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## **Transparent\_Food**

*Quality and integrity in food: a challenge for chain communication and transparency research*

Coordination and Support Action – CSA  
Food Quality and Safety

### **D 5.3**

## **Report of analysis of public policy statements and legal requirements and expectations of food transparency schemes and their role in achieving policy and regulatory goals**

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## **EXECUTIVE SUMMARY**

The focus of this report is an assessment of the use of food labelling and logos as a policy instrument within European Union (EU) legislation and regulation and its wider policy objectives. Food transparency schemes are identified through the use of labels and logos and/or traceability requirements.

Most notable within the report is the use of labels to further policy and regulatory goals. Such goals cover wide ranging areas but include; the clear provision of information to consumers to enable trust and confidence and consumer choice, support for producers and strengthening of EU market(s); increasing environmental sustainability of food production.

In this report, analysis of regulatory and policy goals are categorized under three separate sections in line with the Transparent\_Food project structure. These are 1) Food Safety 2) Food Quality and 3) Food (chain) Integrity. Most notable is the broadening of Food Quality to represent more than the composition and characteristics of food. Instead, as the report reveals, the understanding of Food Quality is widening to include farming attributes including process and production methods and environmental impacts. Public health policy goals such as reducing the rates of obesity and so diet related diseases are also being addressed by labelling criteria for foods.

The report finds that labelling and logos based on certification schemes are seen as potential policy instruments to advance a range of policy goals: from signalling a common base-line standard as with the EU Organic logo, to rewarding farmers for their wider role in maintaining public goods such as natural landscapes, to ameliorating the carbon and other adverse impacts of food chains and food products. The aspiration to further food based labelling schemes is still restricted by lack of clear and accepted methodologies to provide a basis for clear measurement of the impact of a food process or of the final product. This is the case with animal welfare and carbon impacts at present. Private schemes are ahead of

legislation on signalling environmental and social and ethical impacts of food, and in some areas, such as Fair Trade, the European Commission considers the innovation and dynamism of private market based schemes to be the more effective approach at present.

Nonetheless, food transparency schemes are considered to have a real or potential role in both the meeting of and the communication of policy goals. Thus, the complexity of the ever broadening food policy landscape is reflected in the policy and regulatory decisions making bodies of the EU and their reliance on the use of logos and labels.

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## **LIST OF ABBREVIATIONS**

EC European Commission

EU European Union

GMO Genetically Modified Organism

HVNF High-Nature Value Farming

PDO Protected Designation of Origin

PGI Protected Geographical Indicator

PPM Production Process Method

TSG Traditional Speciality Guaranteed

## 1 INTRODUCTION

The report draws on EU legislation and policy documents to analyse the extent to which labels and logos are used as instruments of public policy. This report responds to the following questions:

- Where is labelling an important instrument of public policy?
- To what extent are labels and logos relied upon to produce policy and regulatory goals?

Public policy statements and the specific EU regulations and directives are used to establish the expectations of labelling and certification and their role in achieving policy and regulatory goals. In this report, analysis of public policy statements and regulatory requirements are set out under separate sections in accordance with the Transparent\_Food project structure of: 1. Food Safety 2. Food Quality and 3. Food (Chain) Integrity. However, one finding of this report is that Food Quality is increasingly being deployed by policy makers to cover a wide range of areas that go beyond the notion of Food Quality as essentially concerned with safety and product composition. Food Quality clearly overlaps with overlaps with the areas currently designated in the project under Food Integrity. This report divides these categories and sub categories as follows:

### I. Food Safety and II. Food Quality

- Food Safety and Food Quality (composition)
  - Food Quality (Nutrition and Health)
  - Food Quality (agricultural produce)

### III. Food Chain Integrity

- Origin (referring to place, region and country)
- Environment
  - Production Process Method
  - Environment –Impact/standards
- Ethical and Social
  - Animal Welfare
  - Labour and working conditions
  - Terms of trade
  - Social and Community Capital
  - Cultural and Social

## **1.1 Definition of logos and labels**

Information for consumers can be communicated in a range of ways. Information can be offered and shared with consumers at both the point of sale and, in the space-of-sale – for example, in-store. In addition, information can be communicated virtually, via websites. Labelling is a method of communicating information to consumers via the product itself. Different ‘fields of vision’ exist on labels, for example, front of pack. A regulatory definition of labelling is contained within Article 1 (paragraph 3 a) of Directive 2000/13/EC which defines labelling as:

‘any words, particulars, trade marks, brand name, pictorial matter or symbol relating to a foodstuff and placed on any packaging, document, notice, label, ring or collar accompanying or referring to such foodstuff’.

In this report, logos are considered within the scope of the definition of labelling as they can cover one or more of “trademarks, brand name, pictorial matter or symbol...” Logos represent an attempt to signal information in an abbreviated format the certification of certain designated characteristics of the history and/or composition of the product in question.

**1.2** A distinction between mandatory and voluntary labelling is required. Mandatory labelling reflects the requirement to compulsorily include information on the label (e.g. allergens - see 2.3). The term voluntary can have two meanings in the context of labelling. Labelling may be voluntary but the standards and governance associated with a particular area are mandatory. One example is Genetically Modified Organism (GMO) which is a voluntary label but foodstuffs labelled with GMO-free must meet particular standards enacted in EU legislation (see 7.1.2). Voluntary labelling however may also refer to information which meets standards devised by private or national schemes (e.g. fair trade schemes).

**1.2.1** All labelling, mandatory or voluntary, and associated standards are governed by Article 2 Directive 2000/13/EC which sets out what labelling must do. Paragraph 1 of Article 2 of the Directive 2000/13/EC states the following:

1. The labelling and methods used must not:

(a) be such as could mislead the purchaser to a material degree, particularly:

(i) as to the characteristics of the foodstuff and, in particular, as to its nature, identity, properties, composition, quantity, durability, origin or provenance, method of manufacture or production;

(ii) by attributing to the foodstuff effects or properties which it does not possess;

(iii) by suggesting that the foodstuff possesses special characteristics when in fact all similar foodstuffs possess such characteristics;

**1.2.2** Marketing standards are a further legislative tool which governs information placed on food label. While not an explicit focus of this report, marketing standards have a role to play in contributing to meeting policy aims. For example, one aim of marketing standards is to indicate to consumers the quality (product and composition) of a product and to prevent the misleading of consumers on both the composition and farming attributes of a product.

**1.3** The report '*Labelling: competitiveness, consumer information, better regulation*' asked key questions on the scope and nature of EU regulation and labelling. In supporting labelling more generally, the European Commission's Directorate General for Health and Consumers - DG Sanco (2006), set out the aims of their strategic approach to labelling:

- 'provide consumers with necessary information to enable them to make safe, healthy and sustainable choices

- create a pro-competitive market environment in which dynamic , efficient , innovative operators can make full sense of the power of labelling to sell their products
- be consistent, coherent and transparent
- create common framework and rules in order to eliminate barriers to free circulation of goods'<sup>1</sup>

**1.4** More recently, in 2009, the EU Commission's communication on agricultural product quality policy emphasised the need to inform customers about the qualities of the products available<sup>2</sup>. Information, it was held, is required in order to enable consumers to respond and pay a fair price. Sustaining both competitiveness and profitability, according to the communication partly relies on consumers knowing about the qualities of products. The EU Communication defines the qualities of agricultural products as follows:

'Agricultural product 'qualities' includes both 'product characteristics' (physical, chemical, microbiological and organoleptic features – size, appearance, taste, look, ingredients, etc.) and farming attributes (production method, type of animal husbandry, use of processing techniques, place of farming and of production, etc).

(EU Communication: Agricultural product quality policy 2009).

**1.5** Policy and legislation in the areas of labelling and certification are rapidly evolving. Consequently, some sections in this report draw on proposals for regulation rather than regulations and directives that have been adopted (e.g. Section 3.2.1 on nutrition content). In addition, the EU has discussed the possibility of introducing new schemes with a particular

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<sup>1</sup> 'Labelling: competitiveness, consumer information, better regulation for the EU'p3

A DG Sanco Consultative Document Health and Consumer Protection Directorate-General February 2006

<sup>2</sup> Communication: on agricultural product quality policy (2009) Brussels, 28.5.2009

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policy focus. One example is the development of a high-nature value farming scheme which is suggested to provide benefits for farmers and the environment (see 7.2.2).

## I & II: Food Safety and Food Quality

### 2 Food safety and food quality (composition)

Food Safety and the quality of food in terms of its composition as it moves along the chain is a prime concern of EU regulation.

**2.1 Mandatory information:** *Directive 2000/13/EC* sets out the general labelling requirements including the compulsory information which must be listed on food products.

These are:

- Name of product
- List of ingredients
- Use-by-date
- Special conditions of use
- Additional rules exist for specific food groups and types ( meat, diabetic)
- Compulsory identification (name and address)

**2.1.1** *Article 9 of the proposal for a regulation on the provision of food information to consumers* lists the following particulars as mandatory:

- the name of the food;
- the list of ingredients<sup>3</sup>;

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<sup>3</sup> Exceptions exist in which a list of ingredients is not required. Article 20 of *the proposal for a regulation on the provision of food information* lists the following as not requiring a list of ingredients:

- Fresh fruit and vegetables, including potatoes, which have not been peeled, cut or similarly treated
- Carbonated water
- Fermentation vinegars derived from a single basic product
- Cheese, butter, fermented milk and cream, to which no ingredient has been added other than lactic products, enzymes and micro-organism cultures essential to manufacture, or in the case of cheese other than fresh cheese and processed cheese the salt needed for its manufacture.
- Wine
- Foods consisting of a single ingredient where the name of the food is identical with the ingredient name or the name of the food enables the nature of the ingredient to be clearly identified.

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- any ingredient listed in Annex II causing allergies or intolerances, and any substance derived there from;
- the net quantity of the food;
- the date of minimum durability or the 'use by' date;
- any special storage conditions or conditions of use;
- the country of origin or place of provenance
- instructions for use when it would be impossible to make appropriate use of the food in the absence of such instructions;
- with respect to beverages containing more than 1,2% by volume of alcohol, the actual alcoholic strength by volume;
- a nutrition declaration.

