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Opinion of the European Economic and Social Committee on 'Proposal for a Directive of the European Parliament and of the Council amending Council Directives 2001/110/EC relating to honey, 2001/112/EC relating to fruit juices and certain similar products intended for human consumption, 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption, and 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption'

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(C/2023/881)

Rapporteur: **Kerli ATS**

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Section responsible	Section for Agriculture, Rural Development and the Environment
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Outcome of vote (for/against/abstentions)	170/0/03

1. Conclusions and recommendations

1.1. The European Economic and Social Committee (EESC) has already stated that promoting healthy and sustainable diets ⁽¹⁾ is crucial for improving human health and the well-being of ecosystems, society in general and rural areas in particular. This requires increasing the availability and consumption of sustainable products, educating people on healthier diets, promoting product reformulation, and expanding mandatory origin labelling for specific products. It is important to address these changes and update the rules to meet current societal concerns and consumer demands, while maintaining competitiveness and good working conditions in the agrifood sector.

1.2. European beekeepers and other operators in the honey supply chain are facing challenges regarding the transparency of honey blends' origin that impact their income and the overall market situation in Europe. Inadequate efforts are being made to combat fraud and unfair competition. The EESC welcomes the proposal to revise the Honey Directive by introducing mandatory origin labelling to increase transparency for consumers, but regrets its lack of ambition in implementing and advancing additional measures to fight against fraud.

1.3. The EESC urges the adoption of more ambitious measures to protect European honey producers, enforce rigorous marketing standards, conduct systematic testing and traceability checks on honey imported into the EU, and require country of origin labelling for honey blends. This labelling should include the respective percentage share of each honey origin, presented in descending order.

⁽¹⁾ Opinion of the European Economic and Social Committee on 'Promoting healthy and sustainable diets in the EU' (own-initiative opinion) (OJ C 190, 5.6.2019, p. 9).

1.4. Efforts should be made to overcome challenges in analysing and quantifying the percentage share of each honey origin in honey blends. The EESC strongly emphasises the need for prompt action in finding a reliable and accessible analytical method, which it considers a precondition to the implementation of mandatory origin labelling in order to protect consumers from fraud.

1.5. Efforts should be made to develop a traceability system where all honey sold commercially, whether produced in or imported into the EU, has an identification code that allows the honey to be traced back to the harvesting beekeeper. The EESC believes that this proposal would facilitate administrative checks to verify the percentage shares in honey blends, but considers it important to ensure that companies (specially small- and medium-sized ones) are not burdened with excessive costs.

1.6. The EESC emphasises the need for specific labelling requirements for industrially processed honey to enhance consumer awareness and promote healthier choices. Labels stating 'ultrafiltered' and 'pasteurised' should be included to clearly communicate the changes that occur during these processes, which reduce the natural properties and benefits of honey. Accurate labelling is crucial to guide consumer decision-making, drive demand for sustainable beekeeping practices and support beekeepers who prioritise bee welfare and habitat preservation.

1.7. The EESC asks for an evaluation of the potential that allowing the indication 'no fruit juices contain added sugars' to be displayed alongside the product name could encourage greater juice consumption, to the detriment of whole fresh fruits. To address this, the EESC proposes that nectar producers be required on the one hand to include the statement 'contains added sugars' when applicable and to gradually phase out the statement 'with no added sugars' on the other hand. This measure promotes transparency and empowers consumers to make well-informed choices regarding their dietary preferences.

1.8. The EESC considers that increasing the fruit content of extra jams beyond the current 450 g/kg will not result in a final product with less sugars. On the other hand, it supports increasing the fruit content in standard jams to 400 g/kg. This compromise proposal not only supports healthier choices but also contributes to maintaining competitiveness in the food industry.

1.9. The EESC considers the proposed amendments to Directive 2001/114/EC to be reasonable and well founded.

2. Background

2.1. On 22 March 2023, the European Commission, the JRC (Joint Research Centre) and OLAF (European Anti-Fraud Office) presented a report on fraud in honey imported into the EU ⁽²⁾. It concludes that 46 % of honey imported from third countries and placed on the EU market is suspected of being non-compliant with the Honey Directive, and highlights that urgent progress on an ambitious revision of the Directive is essential to anchor fair practices in international trade and protect European beekeepers.

2.2. On 21 April 2023, the European Commission published a proposal to amend the following Directives:

- Council Directive 2001/110/EC of 20 December 2001 relating to honey ⁽³⁾;
- Council Directive 2001/112/EC of 20 December 2001 relating to fruit juices and certain similar products intended for human consumption ⁽⁴⁾;
- Council Directive 2001/113/EC of 20 December 2001 relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption ⁽⁵⁾;
- Council Directive 2001/114/EC of 20 December 2001 relating to certain partly or wholly dehydrated preserved milk for human consumption ⁽⁶⁾.

