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# REGION OF CRETE'S POSITION ON «FOOD LABELLING»

## 1. Introduction

Food crises and changing social and economic conditions define dietary habits, in particular within developed societies and shape a new data framework in terms of safe and healthy nutrition.

The increasingly intense food production methods to meet the growing needs as well as the urbanization of the earth's population, combined with the increasing complexity of the food processing chain and their easy transportation from one point of the earth to the other, generate new potential risks for public health and therefore emerge new requirements.

**Foodborne diseases**, of microbial and chemical aetiology, are a serious problem despite the spectacular developments in both processing and control systems. The cumulative effect of chemical or toxic substances on human health that are either added to food as additives or preservatives or which contaminate food from the environment (pesticides, heavy metals, chemical fertilisers, etc.) remains unknown. The economic consequences of foodborne diseases are dire even for countries with healthy economies, despite modern hygiene standards, increased vigilance and widespread information.

Any **misinformation** in the advertisements and considering as a priority the economic profit over the social benefit have promoted dietary patterns and complex foods that over time tend to become a nightmare especially for developed societies. In addition, the climate change and the recent COVID-19 pandemic, which has also pointed out the presence and role of the underlying diseases - a large percentage of which are the result of poor nutrition - are dramatically changing the way we live, the way we produce and what we consume.

Throughout several decades, the quality control of processed food and food safety was mainly based on controls over the final products. This method was and is costly and proved to be inefficient as soon as the food crises (BSE, dioxins) broke out.

In the EU, since 2002, with the Regulation No. 178/2002 of the European Parliament and of the Council of 28<sup>th</sup> January 2002 the general principles and requirements of food regulatory framework were established, the European Food Safety Authority was created and various procedures for optimal food safety, from the **farm** to the **Fork** were established, by assigning clear responsibilities throughout the production chain (Journal of the European Communities, No L 31/24, 01.02.2002).

**These days**, the EU legislation has imposed a change in the way of ensuring the production of safe food, whereby a self-control system in every company has been

implemented, at any stage of producing such food, namely from the production of the raw material to the consumption of the final food product.

This was followed by Regulation (EU) no. 1169/2011, which now requires all food producers to fully inform the consumer, through the appropriate labelling, in order to ensure their right to information, but also the ability to assume its own part of responsibility (under Regulation 178/2002).

**Under this regulation, consumers must be provided with the information needed to ensure that they can make their own decisions and use the foods of their choice.**

The aim is to achieve a high level of health protection for the consumer, whereby the consumer will be able to choose the food to be consumed while considering health issues. At the same time, the consumer is given the opportunity to assess food on the base of other important issues such as: economic, environmental, social and ethical.

In May 2020, the European Commission adopted the "Farm to Fork" strategy to promote more environmentally friendly, fair and healthy food systems as part of the European "Green Deal". This strategy also envisages the development of proposals for a harmonized nutrition profile visible on the product label [Front of pack nutrition labelling (FoPNL)] as an optional labelling until 2022, until next steps will be decided at a later stage.

**The issues that the "Farm to Fork / COM /2020/381"intends to highlight are described below:**

- As a result of poor nutrition, more than 50% of EU adults are overweight today. This implies a higher rate of diet-related illnesses and increased health care costs.
- Consumers do not always find nutritional information on food packaging label clear and simple, nor are they always able to understand this information, which makes their health-based choice difficult.
- The current health and nutrition information might simply "cover" the overall nutritional profile of a product; nevertheless, this information is misleading when the consumer wants to make healthy choices.
- The current rules applicable on food packaging labels do not always help the consumer to identify the food's country of origin.
- The consumer becomes then victim of misinformation and cannot understand the expressions such as: "consumption preferably before..." or "expiration date".

**Some of the goals that the development of food labelling systems on the front of the package (FONPL) want to achieve are:**

- The protection and improvement of human health (Article 168 TFEU).
- Ensuring a high level of consumer protection (Article 169 TFEU).
- Facilitating the transition to healthier eating choices, this can reduce the cost of the obesity epidemic and other related diseases.
- Avoidance of consumers confusion and regaining their confidence.
- Improving the consumer's level of understanding regarding the nutritional profile of a product (ingredients) through harmonized information, which can lead to healthier food choices, while also motivating food producers to produce healthier food.

