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Executive Vice-President for
the European Green Deal
European Commission
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Brussels, 19 December 2022

Subject: Public health and consumer groups ask for a timely proposal on Front-of-Pack Nutritional Labelling

Dear Executive Vice-President,

We the undersigned public health and consumer organisations are writing to you with regard to the upcoming proposal for the revision of the Food Information to Consumers Regulation. We would like to highlight our concerns regarding a potential delay for this important legislation as well as the debate around front-of-pack nutritional labelling becoming increasingly polarised and less grounded in scientific evidence or public health concerns.

As highlighted by the recent Health at a Glance: Europe 2022 report, over half of adults are now overweight or obese in most EU Member States, placing these citizens at significant risk for various non-communicable diseases such as diabetes, cardiovascular disease and certain cancers¹. At the same time, one in three children in the EU are already overweight or obese with the Covid pandemic exacerbating rates in some countries. Evidence has also shown that children from low-income households are much more likely to be living with obesity than those from high-income households².

It is clear that urgent action is required to halt and reverse these worrying trends. While no policy tool can solve the issue of unhealthy food environments by itself, front-of-pack nutritional labelling, underpinned by robust independent scientific evidence, is an intervention which has been clearly recognized by health experts as one which can tangibly help make the healthier choice the easier choice for consumers³.

We therefore welcomed the European Commission's commitment in the Farm to Fork Strategy to promote healthier and more sustainable diets, including by introducing a mandatory and harmonised front-of-pack nutrition label (FOPNL) by the end of 2022. Since the publication of the Strategy however, the debate on such labelling has regrettably moved beyond a discussion based on scientific evidence and we are concerned that the public health objectives of this tool are becoming increasingly overlooked.

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¹ OECD/European Union (2022), Health at a Glance: Europe 2022: State of Health in the EU Cycle, OECD Publishing, Paris, <https://doi.org/10.1787/507433b0-en>

² WHO European Regional Obesity Report 2022. Copenhagen: WHO Regional Office for Europe; 2022. Licence: CC BY-NC-SA 3.0 IGO.

³ Manual to develop and implement front-of-pack nutrition labelling: guidance for countries on the selection and testing of evidence-informed front-of-pack nutrition labelling systems in the WHO European Region. Copenhagen: WHO Regional Office for Europe; 2020. Licence: CC BY-NC-SA 3.0 IGO.

We would like to underline that it is essential that any potential delays for the publication of the proposed FOPNL are kept to a minimum to ensure that we do not risk missing a rare and crucial opportunity to approve an EU-wide FOPNL during the current legislature.

Furthermore, it is vital that the future EU FOPNL fulfils certain criteria which respond to the needs of the consumer and which is proven to steer shoppers towards healthier choices. It should; be mandatory, use interpretive colour-codes, be based on uniform reference amounts (100 g or 100 ml), allow consumers to compare products according to their amounts of critical nutrients notably saturated fat, sugars and salt and; be seen as a complementary tool to consumer education and dietary recommendations. We attach in annex further information on these key criteria.

We thank you in advance for considering our comments and remain at your disposal for any questions you may have.

This letter has also been sent to Commissioners Kyriakides and Wojciechowski.

Yours Sincerely,

Monique Goyens
Director General
BEUC

Birgit Berger
CEO
European Heart Network

Milka Sokolovic
Director General
European Public Health
Alliance

Annex: Criteria for an effective EU front-of-pack nutrition label

Mandatory and across-the-board

The future EU-wide FOPNL should be mandatory for all products to allow consumers the 'full picture' in the supermarket in comparing different products across categories and within categories. Exemptions from using the label should be limited and be based on public health reasons, not on where products are made or if they are made with 'traditional' methods.

Based on robust and independent scientific evidence

Any FOPNL should be able to demonstrate, with independent scientific evidence, that consumers not only appreciate or pay attention to a certain label but that they can objectively understand it. In other words, they can use the label to correctly classify products according to their nutrient profile. The effects of labels on purchasing intentions should be included, where feasible, in real-life supermarket trials and especially for consumers from lower socio-economic groups who are the most at risk of living with overweight or obesity.