In addition Annex III of *the proposal for a regulation on the provision of food information* states additional specific types or categories of food that are required to be included in labelling. These are:

- Foods packaged in certain gases and foods whose durability has been extended as a result (for example, milk which, because of treatment is able to last longer seven days may not be labelled as 'fresh').
- Food containing sweeteners
- Foods containing liquorice

## **2.2 Food additives, food sweeteners and food colouring**

Labelling regulation for food additives is set out in *Regulation EC 1333/2008 on food additives*. Within the regulation, a distinction is made between the labelling requirements of food additives not intended for the sale to the final consumer and the labelling of food additives intended for sale to the final consumer.

Article 21 and 22 set out the requirement for the labelling of food additives not intended for sale to the final consumer. Article 21 states that labelling must be easily visible, clearly

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legible and indelible. Further, the information presented is required to be in language easily understandable to purchasers. Article 22 sets out the specific pieces of information required on packaging or containers of food additives (which are not intended for sale to the final consumer)<sup>4</sup>.

Article 23 lays down the requirements of labelling of food additives intended for sale to the final consumer. Paragraph 1 states that food additives 'sold singly or mixed with each other and/or other food ingredients intended for sale to the final consumer may be marketed only if their packaging contains the following information:

- the name of the E-number of each food additive or a sales description which includes the name and E-number of each food additive;
- The statement 'for food' or the statement 'restricted use in food' or a more specific reference to its intended food use

*Regulation EC 1333/2008* contains specific clauses for the labelling of tabletop sweeteners and requires manufacturers to include the term '...-based table-top sweetener', using the name(s) of the sweetener(s) used in its composition in the sales description of table-top sweeteners. In addition, table-top sweetener(s) containing polyols and/or aspartame and/or aspartame-acesulfame salt are required to be labelled with the following warnings:

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<sup>4</sup> Paragraph 1 of Article 22 states the following shall be included on labelling of food additives not intended for sale to final consumer.

(a) the name and/or E-number laid down in this Regulation in respect of each food additive or a sales description which includes the name and/or E-number of each food additive.

(b) the statement 'for food' or the statement 'restricted use in food' or a more specific reference to its intended use.

(c) if necessary, the special conditions of storage and/or use

(d) a mark identifying the batch or lot

(e) instructions for use, if the omission thereof would preclude appropriate use of the food additive

(f) the name or business name and address of the manufacturer, packager or seller;

(g) an indication of the maximum quantity of each component or group of components subject to quantitative limitation in food and/or appropriate information in clear and easily understandable terms enabling the purchaser to comply with this Regulation or other relevant Community law; where the same limit on quantity applies to a group of components used singly or in combination, the combined percentage may be given as a single figure; the limit on quantity shall be expressed either numerically or by the quantum satis principle;

(h) the net quantity

(i) the date of minimum durability or use-by-date

(j) where relevant, information on a food additive or other substances referred to in this Article and listed in Annex IIIa to Directive 2000/13/EC as regards the indication of the ingredients present in foodstuffs

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- polyols: 'excessive consumption may induce laxative effects';
- aspartame/aspartame-acesulfame salt: 'contains a source of phenylalanine'.

Article 24 of *Regulation EC 1333/2008* sets out the labelling requirements for foods containing certain food colours<sup>5</sup>. Food containing one or more of the food colours stated in the regulation must be labelled on the food and accompanied by the following statement 'may have an adverse effect on activity and attention in children'.

**2.3 Allergens:** *Directive 2007/68/EC* details the list of 14 ingredients which are identified as allergenic. Clear labelling indicating that products contain these products is required under the Directives. The following foods require clear labelling with an indication of their potential allergenic effect:

- Celery
- Cereals containing gluten (wheat, barley, rye and oats)
- Crustaceans (lobster and crab)
- Eggs
- Fish
- Lupin
- Milk
- Molluscs (mussels and oysters)
- Mustard
- Nuts
- Peanuts
- Sesame seeds

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<sup>5</sup> Annex V of *Regulation EC 1333/2008* lists the following colours as subject to the regulation requirements:

- Sunset yellow (E 110)
- Quinoline yellow (E 104)
- Carmoisine (E 122)
- Allura Red (E 129)
- Tartrazine (E 102)
- Ponceau 4R (E 124)

- Soybeans
- Sulphur dioxide and sulphites (above 10 mg per kg or litre).

*Article 22 and Annex II of the proposal for a regulation on the provision of food information repeats the provision for the labelling of ingredients which may cause allergy or intolerance in Directive 2007/68/EC.*

**2.4 Regulation (EC) 178/2002** lays down general principles and requirements of food law and food safety procedures, and established the European Food Safety Authority (EFSA). The scope of application covers all stages of production, processing and distribution of food and feed. EFSA provides scientific advice, information and data on risks associated with the food chain. The presence of EFSA supports the framework of food safety set out by *Regulation (EC) 178/2002* and its communication with consumers aims to increase confidence in EU food and food markets.

Policies goals which serve to ensure food safety rely on a strategy of risk management and the concept of traceability. Traceability is detailed in Article 18 of *Regulation (EC) 178/2002*. Traceability of foodstuffs is relevant for the consumer as well as producers and business-users of foodstuffs. Traceability enables risk management along supply chains and was developed, in the context of food safety, as a response to food crises in the EU in the early 1990s (Arienzo et al 2008). Traceability is understood here as a precondition for food chain transparency. Traceability affords transparency to primarily operate between businesses to business.

Several pieces of legislation make requirements for traceability systems – some of which go beyond food safety and recall needs (e.g. see GMO in section 7.1.2; fishery and aquaculture products in section 7.1.4; geographical indicators in section 6.1).

**2.5** Legislation has created mandatory traceability, for example, an obligatory labelling and registration scheme for beef exists in the EU. *Regulation (EC) No 1760/2000* established a system for the identification and registration of bovine animals and the labelling of beef and beef products. The legislation created a traceability system between a carcass quarter or pieces of meat to an individual animal or a group of animals. Beef and veal sold in the EU must be labelled with information on the following:

- country of origin
- country of slaughter
- slaughter company
- country(-ies) of further processing, company(ies) of further processing.

*Regulation (EC) No 1760/2000* requires each Member State to establish an identification and registration system for bovine animals. This system operates with the use of:

- ear tags for the individual animal,
- information in databases,
- animal passports,
- individual registers kept on each holding (farm records).

In addition *Regulation (EC) No 1760/2000* sets out specific labelling requirements for minced beef meat. Minced beef must show:

- the reference number or code establishing the connection between the meat and the animal (or group of animals) from which the meat was derived;
- the indication "Produced in" ( with the name of the country of production) and the indication of "Origin" where the country or countries concerned are not the same as the country of production;
- the country of slaughter;

**2.6** Individual traceability of ovine and caprine animals was established in *Council Regulation (EC) 21/2004*. The regulation states that experience, in particular, with the outbreak of foot-and-mouth disease created the necessity to set down a rigorous system of traceability which relies on the identification and registration of ovine and caprine animals and allows for continuous tracking of animals. Electronic tagging is the means of identification used to identify each animal set down in Annex of *Council Regulation (EC) 21/2004*. Tagging of animals is supported by a broader system of traceability. Specifically, Paragraph 1, Article 3 of *Council Regulation (EC) 21/2004* states that each Member State shall implement a system which allows for the identification and registration of animals based on the following elements:

- a) means of identification to identify each animal
- b) up-to-date registers kept on each holding;
- c) movement documents
- d) a central register or a computer database.

## **2.7 Summary**

Food safety is a key policy and regulatory goal of the EU. Consequently the use of food transparency schemes to fulfil food safety policy and regulatory goals are characterised by:

- legislation which makes the mandatory provision of information on labels (as listed in section 2.1 and 2.2.). For example, as discussed in section 2.3 the use of labels to signal potential food allergens to consumers as a result of mandatory labelling legislation contributes to safe food consumption.
- the role of traceability in providing information along the food supply chain. This primarily operates between business to business. Traceability is enacted in key EU legislation and has subsequently developed in application to specific food regulations (e.g. labelling of beef and beef products as described in section 2.5)

### 3 Food Quality (health and nutrition)

Food quality, in this report, possesses two meanings linked to the composition of food. In the previous discussion, the approach to food quality was informed by food safety, for example, potential allergen content of food. In this section, the food quality emphasis is derived from a focus on the health and nutrition aspects of food composition.

#### 3.1 Health claims

*EC Regulation No 1924/2006* is the regulation for which accordance of all approved health claims is required. The legislation aims to avoid the creation of barriers to the free movement of foods in the internal market as a result of different national provisions. A further aim of the legislation was to ensure a high level of protection for consumers in relation to foods which bear nutrition and health claims. General claims about benefits to overall good health, such as 'healthy' are only allowed if they are an appropriate and approved claim. Nutrition and health claims are required to be based on accepted scientific evidence. EFSA is the institutional body which oversees and regulates health claims. The annex of *Regulation (EC) 1924/2006* sets out specific terms which are in the scope of the legislation. These are include<sup>6</sup>:

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<sup>6</sup> The full list of nutrition claims are as follows: low energy; energy-reduced; energy-free; low fat; fat-free; low-saturated fat ;saturated fat; low sugars; sugars-free; with no added sugars; low sodium/salt; very low sodium/salt; sodium-free or salt-free; source of fibre; high fibre; source of protein; high protein; source of [name of vitamins and/or [name of minerals];high [name of vitamin/s and/or [name of mineral/s];contains [name of the nutrient or other substance];increased [name of the nutrient]; reduced [name of the nutrient];light/lite; naturally/natural.

