



EUROPEAN COMMISSION

Health and Food Safety Directorate General

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**SUMMARY REPORT OF THE
STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED
HELD IN BRUSSELS ON 20 MARCH 2018
(Section *General Food Law*)**

CIRCABC Link: <https://circabc.europa.eu/w/browse/85bb72f4-bc28-47e6-a20c-b823e1b280df>

A.01 Exchange of views on Slovakian notification on bakery products, confectionery products and pasta (2017/577/SK) notified to the Commission according to Article 45 of Regulation (EU) No 1169/2011.

The Slovakian authorities presented their draft Decree amending the currently applicable implementing decree on bakery products, confectionery products and pasta. The notified draft Decree concerns, among others, amendments regarding the definition of 'fresh bakery product' and the introduction of additional mandatory particulars for confectionery products produced by completing the baking of a pre-baked chilled or pre-baked frozen semi-finished product.

One Member State asked whether the draft Decree foresees the application of the mutual recognition clause. The Commission clarified in this context, that, as explained by the Slovakian authorities in TRIS under 2017/577/SK the mutual recognition clause is included in the basic Act No 152/1995 and for this reason there is no need to duplicate this in the draft implementing decree.

One Member State stated that the draft Decree would have effect on the Internal Market. The Commission called the Member State to introduce its comments in the TRIS notification.

The Commission should issue its opinion under the procedure of Article 45 of Regulation (EU) No 1169/2011 by 26 May 2018 in case no detailed opinion was submitted by Member States or additional information was requested to the Slovakian authorities.

A.02 Exchange of views on the Irish notification on Public Health (Alcohol) Bill 2015 (2016/42/IRL and 2018/22/IRL) notified to the Commission according to Article 45 of Regulation (EU) No 1169/2011.

On 19 January 2018, the Irish authorities notified under Article 45 of Regulation (EU) No 1169/2011 additional amendments to the draft Public Health (Alcohol) Bill as notified in 2016 in the context of the same procedure. The notified amendments concern, among others, the inclusion of an additional health warning that is intended to inform the public of the direct link between alcohol and fatal cancers. On 03 February 2018, Ireland sent additional information as requested by the Commission in 2016 with regard to the warning statements.

The Irish authorities presented their draft measures which introduce health warnings obligation on alcoholic beverages intended to inform the public on the danger of alcohol consumption, of the danger of alcohol consumption when pregnant and on the direct link between alcohol and fatal cancers. In addition, the draft measures introduce mandatory information on the details of a website providing public health information in relation to alcohol consumption, to be displayed on the label of alcoholic beverages.

Furthermore, the Irish authorities presented the reasons justifying these measures. In particular, it has been explained that these measures are needed in order to reduce alcohol consumption in Ireland, delay the initiation of alcohol consumption by children and young people and reduce the harm caused by the misuse of alcohol.

Three Member States expressed their support to the notified measures. In particular, it was observed that the Irish initiative is fully in line with Regulation (EU) No 1169/2011, which allows Member States to adopt national measures with the aim to protect the consumer health. On the contrary, two Member States expressed strong reservations on the draft text given the lack of the mutual recognition clause.

The Commission observed that the notified draft does not precise the exact wording of the health warnings which makes difficult their assessment and asked whether pictograms like the one used in France for pregnant women have been considered. In this context, the Irish delegation explained that the notified draft will be complemented, at a later stage, by an implementing act which would specify the wording for the proposed warnings.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation laying down rules for the application of Article 26(3) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers, as regards the rules for indicating the country of origin or place of provenance of the primary ingredient of a food.

The Commission outlined the content of the draft measure and the rationale for the temporary exclusion from its scope of trademarks and protected geographical indications.

The Commission explained that the draft text was subject to a four-week public consultation during which 143 feedbacks were provided by means of electronic form on the Better Regulation Portal by different interested parties. All contributions received reflected mostly the positions already expressed by the interested parties during the previous consultations and mainly concerned request for: inclusion/exclusion of trademarks and protected geographical designations from the scope of the implementing act, more/less flexibility as regards the modalities on the provision of information of the primary ingredient, extension of the transitional period, and request for guidelines related to the application of the new rules. The Commission explained that those aspects were already addressed by the draft which was the best possible compromise reached amongst the different expectations and views as expressed by the Member States and other stakeholders concerned. Therefore, no substantial modification of the draft was considered by the Commission, following the feedback mechanism.

The majority of the Member States indicated their support to the Commission's draft highlighting the importance to fill in the current vacuum. Nevertheless, they urged for the extension of the transitional period and called on the Commission to establish during this period guidelines/Q&A providing for interpretation on topics essential for the application of this draft. Two delegations opposed to the indication "EU and non-EU" as being considered not informative for consumers.

Several Member States asked to postpone the vote. In some of those countries, the discussion on the draft measure was still ongoing. Others highlighted the need for some clarifications before the possible vote. One Member State expressed its disagreement as to the application of the implementing act on trademarks and the protected geographical indications.

The Commission took note of all comments and explained that they will be further considered for the next discussion with Member States. It was however reminded that the Implementing Act is limited in its scope by the basic act and the Commission cannot go beyond its mandate and the existing legal framework. It was stressed that "EU" "non EU" is accepted in other EU sectoral rules but also in the various national measures that have recently been adopted.

Finally, the delegations have been informed that the draft measure will be re-discussed in view of a vote on 16 April 2018.

Vote Postponed