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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 Dutch delegation

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

Comments from the Dutch delegation

Honey

- We welcome the proposal as it aims to harmonize rules on honeyblends on EU level.
- It is important that new obligations must be proportionate, feasible, verifiable and enforceable.
- The current proposal for mandatory origin labeling of countries in honey blends appear to be an extension that, on the one hand, meets the wish for consumers for more clarity about origin and, on the other hand, to make the implementation of producers feasible and verifiability by inspection bodies possible.
- At this moment, it is not be possible for our control authority to verify claims about the share of origin in blends on the label.
- If a good analysis method is developed (following the research 'From the Hives'), this could possibly be considered in the future, but for now it is too early.
- The presented impact assessment seems sufficient to demonstrate that the current proposal will have little negative consequences on the administrative burden and thus additional costs for the consumer, especially because small packages will be exempted from the obligation.

Fruit juices

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

Yes, contributes to better availability of healthier options

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

We cannot foresee what innovations will be developed in the (near) future. We would welcome an opening for the addition of possible new process techniques (after authorisation of course). For now these two techniques seem to be sufficient.

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

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Jam and marmalades

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

Yes, especially since, according to information we received from the private sector, the amount of fruit in jam is already at the level required for extra jams (the proposed new required amount).

2. To what extent will these products improve health and sustainability?

Assuming that products still can be improved (see answer former question), this can contribute to decrease in sugar consumption. Average consumption of this type of products for the Dutch population is less than 5 g/day. It is not the biggest source of daily sugar intake, every step counts though. And for the 'heavy users' the impact will be bigger. The possible raise in fruit consumption will be relatively small. A rise in environmental costs is expected due to prolonged pasteurising time for a jam with lower water content.

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

No opinion.

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

Yes, since fruit is more expensive than sugar and because of the longer process and related energy costs.

Milk products

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

Yes, we do.

Comments from the Dutch delegation

The Netherlands thanks the Commission for its initiative to amend several Directives belonging to the Breakfast Directives. We have the following comments on the proposal to discuss at the next working group (June 12th).

In general

- Given the 2nd opinion of the scrutiny board: could the commission inform Member States how these proposals relate to the foreseen revision of the regulation on food information?

Honey

- What is the proposed duration of the transition period? We think a period of 3 years is appropriate to allow industry to adapt, and also the standard.

- Could the Commission clarify why is chosen for the wording in consideration 3). Considering the consumer's wish to know the origin of honey, because he believes the quality of the product is related to it, the origin of the honey is to be declared in order not to mislead the consumer about the origin of the honey

- Looking at the Regulation on food information, labelling of origin is used to meet consumers 'need' to be informed and transparency about origin for consumers to make a well-considered choice. The formulation of the consideration in the proposal seems to imply that there is a relationship between quality and country of origin (as with GI's): but what is meant by quality? Is it known what consumers see as quality in honey in relation to origin?

Fruit juice

- We are not in favor of the text 'no added sugars' or 'no fruit juice contains added sugars'. This in our opinion may mislead the consumer who might think there is no sugar in the product.

- We are in favor of the text 'naturally occurring sugars'. We do not see this as misleading, since there are sugars in the product, although they are naturally occurring. It might even help the awareness with consumers that fruit juice is not particularly healthy.

Jam and marmalade

We agree with the comment of Belgium regarding the additives. The use of additives is regulated by Regulation (EC) No 1333/2008. This Regulation contains specific provisions regarding the use of sulfur dioxide and sulfites in jams and extra jam, which should not be duplicated in this Directive. NL is of the opinion that the use of additives should only be regulated by the Additives Regulation, as it may otherwise lead to contradictions, if the Directive authorizes other or more additives (or other quantities) than allowed by Regulation (EC) No 1333/2008, or the opposite.

Milk products

NL supports the proposal.