



Council of the
European Union

Brussels, 16 January 2024
(OR. en)

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

**16745/23
ADD 23**

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 Luxembourg delegation

Delegations will find attached the Luxembourg 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.

Written comments of the Luxembourg delegation on 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 administrative burden for national administrations and beekeepers would be significant especially if this approach is extended to other products. It would lead to a rise of the costs and the price of the product. Moreover it would be very difficult to verify information on traceability coming from third countries.

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)?

Luxembourg is in favor of obligatory labelling honey from which pollen has been eliminated by ultrafiltration as “honey intended for industrial purposes” and be treated in the same way as baker’s honey.

Artificial reduction of the water content is in our eyes prohibited in accordance to the 3rd subparagraph of annex II.

As far as the proposed “unheated honey” is concerned, we wonder if the new parameter, invertase, is not too sensitive and might cause problems in retail, where temperatures are not always well monitored. Would the proposed limit still apply in retail, or only at the end of processing and blending? In Luxembourg, we observed in the past that some honey that seemed to have naturally low invertase/saccharase values, without being able to identify a clear botanical origin responsible for these low values. Finally, the Gontarki method is not recommended according to German literature (ISBN: 978-3-9810012-8-0)

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)?

LU: Our artisanal apple juice producers use apples of Luxembourg origin and apples from the cross-border region. Generally small batches from individuals or farmers. It will be difficult for them to keep good traceability for the origin of the apples in each bottle. We suggest in our case, being able to indicate “may contain juice from apples from Germany, Belgium or France” or give a possibility of an exemption for small producers.

In general, we would prefer voluntary origin labelling for processed foods.

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)?

LU does not consider this provision necessary.

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 idea as such seems interesting but LU considers defining these criteria as challenging.

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)?

LU: In general, we would prefer voluntary origin labelling for processed foods.

There is no general obligation for origin labelling of sugar. How should producers implement the origin labelling for this ingredient?

4. OTHER

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

LU: We would like to reiterate our commitment to the existing legislation and particularly to Regulation 1169/2011. In general, we would prefer voluntary origin labelling for processed foods in order to keep the administrative cost for producers and administrations at a reasonable level.
