EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Director-General

Brussels,

Dear Petitioner,

Subject: 7049 signatures against illegible food labels

Legibility is an important issue for consumers. Thus, the consumers' dissatisfaction with the legibility of food labels was acknowledged by the legislator in the revision of the EU food labelling legislation.

Regulation (EU) No 1169/2011 on the provision on food information to consumers requires that the mandatory particulars must appear in characters using a minimum font size of at least 1.2 mm. In the case of packaging or containers where the largest side has an area of less than 80 cm^2, the font size should be at least 0.9 mm.

These rules have applied since 13 December 2014. However, the Regulation allows foods placed on the market or labelled prior to that date, which do not comply with the new rules, to be marketed until the stocks are exhausted.

Article 13(4) of the Regulation empowers the Commission to establish rules for legibility in order to achieve the objectives of the Regulation. However, before initiating such work, it is important to allow time for the application of the Regulation in order to assess its proper function.

In addition to the mandatory minimum font size, the Regulation also foresees certain general requirements on legibility. Article 13(1) stipulates that mandatory food information shall be marked in a conspicuous place in such a way as to be easily visible, clearly legible and, where appropriate, indelible. It shall not in any way be hidden, obscured, detracted from or interrupted by any other written or pictorial matter or any other intervening material.

Furthermore, Article 2(2)(m) provides for a definition of legibility which means the physical appearance of information, by means of which the information is visually accessible to the general population and which is determined by various elements, inter alia, font size, letter spacing, spacing between lines, stroke width, type colour, typeface, width-height ratio of the letters, the surface of the material and significant contrast between the print and the background.

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Finally, Article 37 stipulates that voluntary food information shall not be displayed to the detriment of the space available for mandatory food information.

These general requirements regarding the presentation and legibility of food information shall be taken into account by food business operators along with the mandatory minimum font size when labelling their products. Member States' competent authorities are responsible for the enforcement of the EU legislation, including these rules. Therefore, Member States are responsible for assessing on a case-by-case basis whether or not food products are in compliance with the Regulation as regards to the general requirements on legibility even though the minimum font size requirement is fulfilled. This means that Member States have to see legibility in a broader perspective than just the requirement of the minimum font size.

Stocks of products labelled according to the former Directive may not yet be exhausted and therefore still on the market. Thus, time should be allowed for the exhaustion of stocks and for the application of the Regulation to assess its proper functioning before entering into discussion on legibility and minimum font size.

Concerning glyphosate, I understand that there is fear and concern about the substance and exposure to it from food and other sources, and the impact on the environment, as well as misunderstandings regarding the process for approval of active substances in the European Union.

I would like to reassure you that the EU has one of the most stringent regulatory systems for pesticides in the world, ensuring high safety standards for human and animal health and the environment, underpinned by sound science. The relevant procedures, which also apply in the case of glyphosate, are described on the European Commission's website: http://ec.europa.eu/food/plant/pesticides/index_en.htm.

The Commission has and will continue to remove active substances from the market for which it could not be demonstrated that the strict approval criteria enshrined in the legislation are satisfied. It is never the case that substances are allowed to be placed on the market and used when there are serious safety concerns for human health.

In the case of glyphosate, allow me to update you on the latest developments: as you know, in June 2016 the authorisation of glyphosate was extended until 31 December 2017 (at the latest) to enable the European Chemicals Agency (ECHA) to deliver its opinion on the hazard properties of glyphosate. On 15 March 2017, ECHA's Committee for Risk Assessment (RAC) concluded that the available scientific evidence did not meet the criteria to classify glyphosate as a carcinogen, as a mutagen or as toxic for reproduction. The draft RAC opinion will now be subjected to an editorial check in ECHA before being formally submitted to the Commission (expected before the summer break). After submission of the final opinion, the Commission Services will re-start their discussions with the Member States on the approval of glyphosate as active substance for use in Plant Protection Products (PPPs). A decision has to be taken within 6 months of receipt of the RAC Opinion from ECHA, or by the end of 2017, at the latest.

The Commission will continue to assist Member States in finding a solution that enjoys the largest possible support and ensures a high level of protection of human health and the environment - as provided for by the EU legislation - that is based on the scientific data available and legally sound.

Yours sincerely,

Xavier Prats Monné