*Examples of the rules for specific claims:*

- Low fat: A claim that a food is low in fat, and any claim likely to have the same meaning for the consumer, may only be made where the product contains no more than 3 g of fat per 100 g for solids or 1,5 g of fat per 100 ml for liquids (1,8 g of fat per 100 ml for semi-skimmed milk).
- Fat-free: A claim that a food is fat-free, and any claim likely to have the same meaning for the consumer, may only be made where the product contains no more than 0,5 g of fat per 100 g or 100 ml. However, claims expressed as 'X % of fat free shall be prohibited.
- Low-saturated fat: A claim that a food is low in saturated fat, and any claim likely to have the same meaning for the consumer, may only be made if the sum of saturated fatty acids and trans-fatty acids in the product does not exceed 1,5 g per 100 g for solids or 0,75 g/100 ml for liquids and in either case the sum of saturated fatty acids and trans-fatty acids must not provide more than 10 % of energy.

- Low fat
- Fat-free
- Low-saturated fat
- With no added sugars
- Low sodium/salt
- Source of fibre
- Source of protein
- Source of [name of vitamins and/or [name of minerals]
- Contains [name of the nutrient or other substance]
- Increased [name of the nutrient]
- Reduced [name of the nutrient]
- Light/lite
- Naturally/natural

**3.2 Nutrition content:** *Council Directive 90/496/EEC* on Nutrition Labelling of Foodstuffs regulates the nutrition labelling on foods. The *Annex to the Nutrition Labelling Directive (90/496/EEC)* lists vitamins and minerals which may be declared on the nutrition label, their recommended daily allowances (RDAs), and specifies what is a 'significant amount' (15% of the RDA per 100g or 100ml)<sup>7</sup>.

**3.2.1.** In June 2010, MEPs supported the European Commission *proposal for a regulation on the provision of food information* that nutrition labelling should be mandatory and include the following:

- Energy value;
- The amounts of fat, saturates, carbohydrates with specific reference to sugars, and salt.

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<sup>7</sup> The Directive does not apply to natural mineral waters or other waters intended for human consumption, or food supplements (Article 28 paragraph (1)(2)).

*Article 29 (2)* of the proposal states that the nutrition declaration may include the amounts of one or more of the following:

- trans fats;
- mono-unsaturates;
- polyunsaturates;
- polyols;
- starch;
- fibre;
- protein;
- minerals and vitamins listed in Annex XI of the proposal

Specifically the proposal states that quantities of fat, saturates, sugar and salt - as well as energy - must be indicated on the front of food packs. These should be accompanied by guideline daily amounts and expressed with per 100g or per 100ml values. MEPs also voted for details of protein, fibres and transfats to be included elsewhere on the packaging. The adoption of these rules will make the provision of nutrition information on foodstuffs mandatory.

Some exemptions of the regulation proposal exist<sup>8</sup>. The proposal, when in force, will merge and amend existing legislation in this area (e.g. *Directive 90/496/EEC and Directive 2000/13/EC*)

**3.2.2** As explained by the Commission, the proposal to regulate nutrition labelling was informed by the following policy considerations and objectives:<sup>9</sup>

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<sup>8</sup> For example, the article 29 of the proposal suggests that the regulation does not apply to wine, beer or spirits.

<sup>9</sup> Specifically, the amendments proposed by the Commission states:

The free movement of safe food is an essential aspect of the internal market and contributes significantly to the health and well-being of citizens and to their economic interests. This regulation will both serve the interests of the internal market, by simplifying the law, ensuring legal certainty and reducing red tape, and benefit citizens by requiring clear, comprehensible and legible labelling of foods. (Amendment 1 Proposal for a regulation Recital 2)

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- Support health conscious food choices and contribute to the reduction of obesity and non-communicable diseases ( e.g. diabetes)
- To allow key nutrition information to be more easily accessible, understandable and more widely applied to and for the consumer
- Ensure a consistent and harmonised approach at an EU level thus allowing a unified approach to labelling by stakeholders
- To create a level playing field for companies to compete<sup>10</sup>

The EU platform on Diet, Physical Health and Activity identifies consumer information including labelling as a key part of its strategy of action<sup>11</sup>. This was emphasised in the *White Paper on a Strategy for Europe on Nutrition, Overweight and Obesity-related Health Issues*. The White paper highlighted the need for consumers to have access to clear, consistent and evidence-based information. Recognition is made of the role of the private sector in developing clear information systems and improved labelling to enable consumers to be best-placed to make an informed choice<sup>12</sup>. The paper stresses that the EU should take a leading role in creating a common approach on this issue<sup>13</sup>. Recommended in the paper is the need for mandatory nutrition labelling to help consumers make a healthy choice of food<sup>14</sup>. The White Paper is cited in the preamble of the proposal for regulation.

**3.2.3** While agreement was made between MEPS to support the regulation of nutrition information on food products, divergence and debate exists among stakeholders regarding how precisely such information should be communicated to consumers. Following discussion in the EU parliament, MEPS voted in the proposal for nutrition labelling to be displayed in panel style with RDAs rather than the traffic light style.

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<sup>10</sup> Some exceptions were suggested, for example, food that is not prepacked, such as meat purchased from a butcher and handcrafted food products from microenterprises (for example, handcrafted food at fundraising events, such as school and church fetes).

<sup>11</sup> A European Platform For Action - Diet, Physical Activity And Health 15 March 2005 p2

<sup>12</sup> Point 17 of White Paper on a Strategy for Europe on Nutrition, Overweight and Obesity-related Health Issues

<sup>13</sup> Point 18 White Paper on a Strategy for Europe on Nutrition, Overweight and Obesity-related Health Issues

<sup>14</sup> Point 31 White Paper on a Strategy for Europe on Nutrition, Overweight and Obesity-related Health Issues

*Article 31 of the proposal for a regulation on the provision of food information* states that nutrition information shall be expressed using the measurements units of Recommended Daily Allowance (RDAs). Example of this format is provided in Annex XIII of the proposal. Energy and nutrients are to be expressed per 100g or 100ml or per portion. *Article 32* details the standards of which per portion measurements must meet. For example, portions must be quantified (i.e. statement of how many portions contained in pack is required on the label)

**3.3. Summary:** Food quality in relation to health and nutrition and labelling is an emerging area of policy and regulation. Policy and legislative expectations in this area are numerous and include:

- Avoid the misleading of consumers (as discussed in section 3.1, regulation on health claims aims seek to avoid the misleading of consumers)
- Create fairer market for supply chain actors including manufacturers and producers
- Provide legible , clearer and consistent information to consumer
- Balance interests of consumers, interest groups and industry
- Contribute to the health policy drives, in particular on obesity.

#### **4 Food Quality (marketing standards)**

Marketing standards are a key instrument of agricultural product quality policy. Marketing standards enacted in legislation govern the use of terms and information used on labels to describe food (product and process). An additional and complementary aim of marketing standards is the prevention of misleading consumers on both the composition of products and farming attributes of a product. Moreover, this was recently emphasised in a communication from the European Commission on the topic of agricultural product quality policy<sup>15</sup>. While the complexity of detail contained within marketing standards was noted as a potential constraint for farmers and producers, emphasis was also placed on the significant role of marketing standards in informing consumers about characteristics and farming attributes of food products.

Through their labelling requirements, marketing standards are used to inform consumers about the following:

- differentiation between specific product types, for example, whether a fruit juice is derived from concentrate or made from pure fruit juice
- the quality and compositional integrity of a product. Marketing standards stipulate the composition requirements of a product for example chocolate (cocoa and vegetable fat content) and spreadable fats (butter, margarine and blends). Thus consumers are provided with a guarantee regarding the quality of the product
- the classification of a product, for example, size, weight and freshness. Examples of products subject to marketing standards in this area are fish, fruit and vegetables, and eggs. A key aim of the marketing standards focusing on classification of products in these areas is to enable consumers to have a sound basis on which to compare products. Moreover, in classifying quality (on the basis on freshness for eggs, fresh

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<sup>15</sup> Communication: on agricultural product quality policy (2009) Brussels, 28.5.2009 COM(2009) 234 final

fruits and vegetables) the marketing standards aimed to indicate to consumers about the perishable nature of particular products

- products which claim to be produced from a particular production process method or place of origin. For example, the distinction and appropriateness of using terms such as ‘organic’ and ‘free range’.

Taken together, the labelling requirements of marketing standards serve to indicate a standard of product and thus indicate quality to consumers. Marketing standards can be used as a form of market differentiation through their reserve terms, for example, ‘free range’. A significant number of products are subject to market standards enacted in EU legislation, in particular, Council Regulation (EC) No 1234/2007 *establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)*.

## **5 Food Quality (agricultural produce)**

The European Commission has begun to emphasise the links between good farming practices and the quality of food produced from these practices. The Commission's Green Paper on Agricultural Product Quality recognised that the meaning and form of food quality goes beyond product standards relating to food safety. In particular, quality is linked to meeting consumer expectations. The Green paper noted that 'the demands of the market are diverse' and, as a consequence, 'consumers increasingly pay attention to the contribution made by farming on sustainability, climate change, food security and development, biodiversity, animal welfare, and water scarcity'<sup>16</sup>

The quality challenge is defined in terms of how to turn the burden of expectations and demands of consumers into premium marketplace returns for farmers. In order to achieve this, the Green Paper highlighted the importance of distinguishing those products that meet consumers' expectations, for example, by revealing the production process method or place of farming. However, it was recognised that there has been a relative lack of success in communicating to consumers about the quality of EU farming standards. Hence, the focus within the Green Paper is on exploring ways in which the EU's schemes and regulations can support farmers in their efforts of highlighting the quality of the foods produced.

