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Standing Committee on Plants, Animals, Food and Feed
Section *General Food Law*
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SUMMARY REPORT

A.01 Exchange of views on the use of oxyhydroxide media to remove manganese, iron and arsenic from natural mineral waters and spring waters

An exchange of views was held on the basis of a working document that outlined the current situation on the use of oxyhydroxide media for the removal of certain constituents from natural mineral waters and spring waters. The Commission explained that the Member States were asked to provide information on the use of this separation technique; some Member States reported that the technique is permitted and used by food business operators, whereas others reported that it was not permitted by national authorities or not used at all by food business operators. The Committee was also informed that the vast majority of the Member States that replied to the request for information confirmed the validity of the conclusions of the Standing Committee meeting held on 1 October 2009.

During the exchange of views, certain Member States expressed their views on the need to harmonise the use of this separation technique to ensure legal certainty for food business operators. Some Member States asked for a more in-depth discussion to be held in a meeting of the Working Group on natural mineral waters. During the discussion, a large number of Member States reiterated their support for a revision of Directive 2009/54/EC so as to bring it in line with technical and legal developments in the field. One Member State did not consider it necessary to revise Directive 2009/54/EC. The Commission took note of the Member States' views on the need for a revision of the legislation on natural mineral waters and spring waters and informed the Committee that no commitment had as yet been made to revise the legislation.

A.02 Exchange of views of the Committee on the extension of the French Decree related to the origin indication of milk and meat used as an ingredient (Décret relatif à l'indication de l'origine du lait et des viandes utilisés en tant qu'ingrédient)

On 19 December 2019, France notified a draft Decree on the extension of their pilot project on origin indication of milk, as well as of milk and meat used as an ingredient in certain foods until 31 December 2021.

The French authorities presented their notified measure as well as the reasons justifying it. It was explained that the reasons justifying the trial measure from 2016

remain valid for the notified draft. The French authorities informed that the consumer's interest in origin indication remains high and referred to the evaluation report submitted to the Commission in March 2019, on the application of the current measure.

The French authorities also explained that the notified extension aims at ensuring consumer information as to the origin of milk, milk and meat used as ingredient in all cases, including those not covered by the Implementing Regulation (EU) 2018/775 on the indication of the country of origin or place of provenance of the primary ingredient of a food. In addition the French authorities explained that origin labelling helps consumers to make sustainable purchases and referred to the European Green Deal, adopted on 11 December 2019, which states that in the context of the forthcoming Farm to Fork strategy, the Commission will explore new ways to give consumer better information amongst others on details such as where the food comes from.

During the discussion, several Member States expressed a strong opposition to the notified draft. In particular, they questioned its legality in the light of Article 39(2) of Regulation (EU) No 1169/2011. Those delegations expressed their opposition to any national schemes and called for harmonised EU rules in the field.

The Commission took note of the observations expressed and informed that the assessment of the notified draft was ongoing. It also informed that the standstill period for this notification expires on 20 March 2020.

A.03 Farm to Fork strategy: state of play. Presentation and update by the Commission

The Commission informed Member States that, as indicated in the Communication on the Green Deal adopted on 11 December 2019, the Commission will present its 'Farm to Fork' strategy for a sustainable food system. The adoption date is foreseen for the first quarter of 2020, together with the biodiversity strategy.

The strategy will cover every step in the food chain: primary production, processors and retailers, but also consumers. International aspects, but also research and development will be addressed. The strategy will be accompanied by an action plan containing both regulatory and non-regulatory measures to reach the ambitious objectives. Each of these initiatives will afterwards be adopted following better regulation rules.

The Commission informed about the workshop on sustainable food systems that took place on 31 January 2020 with Member States. The aim of the workshop was to exchange views on the objectives of the strategy and the tools to implement it, discuss how to tackle trade-offs and share experiences on policy making in this area. Member States will be provided with another opportunity to discuss the farm to fork strategy, at the occasion of an expert group, to be held in March.

The Commission concluded its intervention by mentioning the stakeholders events foreseen: civil dialogue on the CAP, SAM workshop and sub-group of the advisory group of the food chain.

A.04 Transparency Regulation implementation (Regulation (EU) 2019/1381): presentation by the Commission

The Commission reminded that the Transparency Regulation (TR) was published in the Official Journal on 6 September 2019 and will become applicable as of 27 March 2021. Transitional measures are foreseen in the Regulation as the new rules will not apply to requests for scientific output submitted to EFSA before its entry into application.