⁽²⁾ https://food.ec.europa.eu/safety/eu-agri-food-fraud-network/eu-coordinated-actions/honey-2021-2022_en#qapdf

⁽³⁾ OJ L 10, 12.1.2002, p. 47.

⁽⁴⁾ OJ L 10, 12.1.2002, p. 58.

⁽⁵⁾ OJ L 10, 12.1.2002, p. 67.

⁽⁶⁾ OJ L 15, 17.1.2002, p. 19.

The 'Breakfast Directives' are a set of seven directives that lay down common rules on the composition, sales name, labelling and presentation of certain foodstuffs so as to protect the interests of consumers and to ensure the free movement of these products within the internal market.

2.3. The main proposed changes are as follows:

2.3.1. Honey

— In the case of a mixture of honey, the country of origin of each honey in the mixture shall be indicated and the indications 'blend of EU honeys', 'blend of non-EU honeys' and 'blend of EU and non-EU honeys' will no longer be permitted forms of origin labelling. An exception to this is mixtures of honey presented in packs containing 25 g or less.

2.3.2. Juices

— The labelling of juices will allow the indication 'no fruit juices contain added sugars' in the same field of vision as the name of the product. At present, the indication 'with no added sugars' is permitted for nectars, for which the addition of sugar is permitted, but not for juices, to which the addition of sugar is not permitted under the regulations.

— New product categories 'reduced sugar fruit juice' and 'reduced-sugar fruit juice from concentrate' are added. Products bearing such names have a reduction in their sugar content of at least 30 % compared with similar products. Authorised processes for the production of reduced-sugar juice (e.g. yeast fermentation) are also added.

— The amount of sugar added to nectar is differentiated depending on the type of fruit.

— The term 'coconut water' can be used as a synonym for 'coconut juice'.

— A Brix level of 4,5 for coconut (*Cocos nucifera*) is added to the table of minimum Brix levels for reconstituted fruit juice and purée.

2.3.3. Jams

— In the composition of 'jam' and 'extra jam' products, the fruit content requirement is increased.

— The Directive no longer requires the sugar content of the product to be indicated on the label with the words 'total sugar content ... g per 100 g', as this is already mandatory under Regulation (EU) No 1169/2011 of the European Parliament and of the Council (7).

— The name 'marmalade' may henceforth be used for products of all types of fruit.

2.3.4. Partly or wholly dehydrated preserved milk

— Processes for the production of lactose-free condensed milk products will be allowed. Lactose levels may be reduced by converting lactose into glucose and galactose.

2.4. There is a transitional period of 24 months from the adoption of the Directive.

3. General comments

3.1. Promoting healthy and sustainable diets is a fundamental aspect of food policy, as it is essential to redirect our dietary choices to enhance human health and the well-being of both ecosystems and society, as well as the vitality of rural areas (8). To achieve this, it is necessary to increase the availability and consumption of sustainable products, educate people about healthier diets, encourage product reformulation and expand mandatory origin labelling to include certain products.

(7) Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

(8) Opinion of the European Economic and Social Committee on 'Promoting healthy and sustainable diets in the EU' (own-initiative opinion) (OJ C 190, 5.6.2019, p. 9).

3.2. The Farm to Fork Strategy included plans to revise marketing standards, which were expected to encompass the Breakfast Directives due to their resemblance to marketing standards. This revision aims to promote the adoption and availability of sustainable products. Reliable nutrition information and guidance are essential, and the EESC recommends the development of new Sustainable Dietary Guidelines that consider cultural and geographical differences. These guidelines would provide clearer direction for the agri-food system and help produce, process, distribute, and sell healthier and more sustainable food at fairer prices⁽⁹⁾.

3.3. The EESC welcomes the proposal to address the Breakfast Directives, which have been in place for more than 20 years, were last amended over 10 years ago and may impede innovation or fail to meet consumer expectations. The EESC acknowledges that the markets for foodstuffs have transformed significantly over the last decade, driven by innovation and by legislative developments but also by changing societal concerns and consumer demand. Therefore, it is appropriate to undertake a revision of certain rules.

