

Your Voice In Europe: ROADMAP feedback for Initiative to limit industrial trans fats intakes in the EU

User's data:

- Domain : Company/Business organisation
- Name : Kalila Hajjar
- Email : khajjar@fediol.eu
- Country : Belgium
- Organisation : FEDIOL - The EU Vegetable Oil and Proteinmeal Industry
- Headquarter : Belgium
- Register : 85076002321-31
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Related document: Initiative to limit industrial trans fats intakes in the EU

Feedback:

FEDIOL welcomes the publication of the Inception Impact Assessment and the opportunity to provide feedback. FEDIOL would like to raise the following points:

1. FEDIOL favours option 1B through the setting of an EU 2% non-ruminant TFA legal limit on fat basis in products intended to final consumers, as advocated since 2014. It is equivalent to the 2g TFA per 100g of oil/fat, in the product intended for the final consumer.

Such a 2% TFA limit is:

- *In line with existing national initiatives such as in Denmark, Austria or Hungary,*
- *In line with EFSA acknowledgment that TFA are close to 1 to 2% Energy in Europe,*
- *Enabling to get rid of higher levels found in countries such as Croatia, Sweden, Bulgaria, Slovenia or Poland as per the Commission report on TFA,*
- *Consistent with the FEDIOL Code of Practice on refining, which ensures that, during refining, no more than 2% TFA on fat basis is formed, including in bottled vegetable oils.*
- *Applicable to all food products intended for the final consumer placed on the EU market.*

2. If option 1B is to be pursued, this triggers the need to delete the existing full/partial hydrogenation labelling of Annex VII Regulation (EU) No 1169/2011 at the same time irrespective of the legal basis chosen.

Such labelling should be deleted for the following reasons:

- A. One of the rationale behind such labelling was to inform consumers on the presence of partially hydrogenated oils, which contain much higher TFA levels than 2%, contrary to fully hydrogenated oils, where TFA levels are below 2% TFA. With such a new EU TFA 2% legal limit, all those high non-ruminant TFA food products will be gone from the EU market as they will be forbidden in Europe. Hence, hydrogenation labelling would not be needed any longer.*
- B. Consumers do not know the difference between partially (“partly” according to Regulation (EU) No 1169/2011) or fully hydrogenated oils.*

C. Consumers confuse both terms, thinking that products labelled as fully hydrogenated contain higher levels of TFA than partially hydrogenated oils. This lack of knowledge is also highlighted in the IIA on page 6.

Hence, if an EU TFA legal limit was to be introduced whilst keeping the current mandatory hydrogenation labelling, consumers would continue to think fully hydrogenated oils and food products thereof contain high TFA levels. This would further mislead consumers and lead to discrimination for the vegetable oil and fat sector and particularly for all sectors using such ingredients. This would not allow consumers to make informed healthier food choices.

This lack of consumers understanding has been demonstrated in studies and in the Commission report on TFA, which states that “(...) the little information available suggests that the majority of Europeans do not know about TFA (...) partially hydrogenated or fully hydrogenated oils. (...)”.

It is also mentioned on page 11 under Data collection and Better regulation instruments of the present IIA document.

It has also been recognised by the European Parliament, which states in its resolution adopted on 26 October 2016 that “whereas under current EU rules consumers may be confused about the difference between partially hydrogenated oils (containing TFAs, among other fatty acids) and fully hydrogenated oils (containing only saturated fatty acids and no TFAs), as Regulation (EU) No 1169/2011 requires this information to be given in the ingredients list of pre-packed foods”.

For all such reasons, FEDIOL insists on the need to delete the existing full/partial hydrogenation labelling. In practice, should article 8 of Regulation (EC) No 1925/2006 be chosen as a legal basis under option 1B, an amendment of Annex VII should be sought in parallel through a delegated act as per article 46 combined with article 51 of Regulation (EU) No 1169/2011.

3. An EU mandatory TFA content declaration in food as described in option 2 is not the way forward. This is supported neither by existing studies and assessment, nor by consumer associations and nor by the European Parliament (Resolution on Trans Fats voted in EP plenary on 26 October 2016).

4. FEDIOL trusts that an EU approach should prevail to tackle TFA. Hence, option 1B better reflects the EU context than option 3.

5. It is important to stress the absence of difference between ruminant and non-ruminant TFAs, in terms of health effects, as reminded by the Commission report on TFA, the current IIA document and the EP resolution of 26 October 2016.

6. FEDIOL stands ready to further contribute to the impact assessment and subsequent stakeholder consultation and interviews.

For further details, please see in attachment FEDIOL view on an EU legislation on trans fatty acids (TFA) 16NUT004.

Feedback file:

[16NUT004FEDIOLviewonanEUTFAlegislationFebruary2016.pdf](#)