"Because they wish to support producers or the Economy of a region"* (87%), *"To be able to make an Informed Choice"* (86%), and *"Because they consider it is an indicator for the environmental impact of a food product"* (80%).

5.2 Problems and objectives

Respondents were asked for their views on eight positive statements that reflect on the problems the initiative is seeking to address and the specific objectives of the initiative. Overall, a majority of respondents selected 'Agree' or 'Strongly agree' that consumers *"take into consideration the origin of their food when making purchasing choices"* (80%), *"should be able to better identify the origin of certain foods and ingredients"* (89%), and *"have access to the same origin labelling information across the EU"* (91%).

Overall a majority of respondents across nearly all stakeholder groups (in particular academic/research institutes and consumer groups) disagreed with the two statements regarding voluntary provision of information on origin: 68% selected 'Disagree' or 'Strongly disagree' that *"sufficient information is voluntarily provided to consumers on the origin of food"* and 91% that *"providing information on the origin of food should be voluntary and left to the choice of the food business operators"*. The main exception was amongst business association respondents, for whom agreement with these two statements was the dominant opinion (53% and 50%).

5.3 The importance of mandatory provision of origin information by product group

Respondents were asked, for each of the food product groups being considered for origin labelling under the FIC revision, how important they think it is to provide mandatory origin indications. The products considered were: milk, milk in dairy products, meat as the primary ingredient of processed foods, rabbit and game meat, rice, durum wheat used in pasta, potatoes, and tomato in tomato products.

Across all product groups a majority (between 73% and 88%) of respondents selected provision of mandatory origin indications as 'Very important' or 'Important'. The importance of mandatory provision was particularly strong amongst consumer organisation respondents (between 90% and 97% across the product groups) and weakest amongst business association respondents (between 30% and 41% across the product groups).

5.4 The geographic level at which origin information should be provided, by product group

Respondents were asked, for each of the food product groups being considered for origin labelling under the FIC revision, to select the geographic level that they think information on origin should be provided at. The geographic level response options for each product category were: *"Regional level"* (a region could be within a single country or span across multiple countries), *"Country level"*, *"EU" – "non-EU" level*, *"No origin indication"*, *"Don't know"*.

For nearly all product groups *"Country Level"* was the most selected option, with only *"Milk"* having *"Regional"* level as the most selected response. This response pattern was followed by most stakeholder groups (e.g. academic/research institutions, consumer groups) but not all stakeholder groups. For

example, amongst business associations, the most common response across all the food products (except milk) was “Don’t know”.

5.5 The stages in the production process for which origin information should be provided, by product group

Respondents were asked, for each food product group, to select for what stage of the production process information on origin should be provided. The specification of the production process stages varied across each product group.

For rice, durum wheat, tomatoes and potatoes the predominant response was “*Place of Harvest*”, for milk and milk in dairy the most selected option was “*Place of Milking*”, while for meat and rabbit/game meat the most selected option was “*Place of rearing*” and “*Place of hunting/slaughtering*”.

6 Date marking results

6.1 Determinants of consumer discarding decisions

Respondents were asked for the extent to which they think consumer decisions to consume or discard food products are determined by different factors. “*Consumers’ understanding of date marking*” had the highest ratio of ‘Strong impact’ and ‘Moderate impact’ responses (92%), followed by “*Whether the date marking is sufficiently prominent and easy to read on the packaging*” (82%).

6.2 Consumer understanding and information provision

Respondents were asked for the extent to which they agree or disagree with five statements on consumer understanding and information provision.

A majority of respondents, across nearly all stakeholder groups, agreed (65% ‘Strongly agree’ or ‘Agree’) that “*consumers understand that the ‘use by’ date indicates the date until when a food is safe for consumption*”. The exception were consumer group respondents (27% ‘Strongly agree’ or ‘Agree’). A minority, across all stakeholder groups, agreed (32% selected ‘Strongly agree’ or ‘Agree’ vs 50% ‘Strongly disagree’ or ‘Disagree’) that “*Consumers understand that the ‘best before’ date indicates the date until which the food remains of its optimal quality, when properly stored*”. A majority of respondents, across all stakeholder groups, agreed (90% selected ‘Strongly agree’ or ‘Agree’) that “*Consumers should continue to receive uniform date marking information across the whole EU*” and “*Food businesses should continue to be subject to uniform date marking rules across the whole EU*”.

6.3 Effect of policy options on consumer discarding decisions

Respondents were asked about the extent to which they agreed or disagreed that four different potential changes to date marking provision would affect consumer discard decisions or understanding. Agreement was highest (70% of respondents ‘Strongly agree’ or ‘Agree’) that “*Consumers would understand date marking better if the way of expressing the ‘best before’ and ‘use by’ date on products was improved in terms of terminology, format and/or visual presentation*”, whilst agreement was lowest (17% of respondents) that “*Consumers would waste less food if a date of production was provided on the product instead of a ‘best before’ date*”.

6.4 Application of date marking by food businesses

Respondents were asked about the extent to which they agreed or disagreed with three statements regarding the application of date marking.

A majority of respondents agreed (‘Strongly agree’ or ‘Agree’) that “*Best before’ dates are essential to ensure that products are consumed when they are in their optimal quality*” (54%), and that “*Where a food product is not required to bear a date marking it is better if a ‘best before’ date is not provided on a voluntary basis to avoid food waste*” (68%).