3.4. The one main objective of the Breakfast Directive, according to the Commission, is to empower consumers to make well-informed and sustainable food choices. In the EESC's previous opinion *Towards a sustainable food labelling framework to empower consumers to make sustainable food choices*⁽¹⁰⁾, the EESC proposed the establishment of a transparent and science-based sustainable food labelling framework. The aim was to create a framework that is simple and practical, assisting businesses in evaluating and enhancing the sustainability of their products, while also providing valuable information to consumers to enable them to make informed choices. Both the Commission and the EESC share the objective of empowering consumers to make well-informed and sustainable food choices.

3.5. The EU's food system is currently facing various challenges related to health, society, climate and the environment, which have reached a critical level. To address these challenges effectively, there is an urgent need to encourage change in consumer behaviour. By promoting the creation of the 'European Food Policy Council' (EFPC), the EESC advocates for a more integrated and participatory approach to food policymaking. This council would facilitate the alignment of policies at EU, national, and local level, ensuring greater coherence and consistency. This, in turn, would enhance the quality and legitimacy of EU food policy, making it more effective in addressing the issues faced by the food system. It would provide a platform for comprehensive discussions and decision-making processes. The EESC believes that, by considering environmental, climate, health, and societal factors, the EFPC would help establish regulations and guidelines that support sustainable production practices, protect consumer health and address social concerns⁽¹¹⁾. Overall, the EFPC would be aligned with the broader goals of promoting a sustainable and balanced food system.

4. Specific comments

4.1. The EESC acknowledges and values the Commission's proactive initiative in seeking opportunities to promote healthier diets and encourage product reformulation, especially in the case of foods high in fat, sugars, and salt. Furthermore, the EESC supports the implementation of transparent and obligatory regulations on origin labelling, which aims to provide consumers with enhanced information regarding the country or countries of origin for the products they acquire.

4.2. Directive 2001/110/EC relating to honey

4.2.1. European beekeepers and the other operators in the honey supply chain are facing a genuine concern regarding the transparency of honey blends' origin. These beekeepers are heavily reliant on honey production for income and are currently experiencing a challenging market situation throughout Europe. Efforts are being made to alleviate and enhance market conditions by tackling honey fraud, addressing unfair competition, enforcing mirror clauses and promoting

⁽⁹⁾ Opinion of the European Economic and Social Committee on Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — A From Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system (OJ C 429, 11.12.2020, p. 268).

⁽¹⁰⁾ Opinion of the European Economic and Social Committee on Towards a sustainable food labelling framework to empower consumers to make sustainable food choices (own-initiative opinion) (OJ C 75, 28.2.2023, p. 97).

⁽¹¹⁾ Opinion of the European Economic and Social Committee: 'Towards a European Food Policy Council as a new governance model in the future EU Framework on Sustainable Food Systems' (own-initiative opinion) (OJ C 293, 18.8.2023, p. 1).

transparency in the food sector ⁽¹²⁾. However, further action is required, which is why the EESC welcomes the proposal for a revision of the Honey Directive introducing the obligation to indicate all individual countries of origin (both Member States and third countries) on the label in the case of blends or mixes. The EESC strongly emphasises the need for prompt action to find a reliable and accessible analytical method, which it considers a precondition for the implementation of mandatory origin labelling in order to protect consumers from fraud.

4.2.2. The EESC urges the implementation of more ambitious measures to safeguard European honey producers. While the Commission has addressed some of the sector's demands, there is a need for a stronger commitment to protecting the sector against fraudulent practices. The EESC firmly believes that marketing standards should enforce rigorous requirements for honey products entering the EU market, with appropriate labelling for honey-like products. This will empower consumers to make informed purchasing decisions based on accurate product information.

4.2.3. In response to the challenges posed by fraud and unfair competition resulting from the adulteration of imported honey products, European beekeepers and other operators in the honey supply chain are ready and willing to undertake extra measures. They are committed to labelling honey mixtures with comprehensive information that meets consumers' expectations and ensures the perpetuation of their own premium-quality honey.

4.2.4. The EESC endorses beekeepers' request to implement compulsory country of origin labelling for honey blends. This labelling should include the respective percentage share of each honey origin, presented in descending order.

4.2.5. The EESC acknowledges that analysing and quantifying the percentage share of each origin in honey blends presents challenges, but commends efforts to identify solutions to address this issue and overcome this challenge. This includes conducting laboratory tests on honey, establishing a community reference centre for honey and updating the list of laboratory methods to detect fraudulent practices as outlined in Directive 2001/110/EC.

4.2.6. The timeline for establishing a community reference centre and updating laboratory methods should be determined. Efforts should be made to establish official analytical methods that enable the accurate indication of the percentage of honey origin. Additionally, until official analytical methods become available, making the indication of percentages mandatory should not be considered an official requirement.