Following the Green Paper, the EU Commission laid down a strategic approach to agricultural product quality in a Communication put forward on May 29 2009. The strategic approach emphasises that the role of agricultural quality produce policy is 'inform buyers and consumers about product characteristics and farming attributes'<sup>17</sup>. In addition, the development of agricultural product quality aims to contribute to meeting of the objectives of CAP<sup>18</sup>. The main quality measures highlighted in the Commission Communication were:

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<sup>16</sup> Green Paper on agricultural product quality: product standards, farming requirements and quality schemes Brussels, 15.10.2008 COM (2008) 641 final p2

<sup>17</sup> Communication: on agricultural product quality policy (2009) Brussels, 28.5.2009 COM(2009) 234 final

<sup>18</sup> *Communication: on agricultural product quality policy* (2009) Brussels, 28.5.2009 COM(2009) 234 final

- EU farming requirements
- Marketing standards
- Geographical indications
- Organic farming

Thus, Food Quality is conceptualised as a range of attributes rather than one. It can refer to food safety and composition as well as the potential impact of consumption (for example, health claims and nutrition). The Green Paper consultation and the subsequent EU Communication on agricultural product quality illustrates how the concept of quality is broadening and is increasingly operating in multiple ways – for example, in relation to meeting farming requirements and the place of production.

While farming standards and marketing standards are referred to as key quality measures, this report focuses on those quality measures captured with labels and logos as part of food transparency schemes, consequently less detail is presented here regarding the marketing standards. The next three sections of this report explore in greater detail the EU's approach to the use of labels and logos in highlighting food quality relating to food produce.

### III. Food Chain Integrity

#### 6 Origin (referring to place, region and country)

Information on origin refers to place, region and country and includes methods of production that are specific to those places and regions in different ways. The specificity of such geographically located production is the basis for the legal status of schemes known collectively as Geographical Indicators (GIs).

##### 6.1 Protected Designation of Origin (PDOs), Protected Geographical Indicator (PGIs) and Traditional Speciality Guaranteed (TSGs).

The PDO label relates to a food product originating in a specific region where the quality of that product is due *exclusively* to a particular geographical environment with its inherent human and natural factors. The PGI label reflects a product originating in a particular region, which possesses a specific quality, reputation, or other characteristics *attributable* to that geographical origin (but not necessarily due to its natural environment). Hence, in the cases of PDOs and PGIs there are *specific attributes* to the production process that are attributable to differing degrees to the geographical area of production. Eligibility for PGI certification requires that at least one of the stages of production, processing or preparation is required to take place in the area in order for certification to be awarded. The regulation for schemes exists under *Regulation (EC) 510/2006 on the protection of geographical indications and designations of origin for agricultural product stuffs*.

Traditional Speciality Guaranteed (TSGs) is a scheme in which the traditional character, either in the composition or means of production of a food is indicated to the consumer. It aims to identify and protect names of traditional and speciality products. The TSG scheme is enacted by *Regulation EC 509/2006*. In 2009, the communication on agricultural product

quality discussed the possibility of abolishing the scheme because of the lack of up-take and response<sup>19</sup>.

**6.1.1** The policy aim behind the PDO and PGI instruments is to ensure integrity of foodstuffs and protect the reputation of regional foods. The schemes are similar to appellation systems that exist in France and Italy. Integrity of foods is protected as the certification label indicates the authenticity of the product. It prevents attempts to reproduce foodstuffs outside of a particular region or in using a different method and thus prevents the misleading of consumers and specialised producers. The main aims of the PDO and PGI schemes are:

- to ensure consumers receive clarity on information relating to origin ( and authenticity) of product
- to promote and include small production areas and enable economic benefits (especially in rural areas) increase income of certificate holders
- to contribute to local and regional economies and thus contribute to the prevention of population decline in rural areas.

The PDOs and PGIs are currently under review with consideration being made of merging PDO and PGI and incorporating sustainability based criteria<sup>20</sup>.

### **6.1.2 Impact assessment of PDO schemes**

An assessment of the value added by quality assurance schemes revealed that, in a case study of Iberian Ham (of which some is PDO certified as “Dehesa de Extremadura”) producers gained some competitive advantage from the scheme. The main benefit for producers is the opening of market niches and differentiation. The PDO was also considered

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<sup>19</sup> Communication: on agricultural product quality policy (2009) Brussels, 28.5.2009 COM(2009) 234 final p12

<sup>20</sup> Communication: on agricultural product quality policy (2009) Brussels, 28.5.2009 COM(2009) 234 final P11

to fulfil some aspects of CAP objectives, for example, with those linked to the environment. In the case of the PDO certified Iberian ham, the scheme's provisions supported the extensive production system and "dehesa" woodlands upon which production partly relied. The creation of support of the woodlands by the PDO in turn contributed to development and preservation of local identity and tradition and biodiversity. Developing the commercial strategy to increase consumer awareness was one key recommendation of the impact assessment. This together with an approach that prevents market saturation of PDO (Iberian ham) will enhance the benefits of PDO certification<sup>21</sup>.

## **6.2 Non- scheme based country of origin labelling**

Article 13(8) of *Directive 2000/13/EC* states that the labelling of foodstuff shall be compulsory when the 'particulars of the place of origin or provenance where failure to give such particulars might mislead the consumer to a material degree as to the true origin or provenance of the foodstuff;'

The mix of the voluntary and mandatory approach is explained in DG SANCO's consultative document regarding revision of the labelling regulation. Paragraph 29 states that origin in *Directive 2000/13/EC* is 'not normally considered as necessary information to enable consumers to make an informed choice, because [that] origin is not an important element to characterise or to identify the product.' In addition, consumers are able to access some information on the origin of foodstuffs because of the mandatory identification of 'the manufacturer or packager, or of a seller established within the Community'<sup>22</sup>.

In June 2010, the topic of origin labelling arose as MEPs debated the regulatory proposal on the provision of food information to consumers. The proposal passed the first reading stage

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<sup>21</sup> European Commission Directorate-General JRC Joint Research Centre Institute for Prospective Technological Studies Sustainability in Agriculture, Food and Health Case Studies 4. Dehesa de Extremadura PDO cured ham 30/11/06 by Collado RG, Navarro E M, Riccioli C, Clavero FC. Foresight Studies Area. Information on study can be located here <http://foodqualityschemes.jrc.ec.europa.eu/en/index.html>

<sup>22</sup> 'Labelling: competitiveness, consumer information, better regulation for the EU'

A DG SANCO Consultative Document Health and Consumer Protection Directorate-General February 2006 Paragraph 29, p8

with several text amendments<sup>23</sup>. The original proposal retained the approach set out in earlier EU regulation Article 13(8) of *Directive 2000/13/EC* which seeks to prevent the misleading of consumers on the topic of origin<sup>24</sup>. Subsequent amendments have been proposed which if passed would usher in significant change regarding the scope of application of origin labelling. In particular, the new amendments of the proposal of regulation on the provision of food information states that the country or place of provenance shall be given for the following:

- meat;
- poultry;
- dairy products;
- fresh fruit and vegetables;
- other single-ingredient products; and
- meat, poultry and fish when used as an ingredient in processed foods.<sup>25</sup>

Additional labelling requirements are proposed for particular types of food, for example meat and poultry. In this case, the following was stated:

For meat and poultry, the country or place of provenance may be given as a single place for animals only where the animals have been born, reared and slaughtered in

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<sup>23</sup> European Parliament legislative resolution of 16 June 2010 on the proposal for a regulation of the European Parliament and of the Council on the provision of food information to consumers

<sup>24</sup> Article 9 Paragraph 1(i) proposal for a regulation of the European Parliament and of the Council on the provision of food information Brussels, 30.1.2008 COM(2008) 40 final 2008/0028 (COD) states:

‘the country of origin or place of provenance where failure to indicate this might mislead the consumer to a material degree as to the true country of origin or place of provenance of the food, in particular if the information accompanying the food or the label as a whole would otherwise imply that the food has a different country of origin or place of provenance; in such cases the indication shall be in accordance with the rules laid down in Article 35(3) and (4) and those established with Article 35(5).

<sup>25</sup> Amendments 101 and 328 Proposal for a regulation Article 9 – paragraph 1(i)

European Parliament legislative resolution of 16 June 2010 on the proposal for a regulation of the European Parliament and of the Council on the provision of food information to consumers

the same country or place. In other cases information on each of the different places of birth, rearing and slaughter shall be given<sup>26</sup>.

MEPs supported extending this to all meat, poultry, dairy products and other single-ingredient products. They also voted for the country of origin to be stated for meat, poultry and fish when used as an ingredient in processed food. However, this may be subject to an impact assessment. Meat labels in this instance will indicate where the animal was born, reared and slaughtered.

**6.3 Summary:** The policy aims behind the Geographical Indicators and Country of Origin Labelling (COOL) include:

- Specific attributes to a food product deriving from its geographical place of production
- Enhance economic wellbeing and productivity of producers because origin is used as a unique selling point (PDO, PGI & COOL)
- Consumers associate origin with quality and safety thus this has created a push towards origin labelling<sup>27</sup>
- Prevent the misleading of consumers.

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<sup>26</sup> Amendments 101 and 328 Proposal for a regulation Article 9 – paragraph 1 (i)  
European Parliament legislative resolution of 16 June 2010 on the proposal for a regulation of the European Parliament and of the Council on the provision of food information to consumers

<sup>27</sup> 'Labelling: competitiveness, consumer information, better regulation for the EU' A DG Sanco Consultative Document Health and Consumer Protection Directorate-General February 2006 p8-9

## 7 Environment

This section focuses on two aspects of the domain of environment: firstly, process and production method(s) and subsequently environmental impacts of production.

### 7.1 Process and Production Method

#### 7.1.1 Organic

In 1991 EU introduced farming regulation for 'organic', 'biological' 'ecological', and 'eco' and 'bio' labels<sup>28</sup>. Organic is defined in the EU legislation and at international level in a Codex Alimentarius guideline. Since its inception, organic legislation has undergone a series of revisions. For example, the original regulation permitted the inclusion of genetically modified ingredients in organic food (Macmaoain 2007:264) In addition, a later amendment permitted the use of labelling 'organic' of foods that contained up to 30% of non-organic (Macmaoain 2007:264). Further, according to Macmaoain (2007:264) more than 40 amending regulations have created a significant challenge to those who wish to work in the framework developed by the EU. The introduction of the new EU organic logo and its accompanying regulation(s) aims to resolve the challenges created from the plethora of legislation in this area.

