



Council of the
European Union

Brussels, 8 January 2024
(OR. en)

**Interinstitutional File:
2023/0105(COD)**

**16745/23
ADD 10**

LIMITE

**AGRI 822
AGRIORG 152
AGRILEG 349
FOOD 99
CODEC 2489
IA 365**

NOTE

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	8624/23 + ADD 1- ADD 4
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 Spanish delegation

Delegations will find attached the Spanish 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.

**Responses from Spain to the questions raised by the Belgian Presidency
regarding the main differences between the mandate of the Council and the
mandate of the Parliament**

Special Committee on Agriculture 8th January 2024

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)?

Spain is in favour of establishing a traceability system for honey.

Justification

There is a need for a traceability system to help determine the origin of honeys, both for honeys produced in the EU and for imported honeys. There is a risk of fraud and unfair competition when honeys of low economic value are introduced from third countries. The traceability system at European level would also make it possible to promote the European model of honey production.

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)?

Spain is in favour of improving the definition of honey.

Justification

Heat treatments, ultrafiltration and artificial evaporation and vacuum evaporation lead to a modification of the natural properties and would therefore no longer correspond to the definition of honey as laid down in the Directive.

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)?

Spain is in favour of including the origin of the fruit on the labelling of juices.

Justification

Spain, as a fruit-producing country, could benefit from this measure by encouraging the use of raw materials of European origin in the production of this type of product.

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)?

Spain is not in favour.

Justification

The restriction on reduced-sugar juices from making such claims is a comparative disadvantage compared to other food categories that are allowed to make such claims. It is necessary to improve the marketing of this type of product, which is restricted in its nutrition claims while other products (soft and alcohol-free drinks, are allowed to use them.

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)?

Spain is against.

Justification

It is in the general interest of both the industry and consumers, who are increasingly demanding products with a low sugar content, that this type of product can be placed on the market when this directive enters into force, without having to wait for the Commission to adopt delegated acts to define the physical, chemical, organoleptic and nutritional characteristics of these products. Furthermore, although the regulation envisages the possibility of establishing these criteria for the juice category, this has not been done, so it does not seem reasonable to do so only for some categories and not for others.

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)?

Spain is in favour of including the origin of the fruit on the labelling of fruit jams.

Justification

Spain, as a fruit-producing country, could benefit from this measure by encouraging the use of raw materials of European origin in the production of this type of product.

OTHER

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

Reduction in the transposition and implementation periods from 18 to 12, and from 24 to 18 months, respectively, and reduction of the stock-out period from 24 to 18 months from the entry into force of the Directive. (141, 42, 43)

Spain is against

Justification

Due to national legislative processes it is not possible to shorten transposition and implementation times.
