

CODEX COMMITTEE ON FOOD LABELLING

48<sup>th</sup> Session  
Québec City, Canada,  
27 October – 1 November 2024

**European Union Comments on**

**Guidelines on the Use of Technology to provide food information in food labelling (step 7)**

**(CX/FL 23/48/7 and CL 2024/55-FL)**

*Mixed Competence  
European Union Vote*

In response to the Circular Letter 2024/55-FL, the European Union and its Member States (EUMS) would like to make the following comments:

**On section 5.1:**

As already stressed previously, the EUMS are of the opinion that the drafting of section 5.1 b) needs to be further improved. It is indeed of prime importance that specific subsets of the population such as elderly people (*i.e.* not only specific subsets for whom the food information is intended) have a widespread, adequate and easy access to the technology and widely adapted its use when mandatory food information is not anymore given on the label or labelling of a pre-packaged food but only described or presented using that technology.

The EUMS propose therefore following modifications to section 5.1 (b):

*“(b) the general population, including specific ~~or a sub-sets thereof for whom the food information is intended~~, should have widespread, ~~and adequate~~ and easy access to the technology in that geographic area or country, and have widely adopted its use.”*

Furthermore, as already explained in previous contributions, the EUMS are of the opinion that section 5.1 c) needs also to cover the consumer understanding of the information described or presented using technology. The EUMS propose therefore following modifications section 5.1 (c):

*“(c) it is reasonable for the consumer to use the technology to access the food information during the normal and customary circumstances of purchase and use and that there is evidence of similar consumer understanding of the technology food information.”*

**On section 5.2:**

As already explained in previous contributions, not only the name of the food and food information concerning health and safety, but also food information necessary for the consumer at the time of sale to be able to make an informed purchasing decision (such as the net content)

should always be provided on the label (or labelling) of the food. This is for the EUMS of utmost importance. The EUMS consider that the section needs to be modified accordingly.

### **On section 7.6**

In the EU, data protection rules cover “personal data” defined as “any information relating to an identified or identifiable natural person [...]” (Article 4(1) of Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data). “Personal data” is thus broader than “information that may be used to identify an individual”.

Therefore, the EUMS propose the following necessary addition:

*“7.6 Food information described or presented using technology shall be readily accessible to consumers without having to provide or disclose information that may be used to identify an individual **or that is protected according to data protection rules applicable in the country or region in which the food is marketed.**”*

### **On section 7.7**

Consumers need to swiftly and easily link the food information to the concerned pre-packaged food. However, this depends not only on the amount of information given (“sufficient information”) but also on how the information is presented (e.g. the information should not be hidden by (large amount of) other information nor be scattered throughout other information).

Therefore, the EUMS propose following addition:

*“7.7 When the label or labelling of a pre-packaged food references food information to be accessed using technology, ~~sufficient information shall be displayed on the technology platform~~ **the information displayed on the technology platform shall be sufficient and presented in a such a way as** to enable consumers to ascertain that the food information pertains to that pre-packaged food.”*

### **On section 7.10**

The EUMS agree on the addition of “audible” in this section.

### **On section 7.12**

The EUMS agree on the addition of this section and on its proposed drafting.