**7.1.1.1** *Commission Regulation 271/2010* introduced the new EU new organic logo- 'Euro leaf'. The use of the logo became compulsory from July 2010.



**Figure 1** The 'Euro leaf' logo

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<sup>28</sup> *Communication: on agricultural product quality policy* (2009) Brussels, 28.5.2009 COM(2009) 234 final

The logo indicates that food fully conforms to the conditions and regulations for the organic farming sector set down by the European Union in *Regulation (EC) 834/2007*. There are three groups of products:

- Products which must be labelled with the logo<sup>29</sup>
- Products which can be labelled voluntarily with the logo
- Products that cannot be labelled with the logo

*Regulation (EC) 834/2007* sets out the additional compulsory requirements relating to the labelling of organic products. These are:

- Indication of the place where the agricultural raw materials of which the product is made originate can be expressed in four ways: 'EU Agriculture', 'non-EU Agriculture', 'EU/non-EU Agriculture' and 'XXXX-Agriculture' (the latter represents an alternative option to EU or Non-EU).
- The code number of the control authority or control body (the company that was last to prepare, process or pack the product).
- Title III of Commission *Regulation (EC) No 889/2007* lays down detailed rules on the implementation of Regulation (EC) No 834/2007. These include detailed information required for the code number and specific labelling requirements for feed.

**7.1.1.2** The policy goals behind the labelling and logo scheme are stated in *Council Regulation 834/2007*:

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<sup>29</sup> The organic logo is required for pre-packed organic food products which are in the scope of Regulation 834/2007. Article 1 Directive 2000/13/EC defines a pre-packed organic food product as 'any product which is put into packaging before being offered for sale (and presented) to the ultimate/final consumer or to mass caterers'. Article 25 (1) and Article 23 (4) of *Regulation 834/2007* state that products must also contain at least 95% (by weight) ingredients from organic agricultural origin.

- *Council Regulation 834/2007(1)* recognises the benefits of organic production and concludes that the organic production method ‘plays a dual societal role where it on the one hand provides for a specific market responding to a consumer demand for organic products, and on the other hand delivers public goods contributing to the protection of the environment and animal welfare, as well as to rural development’.
- *Council Regulation 834/2007(2)*: The regulation is in response to the significant growth in the organic sector in most Member States of the EU. Organic is considered to have a central role in the objectives of the CAP, in particular, the supply of quality food products to meet consumer demands and the establishment of fair competition in market of organic products.
- *Council Regulation 834/2007(3)* states that an aim of the regulation is to maintain and justify consumer confidence in products labelled as organic.
- *Paragraph 9 of Council Regulation 834/2007(9)* declares that GMOs (and products produced from or by GMOs) are incompatible with the concept of organic production and consumers’ perception of organic products. Consequently, the regulation states that GMOs should not be used in organic farming or in the processing of organic products.
- The EU report on Agricultural Product Quality suggests that the lack of mutual recognition between schemes is a further reason for the creation of an EU-wide logo. Concern was expressed that the market for organic food was divided along national lines and that as a consequence of mutual lack of recognition barriers in the market are created<sup>30</sup>.

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<sup>30</sup> Agricultural Product Quality Policy: Impact Assessment *Annex D. Certification Schemes for Agricultural Products and Foodstuffs* (Version: 08-04-09)P8

### 7.1.2 GMOs

*Directive 2001/18/EC* regulates labelling related to genetically modified organisms (GMOs). In addition, specific labelling for food containing, consisting of, or produced from GMOs is provided for in *Regulation (EC) No 1829/2003*.

A Communication from the EU Commission detailing the EU strategy on life sciences and biotechnology states that the EU regulatory framework on GMOs and GM food and feed aim to do the following:

‘It aims to provide a high level protection of human health and the environment, legal certainty for operators, address public concerns, including ethical concerns, facilitate consumers’ choice, and thereby fosters further public confidence on the use of GMOs.’<sup>31</sup>

Thus, the EU recognises the consumers' right to information and labelling as a tool to enable consumers to make an informed choice.

Section 2, Article 12 of *Regulation 1829/2003* on genetically modified food and feed focuses on labelling of foods that contain or consist of GMOs or are produced from or contain ingredients produced from GMOs. Paragraph 2 of Article 12 of *Regulation 1829/2003* states that the labelling requirements do not apply to food containing material, which consists of or is produced from GMOs in a proportion no higher than 0.9 % of the food ingredients considered. This exclusion is allowed if the presence of GMO is ‘adventitious or technically unavoidable’.

The labelling of GMO products relies on a dedicated system of traceability established by *Regulation (EC) No1830/2003*. Traceability is fundamental to the labelling of GMO products because some foods produced from GMOs (for example, some refined oils) do not differ

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<sup>31</sup> Communication from the Commission to the European Parliament, to the Council and to the European Economic and Social Committee Life Sciences and Biotechnology - A Strategy for Europe Progress report and future orientations Brussels, 5.3.2003 COM (2003) 96 final p17

from a physico-chemical point of view from products of non-GM origin. Traceability is also held within *Regulation (EC) No1830/2003* as essential to establish accurate labelling of foods containing, consisting of or derived from ingredients containing GMOs. The aim of traceability established by *Regulation (EC) No1830/2003* is 'to ensure that accurate information is available to operators and consumers to enable them to exercise their freedom of choice in an effective manner as well as to enable control and verification of labelling claims'.

### **7.1.3 Novel foods**

*Regulation (EC) 258/97* concerns the placing on the market within the Community of novel foods and novel ingredients. The scope of the regulation includes but is not limited to GMOs<sup>32</sup>.

*Regulation (EC) 258/97* lays down specific labelling arrangements for foods falling within the scope of the term 'novel'. In particular, Article 8 of *Regulation (EC) 258/97* states that 'the following additional specific labelling requirements shall apply to foodstuffs in order to ensure that the final consumer is informed of:

- (a) any characteristic or food property such as:
  - composition,
  - nutritional value or nutritional effects,
  - intended use of food,

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<sup>32</sup> More specifically Article 1 of *Regulation (EC) No 2065/2001* states: This Regulation shall apply to the placing on the market within the Community of foods and food ingredients which have not hitherto been used for human consumption to a significant degree within the Community and which fall under the following categories:

- (a) foods and food ingredients containing or consisting of genetically modified organisms within the meaning of Directive 90/220/EEC;
- (b) foods and food ingredients produced from, but not containing, genetically modified organisms;
- (c) foods and food ingredients with a new or intentionally modified primary molecular structure
- (d) foods and food ingredients consisting of or isolated from micro-organisms, fungi or algae;
- (e) foods and food ingredients consisting of or isolated from plants and food ingredients isolated from animals, except for foods and food ingredients obtained by traditional propagating or breeding practices and having a history of safe food use;
- (f) foods and food ingredients to which has been applied a production process not currently used, where that process gives rise to significant changes in the composition or structure of the foods or food ingredients which affect their nutritional value, metabolism or level of undesirable substances.

which renders a novel food or food ingredient no longer equivalent to an existing food or food ingredient.

In such circumstance, labelling of food must indicate ‘the characteristics or properties modified, together with the method by which that characteristic or property was obtained’<sup>33</sup>

An amendment on the proposal for regulation of novel foods was rejected by a majority of MEPS at the European Parliament in July 2010. The amendment required the mandatory labelling of food products which originate from animals fed and raised on GM-feedstuffs.<sup>34</sup>

#### **7.1.4 Fishery and aquaculture products**

*Regulation (EC) 104/2000* on the common organisation of the markets in fishery and aquaculture products details marketing and consumers information requirements for fish and seafood products. Specifically, chapter 2, Article 4 states that such products may only be offered for sale if the labelling indicates the following:

- The commercial name of the species
- The production method (caught at sea or inland waters or farmed)
- The catch area

A further piece of regulation - *Regulation (EC) No 2065/2001* - lays down detailed rules of the implementation of *Regulation (EC) 104/2000* was adopted by the Commission. Article 4,

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<sup>33</sup> Article 8 , paragraph 1 continues (b) the presence in the novel food or food ingredient of material which is not present in an existing foodstuff and which may have implications for the health of certain sections of the populations;  
(c) the presence in the novel food or food ingredient of material which is not present in an existing equivalent foodstuff and which gives rise to ethical concerns;  
(d) the presence of an organism genetically modified by techniques of genetic modification , the non-exhaustive list of which is laid down in Annex I A, Part 1 of Directive 90/220/EEC.

<sup>34</sup> [http://www.europarl.europa.eu/news/expert/infopress\\_page/067-77912-186-07-28-911-20100706iPR77911-05-07-2010-2010-false/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/067-77912-186-07-28-911-20100706iPR77911-05-07-2010-2010-false/default_en.htm)

paragraph 1 states that the precise definitions of terms to be used in labelling to describe the production method process must be one of the following terms – ‘caught’...’caught in freshwater’ ...’farmed’ or ‘cultivated’ (Article 4 (1)).

### **7.1.5 Summary: Environment (PPM)**

The policy aims behind the legislation are as follows:

- to indicate process production methods (PPMs) of foods to consumers and thus enable consumer knowledge, choice and confidence. The PPMs include GMO, organic, novel foods and the catch methods of fishery and aquaculture products.
- to remedy and address the market divisions created by national-based certification schemes (for example, with organic production and the creation of an EU based logo)

## 7.2 Environment: impacts

The signalling of the environmental impact(s) of food and food production to consumers through private industry and NGO promoted voluntary labelling and logos based on certification schemes is quite extensive and is covered in Work package 4 of this project. The private labelling and certification schemes are ahead of the EU regulation. However, EU policy objectives are seeking to address this situation. The main EU regulation currently dealing with these dimensions is the Ecolabel, which is also a voluntary scheme. The logo and labelling schemes that are linked to environmental impact and standards match the EU's policy agenda intentions on sustainability.

