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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 Netherlands delegation

Delegations will find attached the Netherlands 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 of the Netherlands to the questions document 16745/23

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)?***

The Netherlands is positive about increasing transparency for consumers and food security. However, in terms of implementation, we are critical on the introduction of (an obligation for) a traceability system to trace back the entire supply chain of a given honey to beekeepers or harvesting operators from third countries. The Netherlands doubts if it would be feasible to introduce a traceability system at this moment. For individual importers in the EU, the costs involved to set up systems themselves for their imported honey will probably be very high. The costs involved should be assessed first before an obligation of this kind could be considered. The Netherlands attaches great importance to regulations that are verifiable, enforceable and without high compliance costs.

From a food safety perspective, the imported honey can already be traced back to the imported batch. Existing rules should provide sufficient protection.

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)?

The Netherlands is currently still studying the possible consequences of these amendments for the market.

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)?

The Netherlands is positive about increasing transparency for consumers. However, in terms of proportionality, we remain critical on the introduction of (an obligation for) indication of percentages by countries of origin. We attach great importance to regulations that are verifiable, enforceable and without high compliance costs.

Origin labelling is currently being discussed within the revision of the Food Information to Consumers Regulation (EU Vo 1169/2011). This discussion includes an Impact Assessment and analysing of costs and benefits of introduction of such measures, including the legal effects on the internal market and the effects on international trade. We would like to await these discussions and outcomes.

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)?

The current used (legal) name is already a claim. In this case this is just repetition?

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)?

The Netherlands is cautious regarding these proposals. Organoleptic characteristics of a juice are difficult to lay down in legislation. In addition, the proposal does not stimulate the reduced sugar category.

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)?

The Netherlands is positive about increasing transparency for consumers. However, in terms of proportionality, we remain critical on the introduction of (an obligation for) indication of percentages by countries of origin. We attach great importance to regulations that are verifiable, enforceable and without high compliance costs.

Origin labelling is currently being discussed within the revision of the Food Information to Consumers Regulation (EU Vo 1169/2011). This discussion includes an Impact Assessment and analysing of costs and benefits of introduction of such measures, including the legal effects on the internal market and the effects on international trade. We would like to await these discussions and outcomes.

4 OTHER

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

Concerning AM 61, The Netherlands is cautious regarding these proposals. The introduction of an EU reference laboratory does not seem feasible in the short term. It is unclear how such a laboratory should be set up, how this will be financed, what (harmonized) analytical methods would be used, etc.

Concerning amendments 17, 41, 42 and 43, The Netherlands is not in favour of a possible shortening of the transition period.