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## What is still missing from the Food Information to Consumers Regulation?

Over the last decade, many new food labelling requirements have been introduced in the EU, as part of the FIC Regulation and beyond. Any additional legislative measures should only be introduced if:

- they are justified by a strong science and evidence base;
- they do not cause a barrier to the free movement of goods in the EU Single Market;
- if they do not create disproportionate additional burdens on companies (especially SMEs, which make up 99% of the European food and drink sector);
- if there is a clear, demonstrated added value as part of a holistic EU approach to providing food information.

In the digital transition era, digital means of communication may play an important role in facilitating additional demands for transparency and information, particularly as food label space is limited.

The European food and drink industry provides clear, factual, and relevant information and offers its technical knowledge and consumer insights to find harmonised solutions to enhance food information to consumers in Europe.

### **Revision of the following provisions is essential**

When the revision of the Food Information to Consumers Regulation No 1169/2011 (FIC Regulation) was considered, some elements that could empower consumers to shift towards sustainable and balanced diets were regrettably omitted.

FoodDrinkEurope is calling for the revision of the following provisions of the FIC Regulation:

- **Responsibilities for providing accurate food information – Art. 8:** Given the increased availability of smartphone applications that consumers can consult prior to purchasing products, Article 8 should be revised to adequately cover the responsibilities of third-party food information providers, as per the responsibilities under Article 7. The European Commission should develop guidance for national competent authorities and interested parties to ensure that consumer information delivered through digital means, including from third parties, abide by harmonised principles including accuracy, transparency, reliability, and fairness.
- **Salt replacers - Annex VII, Part B:** More consumer-friendly labelling of salt replacers (e.g. 'potassium salt' and 'magnesium salt' instead of 'potassium chloride' and 'magnesium chloride', respectively) may facilitate the gradual reduction of sodium content of food products ('food product reformulation') while maintaining consumer acceptance. This would require a technical change in Annex VII, Part B.
- **Iodised salt - Annex VII, Part E:** Similarly, consumer-friendly, informative labelling of 'iodized salt' can contribute to improving the diet of European consumers. Under the FIC Regulation, compound ingredients – when used in processed foods – need to identify all their ingredients. Iodized salt is a compound ingredient consisting of salt and an iodine source. The latter has a

chemical name, and these can deter consumers. Many food producers therefore choose plain, non-iodized salt. This situation can be addressed by allowing for a simplified labelling term 'iodized salt' in Annex VII part E of the FIC Regulation.

- **Food information provided by means other than “on-the-pack” or “on-the-label” - Art. 12(3):** The European Commission should explore new ways to provide information to consumers through other means, including digital, to improve the accessibility of food information. Digital provision of information has the potential to communicate information to consumers more efficiently, enhancing the information and their understanding. Moreover, it can help reduce packaging waste, decrease production costs and incentivise innovation.
- **Conversion factors for the vitamins and minerals referred to in point 1 of Part A of Annex XIII - Art. 31(2):** Over the past few years, the European Food Safety Authority published scientific opinions on dietary reference values for vitamins and minerals and identified the basis of conversion factors. Vitamin conversion factors at EU level need to first be harmonised to provide greater consistency across the EU market.
- **Portions and unit of consumption - Art. 33(5):** The European Commission should develop rules on the expression per portion or per consumption unit for specific categories of foods (e.g. foods which are already sold in pre-packed portions), this would help consumers to understand the nutritional value of the amount of food/drink they actually consume.
- **Precautionary allergen labelling - Art. 36(3)(a):** The absence of agreed quantitative benchmarks for the application of precautionary allergen labelling and the consequent lack of consistent harmonised standards among Member States and across industry is confusing for allergic consumers. The European Commission needs to develop a harmonised framework for the application of precautionary allergen labelling which meets the requirements of Article 36(2) of the FIC Regulation.
- **Information related to suitability of a food for vegetarians or vegans - Art. 36(3)(b):** The European Commission should develop EU harmonised criteria defining foods suitable for vegetarians or vegans. Their absence can lead to obstructions of the free movement of goods and to contradictions in food labelling. FoodDrinkEurope refers to a [joint proposal](#) with the European Vegetarian Union (EVU) for an EU-wide definition, which meets the needs of consumers and manufacturers. Developing these criteria is also relevant in the context of precautionary allergen labelling, in cases where traces of allergens and/or ingredients derived from non-vegan or vegetarian sources may be present in foods which have been produced without the use of all or certain substances of animal origin.
- **Indication of reference intakes for specific population groups – Art. 36(3)(c):** The European Commission should work on rules on (voluntary) reference intakes for specific population groups. This could ensure appropriate consideration of specific population groups, such as older infants and young children, by enabling them to determine the relative contribution of a food product to an overall health promoting diet.

If the revision of the Food Information to Consumers Regulation results in several labelling changes, FoodDrinkEurope would request that the implementation timing is grouped into one date and a substantial transitional period be put in place to avoid a succession of costly pack changes and packaging waste.