**7.2.1 EU Ecolabel:** On the 25 November 2009 the European Council and Parliament adopted *Regulation (EC) No 66/2010* on the EU Ecolabel. The EU Ecolabel is a voluntary scheme, which aims to promote goods whose entire lifecycle has a reduced environmental impact. The provision of accurate science-based information regarding the environmental impact of goods to the consumer is also a key aim of the regulation.

The EU Ecolabel scheme is driven by a broader sustainable and consumption policy adopted by the EC. The sustainable and consumption policy of the EC aims at 'reducing the negative impact of consumption and production on the environment, health, climate and natural resources'<sup>35</sup>.

The EU Ecolabel was established in 1993 and latest figures up to 30/06/2010 reveal that 1064 companies are licensed to use the EU Ecolabel and therefore meet the criteria of the scheme<sup>36</sup>. The growth of the EU Ecolabel scheme has resulted in an increase in the number of product groups covered by the scheme. Examples of product groups range from clothing and cleaning products to furniture, gardening and household appliances. A specific compliance criterion exists for each product group.

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<sup>35</sup> Regulation (EC) No 66/2010 on the EU Ecolabel (IV) para 5.

<sup>36</sup> [http://ec.europa.eu/environment/ecolabel/about\\_ecolabel/facts\\_and\\_figures\\_en.htm#facts](http://ec.europa.eu/environment/ecolabel/about_ecolabel/facts_and_figures_en.htm#facts)

Until the introduction of *Regulation (EC) No 66/2010* food products were excluded from the Ecolabel. The regulation signals the intention of the EC to extending the Ecolabel scheme to include the category of food. One motivation is to avoid the proliferation of and, segmentation of, environmental schemes. It also signifies recognition by the EC of the environmental impact of the consumption and production of food. The regulation limits the inclusion of food as a product category of the scheme with its stipulation that a study to ensure that feasible criteria is undertaken<sup>37</sup>. The study will also explore the possibility of eligibility of food products for the EU Ecolabel being dependent on them being certified as organic (as detailed set out by *Regulation (EC) No 834/2007*)<sup>38</sup>. This approach indicates awareness by the EU of the potential need to extend food labelling in this area.

**7.2.2 High-Nature Value Farming Scheme:** The EU has discussed a proposal for a quality label for high-nature value (HNV) farming<sup>39</sup>. ‘High-nature value farming’ refers to the environmental value of a specific area and to the farming on which that value depends<sup>40</sup>. The geographical areas captured by the definition of HNV farming are mostly semi-natural grasslands and mountainous areas. In these areas, farming is considered a marginal and often lacks economic success but the farming remains an important activity in its role in maintaining biodiversity conservation and habitats protection.

While some effort into the preservation of such farming activity exists, through CAP rural development programmes for example, the EU agricultural product quality policy paper states that the intention of quality level for HNV farming. This would be to allow farmers to access greater marketing opportunities and for consumers to purchase products which

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<sup>37</sup> Regulation (EC) No 66/2010 IV(6)

<sup>38</sup> The deadline for the call for tender is July 26 2010. Consequently, the result of the eligibility study is not expected in the near future.

<sup>39</sup> Agricultural Product Quality Policy: Impact Assessment *Annex D. Certification Schemes for Agricultural Products and Foodstuffs* (Version: 08-04-09) p44

<sup>40</sup> Agricultural Product Quality Policy: Impact Assessment *Annex D. Certification Schemes for Agricultural Products and Foodstuffs* (Version: 08-04-09)p44

benefits farmers and contributes to sustainability (through maintaining biodiversity conservation and habitats protection)<sup>41</sup>.

Policy drivers for a scheme for products of high nature value farming:

- Biodiversity relies on the extensive farming systems and environmental service provided by farmers in these areas
- CAP support is insufficient for these farmers, consequently the viability of these farms are at risk
- Some consumers may be willing to buy products, which offer benefits and support farmers and the farming systems upon which the conservation of biodiversity rests.
- The introduction of such a scheme would prevent the misleading of consumers for example, especially regarding where a product has been made e.g. in mountainous areas.
- Farmers would benefit from the introduction of such a scheme which would, it is hoped, increase the economic sustainability of farmers who produce in these areas.

Issues identified that need to be explored before the introduction of the scheme include:

- The identification of criteria and characteristics of farming techniques which create high nature value farming;
- Discussion of the most appropriate level of such a scheme, including, for example justification for scheme at EU level;
- Awareness of how a scheme might impact or complement existing policies in this area e.g. rural development policy.<sup>42</sup>

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<sup>41</sup> Agricultural Product Quality Policy: Impact Assessment *Annex D. Certification Schemes for Agricultural Products and Foodstuffs* (Version: 08-04-09) p44

### 7.2.3 Further policy initiatives on signalling the environmental impact of food

One example of an EC supported initiative exploring approaches to sustainability methodologies and food is the 'The European Food Sustainable Consumption and Production Round Table' (FSCPRT). The roundtable aims to establish scientifically reliable environmental assessment methodologies for food (and drinks). In addition, the FSCPRT seeks to identify suitable tools and guidance for voluntary environmental communication to consumers and other stakeholders<sup>43</sup>. The final report on the framework for environmental assessment methodologies for food and drinks is expected in the latter part of 2011.

The EU has indicated that a future aim is to consolidate approaches to calculating carbon footprint and eventually create a common approach. 'In its Council Conclusions of 4.12.2008 concerning "*Sustainability Consumption and Production and Sustainable Industrial Policy Action Plan*", Council invited the Commission:<sup>44</sup>

- "to study the introduction of the carbon footprint of products in the existing EU environmental labelling instruments such as the Eco-label and energy labelling; also invites the Commission, taking into account Member States' experience, to start working as soon as possible on common methodologies facilitating the future establishment of carbon audits for organisations and the calculation of the carbon footprint of products."
- The key challenge here will be to develop a label that reflects the environmental burden resulting from a particular product. In doing so however, it is likely that the two comparable or of same products might create a different environmental burden.

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<sup>42</sup> Agricultural Product Quality Policy: Impact Assessment *Annex D. Certification Schemes for Agricultural Products and Foodstuffs* (Version: 08-04-09) p44

<sup>43</sup> <http://www.food-scp.eu/>

<sup>44</sup> Agricultural Product Quality Policy: Impact Assessment *Annex D. Certification Schemes for Agricultural Products and Foodstuffs* (Version: 08-04-09) p43

This is because of the array of variables that affect the potential environmental burden of a product (e.g. weather, transport, storage, packaging, production technique, region of production). These variables are subject to change; consequently, analysis upon which consumers can rely upon is potentially expensive and complicated<sup>45</sup>.

#### **7.2.4 Packaging**

The *EC Directive 94/62/EC* on Packaging and Packaging Waste establishes producer responsibility for packaging and packaging waste.

Article 8 creates the requirement for the marking and identification system for packaging and aims to facilitate ‘the collection, reuse and recovery including recycling’. Annex I of the directive sets out the format of the identification system which is based on numbering and abbreviations<sup>46</sup>. In addition, packaging must display the apposite marking in a visible and legible format. Thus, the system set in place under the directive is technical and aimed towards those who are responsible for the management of packaging and packaging waste. Absent from the directive is guidance for consumers on the environmental claims linked to packaging.

A common logo used to indicate information about recycling and packaging is the *Möbius* loop (Palerm, 2000:12). ISO requirements govern the use of the *Möbius* loop recycling

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<sup>45</sup> Paraphrased from DuVo Study 2008. P78 Agricultural Product Quality Policy: Impact Assessment *Annex D. Certification Schemes for Agricultural Products and Foodstuffs* (Version: 08-04-09)

<sup>46</sup> Annex I of *EC Directive on Packaging and Packaging Waste 94/62/EC* sets out the identification system for packaging as follows: The numbering used shall be from 1-19 for plastic, from 20-39 for paper and cardboard, from 40-49 for metal, from 50-59 for wood, from 60-69 for textiles and from 70 to 79 for glass. The identification system may also be use the abbreviation for the relevant material(s) (e.g. HDPE: high density polyethylene). Materials may be identified by a numbering system and/or abbreviation. The identification marks shall appear in the centre of or below the graphical marking indicating the reusable or recoverable nature of the packaging.

logo<sup>47</sup>. The absence of specific regulation in this area reflects the reliance on ISO to govern the signals linked to environmental claims on packaging.



**Figure 2** Möbius loop

Cooperation between retailers and national governments has resulted in the development of logos which aim to communicate information concerning household recycling to consumers. An example from the UK is the recycling label launched by the British Retail Consortium. With support from the Waste and Resources Action Programme (Wrap), the label was launched in 2009<sup>48</sup>. The label attempts to deal with the complexity of recycling by indicating which part of the packaging can be:

- widely recycled
- sometimes recycled (dependent upon local authority recycling facilities)
- not currently recycled

An aim of the labels' creators is to contribute to the increase of recycling and thus meet environmental and recycling targets.

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<sup>47</sup> The Möbius loop, according to Palerm, can be used to signal different messages regarding environmental claims. For example, the logo can denote the packaging is made from recycled materials or can be recycled after use. In the case of the former, the logo must be accompanied by statement indicating the percentage of the recycled material (Palerm, 2000:12). According to Palerm, section 7 of ISO 14021:1999 specifies the requirements for a range of environmental claims including: compostable, degradable, recyclable, reduced water consumption.

<sup>48</sup> <http://www.designcouncil.org.uk/about-design/Types-of-design/Packaging-design/Sustainability/>

### **7.2.5 Summary**

The rapid spread of labels and certification schemes addressing aspects of the environmental impacts of food products on their journey to the retailers' shelf including the PPMs have not been reflected in more specific deployment as a policy instrument in EU legislation. The main legislation- the EU Ecolabel does not cover food products to date.

However, in policy communications from the European Commission and some of its stakeholder advisory bodies, aspects such as carbon impacts and biodiversity impacts have been suggested as areas needing further development, including agreements on the methodologies required for preparation of the signalling of such impacts associated with specific food products to consumers. Such policy intentions remain as an aspiration at present but they are moving up the agenda. Further issues such as water impacts are likely to follow as well.

