



Council of the  
European Union

165758/EU XXVII. GP  
Eingelangt am 07/12/23

Brussels, 7 December 2023  
(OR. en)

16389/23

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**Interinstitutional File:**  
**2023/0105(COD)**

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AGRI 791  
AGRIORG 149  
AGRILEG 337  
FOOD 96  
CODEC 2404  
IA 350

**NOTE**

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From:	General Secretariat of the Council
To:	Delegations
Subject:	Revision of the Breakfast Directives – agricultural products – state of play - Information from the Presidency

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With a view to the meeting of the Council (Agriculture and Fisheries) on 10-11 December 2023, delegations will find in the Annex a document on the above-mentioned subject.

**Background**

On 21 April 2023 the Commission submitted to the Council and the European Parliament a proposal to amend four of the so-called “Breakfast Directives”. The Commission’s proposal concerns the directives on honey, fruit juices, fruit jams and dehydrated milk.

The proposal aims at promoting the shift to healthier diets and stimulate reformulation of products by decreasing sugar content, improving labelling and thereby empowering consumers to choose food with proper knowledge and in a more sustainable way.

The Commission’s proposal has been discussed in the Council Working Party on Agricultural Products in six meetings, and in the Special Committee on Agriculture on three occasions. On 14<sup>th</sup> of November 2023, a qualified majority of delegations supported the revised suggestions of the Spanish Presidency (15106/1/23/REV1), and the SCA gave the Presidency a negotiation mandate on the basis of the text set out in that document. This text was completed on 4 December 2023 (15106/1/23/REV1). The text has since been updated to present more clearly the changes introduced by the Council in relation the Commission’s proposal (15106/2/23/REV2).

**Content of the Council’s mandate (doc. 15106/2/23/REV2)**

The main aspects of the mandate approved for the Council to negotiate with Parliament can be summarized as follows:

- In the case of honey blends, the Commission’s proposal has been amended to include the obligation to indicate, on the label, the country of origin where the honey has been harvested, together with the percentages that each represents in the blend. A tolerance of 5 % is allowed for each individual share within the blend.

In addition, the following flexibility measures have been included:

- Member States may provide, when transposing the legislation, that the obligation to indicate the percentage only applies to the four largest shares.
- In the case of packages of less than 30 grams, the names of the countries of origin may be replaced by a two-letter ISO code.
- In the case of fruit juices, three new categories of juices with reduced sugar are introduced and the possibility of using the label “fruit juices do not contain added sugars” has been included, which shall be supplemented by the statement “fruit juices contain sugars that occur naturally in the fruit”.
- In the case of fruit jams, an increase in the minimum quantity of fruit required for processing has been proposed (100 g more per kg for jams, and 50 g more per kg for extra jams comparing to current requirements), as well as the use of the term ‘marmalade’ as a jam equivalent, in the case of fruit jams other than citrus fruits, on a voluntary basis in those Member States where both terms are already used interchangeably by consumers.
- In the case of dehydrated milk, the Commission’s proposal to include the authorization of a treatment to produce lactose-free dehydrated milk products is maintained.

### **Next steps**

The Spanish Presidency foresees that it will start informal discussions with the European Parliament once the report adopted by the European Parliament’s Committee on the Environment, Public Health and Food Safety (COMENVI) on 29th of November is voted in plenary session, scheduled for 12th of December.

That way, the future Belgian Presidency will be able to start substantive negotiations with Parliament in January 2024.