## **2. Description of the reason for the intervention**

Article 29 of the EU Regulation 1169/2011 establishes the rules applicable on part of this information, the mandatory nutritional declaration, which includes information on the nutritional elements that allow consumers - including those who must follow a specific diet – to select the food of their choice.

Of all the nutritional profile labelling systems (FoPL) proposed to date, it appears that the French NUTRISCORE, compiled by the French National Public Health Agency (Santé Publique France), is more widely accepted whereby its optional use has already been approved by several European countries (Germany, France, Belgium, etc.), whereas its use has been made mandatory by European retail chains as well as by production companies.

NUTRISCORE, which establishes a ranking of five food categories (A green, to E red), provides nutritional information in an over-simplified, but incomplete method.

It ignores what is the objective, which is the truly reliable information of the consumer and only focuses on the nutritional table, without assessing the overall nutritional and environmental profile of the food, which includes vitamins, antioxidants (phenols), probiotics, the production method, and even more, if it is a natural product or a processed product. Consequently, some natural and unprocessed foods are classified in the lower category, while some processed foods are classified as better.

Nutriscore does not consider the presence or absence of chemical additives, of preservatives or even of trans fats. This directly opposes the European Commission's Directive (EU, No. 1169/2011) which aims at improving consumer information in order to enable healthier food choices.

**This is in contrast to the "Farm to Fork" strategy that promotes transparency and reliable consumer information.**

### 3. The problems that can be created by the universal application of NUTRISCORE and the evaluation algorithm

The NUTRISCORE system, and each of its evaluations, applies to similar products. However, its current format leads to confusion and deception and takes a great deal of consumer information to make its evaluation clear and useful.

- There is a risk that the consumer, while choosing the easy solution, will limit her/his choice on the **visual evaluation only** of food and will not take the important elements and information into account, namely its informative food label.
- Most likely the consumer will **feel disoriented** due to unreliable evaluation and classification of the food.
- **Healthy /natural diet is not promoted**, but the low calorie diet regardless of the source. In addition, this system assesses food according to its energy content and ignores its nutritional and biological value.
- Therefore, it leads the consumer to a partial **disorientation**; does not provide any protection, does not help her/him choose and leads to the potential promotion of complex products, which in many cases are not at all healthy for humans, nor environmentally friendly.
- The new policy is not supported by this kind of tool as the **EU directive is basically bypassed** for the implementation of FOPNL systems as a result of the "Farm to Fork" policy with reference to 2022 which is the deadline for its mandatory implementation.
- The adoption of an evaluation system, such as e.g. **NUTRISCORE offends and undervalues many products with high nutritional and biological value**, such as olive oil, traditional yogurt, ripened and matured cheeses, etc.
- In addition, it is not fair to many products which are undervalued especially several PDO / PGI products, with proven high nutritional value, for which significant funds have been spent for their promotion and development, both inside and outside the EU, while they are a separate chapter in bilateral EU agreements with third countries.

### 4. Highlighting the problems that are created in many products with geographical indication and other health products of only one ingredient (examples)

4.1. The NUTRISCORE system grants an exemption to certain foods as to the mandatory labelling (honey, herbs, etc.). We do not think that this is in the consumer's best interest either, as he cannot know which products may be labelled



or not. Hence, this is another point which is contrary to the European Directive and creates further confusion.

**4.2** It is obvious that a labelling system such as NUTRISCORE, in its current form, blatantly wrongs all natural origin and single-ingredient foods (extra virgin olive oil, table olives, etc.) whose composition cannot be modified, in order to seek for a better rating, a superior ranking, while processed and multi-ingredient foods obviously benefit.

**4.3** Indicatively, the product classifications of Geographical Indications are mentioned, such as:

- **Olive oil:** Class C (yellow)
- **Katiki Domokou PDO** (cheese spread): Class D (light orange)
- **Feta Epirus PDO:** Class E (dark orange)
- **Naxos graviera Greek cheese** (hard cheese from cow's milk and mixed with goat and sheep milk) PDO: Class E (dark orange)

**4.4** Documentation that a labelling system such as Nutriscore cannot be applied as such to the evaluation of single-ingredient natural products or Products with Geographical Indication, such as is the case of Olive Oil.