4.2.7. The EESC highlights the need to improve traceability within the honey supply chain, including with blockchain technologies. The EESC recommends that all honey sold commercially, whether produced in or imported into the EU, should have an identification code linked to a traceability system that allows the honey to be traced back to the harvesting beekeeper. This would facilitate administrative checks to verify the percentage shares in honey blends. The EESC considers it important to ensure that companies (specially small- and medium-sized ones) are not burdened with excessive costs. While we acknowledge that the mentioned point aligns with Regulation (EU) No 1169/2011, the EESC strongly emphasises that all honey-like products must be distinctly labelled to clarify that they are not honey, as per Directive 2001/110/EC relating to honey. It is imperative that the Directive leaves no room for ambiguities or misinterpretations. This stance is especially significant in the context of combating fraud in the honey sector.

4.2.8. Given that one of the primary aims of the Directive is to enhance the awareness of consumers and steer them toward healthier options, it is imperative to incorporate specific labelling requirements for industrially processed honey. The EESC requires the inclusion of labels stating 'ultrafiltered' and, given certain time and temperature thresholds to be set, 'pasteurised', which would clearly communicate the changes that occur when honey undergoes these specific processes. It is important to note that these treatments lead to a reduction in certain natural properties and benefits that are typically associated with honey. Thus, it is necessary to visually represent and communicate the implications of these processing methods on the final product. The EESC believes that accurate labelling allows consumers to make informed choices that align with their preferences and support beekeepers who prioritise the wellbeing of bees and their habitats.

⁽¹²⁾ European Professional Beekeepers Association, 2023.

4.2.9. The EESC considers that the proposed exception for packs of 25 g or less should be extended to 30 g in order to include the glass jars usually found in hotels. In these cases, a QR code could include on a voluntary basis a link to the information on the countries of origin of the honey blend.

4.3. Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption

4.3.1. The EESC generally regards the proposed amendments to the Directive as reasonable and necessary.

4.3.2. However, the EESC asks for an evaluation of the risk that people may be encouraged to increase juice consumption, to the detriment of whole fresh fruits, if the indication 'no fruit juices contain added sugars' is displayed in the same field of vision as the product name. It is of the utmost importance to enhance consumer education and awareness. Therefore, the EESC recommends that nectar producers be required to include the statement 'contains added sugars' when applicable. The statement 'with no added sugars' would be gradually eliminated for nectars that currently use it, and there would no longer be a need for juices to provide a similar indication. This measure promotes transparency and empowers consumers to make well-informed choices regarding their dietary preferences.

4.4. Directive 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée for human consumption

4.4.1. The EESC considers that increasing the fruit content of extra jams beyond the current 450 g/kg will not result in a final product with less total sugars; it will contain a little more fructose and a little less glucose, which makes no difference from a health perspective. This is because the jam needs to achieve a sugar content equivalent to 60 degrees Brix in order to reach the 'set point' that guarantees preservation. Adding excess fruit at the beginning only means more water to be evaporated in a longer cooking process that uses more energy and ends up adversely affecting the organoleptic quality of the jam, losing the flavour, colour and texture of the fruit. On the other hand, the Committee supports increasing the fruit content in standard jams to 400 g/kg. This will provide a healthier product to those segments of the population who need it the most, while maintaining a viable market for the industry.

4.4.2. The EESC acknowledges and endorses the objective of encouraging greater fruit consumption in people's daily diets. However, the EESC raises concerns about the practicality and effectiveness of relying on jam production to achieve this goal. As mentioned previously, implementing such a change within the sector may have negative environmental consequences, resulting in increased resource use and a larger environmental footprint for the product. Moreover, there are potential economic implications, including higher production costs, a potential decline in consumer satisfaction, and reduced competitiveness. Additionally, there could be social consequences, such as the potential loss of well-paying jobs.

4.5. The EESC regards the amendments to Directive 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption, as reasonable and well-founded. In view of developments concerning the health status of the EU population, lactose-free condensed milk products are a welcome addition.

4.6. Considering that the proposed amendments to the Directives are expected to entail additional costs for companies in terms of investing in new labelling and packaging processes to meet the proposed changes, the EESC deems the planned transitional period of 24 months from the date of directive adoption to be reasonably tight.

4.6.1. These adjustments should take into account the working conditions and rights of employees during the transition.

4.6.2. In order to avoid food waste, those products already put on the market before that deadline should not be withdrawn.

Brussels, 21 September 2023.

The President
of the European Economic and Social Committee
Oliver RÖPKE