Several implementing acts would need to be updated to reflect the new rules of the TR. The intention is to have them voted and adopted several months before the entry into application of the TR so that operators could be informed well in advance of the changes. Each of these acts will be presented and discussed in the relevant section of the PAFF.

In addition to the implementing acts, several guidance documents (both from COM and from EFSA) would also need to be updated in light of the new rules. Another key implementation aspect is to ensure IT infrastructure to accommodate new requirements in close cooperation with EFSA/MS (e-submission system for the transparency/confidentiality provisions).

One Member State took the floor to thank the Commission for the information and asked that all Member States are closely involved in the implementation.

A.05 Exchange of views of the Committee on an Italian draft Decree on information on the country of origin of pig meat as notified to the Commission and Member States on 31 January 2020.

In the context of the notification procedure under Article 45 of Regulation (EU) No 1169/2011, on 31 January 2020, Italy notified a draft Decree requiring origin indication of certain processed swine meat (minced meat, mechanically separated meat, meat preparation and meat-based products).

The Italian authorities presented the provisions of the notified draft as well as justifications provided with this respect. It was explained that the outcome of a public consultation launched recently by Italy confirm a high consumers' interest in receiving the information on pig meat as required by the notified draft.

Some Member States expressed their support to the notified measures. Other questioned the compliance of the provided justifications with the requirements laid down in Regulation (EU) No 1169/2011. Overall, the delegations expressed their preference for having harmonised rules at EU level on the matter.

The Commission took good note of the observations and informed that the standstill period for the notified draft expires on 1 May 2020.

A.06 Exchange of views of the Committee on a French draft Decree requiring the origin indication of meats from swine, sheep and poultry used as an ingredient in meals offered by food services establishments

In the context of the notification procedure under Article 45 of Regulation (EU) No 1169/2011, on 24 January 2020, France notified a draft Decree on origin indication of certain meats used in meals offered by catering establishments.

The French authorities presented their notified measure and the reasons justifying it. In particular, it was explained that the notified measures meet current consumer's

expectations. For this purpose, the French authorities referred to the recent European Citizens Initiative on mandatory origin declaration for all foods and the Eurobarometer survey commissioned by EFSA and published in June 2019. Furthermore, it was explained that the origin of foods or their ingredients constitutes an intrinsic element of the quality of foods for the majority of consumers. Finally, the French delegation stressed that the notified draft helps consumers to make informed choices so that they can make more sustainable purchases, which fits into the current Commission priorities as announced in the context of the European Green Deal and the future “Farm to Fork Strategy”.

During the discussion, some Member States expressed a strong opposition to the notified draft. In particular, they questioned its legality in the light of Article 39(2) of Regulation (EU) No 1169/2011. Those delegations expressed their opposition to any national schemes and called for harmonised EU rules in the field.

The Commission took note of the Member States’ observations and informed that the assessment of the notified draft was ongoing.

M.01 Fructose and lactose intolerance in the frame of Regulation (EU) No 1169/2011.

One Member State asked to discuss the possibility **to develop initiatives on the matter of fructose and lactose intolerance in the frame of Regulation (EU) No 1169/2011**. Different options were proposed by Member States. In this context, some delegations stressed the need for re-examination of Annex II to Regulation (EU) No 1169/2011 in the light of recent scientific knowledge.

The Commission took note of these statements and informed that the issue of food allergens is an important aspect in the portfolio of DG SANTE. Nevertheless, due to other priorities, the work on the file related to allergens had to be temporarily put on hold.

M.02 Front of pack nutrition labelling

Member State asked information on the state of play and the expected date for the presentation of the Commission Report.

The Commission informed Member States that the publication of the Commission Report on front-of-pack nutrition labelling is expected in the first quarter of 2020, together with the publication of the Farm to Fork Strategy.

M.03 Procedure under Article 8 of Regulation (EC) No 1925/2006 for monacolins from red yeast rice.

Some delegations asked the Commission for an update on the procedure under Article 8 of Regulation (EC) No 1925/2006 for monacolins from red yeast rice. These delegations explained that according to the European Food Safety Authority there is a clear safety concern with the use of monacolins from red yeast rice at a certain intake level. They expressed their concern at the current lack of certainty for national authorities and for food business operators. The Commission explained that the internal procedure for the adoption of a Commission Regulation on the use of monacolins from red yeast rice had been launched and that the draft measure includes the use of green tea catechins for which the Article 8 procedure had also been initiated.

M.04 National Dietary Recommendation

The Commission informed Member States about the possibility that in the coming years the Commission may launch a project that would support a number of interested Member States in their efforts to integrate environmental and climate considerations into their dietary advice.