Simplified nutritional information using interpretive elements

While the introduction of an obligatory nutritional declaration on the back-of-pack since 2016 has been a welcome improvement in transparency, scientific studies have shown that consumers, especially those with lower levels of nutritional knowledge, often struggle to understand and use this information⁴. Meanwhile, there is a significant body of independent scientific evidence which demonstrates that FOPNLs which use interpretive colour-codes are the most effective at helping consumers to understand and easily compare the nutritional value of food products, especially those in lower socio-economic groups. The recent Joint Research Centre update of their 2020 literature review concluded that '*simpler, evaluative, colour-coded labels seem better suited in meeting consumers' information needs in a busy shopping context*'⁵.

Uniform reference amounts

Evidence has shown that labels which are based on a uniform reference amount such as per 100g/ml are easier for consumers to understand compared to those which are based on portion sizes chosen by food producers and which are often misleadingly small. Uniform reference amounts allow consumers to more easily compare products while those based on portions force the consumers to make time-consuming and complicated calculations in busy retail environments.

Choice of nutrients to include in a FOPNL

The European Food Safety Authority's recent scientific review on nutrient profiling for the development of front-of-pack nutritional labelling concludes that intakes of energy, saturated fats, sodium and added sugars/free sugars are too high in Europe and that reducing these key nutrients of concern would help to combat chronic diseases linked to unhealthy diets⁶. It is therefore essential, given the clear evidence on the need to reduce these nutrients of concern in our diets, that any front-of-pack nutrition label allows consumers to compare the varying levels of these nutritional components across a range of products.

⁴ Grunert K, Fernández-Celemín L, Wills J, Storcksdieck Genannt Bonsmann S. & Nureeva L. Use and understanding of nutrition information on food labels in six European countries. *Z Gesundh Wiss* 18, 261–277 (2010).

⁵ ohlen, H.U.*, Bakogianni, I.*, Grammatikaki, E., Ciriolo, E., Pantazi, M., Dias, J., Salesse, F., Moz Christofolletti, M.A., Wollgast, J., Bruns, H., Dessart, F., Marandola, G., van Bavel, R. Front-of-pack nutrition labelling schemes: an update of the evidence. Addendum to the JRC Science for Policy report "Front-of-pack nutrition labelling schemes: a comprehensive review", published in 2020. Publications Office of the European Union, Luxembourg, 2022, doi:10.2760/932354, JRC130125.

⁶ EFSA NDA Panel (EFSA Panel on Nutrition, Novel Foods and Food Allergens), Turck D, Bohn T, Castenmiller J, de Henauw S, Hirsch-Ernst KI, Knutsen HK, Maciuk A, Mangelsdorf I, McArdle HJ, Naska A, Pelaez C, Pentieva K, Thies F, Tsaouri S, Vinceti M, Bresson J-L and Siani A, 2022. Scientific Opinion on the scientific advice related to nutrient profiling for the development of harmonised mandatory front-of-pack nutrition labelling and the setting of nutrient profiles for restricting nutrition and health claims on foods. *EFSA Journal* 2022;20(4):7259, 48 pp. <https://doi.org/10.2903/j.efsa.2022.7259>.

Education and awareness-raising campaigns

It is important to underline that front-of-pack nutrition labels and awareness-raising education campaigns are complementary measures which cannot be replacements for each other. While food-based dietary guidelines give recommendations to consumers about the overall diet and healthy nutrition, FOPNL can provide information on the product level at the point of purchase in the supermarket. Even for food groups of which the consumption is encouraged/discouraged by dietary guidelines, a large variability in nutritional composition does exist. Front-of-pack nutrition labels can help consumers to identify, within a given food group, the products that present the most favourable nutritional composition. Moreover, the future EU front-of-pack nutrition should be accompanied by communication campaigns from trustworthy sources such as public health authorities to make sure consumers are aware of the label, understand it and can use it.