

## BRUSSELS UPDATE 25/09/2015

- **Labelling: A new online Information System on EU and national labelling rules**

At the stakeholder meeting attended by Seafish on 22nd September, the Commission updated participants on the state of play on the creation of a Food Labelling Information System.

The objective of this system is to enhance implementation of labelling rules across the EU and help users to better understand which are the mandatory EU and national labelling rules applicable for specific categories of foods placed in each EU Member State.

The system is also expected to provide other practical information indicating in detail how to correctly label a food by means of legal summaries, explanatory notes and other relevant information aiming to enhance the correct implementation by food business operators of the relevant legislation and facilitate the work of national enforcement authorities.

Fishery and aquaculture products (unprocessed and processed) will be covered by this new system.

The Commission expected to select and recruit a contractor who will be responsible for the creation of the Food Labelling Information System with a time limit of 18 months. The contractor is expected to consult EU stakeholders on certain elements of the creation of the system at the beginning of 2016

- **[Question & Answer on Regulation \(EU\) No 1169/2011](#)**

The Member of the EP, Renate Sommer (Conservative Party) sent the following written question to the EC on the FIC Regulation:

*The provisions of Regulation (EU) No 1169/2011 and other EU legislation on food information leave room for interpretation that may sometimes give rise to legal uncertainties in the practical application of food labelling. To help reach a consensus on questions of interpretation, the Commission and Member States set up an expert group on the provision of food information to consumers (E02857) as a forum for dialogue. Its preliminary results were made available to the public in January 2013 in the form of a set of questions and answers. These Q&A are valued by economic operators and consumers as a source of information, and they helped ensure that the FIC Regulation got off to a good start when it came into force in December 2014. Even though the expert group is continuing its work, new questions and answers are no longer being published on the Commission's website.*

*Why is the list of Q&A on food information for consumers published on the homepage not being updated to include new contributions?*

*What other ways might be found to make questions and answers conclusively dealt with by the expert group available to the public?*

*For its part, the EC has replied to this question explaining that the Q&A document is normally developed in close cooperation with the Member States. This document aims at assisting all players in the food chain as well as the competent national authorities to better understand and correctly apply Regulation (EU) No 1169/2011 on the provision of food information to consumers and it is published on the website of DG Health and Food Safety. The work on an updated version of this document is in progress and will be made publicly available once it has been finalized.*

*The EC and MS have been focusing on the most relevant and fundamental questions pertaining to the application of the FIC Regulation. It is not possible to publish all replies to the questions raised in relation with the said Regulation, also taking into account that such questions become progressively more and more technical. In any event, Member States remain responsible for the application and enforcement of Regulation (EU) No 1169/2011.*

Finally, the Commission would like to note that the Questions and Answers document at issue has no formal legal status and in the event of a dispute ultimate responsibility for the interpretation of the law lies with the Court of Justice of the European Union.

- **Update on mercury in fish and fishery products.**

Today I met Frank Swartenbroux from DG SANTE to discuss about the latest developments in the EU legislation on heavy metals. Mr Swartenbroux confirmed that in view of the reactions expressed during the previous meeting with MS, the review of the existing maximum levels (MLs) for fish and fishery products has been further elaborated. As the consumption advice mentions that between 1 and 4 servings of fish should be eaten on a weekly basis, it seems logical that at least four categories are available. As a consequence, the EC is exploring the possibility of establishing two new MLs ("lower ML" at 0,3 mg/kg and "very high ML" for exceptional cases) in addition to the two existing MLs ("default ML" at 0,5 mg/kg and "higher ML")

There are three Member states that are against the current EC proposal on mercury (this is close to a minority veto). For the EC's point of view if such "very high ML" for swordfish is not set at EU level 28% of swordfish could be destroyed. Furthermore, the EC said that the data on mercury in fish has pointed out that there is a problem that needs to be faced. There will be a decision in the coming weeks about how to proceed a regards MS.

In parallel, it should be noted that an [EU campaign](#) has been recently launched by an NGO called FoodWatch in Germany and in The Netherlands claiming that *"the currently applicable maximum levels for mercury, as established by Regulation (EC) 1881/2006, must be maintained without change, especially for the most highly contaminated fish species, the predatory fish at the top of the food chain (e.g. tuna, swordfish and shark species). Any rising of these maximum levels would increase health risks for consumers. Furthermore, these risks cannot be mitigated through the introduction of stricter limits for fish species with "naturally" low levels of contamination. The mercury levels in these fish are already so low, that a further reduction of the applicable limits would have no affects whatsoever on consumer exposure"*.

Agendas:

- [Standing committee on plants, animals, food and feed - Section Controls and Import Conditions, 7-8 October](#)
- [EU Council Customs Union, 29<sup>th</sup> September](#)

Useful links:

- [Extended deadline for submitting applications to join the Forum for a Better Functioning Food Supply Chain](#)
- [The Trawler – EP PECH Committee Magazine, September](#)
- [Draft opinion of the Committee on Development of the EP on common rules in respect of application of the external dimension of the CFP, including fisheries agreements](#)
- [Questions and Answers on Fishing Opportunities in the EU for 2016](#)
- [Results of fisheries and aquaculture ecolabel consultation now online](#)

Events:

- [Conference: "Food contact materials: working together for safety and innovation in Europe" – 30<sup>th</sup> September](#)
- [Aquaculture Europe 2015, 20 October, Rotterdam](#)

DG MARE:

[http://ec.europa.eu/information\\_society/newsroom/cf/mare/news.cfm?subweb=342&sub=1&lang=en](http://ec.europa.eu/information_society/newsroom/cf/mare/news.cfm?subweb=342&sub=1&lang=en)

EFSA: <http://www.efsa.europa.eu/>

**Other events:**

<http://europa.eu/newsroom/calendar/?siteLanguage=en>

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