



Notification Number: 2017/159/F

Order laying down the additional form of presentation of the nutrition declaration recommended by the State pursuant to Articles L3232-8 and R3232-7 of the Public Health Code

Date received : 24/04/2017
End of Standstill : 25/07/2017 (25/10/2017)
Issue of comments by : Bulgaria, Commission, Czech Republic, Estonia, Latvia, Portugal
Issue of detailed opinion by : Czech Republic, Germany, Hungary, Italy, Poland, Spain

Message

Message 002

Communication from the Commission - TRIS/(2017) 01035
Directive (EU) 2015/1535
Translation of the message 001
Notification: 2017/0159/F

No abre el plazo - Nezahtajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201701035.EN)

1. Structured Information Line

MSG 002 IND 2017 0159 F EN 24-04-2017 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department



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4. Notification Number

2017/0159/F - C00A

5. Title

Order laying down the additional form of presentation of the nutrition declaration recommended by the State pursuant to Articles L3232-8 and R3232-7 of the Public Health Code

6. Products Concerned

Nutri-Score: nutrition labelling

7. Notification Under Another Act

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8. Main Content

The draft order is issued pursuant to Article 14-II of Law No 2016-41 of 26 January 2016 on the modernisation of our health system and Decree No 2016-980 of 19 July 2016 on additional nutrition information on foods (Articles L3232-8 and R3232-7 of the Public Health Code). These pieces of legislation were drawn up on the basis of Article 35 of Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers. France wants to recommend to food business operators the use of an additional form of expression of the nutrition declaration. Use of this recommended form by operators shall be on a voluntary basis. It would consist of a 'Nutri-Score' logo.

In this respect, the draft order describes the methods for calculating the nutritional score of each food based on the nutrient content. This includes taking into consideration nutrients which should be limited in their intake, those which have beneficial effects, as well as the special case for three food categories (added fats and oils, cheeses, and beverages). Foods will be divided into five categories on the basis of this score. The relevant food category shall be shown on the 'Nutri-Score' logo, which consists of five colours each displaying a different letter (dark green A, light green B, yellow C, light orange D, dark orange E). With regard to the technical characteristics, please see the 'Nutri-Score' collective mark's regulations for use. According to the draft order, the logo shall be placed on the front of packaging. Food manufacturers and distributors who decide to adopt the recommendation on a voluntary basis shall inform the French Observatory of Food Quality.

9. Brief Statement of Grounds

Nutrition plays a major role in the protection of health or risks to health. Poor nutrition contributes to the emergence and development of the most common non-communicable diseases that cause the highest number of deaths, while also putting heavy pressure on social security systems in France and in Europe. These diseases include obesity, type 2 diabetes, cardiovascular diseases and various forms of cancer. A number of



statements from the WHO and conclusions of the Council of the European Union highlight the importance of improving general nutrition. The introduction of nutrition information that is visible, legible, simple and easy to understand, particularly for populations with a low socio-economic status or low education levels, is recommended among one of the many additional collaborative strategies and campaigns helping to achieve this objective. In the same way as the French National Nutrition and Health Programme 2011–2015, the European Food and Nutrition Action Plan 2015–2020 and the EU Action Plan on Childhood Obesity 2014-2020 implemented by the European Commission both recommend such a strategy.

A number of scientific studies have proven the benefits and importance of a labelling system in improving the nutritional quality of people's grocery shopping, particularly for underprivileged households. Following consultation with a large number of stakeholders, scientists and consumers, the impact study (see Annexes 1 and 2) showed that of the four systems tested, the 'Nutri-Score' logo was the most effective in terms of consumers' ability to rate their groceries and improve the nutritional quality of their grocery shopping. In view of the above findings, it seemed necessary, appropriate and proportionate to recommend the 'Nutri-Score' logo to manufacturers. This objective of protecting public health in no way affects competition between manufacturers. The additional information will only be recommended by public authorities, and is thus not obligatory in any way. Furthermore, the impact study also showed that foods in the dark orange category are still being bought by consumers. From a public health perspective, additional studies (see Annex 3) have shown that improving the nutritional quality of people's diets using the score on which the Nutri-Score is based leads to a reduction in the risk of a number of non-communicable diseases such as cancer, weight gain, cardiovascular diseases and metabolic syndrome.

10. Reference Documents - Basic Texts

Reference(s) to basic text(s): - Article L3232-8 of the Public Health Code
- Article R3232-7 of the Public Health Code

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - the draft has no significant impact on international trade.



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

European Commission

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