The evaluation of a product and in particular of olive oil cannot be based **only on the fat content**, or the amount of **salt or sugar**, as basically, the system suggests.

With this system, three critical elements of the quality of olive oil are: **Organoleptic Characteristics, Biological - Dietary value and the Safety of use** are not mentioned and are not evaluated anywhere.

Based on the criteria of the system

- How does an Extra Virgin Olive Oil compare to a Virgin Olive Oil or an Olive Oil (an industrial product that basically contains "refined" formerly lower quality olive oil);
- How to compare an Extra Virgin Olive Oil of early harvest (Agoureo Olive oil), with one of the same quality category but late harvest;
- How to compare an olive oil product of Organic Agriculture with another of conventional crop;
- how to compare an extra virgin olive oil with a seed oil, possibly genetically modified that has the same caloric value, the same amount of fat;
- How to compare a PDO Extra Virgin Olive Oil which has been produced with the specifications provided for a PDO product, which ensure its higher quality and safety in its use, with a common olive oil;

- How to compare two olive oils with different geographical indication, from different varieties, etc.;

If this system is applied as it is in the olive oil market, automatically:

- Eliminates the importance of organoleptic evaluation, of the desirable characteristics and any disadvantages.
- Deletes the health claim that can be made of exceptional olive oils with a high content of biological - dietary ingredients.
- Eliminates the distinction of olive oils into quality categories.
- Eliminates the importance of implementing good practices in order to produce a safe product.
- **Abolishes the value of Geographical Indications (PDO, PGI, EP.**
- **Misinforms and deceives the consumers.**

## **5. Documentation that a labelling system, such as Nutriscore, does not contain in its system any significant nutritional, environmental and social evaluation information**

Nutriscore evaluates negatively the caloric value, sugar content, saturated fatty acids and sodium content, while positively evaluates the content of fruits - vegetables, vegetable fibres and proteins.

This approach, while in some cases may be considered adequate for food products, it does not include nutrient groups with a significant positive effect on human health, such as the content of vitamins, minerals and probiotics.

Especially in terms of vitamins and minerals, and given that there is the Recommended Daily Intake for humans, they could be added to the algorithm.

On the other hand, important sources of problems for human health are not evaluated negatively, such as the content of preservatives and other additives, any artificial sweeteners, any trans fats, etc.

Some examples of foods and the category to which they belong based on Nutriscore:

- **Goat milk Olympos:** Class B (light green)
- **Natural juice Life:** Class A (dark green)
- **Almonds:** Class A (dark green)
- **Coca Cola soft drink (traditional flavour):** Class D (light orange)
- **Sugar free Coca Cola soft drink:** Class B (light green)
- **Lays in the oven (paprika flavour)** Class C (yellow)
- **Berry mix jellies:** Class D (light orange)

- **Cashew nuts:** Class B (light green)
- **Peanut butter:** Class C (yellow)

## 6. Suggestions

- To modify the NUTRISCORE scoring algorithm to result in a reliable evaluation of all the important ingredients of a food and a realistic categorization in one of the five rankings of the system.
- To include in the parameters the energy, environmental and social economic footprint and enter the rates for each parameter.
- To agree on the de facto classification, after a category evaluation, of some natural and single-ingredient PDO /PGI foods, such as olive oil, table olives, traditional dairy products, etc. Especially for the olive oil we are 100% in line with the proposal of the International Olive Oil Council for its classification in category A (green), without evaluation for known and documented reasons.
- In case the above proposal is not accepted, then we propose to exclude all the PDO /PGI products from the obligation to apply a labelling system (FOPNL).
- To make a counter-proposal and create a different model for real food products.
- Make clear and distinct on the label that the score is exclusively for identical complex foods and establish a consumer information system to make the assessment useful.

In addition, it is proposed to create a pattern with three different categories of FOPNL marking.

1. **Nutriscore Type:** This labelling will form the basis of the [Front of pack nutrition labelling (FoPNL)] strategy. That way, there will be no conflict with its supporters. Nutriscore will not be applied to food products of the next two categories:
2. **Alternative labelling based on food ingredients (Nutrient-specific label).** This label will be borne by food products that Nutriscore has been documented to be unfair to them (e.g. olive oil, cheese).
3. **Geographical indication products.** The AREPO network should lead the effort to create FOPNL labelling, exclusively for geographical indication products.