Systems of marking and identification for packaging and packaging waste are established by EU legislation (see 6.2.5). EU legislation in this area however is aimed primarily at those responsible for the management of packaging and packaging waste. Further, the existing legislation does not offer information and guidance on environmental claims linked to packaging. Instead, consumers rely on private regulation such as the ISO requirements.

## 8 Ethical and Social

### 8.1 Animal welfare

Animal welfare standards in the EU date back to 1974 when the first legislation in this area was adopted<sup>49</sup>. The EU recognised that animals are sentient beings in the Protocol to the EC Treaty on the Protection and Welfare of Animals (in force since 1999)<sup>50</sup>. A goal of the EU is the promotion of improved and better welfare standards internationally<sup>51</sup>. Earlier legislation on animal welfare reflects the EU concern that competition between producers may be distorted if different levels of welfare exist. Macmaoain (2007:265) illustrates this point:

‘If Member State A sets low standards for animal welfare protection in its national law but Member State B requires that animals reared for food production must be well housed, fed and spend time outdoors, Member State A is able to produce food at a lower cost, distorting competition between Member States.’

The EU has adopted legislation which contains measures relating to the protection and welfare of animals covering farming, transport and slaughter yet no harmonised requirements exist for the labelling of animal welfare standards. In this section, we set out the policy incentives towards using labelling in this area and the barriers that exist for the emergence of a EU wide animal welfare label.

#### 8.1.1 Policy goals of animal welfare labelling

In October 2009, the European Commission adopted a report which put forward options for animal welfare labelling<sup>52</sup>. The policy goals seek to:

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<sup>49</sup> Report: Options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals Brussels, 28.10.2009 COM(2009) 584 final p3

<sup>50</sup> Factsheet: Animal Welfare March 2007 Health and Consumer Protection Directorate-General European Commission

<sup>51</sup> Factsheet: Animal Welfare March 2007 Health and Consumer Protection Directorate-General European Commission

<sup>52</sup> Press Release Animal Welfare Labelling: Commission report launches in-depth political debate Brussels 28 October 2009

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- Enable consumers to easily identify and choose welfare-friendly products
- Provide an economic incentive for producers to improve the welfare of animals

### **8.1.2 Policy drivers of animal welfare labelling**

- Response to consumer demand

The drive towards animal welfare labelling is a response to consumers' concern about the treatment of animals and requests for greater indicators of good animal welfare standards on food labels.

- 'Win-Win' scenario

A 'win-win' scenario is proposed with the signalling of better information to consumers about animal welfare. Consumers purchasing food products that are subject to improved animal welfare will create a demand which will, in turn, result in an increase in improved animal welfare. Suppliers may be able to receive a premium price and in doing so recover a portion of any associated costs with implementing and adhering to better animal welfare standards<sup>53</sup>.

- Assurance and verification

Consumers wish to be reassured that the welfare of animals is upheld. Labelling is an important tool in this context because consumers are unable to verify at the point of sale that animal welfare protection has been maintained in the process and production of food<sup>54</sup>. Labelling provides a useful and understandable format in which to communicate information on welfare standards<sup>55</sup>.

- Distinction between EU and non-EU food

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<sup>53</sup> Report: Options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals Brussels, 28.10.2009 COM(2009) 584 final p2

<sup>54</sup> Report: Options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals Brussels, 28.10.2009 COM(2009) 584 final p4

<sup>55</sup> 'Labelling: competitiveness, consumer information, better regulation for the EU'  
A DG Sanco Consultative Document paragraph 34

The EU considers that the use of labelling will prevent the higher standards of welfare being undermined by non-EU food products which are not subject to the equivalent levels of animal welfare standards. In relation to WTO law, the development of a labelling scheme would be allowed if voluntary. An obligatory labelling scheme, according to Commission, has the potential to cause controversy. With regards to the impact of a voluntary labelling scheme on non-EU countries, the Commission considers that the impact 'would probably be positive for countries already considering sustainable forms of animal production and for production derived from less intensive forms of animal keeping'<sup>56</sup>. Examples of benefits cited are better market access and the possibility of long-term planning investments. The importance of considering the impact of a scheme on developing countries is also underlined.

### **8.1.3 Barriers to animal welfare labelling**

An absence exists on the methods of how to comprehensively assess animal welfare. As yet, 'there is no harmonised, recognised, and reliable measuring instrument for comprehensively assessing animal welfare across species, farming systems and supply chain stages available'<sup>57</sup>. In response to this problem, the EU created the "Welfare Quality" project which aimed to investigate the development of animal based scientific indicators. One outcome of such a project is the creation of a system which is 'based not on production method, but on animal-based outcomes to classify animal welfare'<sup>58</sup> Fundamental to animal welfare labelling systems is the assessment of animal welfare at all relevant stages: farming, transport and slaughter<sup>59</sup>.

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<sup>56</sup> Report: Options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals Brussels, 28.10.2009 COM(2009) 584 final p7

<sup>57</sup> Report: Feasibility study on animal welfare labelling and establishing a Community Reference Centre for Animal Protection and Welfare Part 1: Animal Welfare Labelling  
European Commission Directorate General for Health and Consumer Protection Brussels, 26.01.2009

<sup>58</sup> Report: Options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals Brussels, 28.10.2009 COM(2009) 584 final p8

<sup>59</sup> Report: Options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals Brussels, 28.10.2009 COM(2009) 584 final p8

The *proposal for a regulation on the provision of food information* introduced the requirement for the labelling of ritually slaughtered meat. Often, slaughter without stunning occurs as a consequence of following religious practices, such as Kosher and Halal. The aim behind the introduction of the label is primarily to ensure consumers can exercise choice between meat which has been stunned in the process of slaughter and meat which has not. The aim behind the label was to allow greater transparency on the processes of animal welfare protection. If the proposal becomes a regulation, meat from slaughter without stunning will be labelled as 'Meat from slaughter without stunning'<sup>60</sup>.

#### **8.1.4 Animal welfare and the labelling of eggs**

*Council Directive 1999/74/EC* lays down the minimum standards of welfare for laying hens and *Council Regulation 1028/2006/EC* and *Commission Regulation 557/2007/EC* sets out the rules for marketing eggs and the measures for implementation. Legislation on egg marketing governs how EU egg producers are required to label eggs sold to consumers. The labelling of eggs signals to consumers the type of production system used by producers. The labelling scheme is thus based on the presumed welfare outcomes of each production method.

*Article 3 of Council Regulation 1028/2006/EC* states that eggs must be graded by quality as either Class A 'fresh' or Class B. *Article 2 of Commission Regulation 557/2007/EC* sets out the quality characteristics for Class A eggs. All eggs which do not meet quality criteria set out in Article 2 are graded as Class B. In addition, Article 4 states that Class A eggs must be graded by weight (XL, L, M, S). Article 12 stipulates the terms that can be used for the identification of farming methods of eggs. These are 'free range eggs', 'barn eggs', 'eggs from caged hens' or 'organic'<sup>61</sup>. Regulation exists on the method for indicating how laying

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<sup>60</sup> Amendment 205 Proposal for a regulation on the provision of food information Annex III – table - row 1 a (new)

<sup>61</sup> Article 12 refers to Part A of Annex 1 Commission Regulation 557/2007/EC

hens are fed (See Article 15). Article 12 also refers to Annex I & II for the minimum standard of production required for each.

## **8.2 Labour and working conditions**

No specific label or logo exists on the topic of labour and working conditions. The issue of labour and working conditions is addressed by standards set out in private certification schemes, for example, fair trade. Article 6, paragraph 3(c) of *Regulation (EC) No 66/2010 (on the EU Ecolabel)* makes limited to reference social and ethical aspects of production as part of the criteria required for the EU Ecolabel. As discussed in section 6.2.3 of this report, however, the EU Ecolabel does not as yet cover food products.

## **8.3 Terms of trade**

This section focuses specifically on fair trade. Fair trade defined by a partnership, based on dialogue, transparency and respect, and one which seeks greater equity in international trade.

Expectations of fair trades schemes have been made apparent by several EU institutions. For example, in 1999, a communication from the EU called for a single label for fair trade. A more recent communication acknowledges the development and implementation of the 'Fairtrade Certification Mark' since 1999<sup>62</sup>. More broadly, Fair trade and similar schemes (such as Rainforest Alliance which covers environmental and social aspects) are recognised to contribute to the sustainable development – an aim that is held by the EU.

In the recent communication adopted by the EU/EC, the Commission stated that it should not have a role in 'ranking of regulating criteria related to private trade-related sustainability assurance schemes, and their relevance in relation to sustainable development objectives'<sup>63</sup>.

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<sup>62</sup> Communication: Contributing to Sustainable Development: The role of Fair Trade and non-governmental trade-related sustainability assurance schemes Brussels, 5.5.2009  
COM(2009) 215 final p4

<sup>63</sup> Communication: Contributing to Sustainable Development: The role of Fair Trade and non-governmental trade-related sustainability assurance schemes Brussels, 5.5.2009p6

This is because the EU recognises that Fair Trade and other similar schemes are a ‘voluntary, dynamic mechanism that develops along with societal and consumer awareness and demands’<sup>64</sup>. Regulating these initiatives, according to the communication, might impact upon the dynamic and future development of schemes in this area.

The Commission has acknowledged the success of the schemes in terms of consumer awareness and uptake and stated clearly the need to retain the autonomy of the schemes<sup>65</sup>. In doing so, it maintains an advisory position in relation to the schemes. In this capacity, the Commission has set down some principles to ensure the maximisation of the impact of private trade-related sustainability schemes, such as fair trade. These are:

- Maintaining the non-governmental nature of private schemes throughout the EU;
- Exploring the scope for possible synergies between schemes and enhancing clarity for the consumer and producers;
- Achieving a common understanding of reasonable basic process requirements;
- Establishing objective facts on the relative impacts of different private trade-related sustainability assurance schemes<sup>66</sup>.

