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From:	General Secretariat of the Council
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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 Portuguese delegation

Delegations will find in the Annex the comments from the Portuguese delegation on the above-mentioned proposal.

PT general comments and requests for clarifications to the EC in the framework of the informal VTC of the Working Party on agricultural products 16 May 2023

‘Breakfast Directives’

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

Documents: 8624/23 e 8624/23 ADD 1-3

1. General comments on the proposal

PT welcomes the legislative proposal, which responds to issues that have been raised in the past, namely the indication of origin of honey and a new category of fruit juices.

Without prejudice to a more detailed analysis and possible comments on technical details to be presented in the future debate, we consider that, in general, the proposals presented bring innovation and updating for the various sectors, which have been waiting for some of these changes for a long time so that they can adapt to the new nutritional requirements and knowledge of the origin of food products, driven by consumer concerns and to better combat fraud.

We share the concern to see this matter discussed as quickly as possible, however, as regards the schedule of meetings envisaged by PRES SE, we ask for some flexibility on a possible review, as it seems too challenging for the delegates of the Member States, given the short time between two physical meetings in Brussels, one of them being two days long. This calendar complicates travel logistics, as well as the need to gather input from experts on the result of the ongoing discussion.

2. Questions of clarification (factual elements of the proposal)

In response to PRES SE's objective for the meeting on 16 May, and without prejudice to comments and suggestions that will be subject to later presentation and discussion, we would like to hear from the European Commission about the **legal format**.

We believe that the legal instrument chosen was a Directive, as the legislation to be amended is incorporated in Directives, however, we would like to question whether the possibility of replacement by Regulations was evaluated, as this would allow for direct application in the Member States. This change in legal form would make it easier for the MS administrations to apply it nationally, as well as allowing harmonisation in the marketing rules in the different countries.
