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NOTE

From:	General Secretariat of the Council
To:	Delegations
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Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Directives 2001/110/EC relating to honey, 2001/112/EC relating to fruit juices and certain similar products intended for human consumption, 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption, and 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption - Comments from the Cyprus delegation

Delegations will find attached the Cyprus delegation's comments and replies in response to the request from the Presidency sent on 20 December 2023, and that can be found in document 16745/23.

Comments from the Cyprus delegation**1. HONEY**

1.1 What is the opinion of the Member States on the introduction of a traceability system that requires Member States to trace back the entire supply chain of a given honey to beekeepers or harvesting operators in the case of imported honey (AM 21, 56)?

Such a requirement would be helpful in combating food fraud. This theme must however be discussed on a broader basis, as probably not only DG Agriculture but also DG Sante would be involved. In Cyprus the practice of honey bottling as regards hygiene and the Honey Directive is covered by the Public & Environmental Health Services of the Ministry of Health, whereas the practice of beekeeping (including use of antibiotics) is covered by the Ministry of Agriculture, Rural Development and Environment.

1.2 What is the opinion of the Member States on the proposed change of the definition of honey, in particular to exclude ultrafiltration, artificial evaporation and vacuum evaporation as allowed techniques and to introduce a new type of honey, namely ‘unheated honey’ (AM 19, 20, 26, 27, 29, 30, 31, 32, 67)?

Cyprus believes that ultrafiltration, artificial evaporation and vacuum evaporation should be excluded from the allowed techniques. Cyprus agrees that “filtered honey” should be excluded from the product descriptions in Annex I, point 2, of the Honey Directive 2001/110/EC and therefore supports amendment 29.

Cyprus agrees with the introduction of a new type of honey, namely ‘unheated honey’. The absence of a definition for such honey has created problems for Cyprus, since products with this description have appeared on the Cyprus market since several years ago. The introduction of a measurable criterion, i.e. invertase index and a minimum value for this index, will make the control of such products much more objective. We have however a small reservation whether the proposed qualifications for unheated honey are sufficient for the best practice and therefore would highly appreciate if this matter could be explained and discussed as broadly as possible.

As regards amendment 30, whereby essentially “raw honey” and “virgin honey” are given the same status as “unheated honey” we express some doubt whether this is the best approach. In Cyprus,

during the past several years the national approach was to allow these descriptions only if the honey had not been handled/treated at all after drained or extracted from broodless combs, not even for the removal of bits and pieces of honey wings etc. We would appreciate if the use of the terms “raw honey” and “virgin honey” were further examined and discussed, including possibly the introduction of a requirement that only comb honey (combs filled by the bees themselves and not artificially by humans) may be described as “raw honey” or “virgin honey”.

2. FRUIT JUICE

2.1 What is the opinion of the Member States on the proposal to introduce origin labelling for fruit in fruit juices (main AM 33)?

Cyprus is in favour of this amendment, as it is useful information for the consumer. However it must be noted that at the same time the average consumer does not realise the precise legal meaning of the term “country of origin”. The fruits may be harvested in a country outside the EU and be transformed to concentrated juice and then be imported by an EU Member State as bulk concentrated juice and reconstituted in that Member State in order to manufacture “Juice from juice concentrate” and thus the “country of origin” becomes the Member State and is not anymore the country outside the EU. This is common practice for the producers of even for example orange juice from orange juice concentrate in Cyprus, even though Cyprus produces a lot of oranges.

We believe that the implications of this proposal need to be studied in depth before any decision is made. We would also like to propose the examination of an additional part to your proposal: that in the case where the country of origin is not the same as the country of harvest of the fruits, this should be indicated on the label. This could, on geographical level, be either at the country level or just at the EU – non-EU level with an indication such as “country of harvest outside the EU”. So, there is an option¹ that the requirement applies in all cases, or an option² that it only applies if the country of harvest is outside the EU.

2.2 What is the opinion of Member States on the proposal to restrict claims for reduced-sugar fruit juices and to prohibit any comparative claims for those products in comparison with the fruits they originate from or ‘normal’ fruit juices (AM 36)?

Cyprus supports this proposal, because comparative claims would result in unjustified discrimination of “normal” fruit juices.

2.3 What is the opinion, in principle, of the Member States on the proposal to subordinate the creation of the new categories of reduced-sugar fruit juices to the adoption of criteria better defining the essential physical, chemical, organoleptic and nutritional characteristics of an average type of juice (AM 37, 38)?

Cyprus supports this proposal, not only because it will more clearly distinguish the already described juice categories from the new categories, but also because it would be very useful when examining possible cases of food fraud related to fruit juices. Cyprus had a recent case of possible food fraud regarding tomato juice and pineapple juice and the lack of legal definitions for such characteristics were an impediment for the more thorough examination of the case. Such definitions are also absent in the Codex alimentarius standards, although there is a significant amount of scientific literature regarding the whole matter. Also, whereas there is general praise of the guidance offered by the AIJN - European Fruit Juice Association, the codes of practice of this association concerning quality, authenticity and identity of fruit juices are available only to members-subscribers.

We would like to express some reservation on the use of the term “average type of juice”. This term is not fully understandable, and is possibly prone to misinterpretation.

3. JAM

3.1 What is the opinion of the Member States on the proposal to introduce origin labelling for fruits and sugar in jams (AM 39)?

Cyprus supports this proposal but expresses the same reservations as regards origin labelling of fruit juices (given in answer to question 2.1 above). As concerns the origin labelling of sugar used as an ingredient in jams, we have the opinion that this information is of much less value to the consumer, since only a small percentage of the world sugar production is produced in the EU (according to general statistics less than 10%). It might therefore be sufficient that as regards sugar the only information to be required be that describing if the sugar is of EU origin or is of Non-EU origin (or mix of EU and Non-EU origin).

4. Other

4.1 Are there any other issues Member States wish to express concerning the content of the mandate of the European Parliament?

Regarding amendment 3, Cyprus would like to stress that it is very important that the Commission establishes as soon as possible methods of analysis to ensure that honey marketed in the Union complies with the requirements of the legislation. These methods of analysis should cover both the verification of the country of origin and the possibility of adulteration of the honey.

Regarding amendment 6, Cyprus would like to express its support. However, Cyprus would also like to comment that although the new recital 3d, that will be introduced as a result of amendment 6, mentions that the term “heated honey” should appear on the label of honey heat treated above 40°C ($\pm 5^{\circ}\text{C}$), this requirement **has not been embodied or added to any of the articles of the Directive**.
