



Council of the European Union  
General Secretariat

---

---

**Interinstitutional files:  
2018/0218(COD)**

---

---

**Brussels, 24 March 2020**

**WK 10483/2019 ADD 7 REV 1**

**LIMITE**

**AGRI  
AGRIFIN  
AGRIORG  
CODEC  
AGRILEG**

### WORKING PAPER

*This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.*

#### **CONTRIBUTION**

|                |  |
|----------------|--|
| From:          | General Secretariat of the Council   |
| To:            | Delegations  |
| N° prev. doc.: | 7451/1/19 REV 1 + COR 1  |
| N° Cion doc.:  | 9556/18 + REV 1 (en, de, fr) + COR 1   |
| Subject:       | Regulation on common market organisation (CMO) of agricultural products<br>- Danish comments |

Delegations will find attached the comments from the Danish delegation.



Finish Presidency

Our ref. 2019-29-22-00179

01.11. 2019

### **Comments from Denmark regarding the revision of Article 90a and 119 in Regulation (EU) 1303/2013**

At the meeting of the Council Working Party on Agricultural Products on 25<sup>th</sup> October 2019, delegations were encouraged to submit remarks with regard to the suggestion of the Presidency regarding the revision of Article 90a and 119 in Regulation (EU) 1303/2013 as stated in the annotated agenda for the meeting (doc. WK 11450/2019 INIT of 18th October 2019).

Denmark has no comments with regard to Article 90a.

With regard to Article 119, 1), (h) and (i), Denmark supports compulsory information on ingredients and nutrition information on alcoholic beverages with an alcohol content on 1,2 % vol. and above.

Such rules should be established in the horizontal framework of Regulation (EU) 1169/2011 on food information and should cover all alcoholic beverages – not just wine.

Should there however be a majority for the current proposal Denmark has the following remarks:

With regard to Article 119, 1), h) and Article 122, 1), b), vi), we find that the nutrition declaration, including energy value should be expressed in accordance with Regulation (EU) 1169/2011. According to Regulation (EU) 1169/2011 it is already a possibility that the nutrition declaration for alcoholic beverages can be limited to energy only.

Conditions for presentation and use of the nutrition declaration, including for example a provision permitting the energy value to be expressed per portion only, or expressing “energy” in another way are not to be adopted in a delegated act. Therefore, we cannot support the reference to nutrition declaration in Article 122, 1), b), vi).

We suggest that Article 122, 1), b), vi), is to be drafted “(vi) conditions concerning the presentation and use of the nutrition declaration and of the list of ingredients”.

#### With regard to Article 119, 1), i)

Denmark finds it essential that the indication of substances causing allergies or intolerances continues to be labelled on the product. We suggest that Article 119, 1), (i) is slightly changed to: “(i) the list of ingredients pursuant to Article 9, 1), b), of Regulation (EU) No 1169/2011, which may be provided in electronic form identified on the label or packaging”.



23 March 2020

## Danish amendment

---

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products, (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs, (EU) No 251/2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products, (EU) No 228/2013 laying down specific measures for agriculture in the outermost regions of the Union and (EU) No 229/2013 laying down specific measures for agriculture in favour of the smaller Aegean islands**

### Justification

Regulation (EU) 2016/791 aimed at the continuation and strengthening of the two school schemes. It stresses the utmost importance on the declining consumption of fresh fruit and vegetables and milk products, especially among children. The increasing evidence of child obesity is partly a result of consumption habits geared to highly processed foods, which, in addition, are often high in added sugars, salt, fat or additives. The Commission's original proposal focused completely on fresh milk and vegetables in order to promote healthy eating habits to children. Denmark was a strong supporter of that. Unfortunately, during the negotiations, the possibility for delivering products containing sugar, fats and additives including cocoa was introduced. We maintain that the purpose of the school schemes is to promote healthy eating habits among children. Therefore, we propose to abolish the possibility of distributing products with added sugar, salt, fat and additives including cocoa.

| <i>Commission proposal</i>   | <i>Amendment</i>  |
|--|---|
| <p style="text-align: center;"><i>Article 23</i></p> <p><b>Aid for the supply of school fruit and vegetables and of school milk, accompanying educational measures and related costs</b></p> <p>6. Products distributed under the school scheme shall not contain any of the following:</p> <p>(a) added sugars;</p> <p>(b) added salt;</p> <p>(c) added fat</p> <p>(d) added sweeteners</p> <p>e) added artificial flavour enhancers E 620 to E 650 as defined in Regulation (EC) No 1333/2008 of the European Parliament and of the Council ( 1 ).</p> <p>Notwithstanding the first subparagraph of this paragraph, any Member State may, after obtaining the appropriate authorisation from its national authorities responsible for health and nutrition in accordance with its national procedures, decide that eligible products referred to in paragraphs 4 and 5 may contain limited quantities of added sugar, added salt and/or added fat.</p> <p style="text-align: center;"><i>Article 24</i></p> <p style="text-align: center;"><b>Delegated powers</b></p> <p>3. In order to take account of scientific developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 in order to supplement the list of artificial flavour- enhancers referred to in point (e) of the first subparagraph of Article 23(6).</p> | <p><i>To Whereas</i></p> <p>6a. In order to promote healthy eating habits, it is not appropriate, that the current regulation allows member states under certain condition to distribute products with added sugar, salt, fat and additives including cocoa. Therefore, this option should be abolished.</p> <p style="text-align: center;"><i>Article 23</i></p> <p><b>Aid for the supply of school fruit and vegetables and of school milk, accompanying educational measures and related costs</b></p> <p>6. Products distributed under the school scheme shall not contain any of the following:</p> <p>(a) added sugars;</p> <p>(b) added salt;</p> <p>(c) added fat</p> <p>(d) added sweeteners</p> <p>e) added artificial flavour enhancers E 620 to E 650 as defined in Regulation (EC) No 1333/2008 of the European Parliament and of the Council ( 1 ).</p> <p><del>Notwithstanding the first subparagraph of this paragraph, any Member State may, after obtaining the appropriate authorisation from its national authorities responsible for health and nutrition in accordance with its national procedures, decide that eligible products referred to in paragraphs 4 and 5 may contain limited quantities of added sugar, added salt and/or added fat.</del></p> <p style="text-align: center;"><i>Article 24</i></p> <p style="text-align: center;"><b>Delegated powers</b></p> <p><del>3. In order to take account of scientific developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 in order to supplement the list of artificial flavour- enhancers referred to in point (e) of the first subparagraph of Article 23(6).</del></p> |

|  |   |
|--|---|
| <p><i>ANNEX V</i></p> <p><b>PRODUCTS REFERRED TO IN ARTICLE 23(5)</b></p> <p>Category I</p> <p>— Fermented milk products without fruit juice, naturally flavoured</p> <p>— Fermented milk products with fruit juice, naturally flavoured or non- flavoured</p> <p>— Milk-based drinks with cocoa, with fruit juice or naturally flavoured</p> <p>Category II</p> <p>Fermented or non-fermented milk products with fruit, naturally flavoured or non-</p> | <p><i>ANNEX V</i></p> <p><b>PRODUCTS REFERRED TO IN ARTICLE 23(5)</b></p> <p>Category I</p> <p>— Fermented milk products without fruit juice, naturally flavoured</p> <p>— Fermented milk products with fruit juice, naturally flavoured or non- flavoured</p> <p>— Milk-based drinks <del>with cocoa</del>, with fruit juice or naturally flavoured</p> <p>Category II</p> <p>Fermented or non-fermented milk products with fruit, naturally flavoured or non-</p> |
|--|---|