The Commissions’ approach to terms of trade, in the context of fair trade, is one which seeks to maintain a balanced role in which the Commission acknowledges and supports the role of fair trade and other similar schemes in their efforts to highlight and communicate to

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COM(2009) 215 final

<sup>64</sup> Communication: Contributing to Sustainable Development: The role of Fair Trade and non-governmental trade-related sustainability assurance schemes Brussels, 5.5.2009p6

COM(2009) 215 final

<sup>65</sup> E.g. ‘The consumer recognition of the Fair Trade mark in the UK was above 70% in 2008 (compared to 12% in 2000) and in France 74% in 2005 (compared to 9% in 2000). Worldwide sales of certified Fair Trade goods exceeded €2.3 billion by the end of 2007. From P4 Communication: Contributing to Sustainable Development: The role of Fair Trade and non-governmental trade-related sustainability assurance schemes Brussels, 5.5.2009 COM(2009) 215 final

<sup>66</sup> Communication: Contributing to Sustainable Development: The role of Fair Trade and non-governmental trade-related sustainability assurance schemes Brussels, 5.5.2009 COM(2009) 215 final p8

consumers on issues and understandings of sustainable development. The Commission however also seeks to encourage work by schemes and non-governmental organisations involved in this area to ‘work towards a common understanding of what basic process requirements it is reasonable to expect schemes to meet, while continuing to avoid entering into defining appropriate sustainability standards for private schemes’.<sup>67</sup>

#### **8.4 Social and Community Capital**

A number of logos and labels already discussed and referenced in this report seek to contribute to the creation of social and community capital for example fair trade. One potential outcome of the HNV farming scheme is the maintaining of social and community capital (see section 7.2.2). Similarly, social and community capital has the potential to be enhanced through the existence of PDO and PGI schemes (see section 6.1).

#### **8.5 Cultural and Social – PPM**

Examples in this category include the labelling of Kosher, Halal and vegetarian foods. The *proposal for a regulation on the provision of food information* details requirements in which meat from slaughter without stunning, a process that is a consequence of following certain religious traditions should be labelled as ‘Meat from slaughter without stunning’<sup>68</sup> (see section 8.1.3).

Article 35 of the *proposal for a regulation on the provision of food information* defines the context in which the terms ‘vegetarian’ and ‘vegan’ may be used. The term vegetarian should not be applied to:

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<sup>67</sup> Communication: Contributing to Sustainable Development: The role of Fair Trade and non-governmental trade-related sustainability assurance schemes Brussels, 5.5.2009p7  
COM(2009) 215 final

<sup>68</sup> Amendment 205 Proposal for a regulation on the provision of food information Annex III – table - row 1 a (new)

Foods that are made from or with the aid of products derived from animals that have died, have slaughtered or with the aid of products derived from animals that have died, have been slaughtered, or animals that die as a result of being eaten

Article 35 states that the term vegan should not be applied to foods that are:

made from or with the aid of, animals or animal products (including products from living animals)<sup>69</sup>.

The labelling of foods which are appropriate for kosher, halal or vegetarian based diets enables consumer confidence and protection.

## 8.6 Summary

- The use of animal welfare related food transparency schemes is considered to have the potential to enable greater consumer choice. In addition, animal welfare related food transparency schemes provide an incentive to improve welfare of animals because of the greater returns available to producers who comply with animal welfare standards.
- A barrier exists towards the use of EU based animal welfare label because of the methodological approach sought that is based on animal behavioural outcomes rather than production process organisation.
- Food transparency schemes do not feature as a tool to meet policy and regulatory goals linked with the improvement of labour and working conditions in the food sector.
- The improvement of terms of trade for producers is central to sustainable development policy of the EU. In this report, policy documents reveal that the European Commission seeks to respect the autonomy and success of privately (NGO

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<sup>69</sup> Amendment 175 of the proposal for a regulation on the provision of food information

and CSO orientated) initiated food transparency schemes working in this area.

Consequently the Commission maintains an advisory position on aspects such as the provision of information concerning the impacts of food transparency schemes and ensuring clarity for both consumers and producers.

- The creation of social and cultural capital is a policy aim in which food transparency schemes are held by the EU to play a significant role. Such schemes include the Higher Value Farming scheme and Geographical Indicator based schemes.
- Social and cultural based food transparency schemes that enact goals of ensuring consumer choice and confidence include the reliance on halal, kosher and vegetarian oriented schemes.

## 9 CONCLUSION

This report has sought to identify the policy areas in which labelling, in particular logos (and the food transparency schemes that underpin them) are used as an as an instrument of public policy by the EU.

Primarily, the policy aim behind the use of labelling is to enable consumer choice, trust and confidence in the food sold across the EU. Food transparency schemes are also considered a tool in which enable greater benefits for producers – which is a further policy goal held by the EU. Foods labelling which seeks to inform consumers about the nutritional composition of foods reflect the belief in the role of labelling to contribute towards specific policy goals linked to health and obesity. In addition, the development of food transparency schemes in relation to environmental impacts and production process methods are considered a) a sufficient response to consumer demand b) to have the potential to provide benefits for producers and c) to contribute towards policy goals around sustainability.

*Directive 2000/13/EC* which sets out the basic expectation and requirement of labelling (e.g. to provide clarity and not mislead consumers) is being revised and already has been effectively supplemented by the development of subsequent legislation as a result of a) the consolidation of marketing standards regulation and b) the development of EU based food transparency schemes. These legislative and policy developments strongly suggest that the area of labelling is complex and changing. One example of change is how the meaning and understanding of food quality is emerging from a narrow definition linked to food composition to one which is inclusive of particular farming attributes, such as environmental impact of production process methods. Such goals are broad and all encompassing but in this report are categorised under the three sections of 1) Food Safety 2) Food Quality and 3) Food (chain) Integrity.

While food transparency schemes and their associated labels and logos are recognised as a key instrument in which to achieve policy goals, key challenges remain in several policy areas concerning their use. The first relates to the extent to which labels, logos and certification schemes should be mandatory or remain voluntary. In addition, it is apparent that in some key policy areas that the further use of food transparency schemes is limited due to methodological and technological barriers.

This report has detailed the areas in which food transparency schemes are used to implement and shape policy goals and outcomes yet further questions exist. These concern the following:

- An assessment of the extent to which food transparency schemes have met expectations indicated by public policy statements and legal requirements requires an evaluation of consumer understanding of logos, labels and certification schemes. This is addressed by in the report covering work package deliverable 5.2.
- Stakeholders' perceptions of the strengths and weakness of logos and labels to signal information to consumers can also be used to assess the effectiveness of the policy-based and regulatory approach to transparency in this context. This is addressed in work package deliverable 5.1.

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## Appendix 1

**Table 1: Food Safety and Food Quality (composition)**

<b>Regulation/Directive No.</b>	<b>Title</b>	<b>Date</b>
Directive 2000/13/EC	On the approximation of the laws of Member States relating to the labelling, presentation and advertising of foodstuffs	20 March 2000
Regulation (EC) 178/2002	Laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matter of food safety	28 January 2002
Regulation (EC) No 1760/2000	The labelling of beef and beef products	17 July 2000
Regulation (EC) 21/2004	Establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC	17 December 2003
Directive 2007/68/EC	Amending Annex IIIa to Directive 2000/13/EC of the European Parliament and of the Council as regards certain food ingredients	27 November 2007
Regulation EC 1333/2008	On food additives	16 December 2008

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**Table 2: Food Quality (health and nutrition)**

<b>Regulation/Directive No.</b>	<b>Title</b>	<b>Date</b>
Regulation (EC) No 1924/2006	On nutrition and health claims made on foods	20 December 2006
Directive 90/496/EEC	On nutrition and labelling for foodstuffs	24 September 1990

**Table 3: Origin (referring to place, region and country)**

<b>Regulation/Directive No.</b>	<b>Title</b>	<b>Date</b>
Regulation (EC) 510/2006	On the protection of geographical indications and designations of origin for agricultural products and foodstuffs	20 March 2006
Regulation (EC) 509/2006.	On agricultural product and food stuffs as traditional specialities guaranteed	20 March 2006

**Table 4: Environment**

<b>Regulation/Directive No.</b>	<b>Title</b>	<b>Date</b>
Commission Regulation 271/2010	Amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007, as regards the organic production logo of the European Union	24 March 2010
Regulation (EC) No 1829/2003	On genetically modified food and feed	22 September 2003

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Regulation (EC) No 1830/2003	Concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC	22 September 2003
Regulation (EC) 258/97	Concerning novel foods and novel foods ingredients	27 January 1997
Council Regulation (EC) 104/2000	On the common organisation of the markets in fishery and aquaculture products	17 December 1999
Regulation (EC) No 2065/2001	Laying down rules for the application of Council Regulation (EC) No 104/2000 as regards informing consumers about fishery and aquaculture products	22 October 2001
Regulation (EC) No 66/2010	On the EU Ecolabel	25 November 2009
Regulation (EC) No 834/2007	On organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91	28 June 2007
Regulation (EC) No 889/2007	Laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production , labelling and control	5 September 2008
Directive 94/62/EC	On packaging and packaging waste	20 December 1994

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**Table 5: Ethical and Social**

Regulation/Directive No.	Title	Date
Directive 1999/74/EC	Laying down minimum standards for the protection of laying hens	19 July 1999
Regulation 1028/2006/EC	On marketing standards for eggs	19 June 2006
Commission Regulation 557/2007/EC	Laying down detailed rules for implementing Council Regulation (EC) No 1028/2006 on marketing standards for eggs	23 May 2007

**Table 6: List of proposals of regulations**

Proposal title	Stage	Date
<i>Proposal for a regulation of the European Parliament and of the Council on the provision of food information</i>		Brussels, 30.1.2008 COM(2008) 40 final 2008/0028 (COD)
<i>Proposal for a regulation of the European Parliament and of the Council on the provision of food information</i>	Texts adopted 16 June 2010	Brussels, 30.1.2008 COM(2008) 40 final 2008/0028 (COD)

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