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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 Luxembourg delegation

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

Comments from the Luxembourg delegation

Luxembourg would like to insist again on the necessary coherence between this proposal and regulations (EC) N° 1169/2011 on labelling; (EC) N° 1924/2006 on claims and (EC) N° 1334/2008 on flavourings. This is key for us.

Please find below our comments in response to the questions of the presidency flash

Honey

The proposal on honey is aimed at reducing the risk for consumers being misled by the labelling of honey blends with origin.

Do you think that the proposed change will sufficiently reduce that risk? You are welcome to motivate your answer.

LU: The proposed change will help to reduce that risk, since all the countries of origin will have to be placed on the packaging of honey. However, if the proportions are not available, it might still be misleading to the consumer, because the consumer will not be able to know which proportion corresponds to which origin. At least the principle of quantitative ingredients declaration QUID could be used here.

Will the proposed change have any negative consequences on the administrative burden for producers and/ or packers?

LU: Producers and packaging companies will probably have a higher administrative burden, especially if they sell blend of honeys with different origins, because they will have to adapt the label to the product.

To what extent could this have an impact on the price to consumers?

LU: The higher administrative burden on producers and packaging companies might have an impact on the price to consumers. Honey could become more expensive.

Some Member States have, in the Council, expressed a wish to see a requirement for labelling with a percentage/ share of the honey. If you propose this, can you see that Member State's control authorities will be able to verify this information?

LU: For Member State's control authorities it will be difficult to verify this information.

Fruit juices

Do you agree to the inclusion of a category of fruit juice with reduced sugar?

LU: YES

Do you agree that membrane filtration and yeast fermentation are to be authorised processes? (Is it sufficient to meet technical innovation?)

LU: We do not have enough information on the subject.

Will the requirement "all the other essential characteristics should remain unchanged" be an obstacle to placing these products on the market?

LU: We do not have enough information on the subject.

Jam and marmalades

In the proposal on jam and marmalade the quantity of fruit required in jam and extra jam is increased.

Do you agree with the increase in the quantity of fruit required in jam and extra jam?

LU: YES

To what extent will these products improve health and sustainability?

We do not have enough information on the subject.

Do you agree with opening up for the term marmalade to be used also for jams?

LU: YES

Do you expect that the increased requirement for fruit content may have an impact on the price to the consumer?

LU: YES

Milk products

Do you agree with authorising a treatment to produce lactose free dehydrated milk (similar to what is already possible for liquid milk)?

LU: YES. An harmonised regulatory threshold for the term 'lactose-free' might be useful.

First a general comment:

LU enforces the breakfast directives according to regulations 178/2002 and 625/2017 especially considering traceability and fight against fraud. It could be helpful to recall this in a recital as those two aspects are of importance in this revision.

Regarding the different options you proposed at the last meeting, please find below our comments

Honey

LU is in favour of option B “descending order” But we could consider other options as a way forward.

Fruit juices

Rather than using the statement *"no fruit juice contain added sugars"* , LU would prefer *"Contains naturally occurring sugars"* as we consider that the perception of most consumers with regard to juices is ambiguous.

Jam and marmalades

LU is in favour of option D.

For jams we would like to recall our concern on the coherence with 1169/2011 concerning the sulfites levels.
