



EUROPEAN COMMISSION

Cabinet of Commissioner Janusz Wojciechowski
Head of Cabinet

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NOTE FOR THE ATTENTION OF GIORGOS ROSSIDES

HEAD OF CABINET OF COMMISSIONER STELLA KYRIAKIDES

Subject: Contribution to preparing the legal proposal on front of pack nutrition labelling

With this note I would like to present Commissioner Wojciechowski's views on the upcoming legal proposal on front of pack nutrition labelling (FOPNL). I am confident that early coordination will ensure finding the right balance and presenting a most satisfactory proposal to the co-legislators. Front of pack labelling received a lot of publicity, and it is important to clarify the Commission intentions as soon as possible to prevent further speculations as to the content of the proposal.

Let me reassure you that Commissioner Wojciechowski fully shares the principles guiding the work and the need for common EU rules and their purpose of empowering the consumer by facilitating healthy dietary choices. Commissioner also welcomes the introduction of uniform rules on origin labelling, which will reinforce short supply chains. The comments below strive to provide reflections for a more versatile and tangible solution that would meet expectations of both consumers as well as producers and retailers. With a good level of buying-in among all the stakeholders, we can expect successful implementation on the ground.

1. Focus on factual information

True empowerment must be construed as providing information in an objective, transparent and comprehensive manner, responding to a variety of different concerns, enabling not substituting the consumer's decision. Therefore, **future labelling should provide purely factual information on nutritional values of different components separately.**

Obviously, a combined result – NutriScore type of approach - offers greater readability for consumer. However, it presents a substantive interpretation of the underlying nutritional facts substituting for consumer's own evaluation. We should be mindful that **different health issues require particular attention being paid separately to fat, sugar or salt.** One combined result will not provide the highly relevant data on the quantities of those three ingredients. Thus, a combined score will make it impossible for a consumer to have a clear picture of the amounts of those ingredients, actually impeding healthy choices. The best solution would be an **improved, more accessible and graphic presentation of all the pertinent ingredients** currently listed in the often difficult to read back label.

2. Social dimension of nutrition

The Commissioner also considers that social dimension of nutrition must be fully taken on board. Politically, we must acknowledge that a radical change cannot be expected from the general public to alter consumption of certain foodstuffs, present in our diets for centuries, and with significant historical, cultural or societal value. Products such as cheese or sausages will remain on our plates - at least to some degree - as long as consumers will demand them even if they are not the healthiest choices, especially in larger quantities. Therefore, we need to ensure that the concept underlying FOPNL makes a **distinction between those cheeses or sausages which are produced locally, with high quality raw materials and based on traditional recipes, and those stemming from industrial mass production.**

The European culinary heritage contains a rich variety of foods that may have a high content of fat or salt, notably those enjoying the status of protected geographical indication. They are bound to observe certain recipes and production methods, which makes any reformulation impossible. The strict **adherence to traditional recipes and high-quality raw materials makes them the healthier option in a general category of a given product.** The use of reputable, carefully selected and locally sourced ingredients should guarantee better nutrition compared to the industrial alternatives. This point also links to culture; **locally anchored food production and consumption usually fits the “slow food” trend that limits instant gratification and overconsumption typical of its “fast food” counterpart.**

Building on the above-mentioned point, traditional foodstuffs deserve to be protected, because **they reflect local diets and are closely linked to social and economic fibre of the communities who produce them.** They are usually prepared by small local processors, even farmers, directly contributing to maintaining vibrant rural areas and preserving the unique craftsmanship of terroir-based food preparation. Therefore, flexibilities should be envisaged to address this specific category of products to reflect their unique contribution to the European way of life. The future FOPNL should duly consider the importance of this category of products.

Similarly, **single ingredient product, such as olive oil require a different approach, because their reformulation is not possible.** Since FOPNL is meant to incentivise consumers to buy only foods with a good nutritional score, one could easily imagine that low-fat industrial alternatives to olive oil would appear in the market, benefitting from the opportunity of receiving a positive nutritional evaluation despite being highly processed. Hence, the single ingredient products require particular attention when the future rules for FOPNL are drafted to avoid paradoxical results misleading the consumer.

3. Importance of the level of processing

Linked to the above, a proper consideration for the level of processing is fundamental for the legislation to deliver on the objective of health protection. **Low content of fat, sugar or salt is obviously relevant but not sufficient to give a complete and fair view of the nutritional value of a product.** Triggering competition for the lowest content of certain ingredients could drive consumers towards more industrial and highly processed alternatives, depleted of fibre or healthy amino acids. Such competition would seriously undermine the concept of FOPNL as legislation facilitating healthy choices. Paradoxically, it could aggravate the obesity problem, if consumers are led to prefer industrially engineered alternatives because of their minimum energy values. **A false premise of “zero calories = no weight gain” can trigger**

excessive consumption and reinforce bad eating habits. Moreover, it will result in malnutrition, since highly processed foodstuffs would not provide the full variety of valuable nutrients of a balanced diet.

Besides, the Farm to Fork strategy also underlines the importance of aligning consumers' choices with dietary recommendations and reducing the **overall carbon footprint of food systems**, which clearly calls for factoring in the level of processing into initiatives targeting health and stemming from the Strategy.

4. Political dimension

Finally, in case the 'NutriScore' like approach is selected for further legislative work, **the underlying methodology must be treated as the most sensitive part of the political process. The choice of method is in fact a key political issue because it determines substantive outcomes of the legislation.**

The algorithm attributing the final nutritional value should be clearly defined in EU law and its methodology should be subject to a rigorous analysis of pros and cons and its impact on stakeholders. Such key elements of regulatory work must be decided in full transparency and preceded by a qualitative analysis providing all relevant elements in the decision-making process.

In conclusion, Commissioner Wojciechowski will fully support a proposal that strikes the right balance between informing consumers in an accessible way and providing adequate level of detail for conscious decisions. Future legislation must ensure preserving local food production and culinary traditions that shaped the European culture and countryside.

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6. CONCLUSION

In conclusion, the legal proposal on FOPNL can bring about a great opportunity the farming sector is ready to seize. Let me recall, however, the need to find the right balance between the three pillars of sustainability for a positive, lasting and truly transformative impact on the entire food chain.

In practical terms, Commissioner Wojciechowski finds **Option 2 of the impact assessment to be the most suitable way forward, if complemented with additional information**, such as level of processing and providing adequate solutions for the specific categories such as

single ingredient and traditional agricultural products. In contrast, proposing a single score which combines different nutritional facts would be misleading and superficial. We should aim for the most efficient and fit-for-purpose legislation on this complex topic, one that truly empowers consumer and facilitates healthy dietary decisions.

Thank you in advance for considering the above reflections which are of extreme importance to Commissioner Wojciechowski as representative of the European farmers and primary processors. The team and I remain ready to provide further clarifications and engage in a constructive dialogue on any points you may wish to clarify. We are also committed to reach out to different stakeholders to dissipate doubts about the proposal and promote the agreed solutions.

Personal data

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