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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 - Outcome of the trilogue

Delegations find attached a short explanatory note on the outcome of the trilogue on the Breakfast Directives, held on 30 January 2024. At the meeting of the Working party for agricultural attachés on 5 February, the Belgian Presidency will debrief the delegations on the outcome of that trilogue, providing further details.

At an upcoming meeting of the Special Committee on Agriculture (SCA) in February, delegations will be invited to approve the final text (documents will be published at a later stage) and to mandate the SCA chair to write to the chair of the European Parliament's Committee on the Environment, Public Health and Food Safety to confirm the political agreement.

Explanatory note – Agreements Breakfast Directives trilogue

In order to give the delegations an overview of the tentative agreements that were made during the trilogue on 30 January, the Presidency organised the political issues discussed per overarching theme. Delegations are to be aware that the wordings in this document are to indicate the ideas and rationale that were agreed upon during the trilogue and the final text needs still to be fine-tuned.

1. HONEY**a. Origin labelling of honey**

For the general rule (row 43) on origin labelling of honey (blends), the European Parliament could agree to the proposed amendment of the Council, with the addition of the indication of the origin in the *principal field of vision* on the label. A tolerance of 5 percent, as was foreseen in the Council mandate was maintained.

The derogation for Member States to only indicate the percentage for the four largest shares in a blend of honey was maintained. However, the Parliament wanted assurances that at least a certain share of the blend was labelled with percentages. Therefore, a threshold was introduced, whereby this derogation could be used on the condition that the four largest shares represent more than 50 percent of the blend.

b. Empowerments to the Commission regarding honey, including traceability

As discussed during the SCA meeting of 29 January, the Presidency proposed a compromise regarding the empowerments to the Commission regarding certain outstanding issues on honey, as set out in document ST 5760/1/24 REV1. The Parliament and the Council agreed on the rationale behind points 1 to 6.

Regarding point 7 on the traceability, the Parliament and the Council agreed that traceability requirements will be established. The Commission shall lay down the appropriate methods and criteria via delegated act.

The co-legislators also agreed that the Commission shall adopt the delegated acts described in points 3 to 7 by five years following a feasibility study.

c. EU reference laboratory – Platform of experts

The Parliament and the Council agreed upon the establishment of a platform of experts, as presented in the documents for the SCA of 29 January (ST 5760/1/24 REV1 + WK 1263/2024).

2. ORIGIN LABELLING OF FRUITS AND SUGARS IN JUICES AND JAMS

The Parliament could agree with the compromise proposed by the Presidency, as set out in document ST 5760/1/24 REV1, to introduce a review clause. According to this, the Commission has to assess the impact of such origin labelling and, if appropriate, present a corresponding legislative proposal.

3. FRUIT JUICES

a. Comparative claims

The Parliament and the Council could agree on not including a prohibition of claims regarding positive properties of reduced-sugar fruit juices in comparison with regular fruit juices.

b. Empowerments to the Commission regarding fruit juices

The Parliament and the Council could also agree on the rationale of the compromise on the empowerments to the Commission, as set out in document ST 5760/1/24 REV1. It is useful to clarify that the possibility for the operators to label the new products with reduced sugar will not be dependant on the adoption of the corresponding delegated act.

4. FRUIT CONTENT OF JAMS AND EXTRA JAMS

Council position agreed.

5. TRANSPOSITION AND TRANSITIONAL MEASURES (rows 99-105)

Council position agreed.