



Expert Group on Regulation (EU) No 1169/2011 on the provision of food information to consumers

Summary Report of the meeting held on 8 March 2023 in Brussels

Topic: Exchange of views on a draft Commission Delegated Regulation amending Annex X to Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers as regards the indication of the date of minimum durability.

The Commission (DG SANTE), representatives from all EU Member States and Norway participated in the meeting (either in person or remotely).

Background

This was the first meeting of the Expert Group on the provision of Food information to consumers dedicated to the draft Commission Delegated Regulation in question, amending Annex X to the Food Information to Consumers Regulation as regards the indication of the date of minimum durability.

Meeting

The meeting started with an introduction, where the Commission outlined the main elements of the draft Delegated Act. More specifically, the Commission:

- explained the context for the proposal of this draft Delegated Act,
- presented the consumer research, which was the main piece of evidence supporting the proposed wording, and
- described the operational part of the draft Delegated Act, providing the rationale behind it.

Overall, the Member States supported the need for a harmonised approach in the field of date marking to address consumer's misunderstanding of the 'use by' and 'best before' dates. They were also in favour of any initiative to effectively tackle food waste.

Member States raised concerns in relation to:

- the mandatory application of the additional wording 'often good after';
- the clarity and the precision of the proposed wording;
- the appropriateness of the translation of the expression in all EU languages;
- the wording being too long, taking account of multilingual packages;
- the need for additional consumer research.

Further, there were suggestions:

- to consider the exemption of certain categories of foods from the additional wording
- to extend the list of foods exempted from a 'best before' date

- to fix a positioning of the date marking on the food package, or to require that the date and the expression are always presented together.

There was consensus amongst the Member States on the need of awareness campaigns and educational programmes at EU level.

Next steps

The Commission will undertake further internal work in order to examine the issue before re-discussing the draft Delegated Act with the national experts.